

BACKGROUND ON SAN JOSE DE APARTADO

(This report was prepared by Cecilia Zarate-Laun, Program Director of CSN and may only be quoted with CSN's permission)

San Jose de Apartado is a little village, and also a corregimiento in the old Spanish system, or district located in the Abibe Mountain Range, which is a natural corridor connecting the provinces, called "departments" in Colombia, of Cordoba, Antioquia and Choco in the northwestern part of Colombia. Administratively, it is attached to the municipality of Apartado, province of Antioquia, in the Uraba region

The zone of Uraba, originally a jungle frontier region, began to be cleared by peasants who in the 1950's fled from the partisan violence in the rest of Colombia. Soon it was obvious that the region was ideal for the growing of bananas as an agrarian industry, besides having the advantage of being close to the sea.

The urban center of San Jose and the settlements of La Union and Arenas Altas ([map](#)) make up the Peace Community, which has a population of 1,200 persons. The municipality of Apartado has a population of 125,000 inhabitants. Both the highlands and the low areas are fertile and bananas, cacao, avocados, fine wood trees and vegetable gardens grow well there. The headwaters of the Apartado, Riogrande, Carepa, Currulao and Mulatos rivers form in San Jose.

At the end of the 1980's and in the 1990's, committees of social scientists were brought together by the Colombian government to analyze the terrible violence in the region. They concluded that it originated in the labor-management relations in the banana industry. A 1987 report described the banana business leaders as rapacious

and absentee owners. Others indicated that the violence in the region came from the militarization of the social conflicts and that its roots were in the terrible inequalities brought about by the enclave economy, inasmuch as the great profits generated by the exportation of bananas were not invested in the region and the concentration of wealth left the workers without decent minimum wages for subsistence. (20)

It is worth remembering a little history. Colombia traditionally has had two political parties, the Conservatives and the Liberals. These parties have excluded other organized political movements, relying upon the assassination of political opponents if necessary. This exclusionary characteristic is one of the reasons for the appearance of guerrilla movements, together with the social and economic exclusion of the majority of the population on the part of the Colombian elite. In the 1980's an attempt at a negotiated solution, a third party, the Patriotic Union, was created as a result of an agreement between the Colombian government and the FARC. Many persons not only from the FARC but also from civil society who were not satisfied with the two traditional parties joined the new party.

The region of Uraba was a stronghold of the Liberal party until the Patriotic Union arrived. The majority of the population of the banana belt began to elect mayors from the Patriotic Union (UP). These UP mayors were those who built the road to San Jose, the health center and the school there. Before the road was built the peasants had to carry their products on their backs or on mules.

The Liberal party decided to retake these mayorships through something they called "Operation Return". They did not find it inconvenient to allied themselves with paramilitaries, drug traffickers and the region's economic powers. Almost all the UP mayors of the region were assassinated or put in prison after they were set up on the base of false information, as was the case for Nelson Campo, who is still in prison, or is the case of Jose Antonio Lopez, who upon leaving prison was forced to leave into exile. Much of what we saw in San Jose has to do with its history.

In one visit by a Colombia Support Network delegation to Apartado, the then-mayor from the Patriotic Union Party, Jose Antonio Lopez-Bula, told us that the municipal government had attempted to collect municipal taxes from the banana business owners. They simply refused to pay. The municipality appealed the decision but their refusal was upheld by the national government, leaving the municipality without the valuable resources that would have come from taxing the banana-growing sector.

This situation of outright exploitation gave rise to a very active civic and labor organization movement. Cattlemen and drug traffickers, with the tacit approval of the Army, established private forces which not only resorted to killing leaders of the people, but also used the atrocious strategy of mass murders to eliminate the popular movements. Their purpose was to spread terror. Between 1988 and 1990 figures show that in Apartado more than 400 people were murdered for political reasons, especially workers, political activists, and labor leaders. (20) These "paramilitary" forces aided by the Army were trying to "clean up" the region, as General Rito Alejo del Rio, Commander of the XVII Brigade and a graduate of the School of the Americas, plainly told a Colombia Support Network delegation, "We invite you to invest in the region. There are no union problems. The region is clean."

On June 9, 2005 the Office of the Comptroller General of Colombia published a document entitled "The Effort at Agrarian Reform and the Process of Attachment and Extinguishing of Rural Properties," in which it concludes that in Colombia what has happened is a counter-agrarian reform due to drug-trafficking. Land ownership has been concentrated and 48% of the best lands of the country belong to the drug-traffickers, while 68% of the other landowners—peasants—possess only 5.2% of such lands. The report states as a certainty that the food security of the country is threatened. (El Tiempo, Jueves 9 de Junio de 2005)

These lands are located in frontier zones and are linked to the production of illegal crops and cocaine laboratories. In this way, the drug-traffickers by buying land, become linked to legal activities and appear to be businessmen. Behind this lies the forced violence by which the lands are acquired, using private armies as paramilitaries. This is the origin of the 3.5 million displaced persons in Colombia. The enviable location of San Jose and its admirable political organization are the principal reasons for its martyrdom.

DON BARTOLO FOUNDS A LITTLE TOWN

Don Bartolome Catano a 75 year old peasant founded the small settlement of San Jose de Apartado in 1970. With a sweet smile and a quick speech he welcomed the CSN's delegation and told us that he represented the peasantry of the region at the city council on the ticket of the Union Patriotica, a third alternative political party. He came to Apartado in 1966, seeking an opportunity after working for others since he was 7 years old. He bought a small plot in the beautiful lands he found in the Serrania de Abibe, got married at 36 and started to raise pigs and chicken. He built a small house and took leadership training courses offered by the Peasant Association. He liked the courses because they not only trained him but spoke of the need for agrarian reform.

