

Massacre in San Jose de Apartado

A telephone call I received last February 23 left me shaken and confused. Luis Eduardo Guerra, one of the first and most tenacious leaders of the San José de Apartadó Peace Community had disappeared. Another of the community's leaders told me that from what all they had been able to find out, it was likely he had been murdered. Groups of people from the community had set off to look for him but held out little hope of finding him alive. More and more calls came in that day and the next until, early on the 25th, I traveled to San José with Gloria Cuartas, the former mayor of the town of Apartadó. I went with a heavy heart. I knew the bodies of Luis Eduardo, his companion Bellanira and 11 year old son, Deiner Andrés, had been found. Another of the region's leaders, Alfonso Tuberquia, who I knew and whose son Santiago I had baptized several weeks earlier, had also been murdered alongside his wife and children.

After 8 years of documenting atrocities committed against that heroic community and denouncing them to the authorities, I still had trouble understanding just what had happened. When I thought back over the more than 500 crimes we had denounced over the years, it seemed this was but one more case that fell into the plan of persecution and extermination San José has been subjected to since the peace community was formed in 1996. I shuddered again at the memory of the many massacres that have occurred in San José and the constant persecution of community leaders and members. And, again, there seemed only one possible conclusion, reluctant though I was to accept it because it was simply too disheartening: nothing had changed. The extermination campaign against the peace community continues, unrelenting, in spite of government speeches and assurances to the contrary. But, then, I remembered the many meetings we had with government officials in order to evaluate the implementation of measures to protect the life and safety of San José community members the Inter-American Court of Human Rights had called on the government to adopt, repeatedly, since October, 2000, after making an initial request to the government in 1997 that it grant precautionary measures in favor of the population of San José. And I remembered, in particular, the many assurances made by Colombian Vice-President Francisco Santos and members of his office that the present government intended to sit down with San José members and draw up a plan together to protect them. The San José peace community would be protected by the government, he said, not destroyed.

I arrived in San José de Apartadó that Friday, February 25, full of unanswered questions. An army helicopter flew over the village, an enormous bag hanging underneath it, swaying back and forth in the wind. Satellite phone calls by international volunteers accompanying the community from the area of the massacre told us five bodies had been exhumed and taken away: Alfonso

Tuberquia, his wife Sandra Milena Muñoz, their five year old daughter Natalia and 18 month old son Santiago and another resident of the area, Alejandro Pérez Castaño. All the bodies were mutilated and showed signs of having been tortured. Along with Gloria Cuartas and several international volunteers we decided to assist the families in the terrible task of claiming their dead loved ones. There were a number of authorities in the cemetery in Apartadó that Saturday afternoon, the 26th, and the hours passed slowly in endless paperwork and angry complaints to the authorities for their negligence in recovering the other bodies. The bodies of Luis Eduardo and his family had not been found among the cocoa trees on Alfonso's farm in either of the two unmarked graves the killers had left their other victims. They were discovered, instead, lying alongside the Mulatos river, already partly devoured by vultures and pigs. In spite of knowing exactly where they were on the afternoon of Friday, the 25th, investigators from the Attorney General's office ! only got there to 'officially' remove the bodies on Sunday morning, the 27th. By then, the community search groups were exhausted and had decided to take the bodies back themselves without waiting any longer for the authorities.

Another helicopter, another macabre bag dangling below it and that Sunday afternoon was spent on paperwork to claim the bodies, a process full of useless formalities which serve only to offend the bereaved, their feelings and commonsense. A funeral parlor hired by the mayor's office refused to send a car to transport the bodies because it was dark. In spite of the risk, a young local man offered to take us and two days later received a death threat from a paramilitary soldier who is protected by Colonel Duque, commander of the army battalion which controls the area around San José. The makeshift funeral procession drove through the Barrio Obrero neighborhood in Apartadó just before midnight. There was a party going on and a crowd of people were drinking and dancing. Not one of them showed even the least sign of respect for the coffins passing by, irrefutable evidence of the 'paramilitary culture' that now dominates a town once known for its strong social conscience.

