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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1787
Session:	Thirty-Fourth Session (15 – 25 October 1974)
Title/Style of Cause:	Jorgilio Guevara, Rafael Osorio Rendón, José de Jesús Giraldo, Emilio Hernández, Fidel Rivera de la Cruz and others v. Colombia
Doc. Type:	Decision
Decided by:	President: Dr. Andrés Aguilar, President (Venezuela) Vice-President: Dr. Carlos A. Dunshee de Abranches (Brazil) Members: Professor Manuel Bianchi (Chile); Dr. Gabino Fraga (Mexico); Dr. Justino Jimenez de Aréchaga (Uruguay); Mr. Robert F. Woodward (United States); Dr. Genaro R. Carrio (Argentina)
Dated:	15 – 25 October 1974
Citation:	Guevara v. Colom., Case 1787, Inter-Am. C.H.R., OEA/Ser.L/V/II.34, doc. 31 rev. 1 (1974)
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[1] Case 1787. October 22, 1973, denouncing various alleged violations of the right to life, to liberty, to personal security and integrity, to protection against arbitrary arrest and to due process (Articles I, XXV and XXVI of the American Declaration of the Rights and Duties of Man). Specifically the following were reported:

- a. That in late 1972 Mr. Jorgilio Guevara was murdered in a place known as "La Unión", Department of Valle. The murderer was the Municipal Mayor Alfonso Valencia, who was drunk and who had been following the murdered person for several hours. Mr. Guevara had been subject to inspections by the local police.
- b. That on September 11, 1972, agents of the National Police, in the company of the civilian Henry Bernet, appeared at the "Yarumito" ranch in the Municipality of Anserma (Department of Valle) and arbitrarily arrested the farm worker Rafael Osorio Rendón. Some days afterwards his body was recovered from the Cauca River with two bullet wounds, a knife wound, bruises on the face, without teeth, and "with a stone tied to the neck, which weighed more than three (3) arrobas". After a public denunciation of the event, only one police officer was arrested. In this place, other murders have been committed and have not been investigated.
- c. That on June 3, 1973, in the municipality of El Dovio (Department of Valle), the secretary of the Asociación Municipal de Usuarios Campesinos, Mr. José de Jesús Giraldo was murdered. This murder took place during a strong campaign against farmers organizations in the area. No investigation was made.
- d. That on June 20, 1972, in La Unión (Department of Valle), a police inspector fired at 70 farm workers who were returning from work, wounding 25 of them as well as a child and causing a miscarriage as a result of the wounds. The "only crime the workers committed" was "to go by speaking and singing, which annoyed a landowner of the area who owns a chicken farm on the side of the road."
- e. That on July 2, 1972, the farm worker Emilio Hernández was murdered in Bolívar (Valle) when "promoting the farmers organization in the region." The persons alleged to be responsible are mentioned.

f. That the settlers of the Isla de Salamanca (Barranquilla) had been ousted from their land holdings in 1968. This ouster was the reason for the pitiable conditions in which the members of the Sindicato de Cultivos de Arroz de la Costa Atlántica are living.

g. That on August 5, 1972, the farm workers leader, Fidel Rivera de la Cruz, was murdered in Obando (Valle). His beheaded body was thrown into La Vieja River. Despite the clues and information supplied by farm workers of the Region, which implicated the local authorities in this event, no investigation has been made. His widow was dispossessed of the land which her husband had farmed for more than nine years.

h. That the farmers who had cultivated the land of the Corregimiento de Granda (Department of Magdalena) for more than two and a half years are being harassed, for example, their huts and crops are being destroyed with "the connivance and protection of the local police."

i. That in the same locality the farmer, José Gómez B, was arbitrarily arrested, his hut was burned without "his being given an opportunity of rescuing his personal effects." Then the local Judge, by name Corbacho, forced Gómez to sign a document in which he undertook to abandon the land without claiming compensation for improvements.

j. That on August 21, 1972, the farmers, Aldemar and José Ramiro González, were murdered in La Unión (Valle) on the pretext that they had stolen eight (8) corn cobs. The persons responsible are named but they were freed by the action of the lawyers of the local landowners. As the farmers did not have sufficient funds to pay for lawyers, "the event remains in the most impunity" and

k. That in the communities of Trujillo (Valle), Ansermanuevo (Valle), Tarso (Antioquia), La Unión (Valle), Toro (Valle), Yolombo (Antioquia), Luruaco (Atlántico), Anserva (Valle), Cartago (Valle), La Cumbre (Valle), Obando (Valle), El Aguila (Valle), El Peñal (Antioquia), San Juan de Arana (Meta), Otanche (Boyacá), Villalobos (Valle), San Luis (Tolima), Argelia (Valle), Campoalegre (Huila) and Fusagasuga (Cundinamarca) various criminal acts were committed between August 1972 and July 1973 including the murders of the following farmers' leaders: Rodolfo Antonio Henao Bueno; Laura Rosa Escobar; Hector Favio Arenas; Henry Arenas; Uriel Ceballos; Joaquín Antonio Araque Serna; Rubén Darío Grajales; Bertuldo Patiño and Agustín Camayo.

That also between the above-mentioned dates, the following events took place in those areas: arbitrary arrest of farmers, dispossession of lands cultivated under tenant contracts without just assessment of improvements, destruction of property, mistreatment of farmers, illegal dismissal of workers, or prevention of the formation of farmers associations.

[2] In a note dated January 9, 1974, the Commission requested the Government of Colombia to provide the pertinent information in accordance with Articles 42 and 44 of the Rules of Procedure. In addition, in a letter dated January 11, 1974, the Commission informed the complainant of the action taken.

[3] At the thirty-second session (April 1974), the CIDH, noting that the Colombian Government had not supplied the information requested, decided to repeat the request that the information be sent to it. This decision was implemented on June 3, 1974.

[4] As in cases 1777, 1780 and 1781, the Government of Colombia requested, on June 18, 1974, an extension of the time limit provided for in Article 51 of the Rules of Procedure, for the provision of the pertinent information, which extension was granted by the CIDH for 120 days. However, during the course of the thirty-fourth session (October 1974) and in response to the request of the Government of Colombia, the Commission granted an additional extension of 60 days for the presentation of the pertinent information and therefore postponed its examination of the case. As in cases 1777, 1780 and 1781, this decision was made known to the Government of Colombia in a note dated November 13, 1974 and to the complainants on the same date.