Soon, 17 other peasant families came to live in the area where he was located. They worked the land from 5 a.m. to 6 p.m. planting food such as bananas, yuca, plantains, corn, beans, avocados and cocoa beans to sell. They built a school, a health center and constructed the road. They called it San Jose because he is the patron saint of the peasants who till the land. (25)

The community of San Jose got along well with the labor movement and a number of its young people even joined the guerrillas. The political movement Patriotic Union was especially popular in the region. The Patriotic Union originated in a negotiation between the Colombian Government and the guerrillas of the FARC. The purpose

was to reach a negotiated solution to the conflict. The people of San Jose were especially attracted to one of the methods of emancipating the peasant farmers, namely the establishment of agricultural cooperatives. This seemed to lead to healing, because what the powerful owners had been trying to do was to annihilate the social and political dissent militarily. Don Bartolo and the community organized the Balsamar cooperative to process and market their cocoa beans rather than selling them to middlemen.

On August 17, 1996 at 11:30 a.m., unidentified armed men burst into the City Council chambers in Apartado and shot Don Bartolo twice. He started calmly to pick up his papers when a third shot, directed to his face, killed the founder of San Jose de Apartado.

Its support for the Patriotic Union contributed to make the San Jose community a target in the war. In addition, the location of the settlement, together with the existence of a coal mine in the region where it is located, made it particularly attractive to those who wished to take possession of the land away from the peasant farmers. Thus began the abuses, and many of San Jose residents were exiled to the city of Apartado, protesting the repression. A committee sent by the national government negotiated with the leaders of the exiles in order to get them to return to their land.

On September 6, 1996, a group of armed men dragged the leaders of the protest out of their houses and killed them. In February, 1997, a group of 40 paramilitaries, most of them "reinsertados" * from the EPL (Ejercito Popular de Liberacion/ Popular Liberation Army) guerrilla movement, which had opposed Patriotic Union's electoral successes, entered the town at 6 in the morning, pulled the four leaders of the Balsamar cooperative from their beds and beheaded them, leaving their bodies in the road. When the brave Mayor of Apartado, Gloria Cuartas, called the government prosecutor's office, so that the bodies could be removed by the police following judicial inspection, she was able to observe how the paramilitaries gathered around the improvised grave where the bodies had been placed, and how the paramilitaries greeted the soldiers who were guarding the prosecutors as their "cousins". (25)

* A reinsertado is a former EPL guerrilla who gave up arms and became a paramilitary in this case.

Beginning in March 1997, the paramilitaries took absolute control of the road from San Jose to Apartado. They controlled the transport of food and medicine; they inspected every passenger with lists in their hands. Whoever appeared on the lists, or whoever looked suspicious, was murdered. The paramilitaries' checkpoint was located about five minutes from a military base in the Policarpa neighborhood of Apartado. A delegaton from CSN had the opportunity to observe these paramilitaries, armed and wearing numerous gold chains in order to demonstrate their authority. Multiple disappearances, murders and pillage took place at this checkpoint, where they behaved as if they were agents of the government.

THE SIXTH OPTION

The bloodshed in the community of San Jose, because its location in a corridor of confrontation between the FARC guerrillas and a bloc made up of the Army and the AUC paramilitaries made it so vulnerable, was profoundly worrying to various entities of the church. Because of that, beginning at the end of 1996, the Diocese of Apartado began to discuss with members of the community a proposal to establish themselves as a "Peace Community", which would adopt some very precise and verifiable rules calling for no collaboration with any of the armed actors. The idea was to get the war out of their community by declaring themselves neutral. They carried out numerous educational programs with leaders of the community to achieve a collective reflection agreement of what this proposal meant.

Given the political environment, the peasants of San Jose courageously decided to declare themselves to be neutral which means, not allied with any of the armed actors : army, guerrillas or paramilitaries. **This single act was one of the first public demonstrations of non-violent resistance in a country where traditionally only violent means are used to solve conflicts.** The option of non-violence was compared to their other alternatives which were:

(1) They may join the paramilitaries or become supporters of their agenda, which is to maintain the socio- economic status quo;

(2) They may leave for the cities, where they will live in slums and become beggars, prostitutes or street children;

(3) They may join the guerrillas, and engage in conflict with the army-supported paramilitaries;

(4) They may journey to the rainforest in Southern Colombia, cut trees and plant coca to make cocaine paste, the only crop which can bring them profits, given the lack of roads, agricultural credit and extension services, and price supports for growing and marketing traditional crops; or

(5) One armed actor or another may kill them if they do not accept one of the 4 alternatives

After carefully thinking about these options, the peasants from San Jose, with the help of the late Monsignor Isaias Duarte Cancino, Bishop of Apartado at the time, Gloria Cuartas Mayor of Apartado at the time and Colombian NGO's such as Justicia y Paz and CINEP, decided to create an alternative, or **a sixth option: to remain together tilling their lands and caring for their orchards and animals. They concluded this was the only thing they knew how to do.**

After a period of preparation, on March 23, 1997, Palm Sunday on the Catholic calendar. The declaration was signed in a solemn ceremony. A number of members of the Parliament of the Netherlands were present. The peasant farmers committed themselves to comply with the public declaration which established that they would:

- Participate in community work projects.
- Fight for justice and against impunity.
- Not participate in the war, directly or indirectly.
- Not use weapons.
- Not manipulate or deliver information to any of the parties.
- Look for a peaceful and negotiated solution to the country's conflict.(20, 22)

In that month of March the process of nonviolent resistance of the Community of San Jose de Apartado began, joined by peasant farmers from 17 small settlements in the region, La Union, Arenas Altas y Bajas, La Cristalina, Mulatos Medio y Alto, La Resbalosa, Las Nieves, El Guineo, La Linda, Alto Bonito, Las Playas, Porvenir, Buenos Aires, L Esperanza and Bellavista.

WHAT DOES IT MEAN TO BE A PEACE COMMUNITY?

The Peace Community is three things: a territory, a political decision, and a peasant farmer association for raising and selling food products.

The Peace Community is **a territory** clearly designated and demarcated as a neutral zone, with flags and fences that identify the territory as a neutral territory. It is made up of the town limits of San Jose, the settlement of La Union, the fields and workplaces of community residents, and the sources of water and energy, In this way, geographical limits were established against the war. As small settlements join the process, they are also being demarcated. The members of the Community carry an identity card stating that they are accredited members of the Community.

