

## Amnesty International

### Solidarity Action for Universal Rights

#### Colombia

### Stop the killings and violence against activists

#### **Union leaders murdered** (+ photo Jorge Ortega García)

**Colombia** is a very dangerous place to speak out for workers' rights. In 1998 at least 90 union leaders and activists were murdered and hundreds had to flee their homes following threats. Paramilitary groups linked to the armed forces commit serious and widespread human rights violations with virtual impunity and terrorise civilian communities. Trade union organisers and members of the teachers unions, municipal and public sector workers and oil, mining and energy workers are targeted, although union activists and defenders of human rights in general, are all in real danger. With activists subjected to frequent intimidation and victimisation, and the government consistently failing to provide effective protection for activists under threat, even the most prominent leaders are not safe.

#### **Internal conflict, private armies and paramilitaries**

Recent official figures suggest that there are more than 140 paramilitary groups in Colombia, financed by cattle ranchers, landowners and drugs mafia and others. In 1997 they organised under a national command known as AUC, *Autodefensas Unidas de Colombia*. Many trade unionists have been killed by the security forces and their paramilitary allies. Guerrilla forces have also been responsible for killing trade unionists accused of having links with paramilitary forces. In those parts of the country where control is disputed between the armed forces with their paramilitary allies and the guerrilla organisations, ordinary peasant farmers and community leaders have frequently been subjected to threats, beatings, shootings, killings, "disappearance", enforced displacement, and other human rights violations.

#### **Killings and the security forces**

Over the past five years, several thousand civilians including many teachers and community leaders, political activists, human rights defenders and peasant farmers have been killed by the paramilitary groups throughout the country. They continue to operate with the support, acquiescence and at times with coordination of the security forces. The armed forces consistently fail to dismantle the paramilitary groups and systematically fail to execute the judicial warrants to arrest members of the paramilitary groups. Towards the end of 1998, there were 374 outstanding arrest warrants, issued against alleged members of paramilitary groups in connection with human rights violations, which had not been acted upon by the security forces.

#### **Teachers' Leader**

**Tarcisio Mora**, president of FECODE, the national teachers' union, survived an attack in January 1999 as he left a meeting at the union's offices in the centre of Bogotá. Two bodyguards escorting him were injured by shots fired by two attackers on a motorbike. At the time of the attack, further union protests were planned for the next month. Tarcisio Mora and 6 other union leaders were threatened with death during a national strike of public sector workers in October 1998.

#### **Union Confederation Leader killed** (+ photo)

Jorge Ortega Garcia, a leading figure in the national trade union movement and Vice-President of the Trade Union Confederation, *CUT- Central Unitaria de Trabajadores*, was shot in the head and chest and killed outside his home in Bogotá on 20 October 1998. The police did not appear on the scene for 24 hours. This followed many previous threats and harassments and his name appearing on a death list used by paramilitary groups. At the time of his killing, the CUT was coordinating a 15 day national strike. A key witness to the killing was murdered in November.

#### **Blatant death threats**

Just one month earlier, on 22 September, during a 2 day strike, Jorge Ortega and a union colleague were threatened by someone riding on the back of motorcycle who said: "Your time is up and we are going to

kill you"; threats were also implied against Jorge Ortega's children. Later that day an unidentified group of thugs raided his home, beat his wife, drugged her and bound her and searched the house. There was an international outcry from trade union and human rights organisations demanding that the new government of Colombia should guarantee the safety of trade union leaders, should hold full and impartial investigations into the death threats, should bring those responsible to justice and should protect the right 'to life, liberty and the security of person' - Article 3 of the Universal Declaration of Human Rights.

### **2,300 union activists killed**

The CUT alone has buried over 2,300 murdered activists since it was founded in 1986, and more than 400 teachers have been killed in the last 5 years. The government authorities have failed to take effective action despite numerous pleas from national and international bodies for investigations into the unparalleled numbers of killings and violent assaults, the searches, arrests and the systematic threats, intimidation and harassment against trade unionists and human rights activists generally.

During a strike in Cartago, trade unionists reported threats against them to the police in order to seek protection, the police commander responded "... *anything that happens in the town, if a bicycle is stolen, if there is a fire, any crime is committed, will be your responsibility*".

