

£Colombia @Myth and Reality

CASES FOR APPEALS

Since 1986, over 20,000 people have been killed for political reasons in Colombia. No one is safe. Those killed come from all sectors of society: from the topmost politicians to street children and peasant farmers.

The war between government and guerrilla continues unabated and is the context for widespread human rights violations. Army-backed paramilitary forces and the regular security services have sown terror in rural areas of Colombia for more than a decade, torturing, abducting and killing with virtual impunity. Guerrilla groups have also committed abuses which have contributed to the spiral of violence.

The murder of people considered "socially undesirable" has become endemic in Colombia's major cities. These killings are usually attributed to "death squads". In most cases, the assassins remain unknown, although there is often evidence of the direct involvement of the security forces.

This is the other Colombia, a reality seldom featured in the headlines of the international media. Successive Colombian governments have organized a skilful public relations campaign, blaming drug-trafficking organizations and the guerrillas for most political killings in Colombia. The facts tell a different story. Statistics show that the security forces and their paramilitary allies are responsible for most of these killings.

The present Colombian Government has publicly recognized that human rights violations are carried out with impunity. By establishing numerous and largely ineffectual human rights bodies, they have created a smoke-screen of progress, which helps to hide the fact that abuses remain widespread.

Only exceptionally have those responsible for human rights violations been brought to justice in Colombia. Members of the armed forces have been placed beyond the reach of the law and shielded from prosecution by the military. The fact that for decades the Colombian security forces have been seen to murder with impunity has undoubtedly created the conditions in which violence flourishes.

The following cases are representative of the pattern of human rights violations in Colombia.¹ They tell the stories of ordinary women and men, trade unionists, peasants, lawyers and street dwellers, killed or "disappeared" by the Colombian security forces and their paramilitary allies.

It is too late to save their lives, but by campaigning to bring their killers to justice we can save the lives of others. There are many brave Colombians who refuse to be intimidated, who continue to speak out for human rights and social justice.

We can all help to stop the killing. Please try to do something, there are suggestions for what you can do at the end of each of the cases. Anything you can do to publicize the reality of the situation in Colombia would also help.

¹Amnesty International's concerns about political killings and "disappearances" in Colombia are detailed in the report [Political Violence in Colombia: Myth and Reality](#) (AI Index AMR 23/01/94)

COLOMBIA

CASES FOR APPEALS

1. Riofrío Massacre
2. Gregorio Nieves
3. Isidro Caballero Delgado and María del Carmen Santana
4. Alirio de Jesús Pedraza Becerra
5. Sister Hildegard María Feldmann
6. Gustavo Chinchilla Jaimes
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8. Delio Vargas Herrera
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11. Father Tiberio de Jesús Fernández Mafla
12. José Drigelio Díaz Fierro and Rosa María Espitia
13. Miguel Angel Martínez
14. Palacios family

this version was contradicted by eye-witnesses who claim the victims were unarmed peasant farmers.

Witnesses testified that towards midday around 80 regular army troops arrived in the community in three trucks. When the soldiers reached the school house they opened fire and threw grenades. One grenade damaged a house and killed some chickens. Lieutenant-Colonel Becerra arrived shortly afterwards in a helicopter. They crossed the group of paramilitary gunmen on the way back down the hill but they did nothing to prevent them from leaving the area. A witness later testified that when journalists and photographers arrived the soldiers placed grenades and rockets by several of the corpses to give the impression that they had been guerrillas, killed in a firefight.

Lieutenant-Colonel Becerra made a statement to the press in which he claimed responsibility for the military operation which he described as a victory over ELN combatants.

Lieutenant-Colonel Becerra arrived at the Ladino house and questioned one elderly survivor who had been locked up in a room in the house with several of the children. She later said that she recognised one of the men with him as being one of the nine camouflaged men who had been at the house earlier.

Following the international exposure of the Riofrío massacre the government announced that Lieutenant-Colonel Becerra had been given an honourable discharge. This measure carries no sanction and seems designed largely as a cosmetic measure to placate national and international concern. The massacre in Riofrío was not the first time that he had been implicated in serious human rights violations. The career of Lieutenant-Colonel Becerra provides a striking example of how impunity fosters further human rights violations. Lieutenant-Colonel Becerra had already faced charges in connection with an earlier massacre, that of 21 workers at the Honduras and La Negra banana plantations near the town of Currulao in Urabá in 1988. The workers were massacred by some 30 heavily armed and masked men on 4 March that year.

Several of the civilian judges who investigated the Urabá massacre received repeated death threats. As a result one left the country; her father was murdered shortly afterwards. Only days before leaving, she had issued arrest warrants against four army officers, including Luis Felipe Becerra, then a major, in connection with the killings.

Although the Ministry of Defence subsequently stated that the army officers were in custody, it was later reported that Major Becerra was in the United States undergoing a training course before promotion to lieutenant-colonel. In May 1991 the military courts were awarded jurisdiction over criminal proceedings against the army officers implicated in the case. In 1992, while still supposedly on trial in a military court as an accomplice to murder, the recently promoted Lieutenant-Colonel Becerra was appointed to head the army's press and public relations department.

The Procurador Delegado para las Fuerzas Armadas, Procurator Delegate to the Armed Forces investigated the Urabá massacres and recommended that the three army officers, including Lieutenant-Colonel Becerra, be dismissed for their part in the Urabá massacre. Despite seemingly abundant evidence that the army officers were involved in the massacre, in April 1993 the Procurador General de la Nación, Procurator General, rejected the Procurator Delegate's recommendations and decided not to seek the officer's dismissal on the grounds of insufficient evidence. He also ruled out reopening the investigation because more than five years had elapsed since the massacre and the statute of limitations had therefore expired. So it was that in October 1993 Lieutenant-Colonel Becerra had moved on from public relations to become Commander of the Palacé Battalion, based in Buga, Valle de Cauca department.

The area in which the massacre took place is one in which drug-traffickers are influential and are pressuring peasant farmers to sell them their land so as to create large estates. Strong evidence exists of a close association between drug-traffickers and the police and army in the region. Guerrillas from the ELN also operate in the region and have carried out a number of attacks in which drug-traffickers' relatives and associates have been killed or injured.

Shortly before the Riofrío massacre two alleged drug-traffickers and a relative of a local figure known as a drugs baron had reportedly been killed by the ELN. Francisco Arturo Herrera (alias "Bananas"), the local figure in question publicly stated that he would avenge these deaths. In this situation, however, there may have been a common interest with the local army garrison: it is believed that the Army committed the massacre in El Bosque to intimidate the local peasant community, seen as the guerrilla's social base. In fact Riofrío was a strongly religious community that was well organised with a Junta de Acción Comunal, Civic Action Committee, working to develop the community; the Ladino and Molina families themselves were seen as spiritual leaders within the community.

The massacre has left two babies and several other children orphaned and had a serious impact on the community. At least 18 of the 22 resident families fled the community in the wake of the massacre and their homes have been ransacked. At present they are too afraid to return.

As the authority's only response to date has been to give Lieutenant-Colonel Becerra an honourable discharge - a measure which carries no penal sanction - the impunity of the past is likely to persist. In turn this will help fuel the sense of impunity enjoyed by the security forces in Colombia and could lead to further human rights violations.

Francisca Mojica was working at home on 13 April 1993 when she heard the sound of approaching gunfire. Her husband Gregorio Nieves and her three brothers, Arsario Indians from the Marocazo community in the Sierra Nevada mountains of Santa Marta, were out working on the land.

Francisca Mojica saw three individuals run by, across their land, firing behind them. She assumed these men to be guerrillas, running from the army. She shouted to her husband and brothers to hide, saying that the soldiers would take the four men for guerrillas and kill them. According to Francisca's testimony, Gregorio Nieves and her brothers then began to run, but a group of soldiers arrived and began to fire in their direction, shouting "they're guerrillas too - kill them". Gregorio Nieves was wounded in the attack and all four men were made to lie on the ground.

