

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide a description of an attack on protesters by the authorities (Anti-disturbance Mobile Squadrons or ESMAD) on 22 September 2005 at Valley University (Universidad del Valle – CERUV), including a list of the names of killed or wounded. Please include any eyewitness type reports with specific details.**
- 2. Please provide information about ensuing, related protests, including about a protest at La Ermita church.**
- 3. Please advise as to whether there was a national strike in Bogota on 22 May 2007? What was its purpose?**
- 4. Please advise whether student activists were targeted in 2006 or 2007 by paramilitaries or the authorities? For what reasons were they targeted? Is there evidence they were seriously harmed?**

RESPONSE

- 1. Please provide a description of an attack on protesters by the authorities (Anti-disturbance Mobile Squadrons or ESMAD) on 22 September 2005 at Valley University (Universidad del Valle – CERUV), including a list of the names of killed or wounded. Please include any eyewitness type reports with specific details.**

Description of Attack at Cali's Valley University (Universidad del Valle):

According to descriptions provided in sources excerpted below, students from Universidad del Valle, Cali, were protesting against (a) the treatment of people from the nearby township/village of Corregimiento de Villa Gorgona in Candelaria, whose water supply had

been cut off; and/or (b) against the bilateral free trade agreements between Colombia and the United States.

Students blocked a road outside the university called Paso Ancho. The students were pushed back into the university grounds by ESMAD, the Colombian National Police anti-riot squad or Mobile Anti-Disturbance Squad. Tear gas was launched into the campus until late afternoon and early evening. At approximately 7pm, police entered the campus in riot vehicles and on foot. Teargas, rubber and live ammunition, and truncheons were reportedly used by the police against the students.

Johny Silvia/Silva Aranjuren, a twenty-one year old chemistry student and student union activist, was shot in the neck or back by police. Reports say that he died instantly or died on journey to Valle de Lili Hospital. Silva was unable to escape police on account of the effects of polio suffered as a child. Others injured were psychology student German Perdomo. Others were detained by police at Limonar station, including: Andres Payan, Juan Pablo Aponte, Jairo Andres Valaquez and Monica Oliva.

One blogspot-type description of the event in English was found. It is a journal entry by a Colombian member (called 'decrepitude, Marcela') of the community website DeviantArt. The entry has links to three photographs of security police reportedly in the campus grounds during the attack. These have been stored with Attachment 1:

...Some days ago (22nd of September) a protest against the TLC (the free commerce negotiations with USA) took place in the biggest university of my city. What everyone knows is that these free commerce negotiations, are not really negotiations, but the best way of installing imperialism in poor countries like mine. And what people outside of my city doesn't know is that the protests always get violent for a few people (I don't lie to you when I say they are not more that a bunch of 10 jerks) that are not even students but the same intruders that seize the riots to rob and plunder computers, microscopes and any kind of education goods that this institution needs so much because the government is more interested in giving money to the military force and to some assassins.

That past Thursday like every time the protest went violent, but this time something different happened, the antiriot police irrputed into the university –act for the one they hadn't permission- and according to the students that couldn't get out of the place or that just thought that the protest wouldn't go to serious to leave (included some friends), the police started to shoot without any danger towards the students and to any moving body. The sad fact is that an exactly same situation happened in 2001, where my sister couldn't get out and had to run with a lot of people for her life. Fortunately my sister had no classes past Thursday, but it wasn't a great day for the people that had nothing to do with all this and got beat and punched by the sticks and kicked by the boots of these police men. And it was an awful day for **Jhony Silva**, a 21 years old student of chemistry that didn't get out of the place and couldn't run for his life for a limitation that he had in his legs. **Yes, pathetic but true, the weakest in the crowd was shot in the neck by the antiriot police that invaded more than 150 meters inside. He died in the way to the hospital.**

The facts that surrounded that day are very clear for any one with a couple of active neurons. Coincidence!! Just when the police irrputed into the university all the lights went out, and that same day the president was in this city celebrating the anniversary of an old institution. When he was informed about the incidents in the university he said: "The next time I will make sure of have a written permission from the rector of the institution to let get inside the antiriot police to put an end to the violents".

... Past Friday, the president was in a conference in another public university (Universidad de Antioquia) and a student asked him why the ESMAD (the antiriot force) invaded the Universidad del Valle's campus and killed a student. He –the president- very comfy in his chair and in a very acted calm tone said that they never ever entered, that he will be the first to accept it if he knew it, but, he was SURE that it wasn't like that. "First think it before making such imputation" said.

"It wasn't like that" said this unbearable little man that we have for president, "We never entered" say the police. The next photo was taken inside the campus near to the administration building. You tell me what this really was.

