

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AMR 23/036/2006 (Public)
News Service No: 214
15 August 2006

Colombia: Government must not flout Court ruling on demobilization law

Published

The Colombian government must refrain from further debilitating an already flawed Justice and Peace Law and instead review the whole legal framework which regulates the demobilization process, Amnesty International said today.

The organization was responding to reports suggesting the government will issue a decree which will nullify changes to the Justice and Peace Law, made by the Constitutional Court in a ruling last July.

The ruling strengthened the Justice and Peace Law, which is designed to regulate the demobilization of members of paramilitary and guerrilla groups who are implicated in human rights-related criminal proceedings.

"The Justice and Peace Law is still flawed but changes made by the Constitutional Court are a step on the right direction. The Colombian government must respect the Constitutional Court's ruling and move on to look at the effectiveness of the demobilization process as a whole, with special regards to the consequences of the process on the civilian population across Colombia," said Amnesty International.

"The Justice and Peace Law is only one element of the demobilization process. Failing to tackle the problematic areas of the process will only continue to send the message that human rights abusers can get away with murder."

The Justice and Peace Law has been criticized by human rights groups and by the Office of the UN High Commissioner for Human Rights and the Inter-American Commission on Human Rights of the Organization of American States because of its failure to respect international norms on the right of victims to truth, justice and reparation.

Amnesty International has also called on the Colombian government to:

- Ensure that members of the security forces implicated in human rights violations – who are not covered by this law – are brought to justice.

- Investigate human rights abuses that might have been committed by paramilitaries and guerrillas who

have already benefited from Decree 128 of 2003 -- which grants de facto amnesties to members of illegal armed groups not under investigation for human rights abuses.

Take effective measures to put an end to the human rights violations still being perpetrated by supposedly demobilized paramilitaries -- often in collusion with the security forces -- and to ensure that demobilized paramilitaries are not recycled into the conflict, often as private security guards or military informers.

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