The Peace Community is a **political decision** or option because it was created as an organized response to a situation of war whose principal victims are members of the civilian population. In joining together, they seek power not just against the armed actors, but against their ways, which are vertical, exclusionary and discriminatory. By opposing these ways, the community generates participation that is pluralist, that reinforces the autonomy of these communities in constructing an alternative that is different from that of weapons and economic power.

In order to belong to the community, every person takes part in workshops where the essence of the process and the commitments that are made are explained. The decision is free and voluntary. The workshops are produced together, and they set forth ways of relating to one another, so that the Community struggles as one unit to protect the lives of all. The relationship among them is circular, because all take part and all have the right to make decisions.

Ethically, the Community shares the conviction that you cannot think in terms of "you and I", but you have to think of "we", so that every time they take an action, they do it with the knowledge of how it affects others. That is why it is so important for them to strengthen community ties, especially through work and through the celebration of the system every three months. The purpose of that is to reinforce their group consciousness. Their unity is their strength.

The respect for pluralism and individual liberty is another source of strength, because every community and every member make decisions autonomously, without pressure and without feeling excluded when they are not part of the majority. Another admirable quality is their transparency. Before, in order to survive in a war zone, they had to tell lies to the armed actors. This community bases its possibility of survival upon speaking openly to the armed actors, telling them that they cannot collaborate with them because that would involve them in a war in which they have declared their neutrality.

By seeking the common good, they are seeking to humanize their living together; creating relationships take into account the situation of everyone, because they are talking about defending their very lives. When a situation arises that puts one person's life at risk, the others have to insist on respect. That is what they experienced when the paramilitaries installed their checkpoints for nine months. They stopped cars and killed whomever they wanted to. The Community demanded that their process of neutrality be respected.

Pretty soon in the workshops people started asking: Why are we resisting? We are resisting because this is an unjust situation. We resist because they are attacking us. Out of that discussion came one of their most important principles, which is to fight against injustice and impunity as an integral part of their strategy.

The philosophy of the Community creates a kind of relationship and attitudes based upon new values, such as liberty, equality, respect, solidarity and dialogue, as an answer to the old ways of thinking, based above all on power over everyone and everything. Another new idea is the manner of conflict resolution, departing from violence and based on dialog and working for the good of all. Good places for settling differences are the workshops in the different towns, or work groups or committees where town residents discuss their accomplishments and the difficulties they are experiencing and they can all meet face to face.

The initiatives for confronting problems are taken together. For example, one of the decisions the community made is that they prohibit the sale and consumption of liquor. The decision was taken because it is a method for avoiding any violent situation or disturbance which might serve as an excuse for the intervention of any of the armed actors.

HOW ARE THEY ORGANIZED?

Part of their training is that the community exercises leadership and every person has the capacity to raise her/his voice to suggest plans, to discuss, and to make demands. "Before when we would go alone

to work up in the mountains, we were afraid to go because, as a peasant farmer, a person feels afraid; but now when we go in a group, you feel more strength and you can see how fear had kept us apart . . ." As was said before, all of the members commit themselves to work together. This allows them to practice the principle of solidarity and of unity, so that a person isn't thinking so much of his/her own interests but rather of the well being of the whole community.

INTERNAL COUNCIL: This is the highest authority in the community. Its fundamental mission is to guide the survival and development of the peace community (respecting and requiring respect for its rules and principles), and to represent the community in its relations with the Government and national and international institutions. The Council is responsible for strengthening the experience of neutrality and resistance from the political and solidarity point of view and for seeing to it that the rules and declaration of the Peace Community are carried out.

The Internal Council is chosen democratically by the people aged 12 or older, because it is from this age that all of the men and women can decide freely if they want to take part in the peace community. (Only persons 18 or older may serve on the council.) The Council gathers those who represent the agreement to carry out this experience of civil resistance.

The Internal Council coordinates activities and resolves conflicts through dialog, tracks the work groups, and coordinates visits of delegations to the community. Every six months, the Community chooses the members of the Council and the Coordinators by means of a free and voluntary vote.

The Community gets together in the small towns and reflects on the characteristics that a member of the Internal Council ought to have, and, based on that, the people in the towns propose candidates. Later they make a list of the candidates and a day is chosen for elections. The eight people who receive the most votes are the new members of the Council.

There are several work groups and each one has a coordinator, who sees how the work is going and reports on the needs and accomplishments of each group. There are a number of work groups made up just of men, some made up just of women and some that are mixed. These work groups are not only in charge of accomplishing private production (cacao and banana primarily) but also of cultivating products for the self-support that guarantees a certain security of food supply for the community. For example, the coordinators organize the assistance that comes into the community.

There are also committees that interact with the Internal Council. The committees propose and carry out, according to their specific areas of work, the tasks necessary for the sustenance and progress of the peace community.

FORMATION: This committee is made up of four women who work with community members to carry out workshops and meetings on subjects that reinforce the internalization of the process of nonviolent resistance. Given the high percentage of illiteracy, they prefer to use teaching techniques that favor unwritten expression: drawing, singing, and poetry.

COMMUNICATION: This committee has been responsible for the establishment of a radio station that is available to the community, and they have trained personnel and change programs that they want to put on. Unfortunately, up to now it has not been possible for them to obtain a license from the Ministry of Communications to put this community radio proposal into operation. In the same way, the communication committee has coordinated the carrying out of several written publications about the community and has furnished the photos and graphics that appear in those publications.

SPORTS: This committee coordinates the carrying out of games (especially soccer). The members of the peace community and neighboring villages take part.

ECONOMICS: This is possibly the most active committee. It coordinates the purchase and later marketing of cacao, baby bananas and avocados as the principal products for the economic support of the community. This committee has led an interesting process of formation and training in order to obtain products of export quality in the case of the baby banana. (22)

THE REACTION

Of course the Army and the paramilitaries did not accept this type of "neutrality". Cutting relations with the guerrillas would amount to neutrality for them, but that a community would decide not to participate in the war, denying also to them information and sale of food, and would require that they not enter the territory with weapons, that was too much. Because of that, they determined to destroy the community.