[link] <http://usuarios.lycos.es/audrina/01.jpg>

[link] <http://usuarios.lycos.es/audrina/03.jpg>

[link] <http://usuarios.lycos.es/audrina/04.jpg>

(~decrepitude, Marcela 2005 'ProfileGalleryPrintsFavesJournal – Indignated', Deviant Art Community website, 4 October <http://decrepitude.deviantart.com/journal/6676586/> – Accessed 26 March 2008 – Attachment 1).

Sources for description of attack at Cali's Valley University (Universidad del Valle):

1. Several Colombian organizations and a UK delegation of students and academics in Cali at the time of the attack, submitted the following article a day after the event on the Indymedia website:

Student murdered in protest against free trade agreement. Colombia's infamous riot squad ESMAD murdered another student in the university of Valle, Cali in a protest against the free trade agreement. The student was shot dead in cold blood. Student Killed and Many Injured and Arbitrarily Detained by Police at the Universidad del Valle, Cali. 22nd of September 2005, Cali Colombia.

The organizations listed below and the UK delegation of students and academics currently in Colombia researching the critical human rights situation within the university community denounce the tragic death of JHONY SILVA ARANJUREN and the injury and arbitrary detention of students at the University of Valle. We demand that those responsible are brought to justice.

As a demonstration of solidarity, students at the Universidad del Valle held **a protest against the brutal treatment of the population in the neighborhood of Candelaria who have been protesting in response to now week long the cut off of water in the area.**

Students blocked the Paso Ancho, a road outside the university before being pushed into the campus by riot police (ESMAD – Mobile Anti-Disturbances Squadron) who proceeded to launch teargas onto the campus until dark. At approximately 7 pm police entered the campus in a riot vehicles (No. 24027) and on foot, firing teargas, rubber bullets and live ammunition, and attacking the students remaining with truncheons.

In the attack, twenty one year old chemistry student Johnny Silvia Aranjuren was shot police and died on the way to the Valle de Lili Hospital where German Perdomo amongst other students gravely injured by police are currently being treated. According the current information students Andres Payan, Juan Pablo Aponte, Jairo Andres Valaquez and Monica Oliva are

currently being detained at the Limonar police station.

The members of ESMAD that entered the university today have previously intimidated and threatened human rights defenders of the Union for University workers in Colombia. One of the ESMAD members, (no. 006-21) was firing tear gas directly at groups of students, and later said to a representative of Sintraunicol [University Workers Union] “you’ll see, you won’t be able to get out of this?”, as he tried to get information regarding several students who had been beaten and forced into the riot vehicles.

Furthermore, numerous students were harassed by riot police who demanded to see the Identity cards of everyone who had been involved in the demonstration.

It is important to note that this tragedy occurs at a time when a delegation of 13 students and academics from the UK are in Cali to research and highlight situation of public higher education in Colombia (‘Student Murdered by Police in Cali, Colombia’ 2005, Indymedia website, 23 September <http://ie.indymedia.org/article/72141> – Accessed 11 April 2008 – Attachment 2).

2. A report on the event published on 7 October 2005 available on the Bristol Indymedia, written by a member of the Bristol Students Colombia Solidarity Campaign, describes the “small protest” as one against bilateral free-trade agreement between the US and Colombia:

...At approximately 7pm on the 22nd September, police were captured on video, illegally entering the University of Valle after a small protest at the University **against the proposed bilateral free trade agreement between Colombia and the United States.** Jhony Silva was shot with live ammunition and killed instantly, having suffered from polio as a child and being unable to run away.

A group of 13 students, academics and professionals from across the UK, including 8 from Bristol, were visiting Colombia on a human rights delegation from 16th to the 26th September. The fact-finding delegation met with university students, teachers and workers to discuss human rights abuses in Colombian universities, in conjunction with Colombia Solidarity’s “Universidad Viva” (So the university can live) Campaign. In the University of Valle in Cali on the 22nd, the members of the delegation **were on location to witness the aggressive police actions that were the precursors to the killing, leaving the university less than one hour before it took place.**

One student from the University of Bristol, Claire Hall, said “The fact that we there makes this whole thing so very real for us. We couldn’t have asked for any clearer picture of the situation in Colombian universities. We saw and felt the emotion of the whole university those next few days after the killing. I can’t explain how it felt. But I want people to know”.

At a forum held in a local sports stadium in Cali on the 25th September, over 8000 students, many teachers, university workers, local and national officials, some members of the international delegation and Jhony’s family attended. Speaking about the forum, Dr. Mario Novelli, a lecturer at the University of Bristol and Chair of the Colombia Solidarity Campaign, said “we made a promise to Jhony’s family that we would do everything in our power back in the UK to do what we can to make sure that this crime will not go unpunished, like so many crimes are in Colombia. We must make sure this promise is kept, by bringing international attention to it and forcing the Colombian authorities to take this investigation seriously and bring to justice those responsible” (Edwards, O. 2005, ‘Justice for Jhony Silva’, Bristol.Indymedia website, 7 October <http://bristol.indymedia.org/article/24291> – Accessed 15 April 2008 – Attachment 3).

