

Bulletin 17 MOVICE (English)

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Read the December 2009 informative Bulletin.

Persecution of MOVICE and its members Grave security concerns for the safety of lawyer Jorge Eliecer Molano and his family

The lawyer Molano Rodriguez represents the family members of the victims of the Palace of Justice massacre; the February 21st, 2001 massacre against the Peace Community of San José de Apartado; espionage by the Administrative Security Department (Departamento Administrativo de Seguridad – DAS) of organizations, human rights defenders and magistrates; the extrajudicial executions of Jhonny Silva Arangueren and Alejandro Uribe Chacón; Operation Dragón; false positives in San José del Guaviare, Sur de Bolívar and Sur del Cesar; and the legal proceedings against Fernando Londoño Hoyos, Germán Vargas Lleras and Francisco Santos Calderón. On December 1, 2009, Molano Rodriguez's bodyguards were informed that during the past week, on three occasions, individuals dressed as civilians arrived at the reception desk of the building where Molano lives, asking to be let in to his apartment. These individuals refused to identify themselves, and when the guard attempted to call the apartment to verify the presence of Molano Rodriguez the visitors left hurriedly, indicating that they would call him later. The cellular telephone of Molano Rodriguez has been tapped since 2004. During the last month interference in Molano Rodriguez's telephone communications has been notable, including strange noises and the recurring cut-off of calls. Several comments have been published on mass media websites. The comments against Molano Rodriguez include, “l refer exclusively to the vulgar and shameless eduardo(jorge molano) in order to express my disgust, my repugnance. He smells like a terrorist, like an unpatriotic person, like the money of the poor kidnapped people, which his bosses in the mountains surely pay him every two weeks. If he has a family, they must walk with their heads lowered. I bet you don't even know what honor is.” In addition to this, on various webpages the following text appears: “We want to state that if something happens to one of us or to our families, we take responsibility for the judge and her advisor the lawyer Jorge Molano, that our blood falls on those people,” written by someone identified as Alberto Acosta, who it seems ia a retired official of the Colombian Army. Molano Rodriguez's partner has been the object during the last several months of repeated and visible surveillance in the center and north of Bogota.1

Displacement and forced disappearances in Argelia (Cauca)

On December 15 the Intereclesiastical Commission on Justice and Peace (CIJYP) was informed on the alleged forced disappearance of 16 farmers due to paramilitary operations in the villages of Nuevo Horizonte, Florida, Cañaveral and El Eden in the municipality of Argelia (Cauca). Since December 8, 2009 over 100 families have been displaced from these villages. Some families have moved to the urban center of Argelia, others installed themselves in the college and the home of the municipal youth in Argelia, and others fled to Popayan, suffering subhuman conditions. This is the third massive displacement that occurs in the town since June 2008. So far these families have not received any humanitarian aid or protection from the Colombian State. Dozens of these displaced families are part of MOVICE.2

Slander against the Peace Community of San Jose de Apartado

On December 14, 2009, the world famous journal of American finance, the Wall Street Journal published a new defamatory article against the Peace Community and against several of the people that accompany the community, which is signed by the journalist Mary Anastasia O'Grady, who claims to have interviewed the FARC deserter Daniel Danis Sierra Martinez alias "Samir". It is not the first time that this "journalist" publishes slander against the Peace Community. On another occasion she reproduced the Colombian journalist, Plinio Mendoza Apuleius, widely recognized for his lack of ethics (June 2001) and on that occasion the editor of the newspaper was forced to publish a correction (June 21, 2001).

On December 16, at about 10:00 a.m. in the city of Medellin, during the audience against 10 members of the National Army involved in the slaughter of 21 February 2005 in the villages of Mulatos and La Resbalosa, a man in civilian clothes outside the criminal court was distributing leaflets , which described the former mayor of Apartado, Gloria Cuartas Doctor, who has been accompanying our community for years, as a member of the "guerrilla" and invited her to "demobilize".3

Threats and campaign of misinformation against the Intereclesiastical Commission for Justice and Peace
The Putumayo's team of the Intereclesiastical Commission for Justice and Peace (CIJYP), John Betancur and Nubia Patricia Acosta, received several threatening messages on their cell phone number end of November 2009. Due to these threats the team had to abandon its work and leave the region.4