Several of the soldiers were wearing hoods to disguise their identity. One of the hooded soldiers singled out Gregorio Nieves, saying "that wounded one is the guerrilla". It is reported that Gregorio Nieves was then shot at point blank range through the head and his body kicked around.

The three surviving Indians state that the soldiers threatened them, beat them with gun butts, kicked them and demanded to be taken to the community's leaders. They also state that the soldiers radioed for plastic bags which they later used to torture the Indians, placing them over their heads to cause a feeling of suffocation. The soldiers, who were from the La Popa Battalion, stated that they were taking part in an operation in search of a Colombian journalist, Jaime Ardila, whom it was believed had been kidnapped by guerrillas operating in the area. They demanded information as to the whereabouts of the kidnapped journalist, the guerrillas and their weapons.

Francisca Mojica, who witnessed her husband's killing, states that she was threatened with death, subjected to ill-treatment and accused of being a guerrilla. She said that the soldiers were at first unwilling to hand over her husband's body. They returned to where he was lying, and photographed a gun by the body, in an apparent attempt to support their claim that he had died in confrontation with the army. When members of the Arsario community requested permission to go to a nearby town to buy a coffin in which to bury Gregorio Nieves, the soldiers are reported to have said "if you want to bury him, dig a hole and bury him there, or throw him in the river". The Indians state that they buried Gregorio in a makeshift coffin.

The inhabitants of Marocazo urged the authorities to investigate the killing of Gregorio Nieves and compensate his family. An investigation has been initiated by the Oficina de Investigaciones Especiales, Special Investigations Unit of the Procuraduría General de la Nación, Procurator General's Office, and by the 15th judge of Military Penal Instruction, based in the La Popa Battalion.

As a result of the events of 13 April, a letter was written on 18 June 1993, signed by leaders of the Kogui, Arsario and Arhuaco indian peoples and addressed to the

Colombian Ministers of the Interior and of Defense, and to the People's Advocate. The letter requested that measures be taken and guarantees made to protect their safety. The letter protested the presence of military bases on their traditional lands, and states their equal concern at the presence of guerrillas.

There is serious concern for the safety of Gregorio Nieves' family following the threats made against them and for other members of the Arsario community.

Witnesses of human rights violations are often subjected to harassment, intimidation or physical attacks to prevent them pursuing complaints against the armed forces.

There are estimated to be more than half a million indigenous people in Colombia. Colombian legislation with respect to recognition of indigenous rights and protection of their lands is generally considered progressive. However, abuses against indigenous people continue to be reported, particularly in areas where guerrilla forces are active. In such areas, the local population is often seen by the armed forces as being potential collaborators and has, as a result, been subjected to arbitrary arrest, torture, "disappearance" and extrajudicial execution by army personnel and paramilitary groups working for them. Despite repeated pledges by President César Gaviria Trujillo that his government is committed to protect human rights, members of the Colombian armed forces and paramilitary groups continue to commit serious abuses with virtual impunity.

Please send appeals:

-expressing your concern at the killing of Arsario Indian Gregorio Nieves on 13 April 1993 and the torture and ill-treatment of other indians from Marocazo by members of the armed forces' La Popa Battalion;

-urging that the investigations initiated by the Special Investigations Unit of the Procurator General's office and by the 15th judge of Military Penal Instruction, be thorough and that the results be made public. Request that while under investigation, members of the armed forces implicated should be suspended from duty;

-urging the government to ensure the safety of Colombia's indigenous population, stressing that progress in the legal proceedings is essential to combat the impunity which has contributed to a series of indigenous massacres in recent years.

Addresses:

President of Colombia

Señor Presidente César Gaviria Trujillo
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Fax: + 57 1 284 0472

Procurator General

Dr. Carlos Gustavo Arrieta Padilla
Procurador General de la Nación
Procuraduría General
Edificio Banco Ganadero
Carrera 5, No. 15-80
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Fax: + 57 1 284 0472

Minister of Defence

Dr. Rafael Pardo Rueda
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
Avenida Eldorado - Carrera 52A
Bogotá, Colombia
Fax: + 57 1 222 1874

Dr. Gustavo de Greiff
Fiscal General de la Nación
Fiscalía General de la Nación
Apartado Aéreo 29855
Bogotá, Colombia
Fax: + 57 1 287 0939

Increase the power of your appeal by sending a copy to the Colombian Embassy in your country.

Where possible, please also send a copy to the addresses below:

Colombian National Indigenous Organization: Organización Nacional Indígena de Colombia, Calle 13, No 4-38, (Apartado Aéreo 32395), Bogotá, Colombia

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

Isidro Caballero Delgado and María del Carmen Santana

"The only responses I have received to the struggle I undertook in searching for my husband are death threats and persecution."

María Nodelia Parra Rodríguez,
wife of Isidro Caballero Delgado.

Isidro Caballero Delgado and María del Carmen Santana were detained at about 4 pm on 7 February 1989 on the road to San Alberto in the northern Colombian department of Cesar. Not long afterwards it is thought both were killed in cold blood.

The detentions were carried out by army personnel of the V Brigade from the Morrison military base. Witnesses state that Isidro Caballero was made to dress in military camouflage uniform and forced to accompany the soldiers in the direction of the mountains. One of the soldiers has subsequently admitted his role in detaining and killing them. However, the military authorities have denied the arrests and none of those responsible have been brought to justice.

Isidro Caballero was 31 years old and had just become the father of a son, Ivan Andrés, at the time of his "disappearance". He was a member of the Movimiento 19 de abril (M-19), - 19th April Movement - a guerrilla group which had shortly before entered into peace negotiations with the Government and which was reincorporated into civil life; it is now a legally recognised political party, the Alianza Democrática M-19 - M-19 Democratic Alliance. He was also a teacher active in the Santander Teachers' Union (SES), which is affiliated to the Union of Workers of Santander and the Colombian Teachers' Federation. He had helped to organize a strike in north-west Colombia in protest against the military presence there, the lack of individual guarantees for the people and land issues. As a result of the strike several trade union leaders were killed or "disappeared".

During 1988, Isidro Caballero became involved in the M-19's Regional Committee for Dialogue. The aim of this committee was to seek a political solution to armed conflict through the promotion and organization of meetings and debates in different areas.

On the day they were detained, Isidro Caballero and María del Carmen Santana travelled to Guaduas hamlet to discuss the participation of peasants at a forthcoming meeting which they were preparing. A few meters from a house they had visited, they were arrested by a military patrol. Several people witnessed and have testified to their detention.

Despite the efforts of Isidro's wife, María Nodelia Parra to trace him, the military authorities have persistently denied his detention.

María Nodelia Parra sought the help of local mayors, the regional procurator, the Minister of Government and the Bishop of Bucaramanga without success. Having exhausted these measures, she denounced the detention to the Inter-American Commission of Human Rights (IACHR) of the Organization of American States (OAS).

On 23 February 1989 a criminal investigation was opened into the "disappearances" before the Second Criminal Investigating Judge.

One witness identified two soldiers involved in the abduction of Isidro and María del Carmen. Despite the existence of this evidence, formal proceedings were not started until August 1989. Four soldiers were arrested on 22 August 1989 and all of them were linked to the case following questioning.

A soldier who had previously testified to the military court confirmed that he had been involved in the killing of Isidro Caballero and María del Carmen Santander and gave the names of three of the four originally arrested in connection with the incident. He said that they had formed a special group which operated under the auspices of the V Army Brigade. He stated that Isidro and María del Carmen had been killed by the group on 9 February 1989 and they had been buried in a common grave in Guaduas. The four soldiers were eventually linked to the criminal investigation but in September 1990, all were acquitted despite strong prima facie evidence against them.

The ruling was not appealed partly because María Parra and her lawyer were receiving death threats. Witnesses had also received similar threats and some had been forced to leave the area. The criminal case was closed on 3 October 1990.

