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Colombia: Hostage-takers must be investigated and tried

There must be no amnesties or pre-trial pardons for those who have committed serious human rights abuses or violations of international humanitarian law (IHL), Amnesty International said today following remarks yesterday by Colombian President Álvaro Uribe in which he offered freedom and financial rewards to members of guerrilla groups who hand over hostages under their control.

Hostage-taking in the context of an armed conflict is a violation of IHL and a war crime. Under international law, war crimes and other crimes under international law, such as crimes against humanity and genocide, are not subject to amnesties or similar provisions.

All those reasonably suspected of having committed serious human rights abuses and violations of IHL must be brought to justice in legal proceedings that meet international standards on fair trials.

President Uribe argued that rewarding members of guerrilla groups in this way would not imply amnesties or pardons but was simply a “humanitarian exchange”. Talk about a “humanitarian exchange”, involving the exchange of guerrilla prisoners held by the Colombian authorities for hostages held by guerrilla groups, has dominated political debate in Colombia for several years.

Releasing members of the guerrilla who have already been investigated, tried and sentenced is significantly different from President Uribe’s proposal to grant *de facto* immunity to individuals suspected of responsibility for serious human rights abuses. Amnesty International opposes amnesties, pardons or similar measures for such crimes which would prevent the emergence of the truth, a final judicial determination of guilt or innocence and full reparation for victims and their families.

Amnesty International has also repeatedly called on guerrilla groups to end hostage taking, release immediately and unconditionally all civilians they are holding captive, and not to kill and always treat humanely all those they have captured, whether civilians or members of the security forces.

Although kidnappings and hostage-taking have fallen significantly in recent years, guerrilla groups are thought to still hold captive hundreds of people. A number of high-profile hostages – including former presidential candidate Ingrid Betancourt, held hostage by the Revolutionary Armed Forces of Colombia (FARC) for six years – regained their freedom this year.

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