

# Defend human rights in Colombia

## *New repression hastens disintegration of constitutional democracy*

Over the past days and weeks, the battle taking place within Colombia for the defense of constitutional rule has reached new levels of intensity. Widespread arbitrary arrests, torture and other violations of human rights of persons of diverse political affiliations occur daily. The right-wing military forces allied with Conservative Senator Alvaro Gomez Hurtado are redoubling their efforts to take political control of the country, and convert it—as Gomez has promised—into a legal producer and exporter of marijuana to the United States.

Most Americans readily understand the implications of that for the future of their children.

Reports received by *Executive Intelligence Review* say that the secretary general of the Colombian Communist Party, Gilberto Vieira, is now being set up for arrest on charges of connections to “subversive groupings.” Given the unique role of the Communists in preserving democracy in Colombia, such reports indicate how far the situation has deteriorated. On the strength of a “confession” extracted under torture from the leader of the Communist-led agrarian federation FENSA, Vieira is accused of leading the Revolutionary Armed Forces of Colombia (FARC). The latter is an armed peasant unit which operates as a defense organization in the countryside against the organized violence of the landed oligarchy.

Should Gomez-allied forces try to arrest Vieira, it will mean they have decided to drop the last pretense of “respect for democracy” and return the nation to the civil war period of the 1950s when Conservative Party chief Laureano Gomez—Alvaro’s father—attempted to outlaw virtually every democratic institution.

Gilberto Vieira is a Senator of the republic and respected leader of the opposition forces; he could only be arrested if his congressional immunity were violated—an action which would presage an assault on the institution of Congress itself.

With this special report and ongoing coverage of Colombia, *Executive Intelligence Review* undertakes a campaign to bring to the attention of the international community the truth of the life and death battle being waged by that nation’s democratic forces—and to bring pressure to bear on the perpetrators of hideous torture

and those who would degrade and bestialize the Colombian population by forcing it to become producers of marijuana for the advanced sector. The documentation included here, and additional information, have been presented to the appropriate international agencies—the United Nations, the Organization of American States, and several church and private agencies. Every possible pressure must be placed on them to ensure they act immediately on this information.

—Cynthia Rush

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## Human rights forum: ‘rights are nonexistent’

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*The following are excerpts from the General Declaration unanimously approved by the National Forum on Human Rights in Bogotá, Colombia.*

The National Forum on Human Rights and Democratic Liberties was called by citizens of different ideologies, groupings and political parties, at a time of profound national alarm as a result of repeated detentions and illegal house entries, violations of the right to defense and the application of various forms of physical and psychological torture during interrogations by military justice. The Forum was convened to repudiate the Security Statute implemented by extraordinary decree, No. 1923, on September 6, 1978, and the arbitrary application of Article 28 of the Constitution which authorizes apprehensions and detentions in the name of the national government.

Examining the information, documentation and testimonies presented at the Forum we can infer that, with the Security Statute and the arbitrary application of Article 28, the National Constitution is being infringed upon; furthermore the obligations contracted by the Colombian state when accepting the Universal Declaration of Human Rights and ratification of international accords of the Inter American System and

of the United Nations have been violated.

The Forum therefore is profoundly concerned that spokesmen for the Colombian state make respect for human rights contingent on whether a person is subject to penal investigations; (these individuals) merit the just and impartial judgment that the Universal Declaration allows. This governmental position is equivalent to the unilateral violation of international agreements and of the guarantees and rights under Article 3 of the National Constitution. By claiming these rights, the Forum also condemns all terrorist actions.

Given the previous violations it is paradoxical that Colombia condemns, before international organizations, governments like those in Chile and Nicaragua for violations of human rights while at the same time maintaining a permanent state of siege complemented by the Security Statute and the undue application of Article 28.

Social reality in Colombia, analyzed in this Forum, indicates without any doubt that social rights referenced by the Universal Declaration of Human Rights and approved by the General Assembly of the United Nations in 1948 are nonexistent in Colombia for the immense majority of the population.