A criminal investigation before the military courts was also started in February 1989. Testimony was taken from military personnel from the Santander Battalion and members of the military patrol which was posted at the El Libano camp, San Alberto at the time the events occurred. Despite the evidence the military court suspended the investigation and the file was archived.

One of the four identified, Luis Gonzalo Pinzón, was by this time dead. Another, Captain Hector Alirio Forero was admitted to the Central Military Hospital Psychiatric Service on 24 April 1989. His service record shows his own views on his hospitalization: "I came to the hospital, aware that my hospitalization was part of a plan to avoid a court conviction, as my state of health did not require it". The captain's service record also reveals that his discharge from the Army was sought in 1990 in connection with the abduction and "disappearance" of two individuals in San Vicente de Chucurí in February 1988.

In February 1992 the IACHR ruled that the Colombian Government was responsible for the abduction and "disappearance" of Isidro Caballero Delgado and María del Carmen Santana. The IACHR called on the Colombian authorities to investigate the

case, punish those responsible and compensate the family. The IAHCR also submitted the case to the Inter-American Court in December 1992, the first time the Colombian government has been taken before the court. The OAS has made it quite clear that it is not satisfied with the steps taken by the Colombian authorities to investigate the "disappearance" and to punish those responsible. Isidro's wife, María Nodelia Parra, stated to the press in March 1993 that none of the IACHR recommendations had been carried out by the authorities. Proceedings before the Inter-American Court have not yet been concluded.

As far as Amnesty International is aware no further steps have been taken in Colombia to investigate the "disappearance", locate or identify the bodies and bring those responsible to justice.

Please send appeals:

- expressing your concern at the "disappearance" of Isidro Caballero Delgado and María del Carmen Santana by members of the V Brigade;
- urging the Colombian authorities to investigate this case fully in accordance with the rulings of the Inter-American Court for Human Rights and to make any findings public.
Request that while under investigation members of the armed forces implicated should be suspended from duty;
- urging that any further investigation and judicial proceedings should be undertaken in a civilian court, so helping to ensure that the impunity which contributes to continuing "disappearances" is brought to an end.

Addresses:

President of Colombia

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Procurator General

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Procurador General de la Nación
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Fax: + 57 1 284 0472

Governor of Cesar

Señor Lucas Segundo Geneco Cerchar
Gobernador del Departamento del Cesar
Gobernación del Cesar
Calle 16, No. 12-120
Valledupar, Cesar
Colombia
Fax: +57 5 572 3250

Increase the power of your appeal by sending a copy to the Colombian Embassy.

Where possible, also send a copy to: the Teachers Union: Federación Colombiana de Educadores, Carrera 13a, No. 34-36, (Apartado Aéreo 14373), Bogotá, Colombia.

Alirio de Jesús Pedraza Becerra

Virginia Vargas lives with her son, Oscar Humberto, in a suburb in the North of Bogotá. Her apartment has two bedrooms, a study, a kitchen and a dining room. Oscar Humberto, who is 13 years old, goes to school each morning when his mother leaves for work. On the surface it is a normal life in the suburbs. Except life for Virginia and Oscar has been far from normal since their husband and father, Alirio de Jesús Pedraza Becerra, "disappeared" on the night of 4 July 1990 in Bogotá.

Dr. Pedraza, a lawyer and human rights worker, stopped off on his way home that evening to buy bread in the "La Campiña" shopping centre in Bogotá's Suba district. According to various eye-witnesses, about eight heavily armed men in plain clothes seized Dr. Pedraza at about 10pm as he was leaving a bakery.

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 the uniformed police agents present at the scene who then stood by and did nothing to prevent the abduction. Dr. Pedraza reportedly called out his own name as he was being pushed into the Mazda.

Dr. Pedraza had just attended a meeting of the 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. Dr. Pedraza was representing relatives of peasants killed when troops belonging to the Luciano D'Elhuyart Battalion opened fire on hundreds of peasants during a protest march in May 1988 in Llano Caliente, Santander department. Dr. Pedraza had also just been working on behalf of a number of trade unionists detained and tortured by the army in Cali, Valle del Cauca department, in March 1990. The trade unionists were accused of belonging to a guerrilla organization but charges against them were later dropped. According to their testimonies they were tortured while held in the army's III Brigade in Cali. Dr. Pedraza also represented victims and their families in a number of other cases of human rights violations by the Colombian army and police.

The "disappearance" of Dr. Alirio Pedraza was immediately denounced to the Procurador General, Procurator General's office and the Procuraduría Delegada de Derechos Humanos, Office of the Procurator Delegate for Human Rights, who initiated an investigation. However, despite the efforts of Dr. Pedraza's family and colleagues to locate him, the armed forces and police authorities continued to deny his detention and his whereabouts remain unknown. A judicial enquiry was also initiated into his "disappearance".

In October 1992 two members of the judicial police were arrested on suspicion of being materially responsible for the human rights lawyer's abduction. They were released in July 1993 without being brought to trial. Nearly four years after his "disappearance", Dr. Pedraza's whereabouts remain unknown.

Please send appeals:

- expressing concern for the safety of Alirio de Jesús Pedraza Becerra, who has not been seen since he was detained on 4 July 1990;
- expressing concern that two members of the judicial police have not been prosecuted despite prima facie evidence of their involvement in the "disappearance" of Dr. Pedraza;
- calling for investigations to be continued until Dr Pedraza's whereabouts are established and all those responsible for his "disappearance" are brought to justice and so help to ensure that the impunity which leads to "disappearances" is brought to an end;
- urging the Government to ensure the safety of human rights and human rights organizations frequently the target of human rights violations.

Addresses:

Procurator General/Attorney General

Dr. Carlos Gustavo Arrieta Padilla/Dr. Gustavo de Greiff
Procurador General de la Nación/Fiscal General de la Nación
Procuraduría General/Apartado Aéreo 29855
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Presidential Human Rights Adviser

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Increase the power of your appeal by sending a copy to the Colombian Embassy in your country.

If possible, please send a copy to the organization below:

CSPP, Comité de Solidaridad con los Presos Políticos, Calle 6, No. 14-98, Of. 1102,
(Apartado Aéreo 22803), Bogotá, Colombia

Sister Hildegard María Feldmann

"Hildegard María Feldmann...
lived for serving the poorest
and neediest patients; her life
was an example of humbleness,
of commitment, of prayer"

Monseñor Gustavo Martínez Frías,
Bishop of the Diocese of Ipiales

On the afternoon of 9 September
1990 Hildegard Feldmann was
drinking coffee at the house of
a farmer, José Ramón Rojas Erazo,
in the village of El Sandé. She
had just finished treating an
80 year old sick woman. Moments
later she and Ramón Rojas had
been killed in an attack upon
the village by some 120
Colombian soldiers.

Néstor Hernando García, a peasant
who had sought refuge with his wife
and other villagers behind
Ramón Rojas' house, was wounded
in the leg by the soldiers.
Those with him applied a tourniquet
and tried to find a safer part of
the village in which to shelter.
Moments later, a group of soldiers
discovered their hiding place and
Hernando García was summarily executed.

Hildegard Feldmann was born on 4 April 1936 in Nafels, Switzerland. She trained as a nurse and midwife and was a member of the Community of Lay Missionaries in Fribourg, Switzerland and worked with the Bethlehem Missionary Society. She had previously worked for eighteen years in India and had worked in Colombia as a pastoral missionary since 1983.

El Sandé is in an area where guerrillas of the FARC (Fuerzas Armadas Revolucionarias de Colombia - Revolutionary Armed Forces of Colombia) had been active. A group of guerrillas were reportedly bathing in a nearby river when the soldiers attacked and an unidentified guerrilla was killed in the village.