For their part, the FARC targeted the community because it would not sell them food and would not offer them any kind of collaboration. On October 6, 1997, the FARC killed Ramiro Correa, who was a member of the Internal Council. Since then, the FARC have killed 19 persons. (See account of victims)

The moving ceremony of March 23, 1997 was an incentive to repression by those who opposed the Community. The Community had to become accustomed to living with terror, because the murders, the disappearances and many other strategies of extermination, such as the blockade of food supplies just motivated them. By now some six drivers, who transported necessary food supplies between Apartado and San Jose, have been killed. The Community had to organize planting of community crops for the emergency. Often when they have had to go out to work in fields not very far from the town, there would be 40 or 50 persons hand-in-hand, for mutual protection, and they would return in the evening surrounded by armed squads who would point their machine guns at the group.(20)

By the end of 1997, the Peace Community of San Jose counted 47 victims killed, the majority murdered or disappeared, with great

barbarity. It was a high price to pay while other communities had been forced into total disintegration and hiding out. But the existence of the Peace Community of San Jose continued in heroic resistance in the midst of the terror.

In December 1997, the Inter-American Commission for Human Rights visited the community, because of the difficult situation they were experiencing, because of the numbers of murders that were taking place, and because the number of widows and orphans was increasing. By December of 1997, the little hamlets residents had left because of the terror that was spread by the joint actions of the military forces and the paramilitaries. The inhabitants of San Jose have never been able to discover any differences between the Army and the paramilitaries, especially when a paramilitary checkpoint was installed about five minutes from the military checkpoint on the road between San Jose and Apartado. It was not even necessary to complain to the Inter-American Commission about this situation, because they themselves were able to see it directly. But they were not the only ones observing. The United Nations Office of Human Rights and many other international organizations had seen it. (20)

The Inter-American Commission adopted *precautionary protective measures* in favor of the community and demanded that the Government take the measures necessary for the respect and preservation of the lives and the rights of the community. In spite of that, impunity and the terror continued. The Commission was witness to the increasing number of actions taken by the paramilitaries against the community and to the fact that they acted together with the Armed Forces. At that time, the Attorney General, the Public Prosecutor, and the Ombudsman made visits to the community, heard testimony and summoned people to Apartado, where the people got together. In spite of that, the facts have demonstrated that impunity reigned and reigns to this day.

On February 19, 2000, the Army was all over and located on every part of the road. More than fifteen soldiers, wearing uniforms that they wore regularly and insignias of the XVII Brigade, entered the town. Among them soldiers who had taken part in murders were

recognized. They had acted as informants at the checkpoints on the road located at three and at six kilometers from the community. During that incursion, they killed five people, without any hesitation or shame.

After that came the threats from the Army: they said that they were going to finish off both the leaders and the community. As a matter of fact, there was no need to wait. In July of the same year, after explicit threats from members of the Armed Forces against the community of La Union, unknown men entered La Union wearing hoods and supported by a helicopter from Brigade XVII that was flying over at a very low altitude. They assembled the members of the community and sought out the leaders, those who had proclaimed the principles and the decisions of the community, according to which no armed actor was to enter the territory, since the decision was that the community would rather die than renounce those principles. And, in fact, that is what happened. They ordered them to lie down but the leaders refused to do so and they were killed standing on their feet, defending their community. There, on July 8, 2000, there lay, in the very center of the town, the bodies of six community leaders, while the hooded men returned to the Army's location. (1)

One week earlier, a CSN delegation had visited La Union and the leaders who were murdered on July 8 had proudly showed them how they were stocking fish in a lake to add to the community's food supply and how they were rebuilding the cacao plantings that had been damaged after the last displacement.

SEEKING JUSTICE

As the years passed, the atrocities multiplied.

The situation reached incredible levels. In February 2000, after the community had talked directly with the military commanders in order to explain to them their system and after the commanders had promised to respect it, expressing their admiration for the decision, there came actions so brutal and so painful that the community

reached the unavoidable decision not to have further discussions with the armed forces, a decision that they maintain today.

Because of this situation, the same Inter-American Commission requested that the Inter-American Court adopt **provisional remedies** in favor of the community. When that request was made of the government of then-President Andres Pastrana, the community met with Vice-President Gustavo Bell, and proposed the creation of a Special Investigation Commission. After a number of discussions, the Commission was created, made up of the Ombudsman's office, the Public Prosecutor's office, the Attorney General's office and the office of the Vice-President, with the observation of the United Nations Office for Human Rights.

In September of 2000, members of that Commission made their first visit to the places where the crimes had taken place. Right there they began to find evidence of the participation of the Armed Forces and they expressed their astonishment at such circumstances. They combined the visits that they would be carrying out in order to comply with the two objectives that had been proposed at the creation of the Commission: to understand, in spite of impunity, and to halt these actions of death against the community.

The years went by and the atrocities multiplied, evidencing the circle of impunity and the perpetuation of terror against the community. More than 80 declarations were made to the Investigating Commission by members of the community. There were meetings held to receive reports, as had been agreed, but no progress could ever be perceived.

The Government never took any measures that would show compassion, in any degree, for the terror that was being inflicted on the community. The killing continued to increase; also the threats; the burning of houses was frequent, and above all, every military operation was accompanied by paramilitary operatives supported by the Armed Forces. Almost every day there was displacement and the murder of members of the community increased without let-up. They were robbed of their produce and of the money they obtained by

selling it. Many women were raped. At the checkpoints, they also killed many members of the community or inhabitants of the area. Frequently they would carry out target practice very early in the morning in locations near to the community.

