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Colombia: President Uribe must not ratify impunity law

In a meeting with Colombian president Alvaro Uribe today, Amnesty International Secretary General Irene Khan said that ending impunity is the key for the protection of human rights in the country and urged the President not to ratify the Justice and Peace Law.

Amnesty International is concerned that the Justice and Peace Law, recently approved by the Colombian Congress, will guarantee that those responsible for the most barbaric human rights atrocities, be they paramilitaries or guerrillas, will never be brought to justice.

"The Justice and Peace Law is deeply flawed and will only serve to strengthen the already chronic problem of impunity in Colombia. This is why I urged President Uribe not to ratify the legislation and to promptly implement the recommendations of the UN High Commissioner for Human Rights, as his government has promised," said Ms Khan.

Amnesty International has urged the international community, including UK Prime Minister Tony Blair, not to support any demobilization of illegal armed groups until the Colombian government has legal guarantees in place to ensure that any members of these groups responsible for human rights abuses are brought to justice. Such guarantees are part of the international obligations to truth, justice and reparation to which the Colombian State is a party.

"We have always sought to maintain a frank and respectful dialogue with successive Colombian governments and have always sought to discuss our concerns about the long-running human rights crisis in Colombia. This meeting with President Uribe was therefore an important opportunity to reiterate our concerns directly and to have a frank and respectful exchange of views," said Ms Khan.

In her meeting with President Uribe, Ms Khan repeated the call for the government to disband paramilitary groups and take concrete steps to break the links that exist between them and the security forces and other state and private actors. She also reiterated Amnesty International's condemnation of violations of international humanitarian law by the guerrilla, and the organization's call for all those responsible for human rights abuses to be brought to justice.

Any legal framework for the demobilization of members of illegal armed groups, be they paramilitaries or guerrillas, must respect victims' right to truth, justice and reparation, tackle the endemic problem of impunity, ensure that combatants are not reintegrated into the conflict, and include measures to bring to justice all those responsible for supporting the illegal armed groups militarily and financially, including members of the security forces.

"The Justice and Peace Law clearly disregards these fundamental principles. Supporters of the law argue that a compromise must be made between peace and justice. But the dichotomy between peace and justice is a false one," stated Ms Khan.

"Without justice a definitive end to the human rights crisis will not be possible. Without the truth, it will be impossible to fully dismantle the structures that have supported paramilitary violence for so many years."

Background Information

President Uribe began talks with the paramilitaries soon after his inauguration in August 2002. To this end, the paramilitary umbrella organization, the United Self-Defence Forces of Colombia (AUC), announced a unilateral ceasefire in December 2002. But thousands of killings and "disappearances" have been attributed to the paramilitaries since then.

The Justice and Peace Law, approved by the Colombian Congress on 21 June, aims to regulate the current demobilization of paramilitaries — and technically members of the guerrilla — by granting "demobilized" members of illegal armed groups accused of human rights abuses significantly reduced prison sentences.

There is strong evidence that paramilitary structures have remained intact after "demobilization", that human rights violations are still being committed by paramilitaries in areas where they have supposedly demobilized, that many demobilized paramilitaries are being "recycled", mainly as paid military informants, and that collusion between the paramilitaries and sectors of the security forces is continuing.

Although all parties to Colombia's internal armed conflict — the security forces, paramilitaries and the guerrilla — have systematically violated human rights and international humanitarian law, the paramilitaries have, in recent years, been responsible for most of the killings of civilians, "disappearances", and cases of torture.

Over the last 20 years, more than 70,000 people have been killed, the vast majority civilians, and over 3 million internally displaced by all the parties to the conflict.

In the last few years, the UN High Commissioner for Human Rights has issued a series of recommendations directed at the Colombian state and the guerrilla, which are designed as a blueprint for resolving Colombia's 40-year-old conflict.

The 27 UN recommendations cover a range of issues, including measures to end impunity, to break the links between paramilitaries and the security forces, mechanisms to protect those groups most at risk, such as Afro-descendent and indigenous communities, internally-displaced peoples, human rights defenders and trade unionists, and calls on the guerrilla to fully comply with international humanitarian law.

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