On December 18 in the river basin of Curvaradó the Afro -Colombians Graciano Blandon, Manuel Moya and his son were killed by unknown. A few hours after the crime, several publications in different media were published in which CIJYP was held responsible for this barbaric murder. Uno America, a continental organization that emerged in response to the social Forum of Porto Alegre and which gathers several right-wing sectors of America, together with the National Vanguard Movement and the Association of Victims of Guerrilla as well as other virtual networks have been the main responsables in this media campaign. The slander reached the mass media, with publications in the criminal investigation unit of El Tiempo, columnist Raul Tamayo's El Colombiano, the editorial of the newspaper El Mundo and false accusation by former presidential adviser and columnist for newspaper El Tiempo Jose Obdulio Gaviria and former Minister Fernando Londoño Hoyos. The objective of the campaign of disinformation, slander and false accusations have been particularly Abilio Peña and Danilo Rueda both members of CIJYP, human rights defender Ivan Cepeda and the

priest Javier Giraldo.⁵

Attack against Ana Janeth Restrepo, head of the National Association of Displaced Families ANDESCOL On 12 December while returning home after having participated in a departmental meeting of women displaced by Colombian state terrorism, three men beat Ana Janeth Restrepo before entering her house in the neighborhood of Manuela Beltrán, Ciudad Bolívar (Bogotá), resulting in severe bruises in her face and body and multiple fractures in her hands. The attackers identified themselves as members of the paramilitary group "Black Eagles" yelling at her that they were executing the threats that they had sent five days before to the directives of ANDESCOL and that their next action would be worse. Ana Janeth appears in a list of death threats that the paramilitary group had published in recent days.⁶

MOVICE's Activities Public Hearing on Mass Graves: Experiences in the reconstruction of truth, in defense of a public policy for collective memory

The hearing was held on December 10 in the National Capitol and convened by Senator Gloria Inés Ramírez, Senator Piedad Córdoba, MOVICE, CPDH, CCJ, CINEP, Center for Memory, Peace and Reconciliation of the District, Scientific Corporation Equitas and the Permanent Assembly of Civil Society for Peace. The audience was accompanied by a government delegation of the Commonwealth of Catalonia and several national speakers outlined from a historical, anthropological and sociological perspective the urgent need for Colombia, to establish with certainty the number of disappeared persons and victims of extrajudicial executions by state agents and paramilitaries, currently estimated at around 50.000 in the last 30 years. They argued that it is necessary to recover the memory of these victims and to adopt a public policy that dignifies the victims during the process of finding, identifying, recovering and handing over the remainings of these people to their family members.⁷

March on the International day for Human Rights On the International Day for Human Rights, December 10, a march was held in the city of Bogotá that included the calling for the immediate release of the technical secretary of the MOVICE in Sucre, Carmelo Agamez. The organizers of the march were the Great Democratic Coalition, MOVICE, CPDH, CJP and ACEU.

Declaration of "zones of encounter, autonomy and resistance Nasa"⁸

On December 5, 2009 in the village of Ulluco, which is part of the Indigenous Reserve of San Francisco, municipality of Toribio (Cauca) five humanitarian spaces were declared. The event was convened by the School-Workshop of political education and human rights in Ulluco and was supported by the MOVICE and CIJYP.

Public Hearing for the defense of the territory, culture and dignity of indigenous, Afro-Colombian and peasant population in the Northwest of Cauca

On December 10 a public hearing was held in the town of Suárez with the accompaniment of the Human Rights Commission of the Senate to denounce the serious human rights situation afflicting the northwestern region of the Cauca department, due among others to the exploration and exploitation in the region by the mining corporation AngloGold Ashanti and the presence of other multinational corporations. The hearing was convened by the indigenous reserves of Honduras and Cerro Tijeras, the Communities La Toma, Morales, Cerro La Teta, Suárez and Buenos Aires, the Minga of social and community resistance, Corporación Sembrar, Corporación Jurídica Utopía, Red de Hermandad, FCSPP, Sintraunical, MOVICE, Cima, Cric, ACIN and PCN.

Second Session of the Ethical Commission of Truth outside Colombia and International Meeting on Refugees, Asylum Seekers and / or Colombian exiles in Sweden.⁹

During the 3rd, 4th and 5th of December the Second Session of the Ethical Commission and the International Meeting on refugees, asylum seekers and Colombian exiles, was realized in the city of Västerås (Sweden). The exiled people, asylum seekers and refugees on grounds of political persecution are doubly victimized. On the one hand by the facts that have led to their forced departure from the country and had to go into exile. Secondly, the loss of identity and rootlessness that is part of having to adapt to another country and a culture that although they have welcomed them with generosity, is strange to them. The Commission is concerned that most of the testimonies gathered account for crimes committed during the period of the current president, Álvaro Uribe Vélez, which shows that the systematic violation of human rights in Colombia continues.