The community has collected many testimonies, offering declarations before prosecutors and attorney general staff and before the members of the useless Investigation Commission. Instead of seeing resulting justice, they have seen death and threats to the people who made the declarations, without any unit of the justice system showing any interest in protecting them nor offering any measure of protection. Obviously the testimony of the community is limited, because they don't have the means to demand that their victimizers identify themselves or give them their name, rank and serial number, nor are they able to photograph or videotape them, not write down their license plates or insignia, which they don't ordinarily wear. That is what the investigating agencies have demanded in order for the testimony to be valid. Many of the files that are being stored only contain the testimony that the community has given, and that turns into a high risk for those who have made statements, but you can see that they are not looking for proof in the camps of the victimizers. They only look in the area of the victims. And those proofs, given the little credibility that the functionaries of the justice system give to the testimony of the victims, and given the disdain, and not infrequently, the aggression and suspicion with which they treat those who are victims of those same agents of the Government, these files are turned into proceedings that are useless, as well as dangerous. They only serve to "demonstrate" that the justice system is not permanently inactive. But the overwhelming truth is that there is no result that can be shown. (18)

Because of all that and because of the quantity of inquiries that prestigious international organizations have made to the Prosecutor's office, with some very worrisome indications that the Prosecutor's office has been infiltrated by the paramilitaries, the Peace Community has begged that **members of our community not be asked to make any more declarations.** They ask that formulas be sought so that the information that they have and that they could furnish to the

investigation of these crimes be provided in another manner to the judicial process, preserving the safety of the witnesses, because they don't want to have any more murders.

And it is thus that in November of 2002 the Community proposed to Vice-President Francisco Santos that there be an evaluation of the Investigation and that **a Truth Commission be created**, to be made up of delegates from national and international organizations of high credibility, that there be an inventory of all the crimes of which the community has been the victim, evaluation of responsibility for such crimes and delivery to the government of recommendations to avoid such crimes being repeated.

On that same date, they asked that the office of Vice President Santos **assume the coordination of preventive actions**, with the goal of stopping the bloodshed and the acts of terror against the community. At the same time they asked that preventive measures be taken, such as the repair of the road, the prompt return of displaced persons; and projects for education, especially in the little towns, projects that permit the assimilation of the culture of peace; and furnishing regular health services, since the terrible stress in which they have had to live aggravates all illnesses; as well as normal transportation of food, which is related to the elemental right to life.

On April 15, 2004, the Constitutional Court of Colombia issued its decision T-558/03 in which it emphasized the obligation of the Colombian government to carry out the interim equitable relief and provisional remedies ordered by the Commission and the Inter-American Court for Human Rights.

THE POLICY OF DEMOCRATIC SECURITY

Attempting to appear as if they were complying with the order to protect the Community issued by the Commission and the Inter-American Court, the government of Alvaro Uribe Velez has made a proposal for Security and Protection to the Peace Community. This proposal is made within the parameters of Democratic Security,

which plans a military presence in every corner of the country. In this case, it means proposing the presence of the police. It should be clarified that in Colombia the police are national and part of the army.

After analyzing this proposal, the Internal Council expressed profound discomfort with the proposal that the National Police would carry out the project of security and protection, given that they have suffered so many attacks by the police and given the close relationship between the police and the paramilitaries in this area.

Elements of the police have facilitated and protected the movements of the paramilitaries when they come to commit their crimes against the Peace Community; they work in coordination with them and they have demonstrated their complicity with them. In areas where there is strict control by the police, such as the Transportation Terminal in Apartado, the paramilitaries are at large; they threaten members of the community; they announce and carry out blockades; they rob and kidnap members of the community, many times before killing them or "disappearing" them. (18)

The Internal Council **asks what could be expected in the way of protection and security from two government institutions like the army and the police, made up of officers and soldiers and police who torture, who carry out massacres, murders, and disappearances, sexual abuses, burning down houses, forced displacement, threats, plunders, acts of terrorism, deception, arbitrary and illegal detentions, etc., and without even the slightest reparation for the victims whose losses make it difficult for them to continue surviving in the difficult conditions of their social situation.--reparations, such as, for example, returning the stolen food and money; returning the mules that are their fundamental means of transportation; returning their domestic animals, their work tools and the houses that they have destroyed, and there have never been explanations, punishment, correction or reparations for the crimes done without any convincing or credible explanation.**

The other concern is that the presence of armed persons in the village could attract insurgent groups planning to attack them. This puts the civilian population in the midst of the conflict. For the last eight years, the community has been demanding respect for its neutral position. They will not collaborate with any armed actor and they require that no arms exist in their community space where they live and work. The Army, just like the Police, when they have penetrated in the community space, trampling its internal regulations, have been very explicit in saying that they do it so that the guerrillas can attack them all together so that all can "die together under the weapons of the guerrillas."

It is worth remembering that in 1998 the then-Commander of the Armed Forces of Colombia, General Jose Manuel Bonnet told a delegation from CSN that he did not believe in neutrality and that whoever is not for the Army is against it.

PECULIAR CHARACTERS FOR THE APPLICATION OF DEMOCRATIC SECURITY

In this history of pain and anguish, of love and hate, of loyalty and treason, of sincerity and cynicism, of heroes and villains, of justice and injustice there are some characters that stand out. One is Wilmar Durango. Another is Colonel Nestor Ivan Duque, commander of the Bejarano-Munoz battalion attached to the XVII Brigade with its headquarters in Carepa. The things that these two have done are inexorable linked to all the development of events of San Jose, just as cloudy skies are linked to storms.

On December 9, 2003 at 2:40 p.m. a jeep of Peace Brigades International, an organization that accompanies the Peace Community, was detained by paramilitaries as it left Apartado on the road to San Jose. Two persons of the Peace Brigades and a leader of the Peace Community were in the jeep. When the car braked, three men with small arms and one with a bag over his head, which covered his face, surrounded the vehicle. The three armed men pointed their guns at the passengers. They identified themselves as paramilitaries, and after insulting the people in the car and

threatening them, one of the paramilitaries opened the window and took away the money which the community leader was carrying, which had come from the sale of cacao and totaled 24.5 million pesos. This money was the fruit of the community's work in planting, harvesting and selling the cocoa beans, which was one of the community's sources of income. In addition the paramilitaries took away the cellular phones of the PBI accompaniers. They then run away between through the nearest banana fields and five minutes later the jeep came upon a military checkpoint. There the two PBI persons and the Peace Community leader told the soldiers at the checkpoint what had just happened to them. (15)

Clearly by taking away the money of the Peace Community the paramilitaries attacked the subsistence of the community which has an economy of a communitarian nature. This was the fifth time that the resources, which the community had obtained with so much suffering and work, had lost. The objective of those effectively in power in the region is to combine a political attack with an economic one, to exterminate this process of non-violent resistance.

