

National and International Campaign For the right to defend human rights in Colombia



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DEFEND LIFE AND RIGHTS: A high-risk challenge in Colombia **Series:**
Impunity

CASE STUDY ONE

POPULAR WOMEN'S ORGANIZATION

Many Colombian stories arouse pain, anger, shock, and some are even difficult to believe, as is the case of a house in Barrancabermeja which disappeared overnight; literally not one brick was left. It had been destroyed by wildcats who refuse to accept the resilience of some women.

At the centre of this story is a tiny woman, with a very soft Santander accent and a youthful smile. The figure of Yolanda Becerra Vega unquestionably occupies a place in this chronicle of events, because her life is like that of many women defenders of human rights whose destinies are linked to community action, to territories and to the search for justice.

To speak about Yolanda one first must speak about the Popular Women's Organization (OFP). This organization, founded in the very heart of Magdalena Medio, was created by the Catholic church in Barrancabermeja in 1972, in a region marked by the turmoil of struggle by oil company trade unions and by agrarian demonstrations led by Colombian migrants who had come to the port on the Magdalena Grande river in search of a better life.

This is the background whilst Yolanda was studying at the Camilo Torres Restrepo School where, from the age of 15, she followed liberation theology, work led by priests committed to social change. "The OFP evolved from the Social Department of the Colombian Catholic church (Pastoral Social) in north east Barranca where the church supported the participation of women. These women along with their children were in the front line of demonstrations repressed by the police who attempted to prevent new inhabitants moving into available unused land".

So this was how Yolanda joined the OFP in 1980, and in 1988 she participated in its process towards autonomy as a women's organization independent from the church. For some people this was an unnecessary separation because it was the Catholic church's programme, but for the women it was the right moment to fly the nest and begin the task of setting up a regional organization, which would develop projects for sexual and reproductive health, housing, food and the leadership of ordinary women.

By mid-way through the 1990s, Barrancabermeja was already of significance to the Colombian trade union movement represented in the Workers Trade Union (USO), but it also had a history of initiatives in community coordination which brought together popular sectors, campesinos, the church and political movements. From a civil strike in 1982 the Popular Coordinating Committee was founded and from that the Regional Committee for the Defence of Human Rights (Credhos) was formed in 1987. Whilst demands from campesino movements in the south of Bolívar and Carare grew, paramilitarism, established in Puerto Boyacá, moved forward in its dirty war against the social framework of Magdalena Medio, with the support of official agencies.

The breaking point was the massacre of May 16th, 1998. People of Barranca recall that day as the start of a repressive programme involving the paramilitaries with members of the police and army, and which began with the death of seven people and the disappearance of 25 more, all accused of being members of the guerrilla. Yolanda proposed that all the women should go to the wake dressed in black; people arrived and gave their condolences to them, not the families. When the mothers realised this they joined up with the women of the OFP. Suddenly they were all sisters and mothers of the dead young men. For several days the whole city witnessed the women in black, they stopped the traffic when they crossed the road, nobody dared protest.

The paramilitaries imposed their law: "Punishments such as sweeping the streets, public flogging of young men and women; tying them up for 24 hours or more and exposing them to the sun, rain, night; cutting their hair with combat knives; shearing their eyebrows, and their heads, and finally, if after having gone through various punishments they hadn't "mended their ways", they killed them. There were several cases in which young or adult women were killed after dreadful torture, making them kneel to beg forgiveness, cutting their breasts, inserting objects into their vaginas, chopping up their bodies, pulling out their eyes and then, removing all the organs from their bodies and dumping them in communal graves or the surrounding swamps".

Confronted with this crude reality the OFP changed. To avoid interurban forced displacement, between 1998 and 2000, they transferred their action to civil and political rights, but at the same time still maintaining other rights such as meals from community kitchens, urban and rural kitchen gardens; medical and gynecological attention, activities for youngsters and children, housing projects. During this time, they developed a programme to improve housing in the Pablo Acuña neighbourhood

of Barrancabermeja. In order to reduce the food problems of the displaced and poorest families of Magdalena Medio they built a network of community dining halls which also fulfilled a secondary function: “the dining hall became a place to register denunciations; a person would receive a plate of soup and would use the occasion to secretly hand over a piece of paper to the woman serving, which would say things like this ‘some boys are being held at such and such a house; last night in the neighbourhood they killed so-and-so’. With this information the women would go to the police or the army and would demand that they go to that place to save those lives. At other times, when someone in the neighbourhood heard that some young men had been rounded up by the paramilitaries at the football ground for a variety of purposes, a call to the OFP would alert them of the situation and shortly afterwards the mothers and neighbours would arrive and by means of peaceful remonstrance and just by being there they would manage to rescue the sons of the other women”.

