

THE PEACE COMMUNITY OF SAN JOSÉ DE APARTADÓ

COMMUNITIES IN RESISTANCE IN COLOMBIA

**AMNESTY
INTERNATIONAL**





**'DESPITE THE SERIOUS
COMMITTED AGAINST THE
AND DESPITE THE FACT
CRIMES TOOK PLACE QU
YEARS AGO... NO-ONE
CONVICTED FOR THESE**

Ruling by the Colombian Constitu

**NESS OF THE CRIMES
THE PEACE COMMUNITY,
THAT MANY OF THESE
WITE A NUMBER OF
HAS YET BEEN
CRIMES'.**

ational Court, 3 December 2007

The unfolding human rights tragedy of Colombia's 40-year internal armed conflict has devastated the lives of millions. Between 3 and 4 million people have been internally displaced by the violence and many continue to face uncertain futures.

Some communities have come together to demand that all the warring parties – paramilitaries, the security forces and guerrilla groups – respect their right as civilians not to be drawn into the conflict.

One such community is the Peace Community of San José de Apartadó, in the municipality of Apartadó, Antioquia Department. In 1997, some of the communities which make up San José de Apartadó declared themselves a Peace Community and pledged not to participate in or be drawn into the conflict. Members of the Peace Community refuse to bear arms or to provide information or logistical support to either side. In return they demand that the parties to the conflict do not enter their communities and that they respect their decision not to participate or to collaborate with any of the warring parties.

Their stance has met with suspicion and hostility from the army, the paramilitaries and guerrilla groups. Because of the community's continued insistence that the parties to the conflict – including the security forces – stay outside the community, government officials, the security forces and paramilitaries have continued to allege that it is a subversive community, while guerrilla groups repeatedly accuse it of siding with their enemies.

The community has paid a heavy price for their principled stand. Since 1997, more than 170 members of the community have been killed or subjected to enforced disappearance.

One of the most infamous attacks on the community took place on 21 February 2005. Eight people, including four children, were killed and their bodies mutilated. Initially, the security forces and senior government officials blamed the massacre on the guerrilla group, the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC). However, compelling evidence has emerged that the killings were carried out by the security forces and paramilitaries. At least six soldiers have been charged in connection with the massacre. Army Captain Guillermo Armando Gordillo Sánchez, who at time of the massacre was in charge of the Bolívar Company of the Francisco de Paula Vélez Battalion, was arrested in November 2007, and in September 2008 admitted his responsibility for the killings. In September 2008, Lieutenant-Colonel Orlando Espinoza Beltrán and Major José Fernando Castaño López were also arrested in connection with the killings.

The scale and nature of the 2005 massacre drew international attention and the Colombian authorities

were obliged to act. However, the state's response to the 2005 massacre remains an exception to the general rule; the story of San José de Apartadó is one of impunity for human rights abuses. Little, if any, progress has been made in the vast majority of investigations into the numerous abuses committed against members of the Peace Community since it was established.

The government contends that the Peace Community is failing to co-operate with judicial investigations into the killings. But the community has repeatedly called on the Colombian authorities to create the conditions necessary to advance criminal investigations into human rights abuses and to guarantee the safety of witnesses.

Fighting between paramilitary and guerrilla groups and between the army and guerrilla groups continues to put the community at risk. The presence of heavily armed paramilitaries is still evident, despite government claims that all paramilitary groups have demobilized and the heavy security forces presence in the area. These paramilitaries have threatened to kill members of the community on several occasions in recent months. Members of the security forces operating in the area have also regularly threatened members of the community.

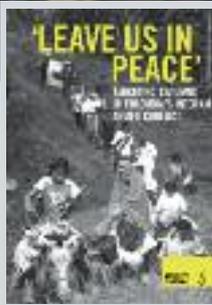
In November 2008, two well-known local paramilitaries approached Jesús Emilio Tuberquia, a leader of the community, outside an internet cafe in the municipality of Apartadó. One of them put a gun to his head and told him, "We are going to kill you." Jesús Emilio Tuberquia managed to grab the man's hand and run away. The day before, paramilitaries also stopped three men in one of the Peace Community's hamlets and told them to take a message to "this son of a bitch guerrilla Peace Community". The message was that members of the Peace Community should leave the area as paramilitaries were planning to go into the community to kill six people whose names were on a list. The security forces were reportedly in the area at the time. When members of the Peace Community asked the security forces to leave the area, they responded that "the son-of-a-bitch Peace-Community was a nest of guerrillas and that is why it should be destroyed."

The Inter-American Court of Human Rights of the Organization of American States has called on the Colombian authorities to take appropriate measures to guarantee the safety of inhabitants of the Peace Community. However, the Colombian authorities have failed to take effective action to implement the Court's requests.

Centrespread: A member of the community beside the grave of Alfonso Bolívar and his family. Alfonso Bolívar, his wife and two children, aged two and six, were among the eight people killed in the February 2005 massacre.



Cover image: Memorial to members of the Peace Community of San José de Apartadó. Over 170 members of the community have been killed or forcibly disappeared since the community's creation in 1997.
Right: Children of the Peace Community of San José de Apartadó.



For more information about Amnesty International's concerns in the context of the armed conflict in Colombia, please see "Leave us in peace" – Targeting civilians in Colombia's internal armed conflict (Index: AMR 23/023/2008) ISBN 978-0-86210-442-9. The report is available from www.amnesty.org and www.amazon.co.uk

TAKE ACTION NOW

Please write to the Colombian authorities.

Urge them to take all the necessary measures to guarantee the safety of members of the Peace Community of San José de Apartadó, as deemed appropriate by the community itself.

Call on them to take steps to bring those responsible for killings and threats against members of the Peace Community, including those responsible for the 2005 massacre, to justice and to ensure the safety of witnesses, in accordance with their wishes.

Call on them to order full and impartial investigations into the attack against Jesús Emilio Tuberquia and the paramilitary threat to attack the Peace Community, publish the results and bring those responsible to justice.

Call on them to take action to confront and dismantle paramilitary groups and investigate and break their links with the security forces, in line with repeated UN recommendations.

Please send appeals to:

President
 Señor Presidente Álvaro Uribe Vélez
 Presidente de la República,
 Palacio de Nariño,
 Carrera 8 No.7-26, Bogotá, Colombia
 Fax: +57 1 337 5890
 Salutation: Dear President Uribe/Excmo. Sr. Presidente Uribe

Commander of the National Army
 Mayor General Óscar Enrique González Peña,
 Comandante del Ejército Nacional
 Ejército Nacional de Colombia
 Av. El Dorado Cra. 52 Can,
 Bogotá, Colombia

Fax: + 57 1 266 03 64 (It is a telefax. If someone answers say: "me da tono de fax por favor")
 Salutation: Dear Commander/Estimado Sr. Comandante

Attorney General
 Dr. Mario Germán Iguarán Arana
 Fiscal General de la Nación,
 Fiscalía General de la Nación
 Diagonal 22B (Av. Luis Carlos Galán No. 52-01) Bloque C, Piso 4,
 Bogotá, Colombia
 Fax: +57 1 570 2000 (a message in Spanish will ask you to enter extension 2017)
 Salutation: Dear Mr Iguarán/Estimado Sr. Fiscal

HUMAN RIGHTS
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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

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