On December 14, 2003 at 4:30 p.m. a leader of the Peace Community received a telephone call in San Jose de Apartado. On the line was Wilmar Durango, who began to insult the Peace Community leader, telling him that he was a son of a bitch and the community was a son of a bitch and telling him that he (Durango) was working with the paramilitaries. Durango went on to asked how the community felt about the robbery of its money, which he said they had done, saying it was a beautiful job done by the paramilitaries. Then he said the next step would follow, which would be that they will begin to kill the Community's leaders one by one. Even if they are specially careful these son of bitches community leaders would wind up in a tomb, that the son of a bitch leaders of the Community did not have any way of escape, and that he who is not killed now would be killed in prison. (4, 5,12)

On February 3, 2004 Wilmar Durango was seen patrolling with the army in the settlement of Guineo Alto. Besides this he was army troops on February 23d when they stole cattle from one of the

Community members. He entered San Jose with a mask on and he walked around the houses of several community leaders.

On March 3, 2004 in the bus terminal of Apartado, Durango stopped a member of the Peace Community and told him that he was working with the Army and one of the essential objectives which they had was to assassinate Wilson David (Coordinator General of the Community). In addition, he said they had to kill several other persons from San Jose. In January of 2004 Durango had announced that he had orders from paramilitary commander Salvatore Mancuso to do away with the community. He also said that even though the Community had international accompaniment, they were going to destroy it, especially the president of the Internal Council, Wilson David. (6,13)

Since he was working with the Army and the paramilitaries he felt very secure. He asked for silence with respect to the theft of money and repeated that the sentence against Wilson would be carried out. "If you continue to denounce what happens to you", he said, "it will be even worst for you."

On June 3, 2004 Wilmar Durango again approached members of the Community to tell them that there three witnesses who would be disposed to make declarations to make declarations against Wilson David and others, and if this did not worked out right, the decision had already been made to murder them. (16)

On October 2, 2004 12:30 p.m., four paramilitaries intercepted a public vehicle which was traveling between San Jose and Apartado. They ordered all passengers to get out of the vehicle, except Yorbelis Amparo Restrepo, a 27-year-old woman who lived in the Community. While the passengers were getting out of the vehicle, the paramilitaries insulted them, telling them they were going to exterminate the Community because it was a guerrilla Community. The paramilitaries then drove off with the vehicle. At 6 o'clock that afternoon the lifeless body of Yorbelis was found. Wilmar Durango had threatened her with death. Yorbelis, a single mother, left three children.

Colonel Nestor Ivan Duque, Commander of the Bejarano-Munoz Army Battalion, which is assigned to San Jose, has distinguished himself as being the very incarnation of the application of the policy of Democratic Security of President Uribe for the Peace Community. The objective of this policy is to resolve the Colombian conflict by military means.

In practical terms this signifies that Colonel Duque engages in activities which are not within his competence, such as carrying out investigations, issuing judicial verdicts, impeding the right to free marketing of products, and impeding the right to transportation and movement of persons of civil society. It would seem that for Colonel Duque the concept of Democratic Security signifies food insecurity. The Colonel ignores the existence of civilian non-combatants and instead of contributing to the strengthening of the institutions of the state, his actions produce more insecurity and less protection.

Some of the actions which explain the activities of the Colonel can be summarized as follows, constantly appearing in the testimony of Community members' illegal detentions, use of paid informants, threatening with beheading, carrying out tortures and doing warrantless searches. He defends the use of paramilitaries to achieve his goals and what is important to him is to achieve these goals, insulting and mistreating women and children and making belittling comments about human rights organizations.

On July 23, 2004 at about 10 a.m. Durango was again in the bus terminal where he told several persons from the community who were waiting for transport to San Jose, that he and his associates were looking for the right moment to assassinate the leaders and that he personally was taking part in all of these. He said that Community residents could make all of the denunciations they wished to, that they all will reach him and they will just cause him to laugh, since he was working with the Army. For this reason they could not do anything to him because the Public Prosecutor's office had cleared him of all charges. After saying this, he named the Community

leaders and accompaniers with whom they were going to begin the killings. (15,16,17)

The zone of Uraba, originally a jungle frontier region, began to be cleared by peasants who in the 1950's fled from the partisan violence in the rest of Colombia. Soon it was obvious that the region was ideal for the growing of bananas as an agrarian industry, besides having the advantage of being close to the sea.

THE VISIT OF CSN IN JUNE OF 2004

As is traditionally CSN takes delegations to its sister community every year. Six persons visited the Community on a CSN delegation in June 2004. For one week we shared our lives with Community residents and not only came to admire their incredible organization and tremendous moral strength, but also we enjoyed the beauty of the place and daily life in this small hamlet.

The crowing of the roosters, the sound of the burros, the songs of the birds, the smoke from the chimneys of the houses, the children going to school and the simple but delicious meals delighted us. We observed the packaging of the baby bananas and the drying of the seeds of cacao in the tropical sun. One of our favorite sports was observing the meal of the pigs, which were fattened on fresh coconuts. We became aware of everything. It is a transparent Community, which has nothing to hide, and which does everything it can to keep from being converted into part of the 3.5 million displaced people in Colombia. In the words of the Peace Community " what we know how to do is farm the land; if we were to be displaced we would become beggars and we do not wish to live that way. Farming the land is our dignity '.

On this occasion we also heard freely without pressure and without being forced, spontaneously, the testimony of several survivors of experiences which were the product of " democratic security ". Let us listen to them.

Among the people we spoke to were Conrado David, his wife and seven-year old daughter. They told us that on March 18, 2003 there was a military operation in La Cristalina, the rural zone where they lived. Conrado was returning to his home when he was met by soldiers who ordered him to lie down on the floor and threatened to kill him. He pleaded with them not to shoot because his elderly mother was coming behind him with his two young daughters. While lying on the ground Conrado heard shots and his three year old daughter Mildred was injured by one of the shots. She suffered a wound from which her intestines came out. The soldiers called for a helicopter but after waiting for one and a half hours they were informed that the helicopter would not come and that Mildred would have to be taken to the hospital by the unpaved road from San Jose de Apartado. While she was being taken to the hospital in Apartado on the road from San Jose the little girl died. The soldiers said to Conrado's mother that she had to say that the little girl died in an attack by the guerrillas even though there were no guerrillas in that area.