3. The Network for Education and Academic Rights (NEAR) website, a membership-based, non-governmental organisation facilitating international collaboration between organisations active in issues of academic freedom and educational rights, referred on 23 September 2005 to psychology German Perdomo being shot during the attack:

The 22 September 2005, students at the University of Valle in the city of Cali, Colombia held a peaceful protest on their campus to draw attention to the fact that the authorities **had cut-off the drinking water supply to the nearby poor neighbourhood of Villa Gorgona. In the late afternoon Colombian riot police moved into the campus in tanks and fired tear gas at the students in an attempt to break up the protest. The police subsequently opened fire on the students with live rounds and at approximately 7 pm shot and killed 21-year-old chemistry student and student union activist Jhony Silva Aranjuren. Psychology student German Perdomo was also shot and is currently in intensive care** ('Colombia: Student demonstrator shot dead by police' 2005, Network for Education and Academic Rights (NEAR) website, 23 September <http://www.nearinternational.org/alerts/colombia820050923en.php> – Accessed 11 April 2008 – Attachment 4).

4. The Colombia Solidarity Blogspot website contains an extended entry on the Universidad de Valle. The author states that the article is “part based on interviews with lecturers, students and student leaders of the University of Valle who’s [sic] names cannot be referenced for security purposes”. It refers to Jonny [sic] Silva being shot in the back:

The Universidad de Valle (Univalle), South West Colombia, is known for its radical politics and tolerant liberal environment. It is also one of the most respected academic establishments in Latin America. As the third largest of Colombia’s 14 remaining public universities it has much to lose from privatization. It is currently baring the full weight by a state that seems determined to dismantle all public goods for the benefit of international ‘free trade’ and the accumulation of private wealth. Cardboard coffins can be seen placed outside the campus as a reminder of the students who have been murdered because of their resistance against it.

...Police Assassinate Students

Graffiti outside the campus reads ‘Danger – Police assassinating Students in the area’. In recent years, 3 local university students have been murdered by police and paramilitaries in an attempt to suppress social protest: Jonny Silva (22 September 2005), William Ortiz (10 April 2006) and Julian Hurtado (05 October 2006). There have been the frequent occurrences of police entering the campus grounds in armored vehicles and using violence against the students, carrying out searches and even burning possessions. This is in direct violation of the autonomy allotted to Colombian universities by their constitution.

... The three fallen students of Univalle

I met the parents of Jonny Silva were very keen that I tell the people in my country to write to the Fiscalia (the Prosecutors Office) demanding that the security and rights of protesting students be respected. **Their son was shot indiscriminately in the back by the heavily armed ESMAD public order squadron who had illegally entered the university grounds. He was unable to run from the Police as he had polio.** Human rights groups in the city have recently been sending out early warnings on the presence of armed intelligence agents inside marches. On the 20 June, ESMAD entered the campus and violently reacted against protesters with crowd dispersal devices fired at head level. Several were injured and two were detained and later transferred to the local Police intelligence department.

... “The Systematic Suppression of Civil Society in the Universities”

“The militarization of the universities is both physical and symbolic. We have a heavy police presence around the ground and infiltration of intelligence and paramilitaries inside the grounds. On the other hand there are national service conditions that restrict access to courses and block graduations. What we are witnessing is the systematic suppression of civil society in the universities” (Student delivering a workshop on the Day of the Fallen Student 09 June, 2007).

Since the murder of student councilor Julian Hurtado (by paramilitaries in October of last year), there have been acts of police violence, intimidation and stigmatization against student leaders in Univalle and its departmental branches. There have also been at least three death threats by the reinserted paramilitary group *Aguilas Negras* (Black Eagles) that has resulted in the recipients having to leave the region. I am told by members of the student council that this has had marked effect on the strength and effectiveness of their organisation. Nationally, the last 18 months has seen the murder of 8 student leaders, the displacement of more than 20 students, and the imprisonment of 10 students accused of rebellion (The Colombia Solidarity Campaign (UK) 2007, ‘Univive! Privatization and Murder in the Universidad de Valle’ Colombia Solidarity Blogspot website, 20 July <http://www.colombiasolidarity.blogspot.com/> – Accessed 11 April 2008 – Attachment 5).