Initial reports from the Army stated that when army personnel reached El Sandé they were attacked by machine gun fire. During an ensuing exchange of fire, they said, four guerrillas, one of them a woman, were killed. Later, a press release issued by the Commander of the III Army Brigade, Brigadier General Manuel José Bonett Locarno gave a different version of the events. It stated that Hildegard Feldmann had been killed whilst working as a nurse in a house where an armed group had been surprised by the army patrol and that reports indicated that Hildegard had been killed in the crossfire between the army and FARC guerrillas.

Villagers state that the army simply attacked the village firing indiscriminately at the inhabitants from a distance of about 300 meters. They then ransacked houses and the school and took medicines and money from the dispensary. Witnesses testified that at the time of the attack only Ramon Rojas, his 67 year old wife, his two children, Hildegard Feldmann and the sick woman she was treating were in the house and that nobody in the house had fired at the army.

On 19 September 1990, the Oficina de Investigaciones Especiales, Special Investigations Office - part of the Procuraduría General de la Nación, Procurator General's Office - ordered an investigation into the killings and a local judge was appointed to do this. She visited the area and took statements from the villagers and the army personnel. She concluded that whilst guerrillas had been present in the village and had been using an empty house there, the village was not a guerrilla encampment. The army attacked the village indiscriminately, treating all the villagers as if they were guerrillas. She concluded that three army officers were responsible for the deaths, the robbery of the dispensary and the arbitrary treatment of the villagers. She reported her findings to the Juez Primero de Orden Público, First Public Order Judge in Pasto-Nariño and also recommended that action be taken by the Procurador General, Procurator General and the Procurador Delegado para las Fuerzas Armadas, Deputy Procurator for the Armed Forces.

An investigation was also opened before the Military Criminal Court No 18 of the Boyacá Battalion. According to the military court, the army could not be held responsible for the killings of the civilians since the nature of the incident made it difficult to identify who was who. The military court acquitted a number of soldiers. However, the Public Order court (a civilian court which deals with terrorist and drugs related cases) held that the Army had acted hastily, firing indiscriminately at guerrillas and civilians. (there was no special mention to the cold-blooded execution-style killing of Néstor Hernando García as he lay incapacitated)

On 6th November 1992 the Procurator's office decided to archive the file on the grounds that there was no evidence that the military acted irregularly. The Armed Forces Procurator also took the view that the behaviour of the soldiers was legal in that they had acted in self defence.

The killers of Hildegard Feldmann and the others were exonerated. Only exceptionally have those responsible for human rights violations been brought to

justice in Colombia. Members of the armed forces have been placed beyond the reach of the law and shielded from prosecution by the military. The fact that for decades the Colombian security forces have been seen to murder with impunity has undoubtedly created the conditions in which violence flourishes.

Please send appeals:

- urging the Colombian authorities to reopen the investigations into the El Sandé killing and bring those responsible to justice;
- asking that they ensure any criminal proceedings are handled by civilian courts; so as to help bring to an end the impunity which leads to army and paramilitary atrocities committed against the civilian population in areas of guerrilla influence;
- requesting greater respect and protection for civilian lives and security in combat zones.

Addresses:

President of Colombia

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Procurator General

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Commander of the III Brigade

Brigadier General Hernando Zúñiga
Comandante de la III Brigada
Avenida 4 N, Calle 18 y 19
Cali
Valle del Cauca

Increase the power of your appeal by sending a copy to the Colombian Embassy in your country.

If possible, please also send a copy to:

Señores, Comisión Intercongregacional de Justicia y Paz, AA 31861, Bogotá, Colombia

Secretary General of Colombian Bishop's Conference, Monseñor Rodrigo Escobar
Aristazábal, Secretario General, Conferencia Episcopal de Colombia, Calle 26 No. 27-48,
Bogotá, Colombia

Gustavo Chinchilla Jaimes

On 28 October 1992 Gustavo Chinchilla Jaimes was staying with his wife and two children at a house in Bogotá. They had moved from Barrancabermeja to Bogotá as a result of death threats against him and he was on the point of leaving Colombia for his own safety. That evening he received a phone call and he left the house at 7.10pm to go and meet some friends. He did not return.

The following day Gustavo Chinchilla's body was found on a street in Bogotá. His throat had been cut and his body showed signs of torture. The circumstances of his killing suggest he was the victim of an extrajudicial execution.

Gustavo Chinchilla was a member of the San Silvestre Drivers' Union, Sindicato de Choferes de Transportes San Silvestre of Barrancabermeja, Santander department. He was the sixth member of that union to be killed in 1992.

On 24 July 1992 Gustavo Chinchilla had made an official complaint to the authorities together with the Union President, Parmenio Ruíz Suárez, following threats against their lives and the lives of other members of the union, threats which they believed to come from state security agents. On 30 July 1992 Parmenio Ruíz was shot dead with two others in a restaurant in Barrancabermeja. The death of Parmenio Ruíz and the threats against Gustavo Chinchilla had been under investigation by the Oficina de Investigaciones Especiales de la Procuraduría General, Special Investigations Unit of the Procurator General's Office.

The river port town of Barrancabermeja is in the centre of the largely rural area of central Colombia known as Magdalena Medio, which has been the centre of violence for many years following the emergence of guerrilla groups in the 1960's and subsequent militarization of the region during the 1980's. Amnesty International and local human rights groups have expressed grave concern about the recent escalation of human rights abuses, including torture, "disappearance" and extrajudicial execution committed by the Colombian army and police and paramilitary organizations working with them, against members of the civilian population. Particular victims have been human rights defenders, trades unionists and community workers. That individuals like Gustavo Chinchilla Jaimes who are forced to flee threats in this area are then hunted down and detained and "disappeared" or killed outright illustrates the highly organized nature of human rights violations in Colombia.

Adela Agudelo Lombana

Adela Agudelo had problems with her knees. Her doctor advised her to take the thermal baths in the village of Paipa. On the morning of 5 April 1992 she took a bus for Paipa with another woman.

At 8.30 am, in front of the hospital in Duitama, two armed men in civilian clothes got out of a taxi and boarded the bus. They started to force Adela Agudelo out of the bus, saying that they had come for "the guerrilla whore". The bus driver asked the men for an explanation of what they were doing and they showed him something, apparently official credentials. Adela resisted but eventually she was forced into the taxi and driven off in the direction of the army's Sylva Plazas Battalion headquarters near Tunja. The driver and the passengers on the bus report seeing Adela being taken to this base. From the evidence that later became available it is clear that she was detained by troops of the First Army Brigade based at Tunja, Boyacá Department.

Adela Agudelo worked with FENSUAGRO (Federación Nacional Sindical Unitaria Agropecuaria), a peasant trade union, on an agricultural cooperative project. At the time of her detention she was around 24 years old.

The next day, her arrest was reported to the local Personero, Ombudsman at Duitama. He made inquiries of the Commander of the Sylva Plazas Battalion who denied all knowledge of the arrest. Her arrest was also denounced in Bogotá and the Criminal Investigating Judge No 8 in the departmental capital Tunja started an investigation.

On 10 April 1992 Amnesty International called on the Colombian authorities to investigate the detention and urged that Adela Agudelo be released or formally charged with a recognizable offence. Replies were received from Lt. Colonel Hernando Ortíz Rodríguez, the Commander of the Sylva Plazas Battalion who stated that his unit was not responsible for the incident and said "it is not a function of the personnel of this unit, nor of any unit in the Colombian army to assume the role of civilians in the arrest of private citizens". He added that an investigation was underway to demonstrate that members of his unit were not responsible for the incident. A reply was also received from the Consejero Presidencial para la Defensa, Protección y Promoción de los Derechos Humanos, Presidential Adviser on Human Rights, indicating that the matter was under investigation. As far as AI is aware, the results of these investigations have been inconclusive.

