

COLOMBIA

**SEEKING
JUSTICE: THE
MOTHERS OF
SOACHA**

**AMNESTY
INTERNATIONAL**



Amnesty International Publications

First published in January 2010 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Copyright Amnesty International Publications 2010

Index: AMR 23/002/2010.
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior permission of the publishers.

Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories, who campaign on 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 instruments. We research, campaign, advocate and mobilize to end abuses of human rights. Amnesty International is independent of any government, political ideology, economic interest or religion. Our work is largely financed by contributions from our membership and donations

**AMNESTY
INTERNATIONAL**



COLOMBIA:

SEEKING JUSTICE: THE MOTHERS OF SOACHA

BACKGROUND

Revelations in 2008 that the security forces had extrajudicially executed dozens of young men from Soacha, a poor neighbourhood near the capital Bogotá, forced the government to finally acknowledge that the security forces were responsible for extrajudicial executions and to adopt measures to combat the problem. The killings, which were falsely presented by the military as “guerrillas killed in combat” (and sometimes as “paramilitaries killed in combat”) were carried out in collusion with paramilitary groups or criminal gangs. The young victims were lured to the north of the country with promises of paid employment and were subsequently killed. In most of these cases, as a reward for having “killed a guerrilla member” soldiers received money, extra days of holiday and a congratulations letter from their superiors.

The national and international dimension of the scandal was such that it led in October 2008 to the sacking of 27 army officers, including three generals, and in November of that year forced the resignation of the head of the army, General Mario Montoya, who had been linked to human rights violations. President Uribe said the Soacha killings would be investigated by the civilian courts rather than by the military justice system, which often claims jurisdiction in such cases and then closes them without any serious investigation. The Office of the Attorney General is now investigating some 2,000 extrajudicial executions reportedly committed directly by members of the security forces over the last few decades.

Since the discovery of the mass graves in which some of the young men from Soacha were buried and the outcry which ensued, many of their mothers and other relatives who have been campaigning for justice, including the mothers and other relatives of those killed from Soacha, are being threatened and have been subjected to surveillance and harassment in an effort to stop their campaign.

In 2009, and largely as a consequence of the public outcry which ensued after the Soacha killings, dozens of members of the security forces were arrested in connection with these killings. However, in January 2010, those campaigning for justice suffered a serious setback

when some 31 of the soldiers arrested were released by the courts on the grounds that they had not been formally indicted within 90 days of their arrest, as stipulated by Colombian law. Other members of the security forces implicated in the killings may also be released on the same grounds.



Private

Some of the mothers of Soacha in a press conference in 2009. From left to right: 1) Edilma Vargas, mother of Julio César Mesa Vargas, 2) Carmenza Gómez Romero, mother of Víctor Fernando Gómez Romero, 3) María Ubilerma Sanabria, mother of Jaime Steven Valencia Sanabria, 4) Luz Marina Bernal Porrás, mother of Fair Leonardo Porrás Bernal, 5) Idaly Garcera Valdéz, mother of Diego Alberto Tamayo Garcera, 6) Luz Edilia Palacios Bustamante, mother of Jader Andrés Palacio Bustamante, 7) Martha Aleyda Alfonso, mother in law of Daniel Andrés Pesca Olaya

CASES

LUZ MARINA PORRAS BERNAL

Luz Marina Porrás Bernal's son, Fair Leonardo Porrás Bernal, was a 26-year-old man who disappeared on 8 January 2008. On 16 September of the same year his mother received a phone call which informed her that the body of her son had been found in a mass grave in the municipality of Ocaña, in the northwestern department of Norte de Santander. According to information released by army sources about his death, they said that he was a member of an illegal armed group and had died in combat on 12 January 2008. Subsequent investigations by the Attorney General's office determined the falseness of this information and indicated that Fair Leonardo Porrás Bernal had been extrajudicially executed by the army. Fair Leonardo Porrás Bernal, as well as dozens of other young men from Soacha and other municipalities in Colombia, was taken from his home with false promises of work in another city when in reality he was taken to be killed by the army and presented as a member of an illegal armed group killed in combat.

Fair Leonardo's Porrás Bernal's brother, John Smith Porrás Bernal, began receiving threats after his mother,

and other mothers from Soacha whose sons were victims of extrajudicial executions, began their campaign for justice. On 2 November 2009 a threatening letter was passed under the door of John Smith's home in Soacha. The threat read: "It doesn't matter that you hide and lock yourself in this apartment because you will get out and we will catch you, because we told you. If you don't want anything to happen to you run away as soon as possible because you have little time. Do not forget we are not playing because we have already identified you, believe us we are not playing..." (*asi se esconda y se encierre en eses apartamento usted sale porque sale y hay te vamos a coger porque se le advirtió... si no quieres que te pase nada larguese lo más pronto posible porque le queda muy poco tiempo no lo olvide no estamos jugando porque ya lo tenemos fichado crealo no estamos jugando...*).