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## Rights forum documents torture

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*The following is from the Report from the Committee on Tortures to the National Forum on Human Rights in Bogotá.*

Twenty-four delegates intervened to formulate denunciations which were documented concerning cases of illegal house break-ins, detentions, and tortures which have occurred in various places throughout the country, and in particular at the headquarters of the Brigade of Military Institutes in Bogotá and in other military installations.

Among the denunciations were personal statements from individuals who were detained and suffered tortures like Mr. José Asunción Silva, Jaime Ruíz and Consuelo de Mogollon, and the priest Saturnino Sepúlveda.

At the same time, the commission received hundreds of letters from around the country from prisoners, lawyers and families in which they describe the ways in which they have been tortured.

### Concept of legal medicine

Also a statement was heard from Dr. Odillo Mendez, former director of the Institute of Legal Medicine, discussing the medical check-up given by this institution

to a group of students who had been detained in October of 1978. Dr. Mendez presented copies of medical judgment of the Institute, and the analysis made of the photographs of the injuries. The document from the medical examination concludes that 18 people had visible external injuries produced by sharp and blunt instruments as well as by burning, applied during the time they were detained. We should point out that the final document from the Attorney General's office denied such tortures, omitting the medical judgment after these documents disappeared from the office archive.

This commission came to the conclusion, as did the Honorable Commission of Representatives, that the tortures against those detained did indeed occur. The various delegates denounced deaths, disappearances, tortures and illegal house entries in cities and in the countryside.

### Psychological and physical torture

Taking off from the various declarations, the letters and the documents received by the commission, it is clear that the tortures inflicted upon those detained were both physical and psychological.

The commission concluded that sensory deprivation, the blindfolding for several days, the lack of food and sleep, having to endure deafening noises and blinding lights constitute torture and cause mental disturbances.

Physical violence consists of blows to various parts of the body, especially the stomach, back, legs, head, and genital organs.

In the same manner those detained are hung with their arms behind their back; then comes the application of electrical shocks. Another form consists of submerging them completely in water until they faint; to this they add hanging.

Various stories point out that the tortures are applied in three successive stages, each one more intense than the previous.

### Responsibility of the high commands

Due to the large number of people who have been tortured in military installations, the commission has come to the conclusion that such acts could not have occurred if they did not have the approval of the high (military) commands.

Based on denunciations and abundant documentary evidence, the commission has concluded that physical and psychological torture is being systematically employed in Colombia as a way of obtaining confessions and declarations.

The National Forum on Human Rights will denounce the violations that are going on in Colombia before international organizations these rights.

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## Jurists expose 'Nacht und Nebel'

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*On April 4, a commission made up of parliamentarians Hernando Hurtado and Humberto Criales de la Rosa, publisher Manuel Cepeda, and lawyers Gelaslo Cardona, Alvaro Echeverri, Hernan Suarez, and Hermelinda Castellanos, met with the Colombian Minister of Government, Dr. German Zea Hernandez, to denounce military abuses and tortures against political prisoners. The abuses were summarized in the following document:*

We have been delegated by the Association of Democratic Jurists to personally hand you this memorandum which describes in a succinct manner the irregularities that continue to be committed ... against political prisoners; the obstacles that continue to be placed against the right to a legal defense and the manipulations occurring to try and implicate certain parties as participants in subversive or illegal activities.

### Provocation against Alvaro Vásquez

1. Dr. Alvaro Vásquez del Real, a lawyer, dedicated to scientific investigation and the social sciences, professor and writer, and member of the Executive Committee of the Communist Party, has had a dossier made up against him based on testimony from informers and paid provocateurs in order to try and link him and his party with guerrilla activities, linking him to activities which occurred nearly 20 years ago in 1966.

2. In the same manner the home of ex-parliamentarian and secretary general of the CSTC (Communist-led trade union federation—ed.) Roso Osorio, known defender of workers, was broken into by the military and an order for his arrest issued with the clear objective of political and union persecution, given his total rejection of any illegal activity.

