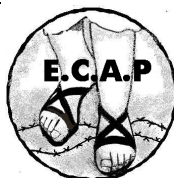


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2007 HUMAN RIGHTS REPORT COLOMBIA

INTRODUCTION

During 2007 Christian Peacemaker Teams (CPT), based in Barrancabermeja, Santander, the principal city in the Middle Magdalena region, continued a permanent presence in the Ciénaga del Opón with displaced communities who returned to their homes in 2001. CPT also maintained a long-term accompaniment of the communities of Micoahumado, Morales, Bolivar. The Federation of Agro-Miners of the South of Bolivar (FEDEAGROMISBOL) and the communities that compose this organization became a new focus of accompaniment, increasing CPT presence in the municipalities of Santa Rosa del Sur and Tiquisio, Bolivar. CPT participated as well in various verification commissions to rural communities in the Magdalena Medio. Composed of representatives from human rights organizations, human rights lawyers, officials from various United Nations agencies and the local government, these commissions documented human rights violations. Additionally, two CPT mobile teams visited Ricaurte, Nariño in response to invitations from the indigenous Awá people in that municipality represented by the Council of Elders of the Awá People of Ricaurte.

Alongside the accompaniment of communities, CPT worked closely with other organizations to promote respect for human rights and International Humanitarian Law through political advocacy. In Barrancabermeja, CPT continued to form part of the Human Rights Workers' Space, a regional coalition of human rights, social and ecclesiastical organizations. On a national level, the team participated in meetings with governmental organizations and institutions, national and international NGO's, civilian and military authorities and diplomatic representatives in Colombia. At the international level, CPT shared experience and analysis of the Colombian context with Colombian solidarity coalitions including the Americas Policy Group (APG) in Canada and the Latin America Working Group (LAWG) in the USA, as well as with churches and ecumenical initiatives for Colombia. CPT's work in Colombia has led us to report the human rights violations we witness. A summary of those violations in 2007 follows.

CPT visited the following departments and municipalities of Colombia: Antioquia (Remedios, Yondó), Bolivar (Arenal, Cantagallo, Morales, Regidor, Rio Viejo, San Pablo, Santa Rosa del Sur, Simití, Tiquisio), César (La Gloria), Nariño (Ricaurte, Cumbal) and Santander (Barrancabermeja).

In the Middle Magdalena region, CPT continued to witness all armed groups ignoring the principle of distinction between civilians and armed actors, a distinction fundamental to International Humanitarian Law. Despite the demobilization of the paramilitary groups operating in the region, paramilitaries, demobilized and still active, persisted in threatening and harming the civilian population; they acted both unidentified and under various names including: Aguilas Negras, or Black Eagles; el Bloque Central de Bolívar de las Aguilas Negras, or the Central Bolivar Block of the Black Eagles; Autodefensas Unidas de Colombia–Bloque Central de Bolívar, or United Self-defense Forces of Colombia–Central Bolivar Block (AUC–BCB); and la Mano Negra, or the Black Hand. The army battalions Artilleriada Defensa Aerea No.2 “Nueva Granada” (Nueva Granada), Especial Energético y Vial No. 7 “Rodrigo Antonio Arayo Quintero” (BAEEV7), Infantería No. 4 “Antonio Nariño” (Nariño), and Ingenieros No. 14 “Batalla De Calibío” (Calibío), as well as the navy battalion Fluvial repeatedly and excessively used civilian spaces, heightening the already great risk to the civilian population. Furthermore, their use of unverified information as a basis for intelligence reports is cause for concern, as these reports are used in turn as the basis for issuing arrest warrants. Two guerrilla groups continued to violate civilian spaces as they operated in the region: Fuerzas Armadas Revolucionarias de Colombia–Ejército del Pueblo, or Revolutionary Armed Forces of Colombia–People’s Army (FARC–EP); and Ejército de Liberación Nacional, or National Liberation Army (ELN).

In Nariño, there has been heavy combat between the Battalion José María Cabal and the FARC throughout the year. The Battalion Cabal aerially bombed rural areas of Ricaurte, which caused massive displacement and continues to threaten further displacement. The FARC and other groups have used landmines and assassinations to intimidate the civilian population. Great numbers of displaced civilians are seeking refuge within both rural and urban Ricaurte but continue to live at risk of further violence.