At the end of May or early June 1992, Adela Agudelo was seen by someone she knew in Duitama square in the company of soldiers. On this occasion she dropped a piece of paper on which she had scribbled that she was being held in the First Brigade at Tunja. A lawyer from a human rights lawyers' collective requested the Procuraduría General de la Nación, Procurator General's Office, to carry out a search of the Brigade. An inspection of the First Brigade and the Sylva Plazas and Bolívar Battalions took place on 12 June 1992 but Adela Agudelo was not located.

However, the delegation did find a locked room on an upper floor where there was a mattress and a clean sheet. The bed was unmade.

During the inspection, at which fifteen people were present, there was a bizarre incident involving the secretary of a member of the Judicial Police. By coincidence this woman bore a striking resemblance to Adela Agudelo. When the Commander of the First Brigade, General Crispiniano Quiñones first saw the secretary he said "What, you found her?". The judge upbraided him saying, "Perhaps you know Adela, General? How do you know that she resembles the person we are looking for?"

During the search of the First Brigade, General Quiñones showed the delegates a pile of letters. He said that they had received around two thousand letters from all over the world concerning Adela Agudelo. There has been no further news of Adela Agudelo and she remains "disappeared."

Delio Vargas Herrera

Delio Vargas Herrera has not been seen since he was seized on 19 April 1993. On that day, Delio Vargas and his wife arrived at their home in the Villavicencio suburb "Barrio 20 de Julio" at about 6 pm, and were ambushed by five heavily armed men in civilian dress, who forced Delio Vargas into a vehicle. Eye witnesses say that Delio Vargas tried to escape from his captors, but fell as he ran, and was forced back into the vehicle and driven away.

Delio Vargas is president of the regional office of ASCODAS, Colombian Association for Social Assistance. ASCODAS is an organization working with people from Meta Department who have been displaced from their homes and land by political violence. Delio Vargas had been involved in the organization of a forum entitled "Peaceful Alternatives in Meta Department" due to take place in Villavicencio (the capital of Meta Department) on 23 April 1993. The aim of this forum was to bring together all sectors of the community, including local and national authorities, to discuss peaceful solutions to the violence of the region. Delio Vargas is also a member of the legal left-wing opposition party Unión Patriótica (UP). Since its creation in 1985 more than 1,500 of its members have been the victims of politically motivated killings.

The abduction of Delio Vargas was denounced to the Procuraduría General de la Nación, Procurator General's Office. The Consejería Presidencial para la Defensa, Protección y Promoción de los Derechos Humanos, Office of the Colombian Presidential Adviser on Human Rights later informed Amnesty International that following an investigation undertaken by the Oficina de Investigaciones Especiales, Special Investigations Unit of the Procurator General's Office and the Cuerpo Técnico de Investigaciones, Technical Investigation Unit, the driver and the vehicle used to transport Delio Vargas were identified and the driver is now in detention in Villavicencio. The driver is a former army officer and current member of the army intelligence force B2, attached to the army's VII Brigade, based in Villavicencio.

Shortly after his abduction, Delio Vargas was reportedly seen alive by a group of conscript soldiers, showing signs of having been tortured in the VII Brigade headquarters in Villavicencio. However, military authorities continue to deny responsibility for his "disappearance" and his whereabouts remain unknown.

The Special Investigations Unit is now concluding the preliminary stages of its investigation, whilst the Technical Investigation Unit and the Regional Attorney's Office are continuing the criminal investigation into the "disappearance" of Delio Vargas.

While Amnesty International welcomes the investigations, there is concern that the government's actions of this kind only rarely lead to the rapid, decisive interventions required to locate and free the "disappeared" or to the prosecution of those actually responsible for the human rights violation.

There have been an increasing number of reports in recent months of human rights violations against members of the civilian population of Meta by Colombian armed forces and paramilitary groups linked with them. This coincides with an escalating offensive by the Colombian armed forces against the armed opposition group Fuerzas Armadas Revolucionarias de Colombia (FARC), in the region. In areas where guerrilla forces are active, the local population is often perceived by the armed forces as potential guerrilla collaborators and has, as a result, been subjected to arbitrary arrest, torture, "disappearance " and extrajudicial execution. Particular victims have been community leaders, human rights workers and members of opposition parties. Despite repeated pledges by President César Gaviria Trujillo that his government is committed to protect human rights, members of the Colombian armed forces and paramilitary forces continue to commit serious abuses with virtual impunity.

Please send appeals:

- expressing concern for the safety of Delio Vargas Herrera, who was detained by armed men on 19 April 1993 and reportedly held at the army's Villavicencio headquarters, and asking that his whereabouts be confirmed immediately;
- welcoming the information received from the Colombian Adviser on Human Rights on the progress of investigations into the "disappearance" of Delio Vargas Herrera, and urging that these investigations be thorough and result in the prosecution and conviction of those found responsible, so that they do not continue to act with impunity.

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Procurator General

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Governor of Meta Department

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Increase the power of your appeal by sending a copy to the Colombian Embassy in your country.

Where possible, also send a copy to:
Señores, CINEP, AA 25916, Bogotá, Colombia.

Blanca Cecilia Valero de Durán

Blanca Valero de Durán was leaving her office at about 6.30 pm on 29 January 1992, when two men in civilian clothes fired several shots at her at point blank range. She died almost instantly. According to reports, three policemen who witnessed the attack did not respond to her cries for help or attempt to capture the assailants, who escaped and remain free.

Blanca Valero de Durán lived in Barrancabermeja, Santander and was married with three children. She was the secretary of CREDHOS, the Magdalena Medio Human Rights Regional Committee, which for several years has been denouncing human rights violations committed by the Colombian armed forces and paramilitary groups and offering support to the victims and their relatives.

CREDHOS has also denounced abuses committed by guerrilla organizations in the region.

Following the killing of Blanca Valero de Durán, several of the CREDHOS staff left Barrancabermeja due to the serious risks of an attempt being made on their lives. However, the killings continued. Two other members of CREDHOS were killed in 1992, in circumstances suggesting they were extrajudicially executed.

In July 1993 a CREDHOS lawyer was verbally attacked when telephoning Nueva Granada Battalion to ask for information about some detainees. He was spoken to in an aggressive and insulting manner, and accused of being a "defender of the guerrillas" and of "slandering the military". Similar accusations in the past have been followed by physical attacks against CREDHOS workers. Other CREDHOS members have been subjected to death threats and constant harassment, including being permanently followed by people who, following investigations, were identified as belonging to state security agencies.

Although the Colombian Government has condemned the attacks on CREDHOS and has promised full investigations, those responsible for the killing of Blanca Valero de

Durán and other CREDHOS workers have not yet been identified and brought to justice.

Magdalena Medio, a largely rural area in central Colombia has been a focus of political violence for many years following the emergence of guerrilla groups in the 1960's and subsequent militarization of the region during the 1980's. Despite progress made through peace talks between several of the guerrilla groups and the government, there has been a continuation of political violence. Human rights groups attempting to support victims and denounce abuses have frequently been accused by high-ranking army commanders of links with subversive groups and have themselves increasingly come under attack. Despite repeated pledges by President César Gaviria Trujillo that his government is committed to protect human rights, members of the Colombian armed forces and paramilitary groups continue to commit serious abuses with virtual impunity.

Please send appeals:

- expressing serious concern at the killing of Blanca Cecilia Valero de Durán in circumstances suggesting she may have been extrajudicially executed. Express concern that two years after her murder, the perpetrators have not been identified. Ask that a formal enquiry be made into her death, that the results be made public, and that those responsible be brought to justice;
- asking that efforts be made to identify those responsible for the threats against other members of CREDHOS;
- requesting that measures be taken to guarantee that human rights workers are able to carry out their lawful activities without fear of reprisal.

Addresses:

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Minister of Justice

Dr. Andrés GonzálezRoberto Cifuentes Ordoñez
Ministerio de Justicia
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Brigadier General

Comandante de la V Brigada
Ministerio de Justicia
Calle 14, Carrera 33
Santander, Colombia
Fax:+ 57 1 284 0472

Increase the power of your appeal by copying it to the Colombian Embassy in your country.