### **Activists accused of 'collaboration'**

People who campaign for a change of social or economic policies are often accused of being a guerrilla sympathizer or a collaborator. The same accusations are made against human rights workers, lawyers, members of legal opposition groups and grass roots activists. As a result they are often the victims of serious human rights violations committed by the security forces or their paramilitary allies. Frequently, the killing of those advocating alternative socio-economic policies serves the interests of powerful economic or political groups.

### **'Special Justice System' flawed**

Since 1992, many trade union, community and social activists have been arrested and charged with alleged terrorist offences and tried in the special justice system, *Justicia Regional*, Regional Justice Public Order courts. This system severely undermines the right to due process: access to evidence by defence lawyers and a defendant's rights to challenge evidence are severely restricted; judges, prosecutors and witnesses may remain anonymous - there have been repeated reports of anonymous witnesses for the prosecution acting as different individuals in order to corroborate their evidence. Laws designed to tackle terrorist offences have increasingly been used to criminalize social protest, whether violent or peaceful. Hundreds of people are believed to have been arbitrarily arrested and wrongfully charged with terrorist offences. Members of the **oil workers union**, the Union Sindical Obrero (USO), have been targeted. The Colombian Government has stated that it will abide by commitments to dismantle the Regional Justice system during 1999.

### **Lawyer shot for representing trade unionists (+ photo?)**

On 18 April 1998, **Dr Eduardo Umaña Mendoza**, a prominent human rights lawyer who, for over 20 years, helped establish a number of Colombia's national human rights organizations, was shot dead in his office at home by two men and a woman who had posed as journalists to gain entry to his residence. Dr Umaña was outspoken in his condemnation of security forces involvement in human rights violations and had represented numerous political prisoners in high profile cases, including leading members of the USO and other trade union activists detained under the Regional Justice system. Dr. Umaña had received repeated death threats for his human rights work, many of which directly threatened him for representing trade unionists. Shortly before his murder he had condemned the Regional Justice system as travesty of justice and accused the authorities of pursuing the cases against the USO leadership for political reasons.

### **New government 1998**

A new government came to power in Colombia in August 1998 when Andrés Pastrana was inaugurated as President. Amnesty International called upon the new President to announce an immediate and decisive program of action to tackle the country's escalating human rights crisis. However there has been no sign that the systematic violations of fundamental human rights are being brought to an end. There have been

some initiatives in the search for a peaceful end to this conflict which has lasted decades. Amnesty International believes that respect for human rights should not depend on a political agreement between the state and the guerrilla organisations: fundamental human rights are not negotiable.

### **Impunity**

In 1994 and 1995 Amnesty International denounced the killing in Antioquia Department of trade unionists, Guillermo Marín, Luis Efrén Correa and Jairo de León Agudelo by the paramilitary group calling itself COLSINGUE, *Colombia Sin Guerrilla*, Colombia Without Guerrillas. Since then this paramilitary group has been responsible for repeated death threats and several murders of trade unionists and social activists.

### **No investigations**

In spite of international calls for full, impartial and independent investigations into the killing of the above named trade unionists and many others, little progress has reportedly been made toward bring those responsible to justice. The authorities' failure to investigate such crimes and bring the perpetrators to justice encourage further human rights violations and send a message that paramilitary groups can kill with impunity. Only when thorough investigations are carried out and the authorities take effective steps to detain and prosecute those implicated in human rights violations, will trade unionists and other social activists be able to carry out their legitimate activities free from danger. It is therefore vital that the murders of Guillermo Marín, Luis Efrén Correa and Jairo de León Agudelo are not forgotten and that pressure is maintained on the authorities to investigate these cases fully and bring to justice those responsible for their murder.

### **International Conventions on Labour Rights**

Colombia has ratified the International Labour Organisation (ILO) Convention No 87 on Freedom of Association and Protection of the Right to Organise as well as ILO Convention No 98 on the Right to Organise and Collective Bargaining, but the government of Colombia fails to uphold the standards to which it is bound under these international commitments.

### **Economic conditions**

Cuts in public expenditure beginning in the 1980s were accompanied by pay freezes, hikes in fuel and transport prices increased taxes and currency devaluation and popular protests against the effects of these policies. Apart from petroleum, Colombia's top export since 1996, economic growth has slowed recently, due mostly to high interest rates, and the country's poverty rate has remained high despite periods of an expanding economy. Unemployment rose to over 15% during 98.