### The case of Lucio Lara

3. Mr. Lucio Lara, a journalist for *Voz Proletaria*, newspaper of the Communist Party, has been detained for more than 20 days; his whereabouts are unknown; he has been savagely tortured and he has not been placed under orders of any judge. Further, they are trying to force him to make declarations about supposed charges made against his family.

### House searches and detentions

4. Illegal house searches have continued during the early morning hours and now, not only are arrests

made, but money, valuable objects and jewels and even children's toys are being taken, forgetting that we are in the middle of International Children's Year....

### Peasant regions

5. In the peasant regions of Cimitarra, Yacopí, Urabá and some others, [military] inspections continue; illegal house searches and detentions, accompanied by cruel physical tortures also continue....

### Psychological and physical tortures

6. Almost the totality of those presently detained and many others who have been set free because of lack of evidence against them, have been subjected to completely illegal treatment which ranges from physical to the most refined psychological violence.

They are not given enough water or food; they are not permitted to sleep; they are tied the whole time; they are forced to trot for hours until they collapse, they are forced to remain standing, they are interrogated for hours on end and some have even been brought to hallucinations through drugs or special inhalants. We can cite among others the cases of José Asuncion Silva, Lucio Lara, Pedro Osorio, Josue Diaz.

### Defense obstacles

7. In terms of limitations and difficulties to the Right to Defense we can point out the following:

Names of those detained are not printed, nor the places where they are being held. [Prisoners] are not permitted to receive clothing or drugs, nor are they told what judge or authority has approved their detention, nor are they allowed legal or family assistance.....

Many times, given the location of military courts, it is difficult for lawyers to enter these locations and they cannot find out the time and date of important proceedings, such as cross-examinations, testimonies, etc.

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## Militarization and torture against the peasantry

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*The following is excerpted from the Communist Party daily Voz Proletaria of April 5.*

It has been in the countryside where the most fierce and extreme fascist cruelty has occurred. For the peasantry, repression is not new, because for the last couple of years they have been suffering all kinds of assaults that violate their constitutional and human rights.

### **Cruel tortures**

In this region (Urabá-Antioquia) there exists a concentration camp called the "Green House" whose commander Colonel Velandía puts into practice his studies of Nazi books. Those detained are forced to remain standing for several days, with their hands tied behind their backs; they are frequently beaten with machetes, pipes, or stones, blindfolded with a tourniquet on their necks ... Sacks are placed over their heads, and they are submerged in water. They are threatened with execution and they are threatened with having their faces disfigured by bottles; all this is done without allowing them to have food or drink. Captain Rey, commander of the post of Mutata, is a specialist in directing these activities to force victims to confess or become informers if they want to continue living.

### **In Puerto Boyacá**

In December of last year, a commission formed by representatives of all political factions, trade unions and municipal community organizations of Puerto Boyacá denounced to the national government the climate of terror and uncertainty of citizens' rights being imposed by the military. One of the parliamentary commissions which visited the region later on confirmed the veracity of the denunciations, including the restrictions on free travel through the area, the control of drugs and food, the imposition of a special pass as well as the tortures at the military camp El Marfil which is run by Captain Ortiz. One peasant, who didn't give his name for fear of reprisal, said: "We are not enemies of the authorities, but we do not agree with the humiliation to which we are being subjected in the region. With the confiscation of all foodstuff, there are neighbors who, although they live 15 hours away, have to go for provisions to Puerto Boyacá; children are dying of hunger and sickness. An old man was detained, insulted, submitted to hunger and thirst, tied and his back and arms were burnt with cigarettes, only because he signed a petition calling for the demilitarization of the region. Another peasant was hung from a tree because they found a can of fruit in his home; they then transferred him to Cimitarra, where they stuck pins under his nails, inflicted burns all over his body and tried to asphyxiate him by immersing him in water.

