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Colombia: Release of Carlos Arturo Marulanda -- a setback for justice

The release of Carlos Arturo Marulanda -- accused of involvement in the forced eviction by illegal paramilitary forces in 1996 of 280 peasant families from land on which his family claimed ownership, which also led to the torture, murder or "disappearance" of at least 30 people -- represents a serious setback in efforts to end impunity for human rights violations in Colombia, Amnesty International said today.

Carlos Arturo Marulanda was released on 1 November 2002 after charges against him of collaborating with paramilitaries were dropped. He will only face charges related to the razing of farmers' houses. Lawyers representing the evicted peasant farmers have objected to the dropping of the paramilitarism charges, since it was the paramilitaries who razed the farmers' dwellings.

There are concerns that his release will contribute to stalling criminal investigations into the forced eviction and subsequent death threats, killings and "disappearances" of peasant farmers. This in turn could result in those responsible never being brought to justice, thus denying the victims and their families their fundamental right to truth, justice and reparation.

Statements by government officials welcoming the release of the former Colombian Ambassador to the European Union and protesting his innocence are a further cause for concern, especially as in the past numerous high ranking military officials and prominent political figures allegedly implicated in human rights abuses have escaped prosecution despite strong *prima facie* evidence linking them to illegal paramilitary groups responsible for those abuses.

Background

Former Minister and Ambassador to the European Union Carlos Arturo Marulanda had been under arrest in Spain since July 2001 on charges related to the forced eviction of peasant farmers from the 'Bellacruz' hacienda in the Cesar region. He was extradited to Colombia on 13 October 2002.

On 14 February 1996 a local paramilitary group supported by members of the Colombian military forcibly removed peasant farmers from the Bellacruz ranch. During and after this operation many of the peasant farmers were tortured and killed. The eviction was carried out after Marulanda Ramirez Ltd., the company which represents the Marulanda family's business interests, lost a judicial appeal to reclaim part of the land occupied by peasant farmers, situated in the hacienda 'Bellacruz'.

The paramilitary burned the houses of the peasant farmers and their families, tortured them and threatened farmers with death if they dared to return. Despite the presence of police and military forces in the area nothing was done to impede or halt the paramilitary operation, or to arrest those responsible within the hacienda or the surrounding area.

According to statements made by some of the peasant farmers, members of the Colombian military witnessed the events and some soldiers were later identified as belonging to the paramilitary group. Forced to abandon their lands and houses, families fled to the neighbouring municipal areas of Pelaya, La Gloria and Tamaleque. Following these events, several of the evicted peasant farmers and those who attempted to help them have been murdered, "disappeared" or have been subject to death threats.

In 1999 the Office of the Attorney General ordered that Carlos Arturo Marulanda be detained for crimes relating to the formation of paramilitary groups and for the events which took place at the Bellacruz Hacienda in 1996. His brother, Francisco Alberto Marulanda Ramírez was arrested in May 1998 on charges relating to the same case.

**** For further information see Amnesty International's report *Hacienda Bellacruz, Land, Violence and Paramilitary Power*, at <http://web.amnesty.org/ai.nsf/Index/AMR230061997>**

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