Victim's rights Convicted ex - governor of Sucre, Salvador Arana for a crime against humanity against former mayor of El Roble, Eudaldo Díaz

In a landmark decision, the Appeal Chamber of the Supreme Court condemned the former governor of the department of Sucre, Salvador Arana Sus, to 40 years in prison for the crimes of conspiracy, aggravated disappearance and aggravated murder of the former mayor of El Roble, Eudaldo Díaz Salgado. The assassination of Eudaldo Díaz occurred in May 2003, two months after he denounced a plan to kill him to President Álvaro Uribe during a community council in the town of Corozal. As stated on October 23, 2007 by the General Attorney (Procuraduría) during a disciplinary investigation on the responsibility of Salvador Arana Sus, it has been clear that there has been a campaign of silencing and elimination of anyone who had knowledge of the responsables for the disappearance and death of the mayor.¹⁰ Juan David Díaz, son of the mayor of El Roble, commented on the escalation of intimidation that his family has suffered since it began the trial against former Governor Salvador Arana. (...) "There have been three attempts to murder me and there have been multiple threats since my father has been killed," he said. He also stated that he had been warned that "if I wouldn't leave Sucre the same would happen to me as has occurred to my father," reason that forced him to leave the department for two years. (...) About a month ago, through an email, he was told that if there would be a conviction in the process "there would also be one for him."¹¹

Trial against 10 soldiers linked to the slaughter of February 21, 2005 in the Peace Community of San José de Apartadó Ten soldiers assigned to the 17th Military Brigade in Urabá are facing trial by the Second Specialized Court of Antioquia for their alleged responsibility in the slaughter of 8 people in the Peace Community of San José de Apartadó in February

2005. During the start of the trial on the 15th of December, the attorney claimed the alleged loss of nine books of the Process. The judge suspended the hearing at the request of the defense of the military, who claimed to haven't had sufficient time to study the nine books referred to by the attorney.

Intentions to silence paramilitaries¹²

After taking several free versions, in August 2009 "Jorge 40" announced that he would stop to collaborate with the process of justice and peace in Colombia. Several extradited paramilitary commanders, such as Salvatore Mancuso and "Don Berna", announced their withdrawal from the Justice and Peace process because of threats against their families in Colombia. The main hypothesis of the murder of the brother of "Jorge 40" on the 24th of december it trying to avoid 'Jorge 40' to tell the country who assisted him in the nearly 10 years serving as chief of the paramilitaries of Cesar, Magdalena and Atlantic. Iván Cepeda, representing the National Movement of Victims demanded that the authorities should do their utmost to clarify the killing and warned of the existence of an alleged plot to "silence" the leaders of the AUC. "There is a plan to silence the extradited paramilitary chiefs, as well as middle commanders and key witnesses in the investigations being conducted by the Justice and Peace Unit of the Office and the Criminal Chamber of the Supreme Court," Cepeda said.

Citizen's intervention against the reelection referendum¹³ Several human rights organizations, including the Lawyer's collective José Alvear Restrepo, CPDH, the Labor Lawyers Association, the Solidarity Committee with Political Prisoners, Humanidad Vigente and the Intereclesiastical Commission for Justice and Peace, among others, filed on December 5 a public intervention to the Constitutional Court against the law which calls for a referendum for a second presidential reelection of Álvaro Uribe Vélez. The citizen's intervention asked to declare unconstitutional Law 1354 of 2009, which regulates the referendum, as it has been "framed as an act of personal gain, that is, outside of the essential purposes of the Social State of Law which should pursue the public welfare", among other irregularities raised by the organizations.

Report by the lawyer's collective José Alvear Restrepo on the paramilitary infiltration within Uribe's coalition In 2005 the extent of the paramilitaries as a national project within national politics started to be evident from the statement made by former paramilitary leader Salvatore Mancuso Gomez, who said 35% of the members of Congress were "friends", a statement that after was ratified by the paramilitary leader José Vicente Castaño Gil. Then, before the media in 2008, Mancuso said that over 50% of the Colombian Congress had ties to the paramilitaries. Over the past three years at least 133 congressmen and former congressmen have been involved in judicial processes because of their ties with the paramilitaries, which evidences the extent of paramilitary activity within the pro-Uribe parties. The report of the Lawyers Collective seeks to account for the context and conduct of investigations of the Supreme Court and the Attorney General's Office against the "para-politics" as well as the existence of different aspects that have affected the process such as the Congressmen who resigned to their seats as well as strategies to discredit the Supreme Court, the delay of the processes investigated by the Attorney General's Office, threats against witnesses, extraditions of main paramilitary leaders and the harassment of the Supreme Court, among others. Read the entire report at:

<http://colectivodeabogados.org/El-alcance-del-paramilitarismo-en> Key case before the Interamerican Commission on Human Rights (IACHR) could end the criminalization of activism in Colombia¹⁴

Principe Gabriel Gonzalez Arango, a student activist and member of the Solidarity Committee with Political Prisoners, has formally submitted a petition to the IACHR, stating that his human rights were violated because of his arbitrary detention and also through the current process against him in which he is charged with terrorism. Gonzalez also asked the IACHR precautionary measures to prevent a new arbitrary detention. The petition before the IACHR stresses the need for the Supreme Court of Colombia to support the appeal made by Gonzalez in his process and to revoke the condemnation of terrorism against him.

OIDHACO requests the Secretary of State for Latin America to have Spain to protect colombian human rights defenders¹⁵ "For Spain, respect for human rights in Colombia is a concern in their bilateral relations with this country." This was stated by the Secretary of State for Latin America, Juan Pablo de Laiglesia who attended the general assembly OIDHACO-Office-International Human Rights Action Colombia-which was celebrated on december 10 in Madrid. First fifty members of this international platform that came from ten European countries and Colombia, spoke about the position and strategies of the Spanish government with respect to Colombia and on the policies that Spain will promote during its presidency of the European Union. Previously OIDHACO had exposed to Laiglesia the grave human rights situation in Colombia and introduced him to the international campaign taking place in different countries, "Colombia. Human rights defenders under threat", which seeks the support and protection of the international community to those who defend the victims of the conflict in Colombia, who should not be persecuted by neither the state nor the illegal armed groups. Visit by British delegation to observe the human rights situation in Colombia A mission of British MPs, union leaders and labor lawyers visited Colombia from November 29 to December 5. The delegation attended the congress of FENSUAGRO, visited Soacha to know the families of the victims of the scandal of false positives, visited the Patio 6 of the women's prison Buen Pastor and the municipality of La Macarena. (Meta). In La Macarena the delegation found two thousand corpses unidentified in the municipal cemetery. A public denouncement was made by Jairo Ramirez, spokesman of the Permanent Committee for Human Rights (CPDH), who warns that enforced disappearance is still happening in Colombia, because several of the bodies arrived this year to the municipal cemetery. "There are about two thousand unidentified buried in the cemetery of La Macarena, many have come here over 2009. This is a policy which continues particularly in areas of military recovery"¹⁶. The delegation felt a small example of types of harassment, intimidation and threats faced daily by human rights defenders, trade unionists and independent journalists and opposition politicians in Colombia. The delegation was followed, subjected to bullying, pictures were taken, they were put under surveillance and police passed personal information to unidentified individuals, which were not in uniform but wearing civilian clothes. The delegation made a call to

- Cease any future military aid or assistance to the state security forces immediately.
- Block the Free Trade Agreement between Colombia and the European Union
- Release all political prisoners, such as Rosa Díaz, Carmelo Agamez, Alirio Garcia and Liliany Obando. 1Corporación Sembrar, Asociación Nomadesc, Corporación Jurídica Utopía, Fedegromisbol, Red de Hermandad – Colombia, Campaña Prohibido Olvidar, Fundación Comité de Solidaridad con los Presos Políticos, Proceso de Comunidades Negras, Sintraunicol – Valle 01/12/2009 2“ Constancia y Censura Ética” CIJYP 17/12/2009 3“Persecución persistente y contunaz” Comunidad de Paz de San José de Apartadó 17/12/2009 4Informe 29 Comisión Intereclesial de Justicia y Paz 10/12/2009 5“Campaña mediática de desinformación contra nuestra Comisión de Justicia y Paz” 31/12/2009 CJyP 6Partido Comunista Colombiano 15/12/2009 7 Http://www.senadoragloriainezramirez.org 801/12/2009 9Västerås (Suecia) 05/12/2009 10Colectivo de Abogados Colectivo de Abogados José (CCAJAR) 04/12/2009 11“Familia del alcalde del Roble asesinado está siendo amenazada” El Espectador 04/12/2009 12“MOVICE denuncia plan para silenciar a los paramilitares” Verdad Abierta 29/12/2009 13“Organizaciones de derechos humanos presentan intervención ciudadana contra la ley que convoca al referendo reeleccionista” CCAJAR 4/12/2009 14Human Rights First 09/12/2009 15Justicia por Colombia 10/12/2009 16“Hallan dos mil cadáveres sin identificar en La Macarena” Radio Caracol 10/12/2009