Throughout Colombia, populations identified as at-risk—Afro-descended, indigenous, women and children—suffer from the armed conflict at a disproportionately high rate. The abuses cited in the following report demonstrate this pattern in the Middle Magdalena region, where Afro-descended Colombians make up perhaps as high as 75% of the population. Likewise, the population of Ricaurte is 80% indigenous, and the majority of the indigenous population lives in rural areas, where the events reported in this document took place. Both in Nariño and the Middle Magdalena, levels of physical and sexual violence against women and children are extremely high, frequently due to the generalized violence of the armed conflict. Violence against women and children, like violence against indigenous and Afro-descended Colombians is often hidden or considered of lesser importance and therefore tends to pass below the radar of formal documentation processes.

REPORT

Statistics

CPT works closely with the Observatorio de Paz Integral, or Holistic Peace Observatory (OPI), an organization that compiles statistics and information about the armed conflict in the Magdalena Medio. OPI's statistics for the first two thirds of 2007 are included here to give an overall picture of the civilian experience of the armed conflict.

Table 1. Actions against the civilian population of the Magdalena Medio region in the framework of the armed conflict, January to August, 2007

CATEGORY	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
Individual Threat	2	7	3	5	1			3	21
Collective Threat	5	8	1		2	3	2	4	25
Attack on Civilian Goods*		3	2		1		2		8
Attack on Goods Indispensable for survival*		1				1			2
Attempted Homicide		1		1		1			3
Civilian injured in bellum actions								5	5
Civilian killed in bellum actions		1							1
Forced Displacement	1			3	3				7
Massive Forced Displacement*	2	1				1	1		5
Arbitrary Detention		11	16	1					28
Injury	2	1	3	1	3	5	1	8	24
Extrajudicial Execution	14	10	7	10	3	20	6	5	75
Assassination		4	2						6
Intencional Homicide							2		2
Pillaging*		1							1
Kidnapping									
Torture		2	2			1	2		7
Use of Antipersonal Mines									
Shielding	1	1	1			1	1		5
Sexual Violence									

Source: Political Violence Database, OPI.

* In these categories, the number refers to the number of events, rather than the number of victims.

Events

CPT witnessed or heard first-hand testimony of the following incidents:

SANTANDER

Corregimiento Ciénaga del Opón, Barrancabermeja. Throughout the year, CPT observed activity of three armed groups in the region—the Colombian army, the guerrilla and paramilitaries. The Colombian army conducted intrusive patrols, where the soldiers occupied civilian homes and patios, stole property, used kitchens and cut fences between pastures. Known paramilitaries accompanied the gasoline cartel, an organized crime ring which steals gasoline from a pipeline that passes near the Ciénaga del Opón. This cartel began to store and transport gasoline in large plastic bags covered by feedbags that float in the river, a severe risk to the environment. The same paramilitaries also set up illegal checkpoints in which they stopped and searched the community motor canoe. Meanwhile, the FARC guerrilla maintained presence in the area all year and pressured people for food and collaboration.

January 31, *La Colorada, La Ciénaga del Opon, Barrancabermeja:* Soldiers from the Navy Battalion Fluvial under the command of Sergeant Alemán occupied a civilian home. (Violation of the principle of distinction)

February, *La Ciénaga del Opon, Barrancabermeja:* Troops of the Battalion BAEEV7 occupied many civilian homes and shot a hole in a home. (Violation of the principle of distinction)

March 16, *Los Ñeques and La Florida, La Ciénaga del Opon, Barrancabermeja*: Paramilitaries, self-identifying as members of the AUC-BCB, an officially demobilized group, patrolled through the two communities and occupied civilian homes. Members of the Battalion BAEEV 7 marched intermixed with this group. (Violation of the principle of distinction)

March 31, *La Ciénaga del Opon, Barrancabermeja*: Seven men arrived at the Campo Alegre farm, four of them armed, wearing uniforms of a private security firm called "Aeroparque" and self-identifying as bodyguards of the others. Of the remaining three, one man identified himself as the son of the owner, and another as the owner's lawyer. These seven men destroyed the house of a resident with chainsaws, and sawed up logs that residents had harvested, rendering the logs commercially valueless. The men said they came "in peace" this time, but that the next time they would not. (Destruction of civilian goods, Threats)