5. The 25 September 2005 *Weekly News Update on the Americas* on the Nicaragua Solidarity Network of Greater New York website, stated that Silva was shot in the neck:

*4. COLOMBIA: ESMAD KILLS ANOTHER STUDENT

The Mobile Anti-Riot Squad (ESMAD) of Colombia’s National Police brutally attacked a student protest at Cali’s Del Valle University on Sept. 22, bringing in an armored vehicle, shooting firearms, launching tear-gas canisters and beating students with clubs. **A chemistry student, Jhony Silva Aranjuren, was shot in the neck and died as he was being carried to the Valle del Lili Hospital emergency room. Several students were wounded.** [ESMAD agents beat a high school student to death during International Workers Day marches in Bogota on May 1; see Update #797].

The students had been blocking Pasoancho Avenue in the south of Cali to protest the cutoff of potable water to the Corregimiento de Villa Gorgona, a village in Candelaria municipality outside Cali, for more than a week; other targets of the protest were police brutality against the villagers and a “free trade” agreement (TLC) now under negotiation with Ecuador, Peru and the US [see Update #785] (‘Colombia: ESMAD kills another Student’ 2005, *Weekly News Update on the America: Nicaragua Solidarity Network of Greater New York website*, 25 September http://209.85.173.104/search?q=cache:0N93gx3cdM4J:https://blythe-systems.com/pipermail/nytr/Week-of-Mon-20050926/024281.html+%22weekly+news+update%22+817&hl=en&ct=clnk&cd=3&gl=au&lr=lang_en – Accessed 11 April 2008 – Attachment 6).

2. Please provide information about ensuing, related protests, including about a protest at La Ermita church.

A brief report on events which followed the 22 September 2005 attack is provided by the Youth Action Network (YAN), a UK-based non-government organisation which aims to engage people who wish to become involved in active campaigning against global poverty. The YAN report appears on the War on Want website, itself an organisation which advocates for structural changes to reduce global poverty. It refers to: (1) a march through the centre of

Cali on the following day (23 September 2005); (2) a three-day occupation of the Ermita church during the following week; and (3) a high-profile press conference on 27th September 2005:

On Thursday, September 22nd [2005], a Colombian nationwide protest was held against the Tratado de Libre Comercio (TLC), a US-Colombian bilateral Free Trade Agreement that academics and campaigners are concerned will have a devastating effect upon the well being of ordinary Colombians. Bertie Russell, a third-year student at Leeds University, was in Colombia at the time as part of a human rights delegation, and was acting as a human rights observer during a student protest at the Universidad del Valle. Throughout the protest, heavily armed riot police fired teargas and small explosives directly into the crowd, violating international law concerning the use of non-lethal chemical weapons.

At around 7pm, when the majority of students and lecturers had left the campus, the police entered and fired live ammunition at students as they fled towards university buildings. Several were injured and one student, Jhonny Silva, who was unable to run due to a disability, was shot dead.

Student response to the atrocity has been phenomenal; **the following day around 3,000 students peacefully marched through the centre of Cali.** “The speed and intensity with which students reacted was phenomenal. The unity shown amongst Colombian students puts to shame the student movements in the UK, which fail to defend their basic student rights”, said Claire Hall, a recent graduate from Bristol University and participant in the delegation.



In the week following, protests were held by students in cities and universities around Colombia, including a peaceful three-day occupation of the Ermita Church that ended with the regional government of Cauca agreeing to a list of the student's demands. On the 27th September, the human rights delegation held a high profile press conference in conjunction with the students of Universidad del Valle, where the government's actions were publicly denounced. Representatives of SINTRAUNICOL, the universities worker union, also put their workers lives at risk by publicly denouncing the killing ('Youth Action Network – Education Privatisation and the human rights record in Colombia' (undated), War on Want website

<http://www.waronwant.org/Education%20Privatisation%20and%20the%20human%20rights%20record%20in%20Colombia+10737.twl> – Accessed 26 March 2008 – Attachment 7).

A second report refers to: (1) a 27th September 2005 assembly at the university of 8000 members of the university. This meeting of students and staff demanded some specific measures and actions which are listed below; (2) a march of approximately 5000 university personnel from the university to the La Ermita church and its “occupation” from approximately 4pm on 28th September 2005. This report, by the Colombia Solidarity Campaign on the dhColombia website (a web-based human rights organisation), states that its information is based on “eyewitnesses on the scene”:

The assassination of Univalle student Johny Silva by ESMAD (police Mobile Anti-disturbances Squad) on the 22nd of September has caused indignation at the local, regional, national and international level. **To demand that the perpetrators be brought to justice and in defense of the right to life, democracy and respect for human rights an Assembly was held at the University of Valle on the 27th of September. Around 8000 members of the University community attended including students, professors, university workers, the president of the Supreme Council, the Governor Mr Angelino Garzon, the Vice Chancellor of the university Ivan Ramos and the regional human rights vigilator (Defensor del Pueblo).**

At the assembly some commitments were made by the institutional authorities such as the governors commitment to remove private security personnel from the university campus, the funding of two lawyers to take up the case of Mr Silva’s death and the reassessment of the necessity of the Fundacion de Apoyo, a semi private institution within the university which acts a motor for further privatization.