Sometime after midnight that Sunday, we arranged the eight coffins together in the kiosk, the scene of so many community meetings and the place where so many decisions to benefit the community had been made over the years. A vigil with songs, scripture readings and shared thoughts and reflections brought many people to the kiosk early that Monday, the 28th, as they awaited the funeral scheduled to begin at 8 a.m. In a voice choked with emotion, I began the funeral service. Every gesture and every murmur of those in attendance seemed laden with grief. I chose a reading from the book of John, in which Jesus says: "No man taketh my life from me but I lay it down that I might take it again", words that caused many of those listening to him to say he had "a devil and was mad", while only a few realized that "he who can open the eyes of the blind cannot be mad" (John 10: 17-21). In that reading, I saw not only the mystery of the death and life of

Luis Eduardo and Bellanira, Alfonso, Sandra, Alejandro and the other children who were just starting out on life's journey guided by committed and heroic parents but, also, the life and death of a whole Community which has sacrificed more than 150 of its members in its struggle not to give in to the structures of death and indignity that are all around us.

A number of journalists and regional authorities called to ask if they could attend the funeral. They were told how indignant and disappointed members of San José were that instead of condemning such a terrible crime, authorities and journalists had begun a campaign to label the victims and the community as guerrilla 'sympathizers', a campaign that was to grow as the weeks passed.

After speaking with more than 10 eye witnesses, I was able to reconstruct what had occurred. Some of them were illegally detained and forced to remain in a house by soldiers who arrived in the La Esperanza hamlet on Saturday, February 19th. Others, saw soldiers arrive in Las Nieves hamlet that same afternoon. Early the next morning, they forced their way into the house of Marcelino Moreno, shooting at him in his bed and wounding his daughter. Marcelino, a guerrilla militia member, stood up wounded and grabbed a weapon to confront the soldiers. He was shot dead and a soldier was wounded. On their way through Las Nieves, soldiers chased two local men saying they were going to kill them but a hooded man wearing civilian clothes yelled at them, telling them "not to shoot because they'd ruin the plan". The two men managed to run away and hide from the soldiers who, apparently, were trying not to make much noise with their weapons so the people in the area wouldn't flee. The next day, Monday, February 21st, the soldiers arrive in the Mulatos hamlet, which borders Las Nieves, and run into Luis Eduardo and his family who are on their way to pick some cocoa on one of his tree stands. One of Luis Eduardo's relatives who is walking with him sees a soldier close ahead on the path but, when he turns to point him out to Luis Eduardo, he crouches down and hides.

The relative urges Luis Eduardo to turn around or run away but he refuses and says he is not going to run but will tell the soldiers that he needs to continue on to pick the cocoa. Suddenly, soldiers move out of the bush all along the path and yell: "Stop and hands up" Luis Eduardo's relative runs off into the trees. The soldiers tell him to stop but they don't shoot and he escapes. He would later say: "they had what they wanted and they weren't going to let him get away to go after me". Shortly after, he hears the cries of Luis Eduardo and Bellanira which probably means they wasted no time in torturing and killing them. A bloody machete and club were found close to the now partially eaten bodies, not far from where they were stopped by the soldiers. The head of his 11 year old son, Deiner Andrés, was found 20 metres from his body.

The homegrown communication channels our campesinos use to spread news around the countryside, whose speed and efficiency city dwellers find hard to understand, was in full operation. By twelve noon, a campesino had arrived at Alfonso Tuberquia's house in La Resbalosa hamlet, an hour from Mulatos, to find the family and the farm's four laborers having lunch. He told them about the soldiers and the capture of Luis Eduardo and urged them to leave their farm quickly. As he spoke, he saw soldiers surrounding the house. The men left the house and, although the soldiers opened fire, they somehow managed to get away into the brush. But neither Sandra nor the children had fled with them. Given the intensity of the shooting, the men knew returning to the house would mean being killed. They found refuge in a house 20 minutes or so away but, after two hours when they heard no more shots, Alfonso decided to go back and find out what had happened to his wife and children and die with them if necessary. He told the men he would come back if he could. The men waited for him until noon the next day and, when Alfonso didn't return, went back to the house.