Where possible, also send a copy to

CREDHOS, AA 505, Barrancabermeja, Santander, Colombia

Villatina Massacre

Jovanny Alberto Vallejo Restrepo, age 15

Oscar Andrés Ortíz Toro, age 17

Ricardo Alexander Hernández, age 17

Marlon Alberto Alvarez, age 17

Mauricio Antonio Ramírez Higuita, age 24

Johny Alexander Cardona Ramírez, age 17

Angel Alberto Barón Miranda, age 17

Geovanny Alberto Valero, age 8

Nelson Duván Florez Villa, age 17

Johanna Mazo Ramírez, age 8.

"... youngsters who were committed to their community, with dreams and hopes, with illusions and a fighting spirit for life."

Description of seven of the murdered children who were members of the religious youth organization Caminantes del Futuro (Builders of the Future)

Mauricio Antonio Ramirez Higuita

In the early hours of the evening, on 15 November 1992, twelve masked men with automatic rifles entered the poor neighbourhood of Villatina on the outskirts of Medellín. They pulled up near a group of youngsters who were listening to music on a street corner and opened fire. Nine children aged 17 and under and a youth of 24 were killed. The youngest victims were a boy and a girl aged eight. Seven of the victims were members of a young people's Christian organization, "Builders of the Future".

Johanna Mazo Ramírez, would have celebrated her ninth birthday three days later if the "death squad" had not murdered her in cold blood. Nana, as she was called at home, liked dancing and wanted to be in a dance group when she was older.

Mauricio Antonio Ramírez Higuita, was 24 years old, played billiards and supported the *Nacional* football team. He had completed his military service in Barranquilla and left the army with an excellent conduct and discipline record.

Angel Alberto Barón Miranda, was 17 years old. He was a keen footballer who had scored a goal in a match the day he was murdered. He was a member of "Builders of the Future" and a scout group and he had earlier been at the youth club preparing for a youth cultural event that was being organized by the youth networks of Medellín.

Oscar Andrés Ortíz Toro, was also 17 years old and a keen footballer. He was interested in animation and the day he was killed he had been called up by Tele-Antioquia about a job. He looked after an old couple who lived in the neighbourhood and helped a paralysed youngster who lived across the road. His mother described him as being "*muy lindo, tenía como diez novias*" ("very handsome, he had about ten girlfriends").

The massacre in Villatina took place only hours after two police agents were shot dead in the centre of Medellín, but the ten youngsters killed on 15 November were, as many other victims, random targets of police revenge. A press report quoted a member of the local administration:

"The only people that died there were innocent, only students, and young people who had nothing to do with the war the government has declared on the outlaws."

Villatina is a poor neighbourhood on the eastern side of Medellín. Medellín faces problems similar to those of other Colombian urban centres, with large sprawling shanty-towns swollen by those fleeing violence in rural areas and rural poverty. In the shanty-towns poverty and unemployment leave youngsters with few alternatives. Many join street gangs and become involved in petty crime or organized crime linked to the drug trade.

In response to the wave of urban juvenile crime, local authorities and business interests have targeted youngsters suspected for their involvement in petty crime for murder by "death squads". "Social cleansing" as it has become known, also targets vagrants, drug addicts, homosexuals, street-children and other socially marginalised groups. There have also been other examples like the Villatina massacre, where the police have indiscriminately killed youths in the shanty towns in revenge for the killing of their colleagues.

Giovanny Alberto Valero was only 8 years old when the "death squad" shot and killed him. **Johny Alexander Cardona Ramírez** was aged 17. **Jovanny Alberto Vallejo Restrepo**, was 15 years old, a member of Builders of the Future, and enjoyed football, swimming and car mechanics. **Ricardo Alexander Hernández**, was 17 years old, worked at a locksmith's and enjoyed listening to US music and salsa. He was one of the best footballers in the neighbourhood and his greatest ambition was to play for Colombia. **Marlón Alberto Alvarez**, was 17 years old, loved bikes and was described as an optimist, an unaffected polite person. **Nelson Duván Florez Villa**, was 17 years old. The *Movimiento Juvenil Asuncionista's* (Assumptionist Youth Movement) newsletter, *Vivencias*, described him as:

"a young man who learned to appreciate the simple things in life, who learned how to look after himself satisfactorily in a difficult family and neighbourhood atmosphere, finding in them positive things for life."

Since the massacre there has been no attempt to bring those responsible to justice. Instead, acts of intimidation and violence have continued in the Villatina neighbourhood. On 25 September 1993 a taxi carrying several men dressed in civilian clothing and armed with long-range weapons, reportedly drove around the streets of Villatina. On 29 September, armed men dressed in civilian clothing in a jeep shot at a group of youths who were talking in the street. No-one was injured.

These incidents have occurred in spite of a pact which was signed on 17 July 1993 between street gangs, the People's Defender of Antioquia and the Church. They reveal the extent to which the failure to prosecute those responsible for the Villatina massacre and other killings perpetuates "death squad" activity.

Please send appeals:

- deploring the massacre of 10 youngsters in Villatina on 15 November 1992, the evidence that police were responsible, and the acts of intimidation that have followed;
- expressing your concern that over a year after the massacre the authorities have failed to identify those responsible and bring them to justice. Urge that there be full and impartial investigations into the massacre and the acts of intimidation that have followed and that those responsible be brought to justice;
- urge the authorities to take all possible measures to protect the lives of the population, and more specifically of the young people of Villatina.

Addresses:

President of ColombiaAttorney General

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Commander of the Metropolitan Police

Brig. Gral Antonio Rodríguez Quiñónez
Comandante de la Policía Metropolitana
Carrera 48, # 45-58
Medellín
Antioquia, Colombia
Fax: 94 251 8959

Increase the power of your appeal by copying it to the Colombian Embassy in your country.

Where possible, also send a copy to the following address of a local human rights organisation:

Comité Permanente por la Defensa de los Derechos Humanos "Héctor Abad Gómez",
Seccional Antioquia, Apartado Aéreo 50645, Medellín, Antioquia, Colombia

Father Tiberio de Jesús Fernández Mafla

Father Tiberio had been parish priest in Trujillo, Valle del Cauca department since 1985. He came from a campesino family and was born in 1943 in Valle del Cauca department. In 1970 he began his studies for the priesthood and was ordained in 1977.

On arriving at Trujillo, he encouraged grassroots organizations and cooperatives designed to improve living standards of the local people. These organizations were viewed with suspicion by local drug barons, the security forces and paramilitary forces working with them in the area.

Assassinations, "disappearances" and torture increased heavily from 1987 and the presence of guerrilla activity led to the area being militarised by the army and the anti-narcotics police.

Fr. Tiberio Fernández Mafla, Alba Isabel

Giraldo Fernández and Oscar Pulido Rozo

In January 1990 a peaceful march was organized in the area in protest against the growing violence in Trujillo. Father Tiberio spoke at the rally, denouncing the authorities who were responsible for human rights violations and criminal offences. From then on, he was often followed and threatened by personnel from the security forces. He received death threats accusing him of supporting the guerrillas.

On the night of 31 March/1 April 1990, heavily armed individuals, some in military uniform, carried out raids in and around Trujillo. Numerous brutal and violent arrests took place. According to the testimony of a civilian working with the army, many of those arrested were tortured and killed. The informant himself transported some of the bodies of victims which were thrown in the Río Cauca. Arrests and killings continued throughout March and April. Despite continued threats and harassment, Father Tiberio helped the families of those detained and "disappeared" in their efforts to locate their relatives.