In order to achieve justice and castigate those responsible the university community has made the following demands:

The resignation of Miguel Justi, Secretary of the Municipal Government who authorized the entrance of ESMAD forces in to the University campus and is thus directly implicate in the assassination of Johny Silva

The resignation of Colonel Gomez Mendez, Cali’s Metropolitan Police Chief whose repressive policing tactics have resulted in numerous human rights violations in the City of Cali.

The resignation of the Chief of the ESMAD riot squad.

Today 28th of September a peaceful demonstration consisting of some 5000 students, academic and administrative staff took place marching from the University to La Ermita Church culminating in the occupation of the Church from approximately 4pm. The objective of occupation is that those responsible for the assassination of Johny Silva resign from their posts and are brought to justice. The students have vowed to continue the occupation until the three demands set out by the assembly are met. In defense of public education and so that this crime is not, like so many others, resigned to impunity they solicit local national and international support and denounce the policy of democratic security driving the repressive policing practices which has resulted in the tragic assassination of their fellow student.

[Colombia Solidarity Campaign adds: 1. **The above has been sent by eyewitnesses on the scene.** The occupying students ask for financial donations (Colombia Solidarity Campaign 2005, ‘Ocupacion de La Hermita (Cali) Protestas estudiantes Universidad del Valle’ dhColombia website, 28-29 September <http://www.dhcolombia.info/spip.php?article208> – Accessed 26 March 2008 – Attachment 8).

3. Please advise as to whether there was a national strike in Bogota on 22 May 2007? What was its purpose?

A national strike took place on Wednesday 23 May 2007 in Bogota and other major cities in Colombia. The national strike's purpose was to protest against (1) free-trade agreements, (2) military spending by the government, and (3) privatisation of schools. The Cuban *Prensa Latina* news site states that the strike was a protest against the:

...free trade agreement and the government's neo-liberal policies, and to support public education... [and that] Peaceful demonstrations were also held in Medellin, Cali, Armenia and other Colombian cities, where demonstrators condemned the free trade agreement, the 2007-2010 national development plan and the privatization of major companies, such as ECOPETROL" ('Mass demonstrations in Colombia' 2007, Prensa Latina website, 23 May [http://www.plenglish.com/article.asp?ID=%7B0746F338-B917-4DBC-BBF8-26B14DD942F6%7D\)&language=EN](http://www.plenglish.com/article.asp?ID=%7B0746F338-B917-4DBC-BBF8-26B14DD942F6%7D)&language=EN) – Accessed 14 April 2008 – Attachment 9).

The strike was called by unions and given support by the opposition Alternative Democratic Party, student organisations, and the Colombian Educators Federation. Many of the protestors set off from one of nine public universities in the city and converged on central Bogota's Bolivar Square ('Colombian students, teachers stage anti-government protests nationwide' 2007, People's Daily Online website, 24 May http://english.people.com.cn/200705/24/eng20070524_377531.html – Accessed 14 April 2008 – Attachment 10; 'Mass demonstrations in Colombia' 2007, Prensa Latina website, 23 May [http://www.plenglish.com/article.asp?ID=%7B0746F338-B917-4DBC-BBF8-26B14DD942F6%7D\)&language=EN](http://www.plenglish.com/article.asp?ID=%7B0746F338-B917-4DBC-BBF8-26B14DD942F6%7D)&language=EN) – Accessed 14 April 2008 – Attachment 9).

4. Please advise whether student activists were targeted in 2006 or 2007 by paramilitaries or the authorities? For what reasons were they targeted? Is there evidence they were seriously harmed?

In mid-October 2005, the *Colombia Forum* indicated that there had been an increase in attacks and threats against human rights defenders, particularly trade unionists, journalists and "student activists". No details are provided on the source of, or motives for, the threats against students. The *Forum* is a quarterly publication distributed by the non-government organisations ABColombia and the US Office on Colombia, which draws on both mainstream and alternative press sources for its information ('Increasing threats against human rights defenders, trade unionists and journalists' 2005, *Colombia Forum*, Issue 39, June-mid October, p.11, ABColombia website <http://www.abcolombia.org.uk/forum.asp> – Accessed 3 January 2006 – Attachment 11).