May 24, 4:00 am, *Barrancabermeja*: Personnel of the Mobile Anti-Riot Squad (ESMAD) attacked a group of displaced people who had settled on a piece of municipal land a few days earlier, claiming it as land for housing. ESMAD fired tear gas upon the people, who were sitting in their plots of land, singing. The tear gas affected a two-month-old baby in a nearby home. A young man experienced convulsions due to the tear gas and a beating by the police. Both the baby and the young man required hospitalization. (Excessive use of force)

July 16, *La Ciénaga del Opón, Barrancabermeja*: Soldiers from the Navy Battalion Fluvial occupied a community celebration, carrying arms as they mixed into the civilian space. (Violation of the principle of distinction)

August 1, *Barrancabermeja*: The Central Block of the Black Eagles of Colombia sent an email threat entitled "Warning" to the Organización Femenina Popular, or Popular Women's Organization (OFP) and to the Comité Regional de Derechos Humanos, or Regional Committee on Human Rights (CREDHOS). In translation the threat reads, "BLACK EAGLES OF COLOMBIA, FOR OUR COUNTRY/ Social Organizations, unions, political parties, political leaders and human rights defenders...The decision in our bloc's last meeting is to name as military targets in our area of control a group of people and organizations that we know in one way or another belong to groups of the extreme left... For this reason we warn organizations like: uso, ofp, asodesamuba, andas, PDA, acvc, and others that we will reveal soon. Also people such as david ravelo, gamboa, mario, claudia lines, kike, imat adala, lilia, William, johan, and many others that in our next communiqué we will make known...so we warn you to leave or abandon immediately your leftist activities or the well-named guerrilla proselytism, or we will enter in immediate action..." (Threat)

November 4, *Barrancabermeja*: Two armed and hooded men forced their way into the apartment of YOLANDA BECERRA, president of the Popular Women's Organization, ransacked the apartment, pushed Becerra, held a gun to her head and threatened to kill Becerra and her family if they did not leave the city within 48 hours. (Violation of the principle of distinction, Breaking and entering, Threat)

ANTIOQUIA

January 24, *San Francisco, Yondó*: Soldiers under Sergeant Rubén Ruiz from the Battalion Nueva Granada built and occupied trenches within two meters of civilian homes. (Violation of the principle of distinction)

March 25, *Ojos Claros, Remedios*: Soldiers from the Battalion Calibío asked two male youth who were cutting lumber, including 21-year-old Carlos Mario García, to ferry them across the Tamar river in the youths' canoe. After crossing, the soldiers separated the two boys and began to interrogate them individually. Seven soldiers took the 16-year-old youth down a path, put on rubber gloves and told him they were going to kill him; he escaped by swimming across the river. Later the body of Carlos, dressed in a uniform and with a rifle and munitions, was presented by the Battalion as a guerrilla killed in combat. The community then displaced because of fears of further violence to another town in the area. Since they displaced within the same area, the state does not

recognize them as displaced people and therefore does not give them benefits. (Extrajudicial killing, Displacement)

May 9, *Yondó*: A demobilized paramilitary known as “Arturo” spoke in the city park to a young man who had gone to a meeting of victims of crimes of the state in Barrancabermeja several months earlier. “Arturo” said, “We know everyone who went to the meeting; we have a list from Ramon Isaza [demobilized paramilitary leader] of the people we are going to disappear.” (Threat)

May 28, *San Francisco, Yondó*: Soldiers from the Battalion Nueva Granada barricaded homes with sand bags and occupied them with other army gear, effectively using civilian homes as guard posts. (Violation of the principle of distinction)

BOLIVAR

December 8, 2006 (from testimony taken in May 2007), *La Posa, Cantagallo*: Army troops detained a woman in her house for hours, accusing her of being a guerrilla, and refusing her a drink of water. They then took her to a house 300 meters away, where a guerrilla deserter was present. She reported, “They said terrible things to me.” The troops later released her. (Arbitrary detention, Inhumane treatment, Threat)

January 6, 2007, *El Diamante, Paraíso, Simití*: Paramilitaries stole 13 heads of cattle from the community. (Theft)