“After killing their husbands or displacing them, they would take away the keys to their homes, submit the wives to abuse and even make them serve them. The Women’s Houses of the OFP were then converted into safe places to escape from the paramilitaries. What we did was contest being subjected to the war because our aim as civilians is to resist being controlled by them, nor will we give up our sons and daughters to it: that’s why they persecuted us unrestrained”, states Yolanda with some pride, and adds that the OFP is growing amidst the war as a women’s grassroots organization and political movement in which they are beginning to define emblems and proposals for the country. The women, dressed in black overalls, proclaim that they do not give birth to sons and daughters for the purpose of war, they demonstrate with keys and coloured waistbands to declare their autonomy, and their right to remain in the region. The autonomy and civilian nature of the women are two principles which they uphold challenging all armed groups, left and right. With these principles the OFP managed to set up an alliance with four women’s organizations at national level in 2002, which organized a demonstration of more than forty thousand women in the Plaza de Bolívar in Bogotá, to reject the war as it intensified throughout the area.

Demand for justice

One night in April 2001, orders were received by the paramilitary chief known as ‘The Cat’ to send men to demolish the OFP building situated in the neighbourhood of La Paz. The following day, faced with the shock of finding not even the ruins of the building since the attackers had taken all the debris away in four lorries and left the plot empty, the women understood that it was time to demand justice in the face of so much state silence, but the neighbours were afraid to tell what they had seen and this made denunciation difficult. From this, the figure of what is called ‘community witnesses’ arose. In communications which supported the denunciations, USO, Credhos and the OFP itself declared that they had knowledge that José David Navarro

Londoño, alias 'The Cat' was operating in the area where the Women's House was situated. The paramilitary was given an 8 years prison sentence for these activities. However, this was incomplete justice because it was never established who gave the order to destroy the house nor was there any material or symbolic redress to the organization.

Whenever justice has been obtained, it has been through the action of the victims because they give proof and testimonies, as in the killings of Yamile Agudelo, Diofano Sierra and Asperanze Amarís. For these cases, the paramilitaries have received prison sentences of between 20 and 40 years.

For the killing of Diofanol Sierra, OFP art and culture instructor, gunned down on April 8, 2002, the paramilitary Cesar Julio Reina Flórez, alias "Tamarindo" was sentenced to 8 years' prison in November 2004. For the case of Esperanza Amarís, OFP leader, killed on October 16, 2003, in Barrancabermeja, José Ricardo Rodríguez, Yan Alberto Manjares and Margen del Cristo Aldana Maures, all members of the paramilitary, were collectively sentenced to 40 years' prison. These three had arrived on public transport at Esperanza's home in the Versalles neighbourhood of Barrancabermeja. After threatening her they dragged her out of her home. Five minutes later, Esperanza was killed in front of the Camilo Torres Restrepo School and her body thrown into the street.

In March 2006, Yamile Agudelo Peñaloza, a 26 year old mother of a little girl of eight was killed; she had been tortured and raped. Her body was found in a rubbish dump on the road to El Llanito municipality and was identified two days later by her parents. For this crime, Charlys Manuel Arévalo Quintero, demobilized from the United Self-Defence Forces (AUC), was sentenced to 16 years and eight months on November 10, 2009. After his capture on July 17, 2008, however, he came to a prior agreement with the Attorney General's Office and managed to get a 50% reduction in his sentence for this crime of aggravated murder.

But the disappearance of Katherine Gonzólez, in 2007 who re-appeared 29 days later in Bucaramanga, has been a terrible ordeal for the family and the OFP. "Everything rebounds against the victim. When they killed Yamile, the chief of police came out and said that Yamile was not a member of the OFP. The investigation then turned against the OFP because it was deemed they were saying the deaths were because the women were members of the organization and they were not. It was the same when Katherine disappeared, they said that we were inventing it all, that she disappeared because of some romance problem. Every week in the newspaper La Noticia there were articles against the OFP, and, ever since I was forced to leave Barranca, the demobilized paramilitaries say that I have gone to join the paramilitaries in the south of Bolívar".

For Yolanda this is an example of the ineffectiveness of the law. In the processes of Justice and Peace which deal with the cases of Magdalena Medio, something

particularly unusual has happened: not one single paramilitary has made a statement against the military or any politician; intellectual authors remain unknown, they do not know who planned the strategy and ordered the crimes. The judicial apparatus has not opened one single investigation to find out the truth and bring to justice those responsible, neither has it in any way ordered redress for the victims of more than 130 attacks suffered by the organization since 2001.