On 17 April 1990, Father Tiberio travelled in the parish van to Tuluá to officiate at the funeral of local political leader José Abundio Espinosa Quintero, who had been

killed the previous day. With him went his 22 year old niece Alba Isabel Giraldo Fernández who worked in the parish house, 33 year old Oscar Pulido Rozo and 21 year old Norbey Galeano Cuartas, both parish workers. Other Trujillo residents travelled by taxi to attend the funeral. Witnesses have testified that on the journey armed men in stationary vehicles appeared to be watching the route. On the return journey the parish van was intercepted by armed men in several vehicles. They were forced out of their vehicle at gunpoint and into another car. Isabel Giraldo was made to drive the car in the direction of Mediacanoa.

On 19 April the Trujillo parish van was found abandoned off the Riofrío-Buga road. Unsuccessful attempts had been made to push the vehicle into the Río Cauca river. The same day, the mutilated and decapitated bodies of Oscar Pulido and Norbey Galeano were seen floating in the Río Cauca.

The following day the mutilated body of Father Tiberio was found in the Río Cauca. He had been castrated, his head had been removed and there were gaping wounds in his chest and abdomen. The person who retrieved the body from the river was killed a few days afterwards. The whereabouts of Alba Isabel remain unknown.

The Oficina de Investigaciones Especiales de la Procuraduría General, Special Investigations Unit of the Procurator General's Office opened an investigation and recommended that disciplinary charges be brought against army Major Alirio Antonio Ureña Jaramillo, police Major Álvaro Córdoba Lemus, police Lt. José Hernando Berrio Velásquez and police Sergeant Luis Aníbal Alvarez Hoyos for carrying out incursions with paramilitary forces, allowing the torture and execution of those detained, "disappeared" and assassinated in the Trujillo area during March and April. Detailed evidence and testimonies from relatives and local inhabitants was collected. The principal witness in the case, the army informer who had participated in some of the operations, was murdered in August 1991, apparently by paramilitary agents. It was later ruled that his evidence was unreliable as he was "schizophrenic". A second witness, whose information corroborated that of the police informer, received death threats only hours after giving his name and address to the judge carrying out the criminal investigation in the Juzgado de Orden Público, Public Order Court. In December 1992, the four military personnel who faced criminal charges were acquitted by the Public Order Court. Some of the relatives are bringing a civil claim for damages against the security forces.

In areas where guerrilla forces are active, the local population is often perceived by the armed forces as potential guerrilla collaborators and has, as a result, been subjected to arbitrary arrest, torture, "disappearance" and extrajudicial execution. Particular victims have been community leaders, human rights workers and members of opposition parties. Despite repeated pledges by President César Gaviria Trujillo that his government is committed to protect human rights, members of the Colombian armed forces and paramilitary groups continue to commit serious abuses with virtual impunity.

Please send appeals:

- expressing your concern at the assassination of Padre Tiberio de Jesús Fernández Mafla, Oscar Pulido Rozo and the "disappearance" of Alba Isabel Giraldo Fernández and at the subsequent attempts to subvert the course of justice;
- urge that the Colombian authorities reopen the case, and bring those responsible to justice. Request that any implicated members of the armed forces should be suspended from duty while under investigation;
- requesting that any judicial proceedings should be handled by a civilian court, so helping to end the impunity which contributes to continuing extrajudicial executions.

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Increase the power of your appeal by sending a copy to the Colombian Embassy in your country.

Where possible, please also send a copy to:

Secretary General of Colombian Bishop's Conference, Monseñor Rodrigo Escobar
Aristazábal, Secretario General, Conferencia Episcopal de Colombia, Calle 26 No. 27-48,
Bogotá, Colombia

Auxiliary Bishop of Cali, Mons. Héctor Gutiérrez Pabón, Obispo Auxiliar de Cali, Carrera 5a,
No.11-42, Plaza de Caicedo, Cali,
Valle del Cauca, Colombia

Intercongregational Commission for Justice and Peace: Comisión Intercongregacional de
Justicia y Paz, AA 31.861, Bogotá, Colombia

José Drigelio Diaz Fierro and Rosa María Espitia

When the police told Rosa María Espitia they had found the motorbike her common-law husband José Drigelio Díaz Fierro had been riding, her first thought was that he had been involved in a traffic accident. She immediately went to search for him in the local hospitals and at the morgue but failed to find him. Slowly, however, as she spoke with the policemen who had found the motorbike, and as witnesses came forward, she was able to establish what had happened.

José Drigelio Díaz was seized by armed men in Ibagué, department of Tolima on 30 September 1993. José Drigelio Díaz, aged 27 and known as "Polo," was riding his motorbike to the San Roque Shopping Centre (Centro Comercial San Roque) when he was intercepted by a car and a pick-up truck. Two armed men got out of the car, forced José Drigelio Díaz into their vehicle, and drove off towards the centre of the city.

When she discovered this, Rosa María Espitia tried desperately to find out who was holding her husband. She made enquiries at army intelligence, civilian intelligence and police intelligence. She received no information about him and all denied having arrested anyone. It was after these inquiries that she herself began to receive death threats and was warned not to pursue the matter.

José Drigelio Díaz had worked at a local ironmongers, (Ferretería Distribuidora Martínez de Ibagué), since he was demobilized from the former guerrilla organization, the now legalized Movimiento 19 de Abril (M-19), 19 April Movement. According to his family, there were no prior death threats or warnings issued against him.

Rosa María Espitia reported the "disappearance" of José Drigelio Díaz to the Ibagué police, to the VI Brigade of the army and to the Procurador Regional, Regional Procurator. She has continued to receive death threats and been harassed by unidentified individuals and Amnesty International is seriously concerned for her safety and the safety of her daughters.

Rosa María Espitia has told of being permanently followed by unidentified individuals. Men in unmarked cars have been parked outside her house and at her work at the Ministry of Health pharmacy. She has received threats over the telephone

saying that if she does not keep quiet her daughters will "pay for it." As a result of these threats Rosa María Espitia has taken her daughters out of school and has been forced to leave her home.

Rosa María Espitia is also a former member of the guerrilla organization M-19. Since 1990, several guerrilla organizations have demobilized after reaching peace agreements with the government. This includes the M-19, whose members were granted an amnesty and re-organized as a political party. A number of former M-19 guerrillas have been killed or "disappeared" since then.

In recent years widespread and systematic human rights violations have occurred in Colombia, including torture, "disappearance" and extrajudicial execution. Particular targets have been members of left-wing parties, community and trade union leaders. The majority of such abuses have been attributed by the Colombian authorities to armed opposition groups or to civilian "death squads" which it claims it is unable to control.

Amnesty International is not always able to establish responsibility for each "disappearance", as perpetrators are often not fully identified. However, on the basis of available evidence, the organization concludes that the vast majority of such abuses are carried out by members of the Colombian security forces or civilians working under their command or with their support.

Please send appeals:

- expressing concern for the safety of José Drigelio Díaz Fierro, who has not been seen since 30 September 1993, and urging an immediate and thorough enquiry into his whereabouts;
- urging that if he is in detention, that he be treated humanely and allowed access to lawyers and relatives, and either charged with a recognizable offence or released immediately;
- urging that all possible measures be taken to protect Rosa María Espítia and her daughters and to enable them to pursue investigations into the "disappearance" of José Drigelio Díaz Fierro;
- urging that a thorough investigation into the "disappearance" of José Drigelio Díaz Fierro and the threats received by his family be undertaken and those responsible be brought to justice so as to help ensure that the impunity which contributes to continuing "disappearances" is brought to an end.

Addresses:

President of Colombia

Señor Presidente César Gaviria Trujillo
Presidente de la República
Palacio de Nariño
Bogotá, Colombia
Fax: + 57 1 286 7434
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Fax: + 57 1 284 0472

Procurator General

Dr. Carlos Gustavo Arrieta Padilla
Procurador General de la Nación
Procuraduría General
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Attorney General

Dr. Gustavo de Greiff
Fiscal General de la Nación
Apartado Aéreo 29855
Bogotá, Colombia
Fax: + 57 1 287 0939
Fax: + 57 82 638588

Increase the power of your appeal by sending a copy to the Colombian Embassy in your country.