March 10, *Mina Caribe, Santa Rosa del Sur*: A group of soldiers under the command of Sergeant Segundo Vargas of the Nueva Granada Battalion entered the town while the community was holding an Assembly. A civilian dressed in an army uniform and carrying a weapon patrolled with the soldiers and indicated individuals who were then questioned by the army. The army left only after the sergeant’s commanding officer ordered the sergeant to leave as a result of a call from the local Human Rights Ombudsperson. In addition to violating International Humanitarian Law, this occupation of civilian space also violates an agreement signed between the government on October 30, 2006. (Violation of the principle of distinction, Use of illegal civilian informants in a military patrol)

April 14-15, *La Posa, Cantagallo*: Troops from the Battalion Calibío broke down the doors of the community center, broke locks, and ransacked the center. (Destruction of civilian property)

April 26, *Santa Rosa del Sur*: Troops of the Nueva Granada Battalion arrested Teófilo Acuña, the president of the Southern Bolívar Agricultural Miners’ Federation at the Federation office. The arrest warrant was not signed by a district attorney, and was based on a military intelligence report using unverified information provided by guerrilla soldiers who had demobilized. The arrest order was overturned 10 days later by the judge reviewing the case, and Acuña was released. (Arbitrary detention)

Late April/May, *La Posa, Cantagallo*: A squadron of 300 soldiers with two demobilized guerrillas, entered the village. The soldiers obscured their identifying badges, both personal and battalion, but were most likely from the Battalion Calibío or the Battalion Nueva Granada, the two battalions that have regular presence in the zone. The soldiers said they were from Bucaramanga and uttered the following threats:

- To three or four people whom they called together: “It is better that you go, we are telling you as friends.” One family displaced as a result of this threat; others named the fear it caused them.
- From several soldiers: “Don’t be scared of us, but rather of the ‘Black Eagles’ [a new paramilitary group] that is coming after us.”
- From other soldiers: “Don’t believe these stories about the ‘Black Eagles’; we are the ‘Black Eagles.’”
- From one of the demobilized guerrillas to a resident: “Don’t walk alone, I am walking among the lions, I know why I say this.”

(Threats, Forced displacement, Patrol without clear identification, Use of illegal informants)

May 3-5, *La Posa, Cantagallo*: Soldiers of the Battalion Calibío occupied a civilian house, and did not permit the woman of the house to cook during the day. (Violation of the principle of distinction)

May 9, *Mina Proyecto, Arenal*: Soldiers under Sergeant Reyes of the Nueva Granada Battalion stopped a member of the community of Mina Proyecto and told him, without giving a reason, that he could not travel out of the community. (Arbitrary detention, Restriction of free movement)

May 29, *Micoahumado, Morales*: Soldiers belonging to the insurgent group, the ELN, mined the road from Micoahumado to the village of La Guásima, in violation of accords signed with the community in 2005. (Violation of the principle of distinction, Use of unconventional weapons)

June, *La Guasima, Micoahumado, Morales*: Soldiers from the Nueva Granada Battalion arrived at the home of a young mother, beat her and threatened to burn her 8-month-old baby. (Violation of the principle of distinction, Unnecessary use of Force, Threat)

June, *La Garita, Arenal*: A local resident reported that a demobilized guerrilla soldier had told him that troops of the Nariño Battalion were going to detain him. The resident claimed that the testimony against him was unfounded and provided by a demobilized guerrilla as a way to gain favor with the army. The resident said he feared leaving his home. (Threat)

Mid-June, *Progreso Alto, Micoahumado, Morales*: Soldiers of the Nueva Granada Battalion asked the drivers of three trucks to transport them from Progreso Alto to Micoahumado. (Violation of the principle of distinction)

June 22, *La Plaza, Micoahumado, Morales*: Under the command of Sergeant Monsate, soldiers fully uniformed and heavily armed occupied homes and camped in the community's cemetery, less than 100 meters from civilian homes. Despite petitions from CPT and community leaders, the soldiers did not leave the community. Additionally, soldiers demanded gasoline from one resident of the community, who refused to supply it, and they obliged a man to drive to pick up their supplies. On June 24, they moved camp to the opposite end of the community, surrounding a civilian home. (Violation of the principle of distinction)