### **Multinationals' presence**

A number of well known multinational corporations operate in Colombia. But union members in these plants are just as much at risk of harassment and human rights violations. Some have been subjected to raids by special forces, searches, interrogations, killings, phone tapping, false accusations, torture.

### **Colombia in the international economy**

The reasons for the social and economic conditions in Colombia do not lie exclusively inside the country. The violations of human rights and labour rights take place in a context where there are many powerful international factors at work influencing the situation. The financial state of affairs depends to a large degree upon policies within the global economic strategy determined by the richest countries in the world, by Multinational Companies and by international banks and financial institutions such as the IMF, the World Bank and the World Trade Organisation.

Colombia is saddled high repayments on external debt, which represent over 30% of exports. The peso was devalued by 9% in September 1998 and Brazil's massive devaluation in January 99 will put more pressure on the economies of the region. The imposition of further austerity measures is likely to exacerbate the prospects for human rights.

### **A wider agenda for solidarity**

For these reasons, human rights defenders, workers' organisations, trade unions and social activists need to take on a wider agenda to meet the new challenges of this era. This includes holding multinational companies and international financial institutions responsible for their activities and using international bodies and international solidarity to press for justice and for human rights to be observed. Nonetheless international political and economic factors are no excuse for human rights violations. In Colombia many factors are behind these abuses, and those responsible, at every level of seniority, must be held to account - from the remote policy-makers to the immediate perpetrators.

**The government of Andrés Pastrana should:**

- C bring an end to the systematic repression of trade union rights and to the persecution of trade unionists. Investigate all threats and human rights violations against trade unionists and bring to justice those responsible
- \* separate from active military duty all armed and security force personnel formally charged or convicted of human rights violations.
- \* dismantle paramilitary organisations and civilian vigilante groups known as *Convivir*
- C exclude investigations of human rights violations committed by military personnel from the military justice system
- C security force personnel accused of human rights violations should be prosecuted in civilian courts
- C there should be no legal or political measures to exempt them from criminal prosecution or conviction.
- C legislation should be introduced to make enforced 'disappearance' a crime

**Take action**

Write to the Colombian authorities with the above demands.

Dr. Nestor Humberto Martínez- Ministero del Interior Palacio Echeverry Carrera 8a, No.8-09, piso 2o. Santafé de Bogotá COLOMBIA Fax:/286 0405/286 0214/281 5884/ 286 0053 / 341 9739/ 281 58 84	Minister of Interior (Sr. Ministro )	Hernando Yepes Arcila [Minister of Labour & Social Security] Ministero de Trabajo y Seguridad Social Ministerio de Trabajo y Seguridad Social Calle 19, No. 6-68, piso 9 Santafé de Bogotá COLOMBIA Fax: 285 70 91
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**Raise AI's concerns with:**

- your government's representative at International Labour Conference
- your government's Foreign Ministry

**Spread the message** in your workplace and Trade Union, disseminate information, arrange guest speakers, pass motions of solidarity.

**Publicise the situation** by obtaining coverage of the issues in the press and/or the broadcast media in your country.

**Express your concern** to the Colombian embassy in your country.

**The violence continues**, with the assassination on 20 January 1999 of MOISES CAICEDO ESTRADA, leader of a trade union, in the city of Medellín, in the Antioquia department. Caicedo and the other leaders of his union received constant threats and were forced to move away from their homes in 1998.

On January 23, OSWALDO ROJAS SALAZAR President of the Cali Department Workers' Union was also the victim of an assassination. He has received a constant stream of death threats, both at his home and at his union headquarters.

Julio Alfonso Poveda, 72 yr old union leader, was assassinated Wednesday morning 17 February, in the South of Bogota. Two men on a motorbike approached the vehicle in which Poveda was travelling with his wife and driver, and one of them fired repeated shots at him. The CUT has condemned the killing and has called upon the government of Andres Pastrana for "convincing action against the enemies of those who, like comrade Poveda, uphold the building of Colombia with peace and social justice".

**C Join Amnesty International in working to protect trade union activists and other human rights defenders around the world.**

Contact your National Section of Amnesty International to find out more.