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## **Prisoner recounts ordeal**

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*The following is testimony given by torture victim Vicente Guataquirá to Voz Proletaria, the newspaper of the Colombian Communist Party.*

Comrade

University, finds himself in the Modelo Prison. One can see the terrible torture marks. The Attorney General's office ordered him examined by the legal medical corps after being visited by a newsmen's association. From the Modelo prison, comrade Guataquirá sends the following:

"On March 18 at six in the morning a B-2 patrol illegally entered my home where I was asleep with my wife and children. With violence, the military insisted that I tell them if I knew a man by the name of Martin Cruz and his whereabouts.... As I did not know such a person—and I repeated this insistently to the military—they forced me to go to the Brigade and at the same time detained my wife. They put me on a truck to take me to the Cavalry School at Usaquen; but before entering they forced us to take out our own handkerchiefs and they blindfolded us with them.

"Later they put me in a car and they took me to another place, where they hit me very hard in the head, chest and legs with their fists and revolvers, and they threatened to kill me. Because I continued to insist that I did not know this Martin character, they took me to another place which is like a dark plaza where they gave me electroshocks, especially in the testicles. They threatened me once again with their rifles and finally they sat me down on a bench where the interrogation took place in the midst of continuous blows and dirty words.

"While this interrogation was going on I was aware that in a nearby place they were torturing my wife.

### **Electrical discharges to my head**

"On the evening of March 18 they washed me with water various times. They stuck my head in a tank full of cold water, and applied electrical discharges to the tank. That night, they kept on transferring me from one floor to another, with various 'investigators' hitting and kicking me. They kept me like this until March 19.

"On the third day they put me in a car and took me to another place. There they told me that we were several kilometers away from the city and that now they were really going to execute me.... In that place there was a sort of plaza with all this equipment for torture. With my hands tied behind my back they hung me from an apparatus.

"They then kept me for another few days, allowing me to rest so that all torture marks would disappear, but still [April 15] my arms are full of wounds produced by the handcuffs during the hangings. I hardly have any feeling or movement in my right hand."

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## Newsmen denounce tortures

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*The following is excerpted from an article in the April 19 issue of the Colombian Communist Party daily Voz Proletaria.*

During a meeting held with the Public Ministry Monday April 16, the National College of Journalists, the National Association of Press Workers, the union of workers from *El Tiempo* newspaper, the Colombian Television Association, the Colombian Circuit of Graphic Reporters, and the Colombian Federation of Newsmen and Workers of Mass Communications Systems presented testimony about tortured newsmen.

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### The evidence

Spokesmen for the press organizations presented the head of the Public Ministry with proof of psychological torture committed in the various cavalry schools and other branches of the Brigade of Military Institutes against newsmen Jairo Munoz and German Teran, and physical and psychological torture against Lucio Lara and Augusto Lara.

The Attorney General of the nation, who days before had denied that tortures were occurring in Colombia, had no choice but to heed the denunciations ... and exclaimed in a moment of disbelief: "But how is it possible that one person could have their head under water for such a long time without drowning!"

Hours after the interview the Attorney General of the nation, Guillermo González Charry, designated a commission of doctors and jurists to initiate an investigation of those cases that were denounced and present a report before the end of this week.

*The following is the text of the declaration presented to the Attorney General by the Associations of Journalists:*

We are journalists and press workers. But above all we are Colombian citizens. And as such we cannot remove ourselves from the general concern ... about the way things are going in our country. There is restlessness among public opinion due to the abuses and excesses that have been committed by the Armed Forces. Many cases are known of arbitrary and illegal

house entries and arrests committed by the military almost always without an order from a judge. Personal libraries are ransacked and in some cases private property is endangered by those who supposedly safeguard life, honor, and the population's property. We do not support attacks against human life and the physical integrity of the people. We condemn all acts that threaten the dignity of man. The situation is even more serious when those very sectors of the State that have been created to safeguard internal public peace and guarantee national sovereignty ... are involved in this situation.