We were impressed by the unity of this family and its tremendous sense of dignity. Mildred's older sister told us that she was never going to see her little sister again.

Another person we spoke to was Elkin Dario Tuberquia Tuberquia. Elkin spoke to us in a sincere manner, spontaneously without pressure and full of incredible dignity. He came to give us testimony about his personal experience with the 17TH Brigade. He said he was in the house of his mother and father-in-law, because they had come from the settlement of Las Nieves after paramilitary incursions, which produced an exodus beginning at the end of February. While he was crossing the river, which runs through San Jose, he came upon a group of Army soldiers who detained him on the night of March 12, 2004. Elkin had collaborated with the guerrillas some 12 years previously in Mulatos. However he had retired and cut off all ties with the guerrillas because he organized his home, which was a requirement that his fiancée made of him if he were to marry her. In fact Elkin had been detained in 1997 as a result of other inquiries into his past and he was in prison for 3 years. But even prior

to this detention he had broken off all links to the insurgency, as has been confirmed by testimony of his relatives and those who had known him for the last 8 years in Las Nieves.

Elkin was taken to the 17 Brigade and subjected by Colonel Duque to recognition by hooded persons. He was deprived of his liberty illegally for 9 days during which he suffered multiple forms of violence upon his body and upon his conscience. Elkin told us that Colonel Duque personally tortured him, stroke him, kicked him and broke open his mouth until he required him to say that he was a FARC militiaman. Elkin said that if he had not confirmed that he was a FARC militiaman they would have taken him outside were the paramilitaries were waiting to kill him. When he said that he had been a FARC militiaman in order to gain his freedom and avoid assassination by the paramilitaries, Colonel Duque called persons to come and film his confession.

Another person who was detained illegally the same night and taken to the 17 Brigade together with Elkin was Apolinar Guerra, who was 18 years old. However Apolinar did not wish to give testimony to us because he said he was still very traumatized by the experience at the 17 Brigade.

The experience of these two persons told to us by Elkin gives us a good idea how the strategy of Democratic Security functions in rural regions of Colombia. It deprives persons of their liberty in an illegal fashion, since Elkin and Apolinar were not committing any illegal act, nor was there any warrant for their arrest. They were detained without the reason why, and they were taken to a place which is not designated by the law as a place where prisoners are to be kept, for the purpose of creating *ex post facto* an appearance of legality for their being deprived of their liberty. Methods of torture, which are prohibited by international law and by the laws of Colombia, were used. And "witnesses" were paid money to accuse them. Through torture and threats of death they got out of Elkin and Apolinar "confessions" which were false and had absolutely no legal value. They called a prosecutor to take their testimony, and our question is how independent is the judicial system, given that in

regions of conflict the prosecutors generally live in the Army installations for reasons of security.

The mother of Gloria Helena Tuberquia an 18 year-old girl who was detained in the 17th Brigade with her baby and accused of being a guerrilla also came to talk to us. But she was so terrorized by the Army's actions that finally she did not give us any testimony because she was afraid that something might happened to her daughter whom she has not seen since the moment of her detention.

THE SEVENTEENTH BRIGADE

Throughtout the more than 18 years during which CSN has worked in this region we can give testimony of multiple violations of human rights and international humanitarian law by the 17th Brigade.

Torture, sexual assault, plunder, pillage, displacements, illegal detentions, false testimonies, robbery, patrolling openly and cynically with the paramilitaries whom they call "cousins" are the mark of this Brigade. Threats of the military officers against the Community are constant, and they frequently tell them they are going to use "heavy machinery" which means using the paramilitaries. That is what Colonel Duque did on the evening of March 12,2004, when he detained illegally two women who were members of the Community and referred to them in a demeaning way as "big bellies" because one of them was pregnant.(7)

A very serious crime by this Brigade is its custom of "legalizing the death", which is to say dressing the cadavers of members of the civilian population in guerrilla uniforms, so that they will appear to have been killed in combat. This was the case reported for the Zapata and Valle families who four days after they had declared themselves part of the Peace Community lost five of their members . These five had gone out on that Holy Thursday to get coconuts from some nearby palm trees to prepare the typical meal for those days. They run into a patrol of Army and paramilitaries combined. Their clothes were burned and military uniforms were put on their bodies in order to present them as "guerrillas killed in combat". That afternoon

the mother of one of those recognized pieces of his clothes in the remains of a fire pit.(20)

The merciless treatment and lack of respect by the members of this Brigade toward the civilian population whom they are supposed to protect is almost natural. But in none of the cases is it more cruel than in the treatment of children and women. Besides, the 17th Brigade is responsible for violations committed as much by the guerrillas as by the paramilitaries, by omission, since their function is the protection of the non-combatant civilian population.

What will become of the children of Myriam Tuberquia who on June 16, 2003 saw their mother detained in Las Nieves hamlet by members of the 17th Brigade and ordered to lie down on the soil which had been wet by rain until June 18 because she was considered "suspicious"? Miriam had some syringes in her bag pack because she needed to inject herself every day for an illness which she had, and she also had with her money from the sell of cacao from which she lived. When her little two and three little children the "courageous" soldiers threatened them with their guns? And what will become of the children of Yorbelis Amparo Restrepo the single mother who was murdered by order of Wilmar Durango?

It is common that in the checkpoints soldiers pull children away and take them away to take to members of the Army where they are asked about the leaders of the Peace Community and later given candy. The signatures of the Colombian government for treaties for the protection of children are a dead letter in practice since the treaties are signed only so that the international community celebrates the oldest democracy in Latin America and so that the Colombian government does not loose money coming from the international community.

WHO WAS LUIS EDUARDO GUERRA GUERRA ?

Any person who would have known the social, human, and ethical qualities of Luis Eduardo Guerra and of his profound commitment of non violence and to construction of peace and a

negotiated solution to the Colombian conflict would have been tremendously impressed by the testimony and the beauty of spirit of Luis Eduardo. Although he was a peasant, he possessed and intelligence and political clarity which many post-graduate students in famous universities would have desired to have. His personal warmth, his moral courage and his great sensibility won for him the most profound respect of the persons who knew him.