In May 2006 Amnesty International produced two reports on threats against students at the University of Antioquia and Santander Industrial University. On 10 May 2006 a letter signed by the paramilitary group Autodefensas Unidas de Antioquia (AUDEA) – United Self-Defence Group of Antioquia – threatened to kill students (along with staff and employees) at the University of Antioquia. The people were targeted on account of their alleged membership of the "Narcoterrorist organizations FARC and ELN [prominent guerrilla organisations]". AI concludes its first report by providing some background information, stating that in "recent years, army-backed paramilitaries have killed and threatened ... student activists ... opposed to government-sponsored reforms of the university system. Guerrilla forces have killed students and university staff whom they accuse of siding with their enemies":

A paramilitary group has threatened to kill a group of students, employees and teaching staff at the University of Antioquia, in the department of Antioquia, in the northwest of the country. Amnesty International believes their lives are in danger.

The written death threat was sent to the university on 10 May 2006 and was signed by the paramilitary group Autodefensas Unidas de Antioquia (AUDEA), United Self-Defence Group of Antioquia, which is believed to have been operating since 1999. This group claims to be part of a larger army-backed paramilitary organisation, the Autodefensas Campesinas de Colombia, Peasant Self-Defence Group of Colombia.

The letter says that the 15 people named are “active members of the Narcoterrorist organizations FARC and ELN [prominent guerrilla organisations] and have been declared military objectives, and they will be killed in any part of the Colombian national territory.” (“Los siguientes individuos miembros activos de las organizaciones narcoterroristas, FARC y ELN han sido declarados objetivo militar, y serán dados de baja en cualquier lugar del territorio colombiano.”)

Two students named in the statement, Gabriel Jaime Bocanumeth Puerta and Víctor Hugo Tobón Mesa, were reportedly beaten up on 3 March 2006 by two men who are paramilitaries. The Fiscalía (Attorney General’s Office) reportedly began an investigation but abandoned it shortly afterwards.

These two paramilitaries have also reportedly acted as military informants in judicial proceedings against 15 students arrested by the security forces in May 2005 and charged with “subversion”. Four of them have been released, and are named on the death list. Amnesty International has documented numerous cases of people who have been arrested on charges of “subversion”, who have later been released, but are subsequently threatened or killed by paramilitaries.

In March 2006 Colombian newspapers published a series of articles indicating that the security forces believed that the principal guerrilla organisation, the FARC, had begun infiltrating 15 universities. In the past, those whom the paramilitaries have labelled “guerrilla sympathisers” have frequently “disappeared” or been killed by security forces and paramilitary groups.

The full list of names reads: Gabriel Jaime Bocanumeth Puerta, Oscar Mauricio Betancur Hinostroza, Carlos Arturo Posada Vélez, Guillermo León Uribe Blandón, Antonio José Contreras Hernández, Juan Gonzalo Botero Restrepo, Víctor Hugo Tobón Meza, Pedro Pablo Restrepo Arango, Luis Norberto Moreno Lopera, Jorge Osorio, Gildardo de Jesús López Botero, Francisco Javier Cañaveral Vélez, Uber Alberto Cañaveral Usura, Luis Fernando Builes Builes and Carlos Alberto Vides. All are male; it is not known which of them are students and which are university staff.

BACKGROUND INFORMATION

Although a government-sponsored demobilization of all paramilitary groups has supposedly been underway over the last three years and is drawing to an end this year, Amnesty International has continued to receive reports of human rights violations committed by paramilitary groups operating with the cooperation of the security forces in various parts of the country. Recent statements, killings, and threats made by paramilitary organizations make clear that their military structures remain intact.

In recent years, army-backed paramilitaries have killed and threatened members of university trade unions and student activists. These groups have been opposed to government-sponsored reforms of the university system. Guerrilla forces have killed students and university staff whom they accuse of siding with their enemies (Amnesty International 2006, *Colombia: Fear for safety: 15 students, teaching and other staff at the University of Antioquia*, 16 May, AMR23/023/2006

<http://asiapacific.amnesty.org/library/Index/ENGAMR230232006?open&of=ENG-COL> – Accessed 14 April 2008 – Attachment 12).

On 25 May 2006, Amnesty International reported on threats to more staff and students at the University of Antioquia by the same paramilitary group, as well as against the student Diego Fernando Acosta Salinas at the Santander Industrial University by the Grupo Anticomunista Universitario (University Anti-Communist Group). Salinas was a member of the union Asociación Colombiana de Estudiantes Universitarios (ACEU), the Colombian Association of University Students:

The same paramilitary group has sent a further death threat to students and staff at the University of Antioquia, this time naming a further eight students and staff. A student activist at the Industrial University of Santander has also received a death threat, believed to have come from another paramilitary group operating under a new name.