Blood and bloody clothes were everywhere and, stunned, the men realized what they had walked into. They found clumps of hair from Alfonso's daughter, Natalia, in some places with the skin still attached to it as though it had been cut off with a machete. After more searching, the men noticed fresh earth among the cocoa trees and began to remove a little of it. When they began to unearth mutilated pieces of Alfonso's body, they were horrified. They covered up the hole they had made and ran off. Someone went quickly to tell leaders of the peace community what had happened.

The soldiers continued on and, at about 3 that same Monday afternoon the 21st, arrived at a place between the Mulatos and Las Nieves hamlets known as El Barro. Some of Luis Eduardo's relatives lived there and soldiers shut them in their house, forbidding them from getting anything to eat from outside. Without knowing who they were, the soldiers said they had "killed three guerrillas" that morning and described them to the family. The family knew it was Luis Eduardo, his companion and son they had killed. Some of the soldiers drew a graffiti of their unit on the wall of the house: "Contra guerrilla 33" They were from the 33 Cacique Lutaima counterinsurgency Battalion, attached to the XVII Army Brigade. They were the same soldiers investigators from the attorney general's office would find there when they arrived. Indeed, campesinos from the area, expert in following tracks and footprints, had reconstructed the army's route through the hamlets and shown they had never left.

There was no longer any doubt. Another new and horrible crime of State had been committed. The fact that some paramilitaries were among the soldiers -whose uniforms are practically identical to the army's- only confirms and compounds government responsibility for the crime. Nine years of horrendous experiences

have taught campesinos well how to identify them. Subsequent government efforts to attribute responsibility for the crime to the guerrillas were so unfortunate as to present as 'witnesses' two young men who, a year earlier, had been tortured by Colonel Duque and the object of a fabricated judicial scheme designed to force them into a 'reinsertion program'. Today, they are under the custody of the same people who victimized them, without the freedom to make any kind of autonomous decision. But because the vast majority of Colombians know nothing about these truths, these same falsehoods are being used and diffused by the 'information' media and the government as the basis for a campaign to stigmatize and label the victims and people of the community of peace.

- It seeks to make the country and the world believe that the Colombian army and police have not been able to enter San Jose de Apartadó for many years because the peace community won't permit it when the reality is that they have hardly ever left the community
- It seeks to make the country and the world believe that the presence of the police and army in all corners of the country is required by the Constitution because it serves to protect the population and enforce the Constitution and the laws. But in San José's case, it is a presence which has always violated people's rights, a presence which has not protected but attacked the civilian population, perpetrating hundreds of horrendous crimes, such as massacres, murders, enforced disappearances, tortures, rape, the burning of houses, illegal searches and arrests, theft of subsistence items, tools, beasts of burden and community and family monies, threats and acts of terrorism; in a word, the very behaviors and activities the Constitution and the laws most strongly prohibit.
- It seeks to make the country and the world believe that the peace community 'obstructs justice' when the truth is that its members have rendered hundreds of declarations to prosecutors without ever having witnessed a single act of justice or reparation; when the truth is that the Attorney General has categorically refused to investigate more than 300 crimes against humanity committed against the peace community, all duly denounced in his office in November, 2003; when the truth is that the government has refused to set up a Commission to Evaluate the Justice System, requested repeatedly by the peace community as a result of numerous irregularities found in legal proceedings; when the truth is that

several members of the peace community have been murdered after giving testimony to authorities.

- It seeks to make the country and the world believe that the peace community has 'ties to the guerrillas' when the truth is that guerrillas have attacked members of the community and residents of the area 20 times, resulting in strong, public protests by the community; when the truth is that internal statutes prohibiting collaboration with any armed actor are strictly and transparently enforced by the peace community; when the truth is that the accusations of links between members of the peace community and the guerrilla are fabricated in the XVII Army Brigade based on the false testimony of informants who have been paid or coerced into making statements that would not stand up to even the most rudimentary ! legal analysis.
- There is no doubt that the San José de Apartadó Peace Community is a legitimate effort to defend the rights of the civilian population in a war zone and, as such, is a community under very serious and imminent threat. International support and solidarity is crucial in this regard.

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