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## The ordeal of Lucio Lara

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*The following are excerpts of the testimony of Voz Proletaria reporter Lucio Lara, which was smuggled out of prison.*

(I) Lucio Lara Maldonado, holder of journalist identification card No. 1643 granted by the Ministry of Education, hereby confirm the violation of human rights in Colombia on the part of the government, and denounce from this area of reclusion in the Cavalry headquarters at Usaquen the following facts before the public:

On March 21 of this year I was detained on orders from the BIM (Brigade of Military Institutes—ed.). At 4:30 a.m. they illegally entered my home under the pretext of "looking for arms." After not finding anything but books, they took me, blindfolded me, and kept me this way until April 4 when I was questioned.

### Unending interrogations

On March 28 all tortures ended. At 9 p.m., they took me out under the threat that they were going to apply the "fugitive law" if I did not tell them where my sister Nefer and my brother-in-law Luis Morantes lived and if I did not confess that the *Voz Proletaria* newsmen were tied to the guerrillas of the FARC, or confess the names of newsmen that had any ties to any guerrilla group. As I honestly do not know where my brother-in-law and sister are, and the names of any newsmen with those kinds of ties, I was threatened with death and they took me to a tank of water, even though I was running a very high fever. They almost drowned me. They hung me with my hands tied behind my back for 15 minutes. I felt faint because they were violently hitting me. They insisted I tell them the whereabouts of my brother-in-law and my sister. When I answered negatively once again, they took me to the water tank again and then forced me to walk barefoot on rocks

and other seemingly hot objects. Because of the cold and the physical violence I lost all sensibility.

### **Death threats**

They also placed a revolver in my ear and threatened to shoot me if I did not name names of newsmen and of my family. On Thursday at 1 a.m. they suspended my "lesson".... Then they let me sleep for only one hour and the interrogations continued in this concentration camp. Finally they told me that when I was allowed to go free I would have to separate myself from *Voz Proletaria*, and that they would give me one month to resign from my job at the Communist Party weekly. If I continued collaborating after that time, they would kill me.

...They also threatened to detain my mother and my children and torture them in my presence if I did not tell them what I do not know. There was a moment when I thought that they would take them because I had already seen women and children being tortured. Peasants, especially those from Yacopí are the ones that get it the hardest. I saw one cruelly beaten. José Joaquín González, for example, was beaten by five torturers until they busted his insides ... according to him he was defecating blood for 10 days. Finally they sent him to a military clinic and then they let him go. After all this, the person detained has to sign a document stating that he "was treated well." There was another peasant that reached such a level of despair that he pulled himself loose and ran out screaming like a crazy man, "kill me, kill me." Two soldiers caught up with him and he was subjected to new beatings.

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### **City Council told of torture**

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*The Bogota City Council's special commission to investigate the charges of torture released a 40-page report from which we excerpt the following from the introduction.*

The special commission designated by this corporation to investigate the denunciations of bad treatment and

torture of political and trade union prisoners, had the opportunity, ... to visit the Picota, the Modelo and the Buen Pastor jails. There we heard direct testimony of various prisoners who had initially spent 10 days or more in the headquarters of the Cavalry batallion, which is part of the Brigade of Military Institutes. We were able to verify that some (prisoners) had marks of the bad treatment they had received before, during, and after the interrogations. We turn over to you copies of these testimonials so that clear criteria can be formed regarding everything that has occurred. We invite you to take this documentation, which we will shortly present to the President of the Republic, as a serious contribution to prevent these reprehensible violations of constitutional and legal rights from being committed in the future.

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### **'A power above the President'**

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*The following are excerpts of an interview with the Colombian poet Luis Vidales by the Liberal daily El Espectador on April 19. Luis Vidales was arrested by the military, interrogated and tortured.*

My case is not personally important although I may continue suffering physical injuries from the forced standing I was submitted to for one day. But in it there is something of greater importance. I am told that the President was surprised when he was told of my detention. This, instead of flattering me because of the good image (I have of the President) whom I have esteemed for years, was a motive for concern, in my position as an observer of Colombian events. I thought, "So, there is a power above that of the President."

I came to the conclusion that there does exist a power over that of the President and that this power is none other than the military.... This did not please me ... and got me to thinking: would it be impossible, given this situation, for all patriots in Colombia to join together around the President to defend democracy, and to strengthen with their support the President of the country?"