July 6, *La Plaza, Micoahumado, Morales*: In the middle of the night, members of the ELN attacked troops from the Nueva Granada Battalion camped around a civilian house, which is home to five residents, including three children. During the several hours long battle, numerous bullets passed through the house, and several bombs exploded around it. None of the residents were injured, but bullets damaged their belongings and home. (Violation of the principle of distinction)

July 25, *Puerto Coca, Tiquisio*: Soldiers from Nariño Battalion occupied homes. (Violation of the principle of distinction)

July 26, *La Plaza, Micoahumado, Morales*: At least 30 armed and uniformed members of the ELN occupied civilian spaces, including civilian homes. (Violation of the principle of distinction)

September 18, *Torero (La Punta), Santa Rosa del Sur*: Along the highway on the way to the Punta from Santa Rosa, three heavily armed guerrilla soldiers, out of uniform, set up a check point. Later, in the Punta, a group of soldiers from the ELN arrived and did not allow anyone to leave the area for an hour. (Illegal checkpoint)

June to end of year, *Garzal and Nueva Esperanza, Simití*: Employees of the Barreto family returned to the township with the intention of removing legally titled residents from land they have farmed for decades. The family

currently has title to the land in question due to irregular procedures at the municipal level. The employees are working the land and now occupy, amongst other places, the school of Nuevo Esperanza. Accompanied by known active paramilitaries, a member of the Barreto family has shown up in the communities. (Implicit threat, Appropriation of land)

November 29, *Tiquisio, Bolívar*: Troops of the Battalion Nariño camped within the limits of the village of Puerto Coca and watched television in a civilian home. Troops of the same battalion have been camped all year long on a hill in the middle of the town of Tiquisio Nuevo. (Violation of the principle of distinction)

CESAR

February 15, *La Gloria*: Three members of the Aguilas Negras forced two boat drivers to take them down the river. After arriving partway down the river, the paramilitaries allowed one of the boat drivers to return. They forced the other to take them to a stream, where they encountered the army. The two groups exchanged gunfire and the army killed the three members of the Aguilas Negras and the civilian boat driver. (Violation of the principle of distinction)

NARIÑO

March 21, *Pasto, Ricaurte, and Tumaco*: A group named “Nueva Generación,” or “New Generation,” sent an email threat to the Permanent Committee on Human Rights, the Corporation AVRE, the Council of Elders of the Awá People of Ricaurte (CAMAWARI), The Indigenous Unity of the Awá People (UNIPA), The Foundation for Peace and the Social Office of the Catholic Church of Tumaco. In translation the threat reads as follows: “NGOs of Nariño / Defenders of Narco-terrorists / R.I.P / We are not going to permit that the oppressive yolk of the guerrilla returns to the region. / We will not lose the conquered liberty because patriotic honor should be defended and respected. / All of those that work for narco-terrorist NGOs are duly warned. / Long live liberty, no to old terrorist oppression in the guise of human rights.” (Threat)

April 25, *Tallambi, Cumbal*: Two women, Bertha Marín Hernández, and Zoraida Serafina Ortíz Gualpaz and a young girl, Jhoana Yuliza Muñoz Ortíz were killed by antipersonnel mines with unknown authors. (Use of illegal arms)

April 30, *Cuaiquer Integrado la Milagrosa, Ricaurte*: Members of the FARC-EP assassinated Ramiro Patiño, an indigenous man, and left his body surrounded by anti-personnel mines. (Extrajudicial killing, Use of illegal arms)

May 1, *La Esperanza, Cuaiquer Integrado la Milagrosa, Ricaurte*: Members of the FARC-EP assassinated Antonio Mauricio Guango Pai, an indigenous man. (Extrajudicial killing)

November 20, *Ricaurte*: In a meeting with members of CPT, Coronel Óscar Robayo, the commander of the Battalion José María Cabal in Ipiales, advocated the concentration of the Awá people of eleven extensive reserves of Ricaurte in a few population centers along the highway. When CPT asked if this “concentration” would be the equivalent of a massive displacement from ancestral lands of the Awá, Robayo did not deny it but argued that this would allow the army to clean out the guerrilla in the area. Robayo did not have a plan to protect the rights of the Awá people in their territory throughout the municipality. Additionally, Robayo said that if the Awá do not displace, the national army would not support them with any school or community projects. (Implicit threat)