He came to Uraba as a very young boy when his father brought him fleeing the political violence in the center of the country and riding on his shoulders he saw the first cadavers of persons killed for political reasons, as is all too natural for Colombian children. Luis Eduardo had been nominated by the community as its representative to the Inter-institutional group which included representatives of the government and of the Inter-American Commission of Human Rights, in order to follow up on the provisional measures ordered by that Court for the Peace Community. The last meetings in which Luis Eduardo participated took place in the office of Colombian Vice-president Francisco Santos on December 13 of 2004, and in the offices of the Minister of Foreign Relations on January 28, 2005 twenty four days before he was assassinated.

Luis Eduardo traveled to Europe where he visited several countries Italy, Germany among others where he reported on the situation of the Peace Community. At the invitation of the Colombia Support Network he visited the United States. In Wisconsin, he promoted the sister community relationship with Dane County. He was received by Dane County Executive Katherine Falk, by Wisconsin Secretary of State Douglas LaFollette and by State Representative Mark Pocan, who were all very favorably impressed by his presentation and had lamented profoundly his horrible murder.

During his visit to the United States, Luis Eduardo traveled to Columbus, Georgia where he spoke at a rally of thousands of persons who had come to attend the annual vigil to close the School of the Americas organized by School of Americas Watch. We kidded him there because all of the girls recognized him since he was one of the most outstanding speakers and they did not stop greeting him

with a kiss on the cheek upon recognizing him. In 2004 he participated in a Social Forum in Ecuador as a delegate of the Community of San Jose and of other communities engaged in non-violent resistance. He was interviewed by many of the members of the diplomatic corps accredited in Colombia and by the office of the High Commissioner of Human Rights of the United Nations in Bogota. These persons all appreciated him very much. Luis Eduardo leaves 3 young children who are orphans of both father and mother.

In an insulting manner and one injurious to his memory officials of the Colombian government have said that Luis Eduardo was ready to leave the Peace Community and disassociate himself from it. Anyone who had known Luis Eduardo and recognized his profound commitment to his beloved Peace Community would never believe the absurd suggestion that he wished to leave it.

Cecilia remembers that the last time that she met Luis Eduardo as a friend as Program Director of CSN was in Bogota at the home of her aunt in June 2004. There he predicted his death. He explained to her that the 11th Brigade of Cordoba has a border with the 17th Brigade precisely on the border area of the two provinces. He told her that given the peace conversations which the government is carrying on with the paramilitaries which are taking place in Ralito both the paramilitaries and the Army think it is necessary to clear out this corridor in order to leave the area free to control the zone as a measure of protection for the paramilitaries. He said that they were going to begin to carry out operations for this purpose and that the Peace Community would be their first objective. How could one imagine that eight months later this prediction would be carried out and he himself murdered?

REMEMBRANCES OF GREAT INTEREST

Cecilia Zarate, Program Director of CSN, relates the following story: In February 12, 2003 I visited the Peace Community in one of the routine visits of CSN. After spending several days in the Community, I was preparing to return because I had a family gathering later that day in Bogota. That morning two of the most

outstanding leaders of the Community, Gildardo Tuberquia and Wilson David, traveled down from San Jose to Apartado with me and accompanied me during the morning, since my plane was to leave at noon that day. Calmly I accompanied them while they carried out some errands and then we went to a restaurant where we drank some fruit juice. Then they said good-bye to me fondly when I took a taxi for the airport. How was I to imagine that that same day after they had left me they would be illegally detained?

Wilson and Gildardo took a public vehicle to return to San Jose. That vehicle was inspected by some soldiers who came out from behind some trees where there was no checkpoint. The soldiers made of all the passengers get out with their belongings and show an identification document. There remained in the vehicle a small cardboard box, which nobody recognized as being theirs. The soldiers returned the documents to all of the persons except Amanda. They said they had found explosives in the box and they detained everyone. They also invaded the Community where they took several persons into custody.

The Peace Community has brought together reliable information that leads to the interpretation that the stopping of the vehicle was part of a set-up planned by the 17th Brigade and the "finding of the box with explosives", all of that designed to damage the good name of the Peace Community and to create judicial processes against some community members and leaders. The office of the High Commissioner for Human Rights of the United Nations documented all of the information about this case.

Another occurrence that is worth mentioning is the case of the hand grenade, which exploded in San Jose. In one of the visits to San Jose, while we were walking casually through the town, some persons told us that a hand grenade had been left by the Army in a field. They said that they had called the local Ombudsman's office in Apartado, and the Ombudsman had come and taken photos of the grenade and had consulted about it with the Army. The Army said the grenade was a smoke grenade and the inhabitants of the Community then kept it in a house, which happened to be Luis Eduardo Guerra's

house. CSN suggested to them that they throw the grenade into the river so that it would lose its explosive power, but they did not do so. This is the grenade which exploded and killed the wife of Luis Eduardo Guerra and seriously injured his son Deiner.

Friday February 18, 2005 a person from the CSNS's office called the Peace Community to discuss the marketing of small bananas with one of the Community's leaders. While they were talking, the incessant sound of helicopters was heard in the background. When the CSN person asked the Community leader if the sound was that of helicopters he replied that it was. He said that all day long they have been flying over the Community and that the Army was carrying out an operation in the zone.

CSN has worked with the Peace Community since its beginning. Through the years we have not only visited the Community frequently, but also we have lived with them for long and short periods. CSN had one person living there for 6 months and another for one year. Never did they observe relations with the guerillas, which would have been easy to detect. This is a transparent Community which follows the norms of International Humanitarian Law accepted internationally. It has not made the formal arrangements for the declaration of neutrality, because these require the signature of the agreements by all of the parties involved, so that the said zones would be respected. They have not carried out these formal steps because of the irregular nature of the Colombian conflict, which does not permit it, and particularly, when the very government of president Uribe-Velez does not recognize that there is an armed conflict in Colombia.

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