On 19 May, a new death threat was sent to staff and students at the University of Antioquia. This time the group signed itself slightly differently, as Autodefensas de la Universidad de Antioquia (AUDEA), Self-Defence Group of the University of Antioquia, but it is believed to be the same paramilitary group that threatened 15 students, teaching and other staff by email on 10 May.

This death threat opened with the same words as the 10 May threat, but included a longer list of names. Among the eight new people there is one woman, María Yanet Cardona Ríos (a student of library sciences and member of a human rights organization). The seven men are: Oscar Rodas Villegas, Julio González Zapata, William Freddy Pérez Toro, Luis Armando Calle Calderón (university law professors) and three whose position within the university is not known: Carlos Mario Montoya Posada, Alberto Jaime and Wilmer Mejía. The law professors are also acting as defence attorneys for a group of 15 students arrested in May 2005 and charged with “subversion”. Four of these students have been released and their names appear on the death list.

Diego Fernando Acosta Salinas, who is studying chemical engineering at the Universidad Industrial de Santander (Santander Industrial University), in Bucaramanga, department of Santander, received a written death threat on 18 May. He is a member of the Asociación Colombiana de Estudiantes Universitarios (ACEU), Colombian Association of University Students. This is a student union whose members have been subject to repeated paramilitary death threats in recent years. He found the written death threat under the door of his house. The letter was signed by an organisation calling itself the Grupo Anticomunista Universitario (University Anti-Communist Group).

The letter states: ... (Diego we know that you are one of the people organizing all these protests at the university and you have been warned before that you shouldn't get involved in that, we are tired of this stupidity of having the university closed down [an apparent reference to student demonstrations which have shut down the university] and if you continue doing this we are going to have to kill you to see if you lot learn your lesson and see if you keep doing the same thing. We know where you live, what places you frequent and we know exactly where to find you so it won't be difficult to do it... We are going to kill you like a dog.)

This threat comes after a series of student demonstrations held at the university. Diego Fernando Acosta has reportedly received several death threats since 26 November 2004. At least three of these death threats have apparently been made by telephone: on 4 May 2005, the caller reportedly identified himself as a member of the national paramilitary organization Autodefensas Unidas de Colombia (AUC), United Self-Defence Forces of Colombia. In response to these threats, the Inter-American Court of Human Rights (IACHR) of the Organization of American States (OAS) reportedly called on the Colombian authorities to take action to guarantee Diego Fernando Acosta's security (Amnesty International 2006, *Colombia: Further information on fear for safety: 15 students, teaching and other staff at the University of Antioquia*, 25 May, AMR 23/026/2006 <http://asiapacific.amnesty.org/library/index/ENGAMR230262006?open&of=ENG-COL> – Accessed 14 April 2008 – Attachment 13).

Approximately one year after the death of Jhonny Silva, on 4 October 2006 Julian Andres Hurtado, a student leader at the University della Valle, Cali, was killed allegedly by “paramilitary *sicarios* (hit-men)” in his home neighbourhood. Hurtado was a member of a non-government truth commission investigating the death of Silva which had presented its preliminary report a week earlier, on 22 September 2006. According to the Colombia Solidarity Campaign organisation, he had been an “active member of the University of Valle’s student council, as well as being an activist with the Polo Democratico Alternativo. In the context of his activities as a representative of the Student Council, he participated actively in the investigation of the case of the murder of the student Jhonny Silva on 22 Sept 2005 and in the denouncement of the impunity in which this case remains” (Colombia Solidarity Campaign 2006, ‘Urgent Action: Julian Hurtado – Another University of Valle Student is Killed’, Colombia Action Network website, 5 October <http://www.colombiasolidarity.org/en/node/88> – Accessed 14 April 2008 – Attachment 14).

The Fulbright scholar and freelance writer Elizabeth Walsh provided further information on threats to other student activists in her report on Hurtado’s death, published on the WordPress.org website on 24 October 2006:

...Students at the University of Valle responded to the news of Hurtado’s death immediately, gathering on campus and releasing a communiqué declaring, “It is clear that this act is political ... we are dealing with a crime of the state.” Three thousand students left the campus to protest, and immediately upon entering the street, found themselves fired upon by gunmen concealed in a black car with tinted windows. Fortunately, no one was injured in this attempt.

...Colombian university student leaders such as Hurtado are no strangers to threats. In July [2006] threats arrived by email to members of the National University Federation, from a source calling itself “Free Colombia 2006-2010,” accusing them of being “guerrillas dressed up as students.” The threats expressed support for the hard-line policies of President Álvaro Uribe and warned the students to leave their universities and homes.