All the cases of threats, torture, and restrictions have been reported but not investigated. When Eduardo Cifuentes was Human Rights Ombudsman, Yolanda consulted him to see if it were possible ask the Attorney General's Office to bring together all these cases in one single process as a case of systematic persecution of a social organization. Mr Cifuentes thought it might be possible but the Attorney General's Office rejected the request.

Where support has been obtained is in the national and international communities which at times have contributed in some way to the redress of damages suffered and clarification of some facts. For example, in one campaign, they rebuilt the house which had been razed to the ground, and, with the support of many organizations the OFP have managed to stay in the region; Yolanda's nomination for the Nobel Peace Prize in 2005, in the proposal 1000 women in the world and a peace prize is a form of protection at a time when they are living the worst moments of the war.

Following the visit of a delegation of 12 embassies to the headquarters of the OFP in Barrancabermeja, Holland contributed a significant sum of money so that the Attorney General's Office would move forward in the investigations into the killing of Esperanza Amarís. The results speak for themselves. At the same time, however, they demonstrate the state's incapacity to deter aggressors with an efficient and dignified justice.

The woman, the family, the state intelligence agency (DAS), the future...

Yolanda smiles when she talks about the good work which the OFP has been doing for over thirty years. It is February 2010, and although she is calm, she continues to look both to the past and the future. She recalls when, still young, she agreed with the men that one single social movement was enough, that changes would come with the revolution: "When that time comes everything is going to change, but for the moment let's talk about general aspects, my companions used to say, and I believed them".

Clearly the relationships changed. Convinced that defending life began in her home, she made a pact with her two children and family: if the activity, denunciations, struggles of the OFP put them at risk, they would alter many routines. It was safer that she be seen on her own in public activities, her children should go out with her sisters, she would go only to parents' meetings at the school, not to parties.

But in December 2009, Yolanda realised that the DAS had been monitoring her since 1996, they had photos of her children, of the children's father, of the family. There are many pages about a road accident in which she and several defenders were involved in 2004, on the road from Bucaramanga to Barrancabermeja: "We were on our way back from a meeting to promote the Coordinating Committee of human rights in the North-East, when suddenly, two men on a motorbike appeared on the road, the van turned over and was a complete right-off. Now I wonder why was there so much interest in that accident when we didn't get help from any authority even though the escorts requested assistance?"

In the DAS files which are now in the Attorney General's Office, there are orders to carry out monitoring of national and international organizations with links to the OFP, and all that is known now has had a great impact, because Yolanda, like many defenders, questions everything: the sacrifices they made to protect themselves, distance their families from danger and nobody imagined the magnitude of a persecution driven by official bodies.

The case of the OFP reveals high levels of impunity: the law may have responded in some attacks, but in more than a hundred it has not. Within the framework of Precautionary Measures of Protection granted by the Inter-American Commission on Human Rights, the OFP, in its task of registering attacks committed, reported 130 attacks during the period 2001 to 2008, (2001, 48; 2002, 9; 2003, 19; 2004, 18; 2006, 10; 2007, 8; 2008, 6). Within the same framework, the Attorney General's Office reported the start of and/or proceedings in 13 investigations of which 4 are proceeding before Attorneys from the National Unit for Human Rights and International Humanitarian Law. They make reference to 2 cases of murder: those of Esperanza Amarís and Diofanol Sierra and 2 cases of threats against the OFP and Yolanda Becerra. On the other hand, there are several Attorneys in the District Attorney's Office of Bacaramanga investigating 3 lawsuits of restriction of members of the OFP, all in a state of "investigation suspended"; 3 of threats against Yolanda Becerra and Jacqueline Rojas; 1 for the disappearance of Katherine González; 1 for the murder of Yamile Agudelo and 1 for injuries against Claudia Pinto.

Whilst, as we have said earlier, some of these cases have concluded with the sentencing of the actual perpetrators of the actions, not one has guaranteed the right to know the truth about the person who gave the orders to systematically attack leaders of the OFP, neither is there any guarantee of non-repetition, let alone a willingness to compensate the families of the victims and the organization.

Several patterns of impunity are evident here. Silence has been the perfect accomplice, so today we do not know who are behind the systematic persecution of the OFP. On several occasions the authorities have distorted the motives, and directed a whole campaign to discredit the leaders of the OFP who have gone from victims to suspects. They have minimized the attacks refusing to give them the importance they merit. Lastly they have refused to allow all these attacks to be brought together in one

judicial investigation where the systematic nature of them would be proved, i.e. dividing the investigations is yet one more format of impunity in this case.

