

PUBLIC

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Fear for safety/"disappearance"/forcible return/ill-treatment

PANAMA/COLOMBIA

Juan Berrío (m)
Enrique Medrano (m)
Over 100 Colombian refugees

Enrique Medrano and Juan Berrío, Colombian refugees in Panamá, have not been seen since 21 April. They were reportedly abducted while over 100 other refugees were being forcibly returned to Colombia. Amnesty International is concerned for the safety of the two men, and that of the repatriated refugees.

Enrique Medrano and Juan Berrío were among a group of over 100 Colombian refugees living in Punuza Boca de Cupe, southern Panamá, who were targeted by security forces wanting to repatriate them. On 18 April, members of the elite police combat unit the *Reconocimiento de Combate* (RECOM) and the *Departamento de Inteligencia de Panamá* (DIP), the Panamanian Intelligence Department forced the refugees to assemble. They threatened the refugees that members of the Colombian paramilitary group *Autodefensas Unidas de Colombia*, (AUC), United Self-Defence Forces of Colombia were on their way, and accused the refugees of collaborating with Colombian guerrilla groups.

On 19 April the Panamanian security forces reportedly took Enrique Medrano, a refugee from Chocó department in Colombia, to a house in Punuza Boca de Cupe and beat him for several hours. Witnesses heard his cries for help. Juan Berrío, a refugee also from Chocó department, was detained either on 19 or 20 April. Eyewitnesses claim that on 20 April, security personnel bound Enrique Medrano and Juan Berrío to two trees and left them exposed to the sun for several hours.

On the same day, the police and intelligence officers reportedly told the refugees they would be forcibly returned to Colombia. On 21 April the group of over 100 refugees was forced by security personnel to leave their homes and board two helicopters bound for Colombia. One of the security officials threatened that "*Ustedes van a ser deportados... al que vuelva aquí tiene una pena de 12 años*". ("You are going to be deported... whoever comes back will get a sentence of 12 years"). In response to the calls by the refugees for Enrique Medrano to board the helicopter with them, the security forces told them, "*Este hijo de puta se queda*", ("This son-of-a-bitch is staying here"). The whereabouts of Enrique Medrano and Juan Berrío remain unknown.

Before they left, the refugees were forced to sign and put their finger-print on a document which reportedly stated that they were being repatriated voluntarily. They were then escorted to La Miel in Panamá and from there to Colombian town of Zapzurro, close to the Panamanian border. There is serious concern for the safety of the forcibly repatriated refugees, as Colombian paramilitary groups have frequently committed serious human rights violations against those accused of collaborating with guerrillas in Colombia.

BACKGROUND INFORMATION

Over the last decade many Colombians have sought refuge in Panamá and on previous occasions have been repatriated against their express wishes. Amnesty International has also received reports in recent years of the presence of Colombian army-backed paramilitaries in Panamá and threats and human rights violations against communities living in border areas. Colombian guerrilla forces have also been responsible for threats and killings of those they accuse of collaborating with their enemies. Amnesty International fears that this incident could herald the beginning of further forced repatriations of Colombian refugees in Panamá.

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

To the Panamanian authorities:

- expressing concern for the safety of Juan Berrío and Enrique Medrano, who have not been seen since 21 April whilst reportedly still being held by the Panamanian security forces;
- urging the authorities to conduct a full and impartial investigation to establish their whereabouts and guarantee their safety, to make the results public and bring those responsible for the possible "disappearance" of the two men to justice;
- expressing concern for the safety of Colombian refugees in Panama and reminding the Government of its legal obligations under International Refugee Law: as a state party to the 1951 Convention Relating to the Status of Refugees, it must not forcibly return a person to a country where his/her life or freedom would be threatened (this is the principle of *non-refoulement* enshrined in article 33(1)).
- expressing concern that refugees should only be repatriated on the basis of their own voluntary and informed decision, in a manner which guarantees their safety and dignity;
- calling for the right of refugees to be given a clear choice between voluntary repatriation or access to individual assessment by the appropriate civilian authorities under the supervision of the United Nations High Commissioner for Refugees (UNHCR) to be respected;
- expressing concern that the Panamanian authorities should refrain from further forced repatriations.

To the Colombian authorities:

- urging the Colombian Government to use its good offices to urge the Panamanian authorities to take immediate action to determine the whereabouts and guarantee the security of Juan Berrío and Enrique Medrano;
- calling on the authorities to take measures to guarantee the safety of any repatriated refugees, in accordance with the wishes of the refugees themselves.

APPEALS TO:

President of the Republic of Panamá

Señora Presidenta Mireya Moscoso
Presidente de la República de Panamá, Palacio Presidencial
Panamá 1, República de Panamá

E-mail: ofasin@presidencia.gob.pa

Fax: + 507 227 9600 (if someone answers, please say "fax, por favor")

Salutation: Excm. Sra. Presidenta Moscoso / Dear President Moscoso

Minister of Foreign Affairs in Panamá

Sr. Canciller Harmodio Arias Cerjack
Ministro de Relaciones Exteriores, Ministerio de Relaciones Exteriores
Altos de Ancón, Complejo Narciso Garay
Panamá, Zona 4, República de Panamá

Fax: + 507 211 0416

e-mail: prensa@mire.gob.pa

Salutation: Señor Ministro/Dear Minister

President of the Republic of Colombia

Señor Presidente Álvaro Uribe Vélez
Presidente de la República
Palacio de Nariño, Carrera 8 No.7-26, Bogotá, Colombia

Telegram: Presidente de la República, Bogotá, Colombia

Fax: + 57 1 342 0592/ 337 58 90

Salutation: Excmo. Sr. Presidente Uribe / Dear President Uribe

Minister of Foreign Affairs in Colombia

Sra. María Carolina Barco Isakson,
Ministra de Relaciones Exteriores, Ministerio de Relaciones Exteriores,
Calle 10 #5-51, Palacio San Carlos, Santafé de Bogotá, Colombia

Telegram: Ministra de Relaciones Exteriores, Bogotá, Colombia

Fax: + 57 1 562 7822

Salutation: Dear Minister / Sra. Ministra

COPIES TO:

Non-governmental human rights organization

Comisión Intereclesial Justicia y Paz

AA1029, Santafé de Bogotá, Colombia

and to diplomatic representatives of Panama and Colombia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 5 June 2003.