The same month student leaders and members of the Colombian Association of University Students at the University of Cauca received threats from the United Self-Defense Forces of Colombia (AUC), the country’s largest right-wing paramilitary group, which is supposed to have been completely demobilized in a peace process with the government. And just before Uribe won a second term in May, blacklists naming students, professors and alumni arrived to the University of Antioquia in the city of Medellín. These threats accused those named of being members of the FARC and ELN guerrilla groups and were signed by the “Self-Defense Forces of the University of Antioquia.” **The threats follow a typical pattern in Colombia, in which the human rights activists critical of the government are accused of being**

guerrillas dressed in civilian clothes, an accusation that even President Uribe has made of civil society organizations opposed to his military policy of “Democratic Security.”

... Legally, neither ESMAD nor any other entity of the police or military may enter the campus without a special order from the university president. Thus, demonstrations such as these normally turn into standoffs between small groups of protesters standing within the university gate, and a larger group of armored police with gas masks, plastic shields and heavy-duty batons. The ESMAD agents frequently fire teargas canisters over the fence, while others sit atop huge black armored vehicles and pump water to spray through the fence from the tank-like trucks.

Last March, Oscar Leonardo Salas, a student at a small public university in Bogotá and a poet, was pronounced dead after being hit in the eye by a projectile during a clash between ESMAD agents and students protesting Colombia’s “free”-trade negotiations with the United States. Oscar was the sixth student to die in a clash between students and ESMAD since 2001 (Walsh, E.G. 2006 ‘Colombia’s Student Movement Resists’, WorldPress.org website, 24 October <http://www.worldpress.org/Americas/2534.cfm> – Accessed 14 April 2008 – Attachment 15).

The website of one of the United Kingdom’s largest union bodies, Unite, sponsored a visit to the UK of Numa Andrés Paredes Betancourt, a student leader and member of the National Executive Committee of the Colombian Students’ Union. Betancourt was responsible for Communications for this union and was also the student representative at Valle University in Cali. The website reported that he was “forced to flee his home and move to Bogotá, as a result of death threats he received on 23 February 2007, after his colleague, Julian Andres Hurtado was assassinated” (‘Students in the Firing Line’ (undated), Unite the Union website, <http://www.amicustheunion.org/Default.aspx?page=8134> – Accessed 14 April 2008 – Attachment 16).

The July 2007 Colombia Solidarity Blogspot website quoted above in response to question one, also refers to threats and intimidation (since Hurtado’s death) against students leaders in “Univalle and its departmental branches” by police and “paramilitary group Aguilas Negras (Black Eagles)”:

...Police Assassinate Students

Graffiti outside the campus [of the Universidad de Valle or Univalle] reads ‘Danger – Police assassinating Students in the area’. In recent years, 3 local university students have been murdered by police and paramilitaries in an attempt to suppress social protest: Jonny Silva (22 September 2005), William Ortiz (10 April 2006) and Julian Hurtado (05 October 2006). There have been the frequent occurrences of police entering the campus grounds in armored vehicles and using violence against the students, carrying out searches and even burning possessions. This is in direct violation of the autonomy allotted to Colombian universities by their constitution.

Since the murder of student councilor Julian Hurtado (by paramilitaries in October of last year), there have been acts of police violence, intimidation and stigmatization against student leaders in Univalle and its departmental branches. There have also been at least three death threats by the reinserted paramilitary group Aguilas Negras (Black Eagles) that has resulted in the recipients having to leave the region. I am told by members of the student council that this has had marked effect on the strength and effectiveness of their organisation. Nationally, the last 18 months has seen the murder of 8 student leaders, the displacement of more than 20 students, and the imprisonment of 10

students accused of rebellion (The Colombia Solidarity Campaign (UK) 2007, 'Univive! Privatization and Murder in the Universidad de Valle' Colombia Solidarity Blogspot website, 20 July <http://www.colombiasolidarity.blogspot.com/> – Accessed 11 April 2008 – Attachment 5).

The US Department of State, in its human rights report on Colombia released on 11 March 2008, indicates that threats and harassment made by various guerrilla groups “caused many educators and students to adopt lower profiles and avoid discussing controversial topics”:

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events. However, guerrillas maintained a presence on many university campuses to generate political support for their respective causes and undermine support for their adversaries through both violent and non violent means. New illegal groups and FARC and ELN guerrillas threatened, displaced, and killed educators and their families for political and financial reasons. According to the Vice President’s Office, various assailants killed 26 educators during the first seven months of the year. Threats and harassment caused many educators and **students** to adopt lower profiles and avoid discussing controversial topics.

The Ministry of Education, in conjunction with the Colombian Federation of Educators and the Presidential Program for Human Rights, operated a program for at-risk educators with 78 regional committees to investigate specific threats against educators and, in some cases, facilitate relocation with continued employment as educators. Approximately 15 threatened educators have been successfully relocated since 2004 (US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Colombia*, Section 2a, 11 March – Attachment 17).

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