This is not the first threat that John Smith had received. On 20 October 2009 another threatening letter was sent to his house telling him "to take the consequences". This threat made reference to a previous threat that was sent on 10 October 2009 and which stated that he and the other relatives of victims of extrajudicial executions from Soacha should keep quiet; they have not done so. Fearing for his safety and that of his relatives, John Smith decided to leave his home and family and move to another house in Soacha. It is thought that these threats against John Smith may be aimed to coerce Luz Marina Porras Bernal, his mother, to stop campaigning for justice.

CARMENZA GÓMEZ ROMERO

Carmenza Gómez Romero's son, Víctor Fernando Gómez, was the victim of an extrajudicial execution committed by the security forces on 25 August 2008. She has been receiving threats, while another of her sons has been killed and one of her daughters has also received threatening calls.

John Nilson, Carmenza Gómez Romero's son and brother of Víctor Fernando Gómez, was the victim of an attempt on his life in October 2008 when someone pushed him and he subsequently fell down from a 20 metres bridge in the municipality of Fusagasuga, 60 km from Bogotá. The day of the attack he was reportedly meant to meet with someone regarding the investigation into the killing of his brother.

According to her mother's testimony, on 22 November 2008 John Nilson received a threatening phone call in which he was told: "Don't you learn from experience, was it not enough with what happened to your brother, stop investigating" (*No sirve la experiencia, no basta con lo de su hermano, deje de investigar*). John Nilson was shot dead on 4 February 2009.

After John Nilson's death other family members continued to receive threats. On 4 March 2009, Luz Nidia Torres Gómez, Carmenza's daughter received a threatening phone call, in which the caller said: "So, it comes up that you are denouncing, what do you want triple son-of-a-bitch, do you want to finish like your brother" (*Con que ha puesto denunciar que es lo que quiere triple hijueputa, acabar como su hermano...*).

MARIA UBILERMA SANABRIA LÓPEZ

Jaime Steven Valencia Sanabria, María Ubilerma Sanabria's son, was extrajudicially executed on 8 February 2008. María Ubilerma Sanabria recovered the body and buried it in November 2008. A few days after the burial she began to receive threatening calls in which she was insulted and reminded to keep quiet.

On 7 March 2009 María Ubilerma Sanabria was going to the school to pick up her granddaughter when two men on a motorbike approached her. The man at the back jumped off the bike and put her against the wall holding her from behind by the hair; meanwhile the other one was telling her: "...we are not playing, carry on opening your mouth and you will see that you will end up like your son, we do not play around you old son-of-a-bitch (*...nosotros no estamos jugando siga abriendo esa jeta y vera que va a terminar como su hijo, nosotros no jugamos vieja hijueputa...*).

Other relatives of María Ubilerma Sanabria, such as her daughters, have also been threatened.

BLANCA NUBIA MONROY

On 25 July 2009 at 9:30 pm two men dressed in military fatigues who were travelling on a motorbike stopped Blanca Nubia Monroy's 15-year-old daughter and 17-year-old son. They were violently searched and interrogated about what they were doing at that time on the street and about where they lived. Although Blanca Nubia Monroy's children were at the time accompanied by other youngsters, they were the only ones that were searched.

Blanca Nubia Monroy's other son, Julián Oviedo Monroy, was extrajudicially executed on 3 March 2008.

EDILMA VARGAS RIOJAS

On 27 January 2008 Julio César Mesa Vargas, Edilma Vargas Riojas' son, was extrajudicially executed by the security forces. Following her son's disappearance she began to enquire around her neighbourhood about his whereabouts. She was told by a neighbour that it was better to stop asking. Due to these threats Edilma Vargas Riojas was forced to leave her house in the San Nicolás neighbourhood of Soacha.

FLOR HILDA HERNÁNDEZ

On 15 August and 20 September 2009 Flor Hilda Hernández's mobile phone and diary were stolen. Both the mobile phone and the diary contained the details of people and institutions that had helped her in the process of reporting the killing by the army of her son, Elkin Gustavo Verano, on 15 January 2008.

RECOMMENDATIONS

Amnesty International calls on the Colombian government to:

- order full and impartial investigations into the threats received by Luz Marina Bernal Porras, Carmenza Gómez Romero, María Ubilerma Sanabria López, Blanca Nubia Monroy, Edilma Vargas Riojas, Flor Hilda Hernández and their relatives; publish the results and bring those responsible to justice;
- take decisive action to guarantee the safety of all those people named and their relatives, in line with the wishes of those to be protected.
- order full and impartial investigations into the allegations of extrajudicial executions by members of the security forces, publish the results and bring those responsible to justice

**Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW**

www.amnesty.org

**AMNESTY
INTERNATIONAL**