If possible, please also send a copy to:

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

Association for Relatives of the "Disappeared": Señores,
ASFADDES, AA 011446, Bogotá,
Colombia

Miguel Angel Martínez

Funeral of Miguel Angel Martínez

"We call on the general population to give us justice. We are people from the streets, men, women, old people and young; we are also Colombian citizens; we are children of God and therefore we ask society and we ask every Colombian to respect our lives and our right to move about the streets which, in the absence of any other guarantees, are our home". Statement of the street dwellers.

Miguel Angel Martínez was a street dweller in Bogotá. He was known as "el poeta ñero" ("the street poet") and was a man of peace who was an avid reader of newspapers and books. He lived by collecting cardboard and slept under the bridge at the Avenida de las Americas and Carrera 30. He died on 23 September 1993, the day before his fifty-eighth birthday.

At 2 am on 16 September 1993, two policemen on motorcycles from the Rapid Response Post (CAI) No 116 attached to the 13th Police Station on the Avenida de las Américas began to move and beat the eight people sleeping under the bridge. Miguel Angel was already sick and unable to move due to a blow he had sustained the week before at the hands of another policeman. According to a statement provided by fellow street dwellers, Miguel Angel's death was the result of injuries caused by police officer no. 2003, who kicked him in the stomach. Another policeman, no. 2013 apparently did nothing to stop his colleague.

Miguel Angel was taken to the San Juan de Dios hospital on 20 September. He died during the afternoon of 23 September after undergoing three operations.

Five hundred street dwellers accompanied Miguel Angel's coffin through the streets to the Central Cemetery.

The Defensor del Pueblo, People's Defender for Bogotá, Samuel Márquez Robayo has stated that the Oficina Permanente de Derechos Humanos, Permanent Office for Human Rights, has started an investigation into the case and will pass it to the Fiscal General de La Nación, Attorney General and the Procurador Delegado para los Derechos Humanos, Deputy Procurator for Human Rights. These authorities deal with criminal and disciplinary investigations.

On the orders of the Attorney General's Office, the Cuerpo Técnico de Investigación de la Policía, Police Technical Investigations Body arrested two policemen allegedly implicated in the crime, both of whom are attached to the 13th Police Station in Bogotá, on 28 September 1993 at the Police Station. They made statements and were then taken to another police station where they will be held until their legal situation is determined.

Miguel Angel's death brings the number of violent deaths of street dwellers which have been officially registered in Bogotá during 1993 to twelve. In most of these cases the victims were shot dead by shadowy "death squads". However this figure represents only a fraction of the total number of killings since many deaths and abuses go unreported.

The murder of people considered "socially undesirable" has become endemic in Colombia's major cities. The victims include homosexuals, prostitutes, petty criminals, drug addicts, vagrants, "street children" and the mentally disturbed. In most cases the assassins remain unknown. Investigations, although routinely opened, frequently lead nowhere. However, several cases have produced evidence that the "death squads" were drawn from the security forces, particularly the National Police.

Palacios Family

Antonio PALACIOS URREA (age 65)

Blanca Cecilia PALACIOS ROMERO (age 18) female student

Camilo PALACIOS ROMERO (age 27), mathematics student

Janeth PALACIOS ROMERO (age 19) female

Rodrigo Elías BARRERA VANEGAS

Members of the Palacios family

"... then I heard that they took Camilo out, and my daughter Blanca said to me, Mummy, my God they are killing Camilo, he is saying please do not kill me..., I am innocent... Then a man dressed in civilian clothes came in... and he came close to me and my daughter and my niece and took out a weapon, I don't know where from, whether his jacket or his trousers, and with it he finished off my daughter"

Testimony of María Belarmina Romero de Palacio

Blanca Cecilia Palacios Romero was tortured in front of her mother and baby daughter before being shot in the back of the head and killed. On 18 August 1991 soldiers had come to the house of her father Antonio Palacios Urrea, an activist of the legal left-wing political coalition Unión Patriótica (UP), Patriotic Union in the town of Fusagasugá, Cundinamarca Department. The soldiers, from the Artillery Battalion of the Brigade XIII, also shot dead Antonio Palacios, his son Camilo Palacios

Romero, his daughter Janeth Palacios Romero and his son-in-law Rodrigo Elías Barrera Vanegas.

The military hastily issued a statement alleging that those killed were members of a guerrilla group who had died during an armed confrontation with soldiers. However, the army's version was contradicted by forensic evidence and eye-witnesses. Police and journalists who visited the scene shortly afterwards have repeatedly stated that there was no evidence that the people inside the house had fired upon their attackers. The only adult survivor of the attack, Belarmina Romero, testified to the military court investigating the killings that her husband and children were shot through the back of the head at close range after being forced to lie on the floor.

The military judge took the unusual step of ordering the arrest of a sub-lieutenant, a sergeant and five privates on charges of aggravated homicide. However, in the few cases where military personnel are charged in the military courts with serious human rights violations they are frequently reported to have escaped from custody or are released before being brought to trial, in some cases to kill again. That is what happened in the case of the massacre of the Palacios family. Six months after their arrest the soldiers were released under an article of the military penal code allowing for the "provisional release" of defendants who had not been brought to trial within 180 days. Only weeks later one of the soldiers was rearrested and charged with killing a man and two women in Bogotá. Both women, one of whom was pregnant, had first been raped. The case had no apparent political element.

In January/March 1993 the Procurador General de la Nación, Procurator General, recommended the dismissal of two non-commissioned officers attached to the Brigade XIII and 30 days' suspension for an army colonel, for their part in the torture and murder of the Palacios family. The Procuraduría General de la Nación, Procurator General's Office exonerated an army captain even though the investigation had established that he had prepared the testimonies the soldiers gave to the court in order to "hide the facts and to pressure his subordinates into requesting the court to revoke the detention order against him."

Human rights violations are occurring on an increasing scale in Colombia against a background of escalating civil conflict and drugs-related violence. The local civilian population is often perceived by the armed forces as potential guerrilla collaborators and has, as a result, been subjected to arbitrary arrest, torture, "disappearance" and extrajudicial execution by army personnel and civilians working for them. Principal victims have included civic and community leaders and members of legal left-wing parties. Since its creation in 1985 more than 1,500 leaders, elected representatives and activists of the UP have been the victims of politically-motivated killings. Many others have "disappeared".

Military courts have almost always claimed jurisdiction over cases of political killings and torture involving members of the security forces. Military courts have persistently failed to conduct impartial proceedings, to hold police and military

personnel criminally liable for human rights violations or to impose appropriate sentences. The effect of impunity goes beyond just giving the military the confidence to murder at will without fear of prosecution. When impunity prevails the rule of law breaks down in society at large. The fact that for decades the Colombian security forces and the paramilitary death squads have been seen to murder with impunity has created conditions in which violence flourishes. When the security forces literally get away with murder on a daily basis, impunity becomes part of a nation's life.

Please send appeals:

- expressing concern at the killings of Antonio Palacios Urrea and members of his family in Fusagasugá on 18 August 1991 and that two and a half years after their murder, those responsible have not been brought to justice;
- expressing outrage that one of the officers implicated was released and went on to kill again;
- asking that a full investigation be made into the killings, and that those responsible be brought to justice. Urge that any judicial proceedings be carried out in a civilian court.

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Señor Presidente César Gaviria Trujillo
Presidente de la República
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Minister of Defence

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Ministerio de Defensa Nacional
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Fax: + 57 1 222 1874

Commander of the XIII Brigade

Comandante de la Quinta División del Ejército
Bogotá
Cundinamarca

(Covers following brigades: XIII Brigade - Santafé de Bogotá, Cundinamarca. X Brigade - Tolemaida, Melgar, Tolima)

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Where possible, please also send a copy to:

Señores, CINEP, AA 25916, Bogotá, Colombia

Members of an elite counter-insurgency unit of the Colombian armed forces © ASCODAS