

**COLOMBIA Family of Nydia Erika Bautista
Human rights lawyers**

The family of a woman who "disappeared" 13 years ago, and human rights lawyers, have objected to the military justice system's handling of the case. Military justice officials have begun trying to contact the family directly, rather than through their legal representatives, and Amnesty International fears that their objections will put them in grave danger.

Nydia Erika Bautista, a student activist and member of the guerrilla organisation *Movimiento 19 de Abril* (M-19), 19 April Movement, "disappeared" in August 1987, after she was abducted by soldiers. Her family have campaigned ever since to have those responsible brought to justice, in the face of death threats which have forced her sister and other relatives to flee the country.

Military justice officials want to exhume her remains for DNA tests. The remains were found in July 1990. The family and human rights lawyers from the *Comisión Colombiana de Juristas*, (CCJ), Colombian Commission of Jurists, are opposed to these tests being carried out by the military judicial system, which has been proven not to be impartial. The Constitutional Court ruled in August 1997 that cases of human rights violation should be excluded from military courts, in line with repeated UN recommendations.

Civilian investigations into her "disappearance", carried out by the *Procuraduría General de la Nación*, Office of the Procurator General, led to the dismissal of Brigadier-General Álvaro Velandia Hurtado in September 1995, and the arrest of three soldiers by November. The case was then handed over to the military courts. The identities of several witnesses were revealed, and they were reportedly watched or received anonymous telephone calls. The three soldiers arrested were released in January 1997, when the **statutory** time limit for completing judicial proceedings expired.

BACKGROUND INFORMATION

The military justice system has guaranteed practically complete impunity for members of the security forces charged with human rights violations. President Andrés Pastrana has taken no action to enforce the Constitutional Court ruling, and UN recommendations, that human rights cases should not be tried by military courts. Human rights defenders, and others who campaign to bring those responsible for human rights violations to justice, face death threats, intimidation and death at the hands of the security forces and their paramilitary allies.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language:

- expressing concern for the safety of the family of Nydia Erika Bautista and the *Comisión Colombiana de Juristas*;
- urging that all measures deemed appropriate by those at risk are taken to guarantee their safety;
- expressing concern that the case of Nydia Erika Bautista has been transferred to the military justice system, which has guaranteed virtually complete impunity for members of the security forces;
- urging the government to take immediate steps to exclude cases of human rights violation from military courts, in line with the 1997 Constitutional Court ruling and repeated United Nations recommendations.

Please also send appeals to your own government or political representatives, raising these points and urging them to express their concern to the Colombian government that the case of Nydia Erika Bautista has been transferred to the military justice system in complete disregard of repeated United Nations recommendations.

APPEALS TO:

President of Colombia:

Señor Presidente Andrés Pastrana, Presidente de la República
Palacio de Nariño, Carrera 8 No. 7-26, Santafé de Bogotá, Colombia

Telegrams: President Pastrana, Bogotá, Colombia

Telex: 44281 PALP CO

Fax: + 57 1 286 7434/ 284 2186/ 337 1351

Salutation:Excelentísimo Sr. Presidente/Dear President Pastrana

Minister of the Interior

Dr. Humberto de la Calle, Ministro del Interior
Ministerio del Interior, Carrera 8, No.8-09, Piso 2
Santafé de Bogotá, COLOMBIA

Telegrams: Ministerio del Interior, Bogotá, Colombia

Telexes:45406 MINGO CO

Fax:+ 57 1 286 8025 / 281 5884 / 342 3201

Salutation:Sr. Ministro/Dear Minister

Minister of Defence

Dr. Luis Fernando Ramírez Acuña
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
Avenida Eldorado CAN - Carrera 52
Santafé de Bogotá, Colombia

Telegrams: Ministro de Defensa, Bogotá, Colombia

Telexes: 42411 INPRE CO; 44561 CFAC CO

Faxes: + 57 1 222 1874

Salutation: Sr. Ministro/Dear Minister

COPIES TO:

Colombian Commission of Jurists

Comisión Colombiana de Juristas

AA 58533

Santafé de Bogotá

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 28 June 2000.