

AI Index: PRE 01/142/2008
13 May 2008

Colombia: Extradition of paramilitary leaders must not lead to closure of investigations into human rights violations

The Colombian government's decision to extradite 14 paramilitary leaders wanted in the USA on drugs-trafficking charges should not be used as an excuse to end investigations into the role played by paramilitaries in committing human rights violations against thousands of people, often in collusion with or the acquiescence of the Colombian security forces, Amnesty International said today.

On taking the decision to extradite them, the government is arguing that these paramilitary leaders have failed to tell the whole truth about the human rights violations they committed, have continued to reoffend while in prison, and have failed to fulfil commitments they had made as part of the demobilization process in terms of reparation to their victims.

"The paramilitary demobilization process -- by which over 31,000 members of paramilitary groups supposedly demobilized -- and the legal framework that has accompanied it, has been a complete sham which has abjectly failed both to dismantle paramilitarism in Colombia and to respect the right of victims to truth, justice and reparation. The Colombian government now appears to share this view, which it had denied for so long," said Amnesty International.

The organization stated that in extraditing these men on drugs-trafficking charges without reference to human rights violations, there is a real danger that tentative investigations being carried out in Colombia, especially by the Human Rights Unit of the Office of the Attorney General and by the Supreme Court of Justice, will be severely weakened.

"There is now a real danger that the full scale of human rights violations committed over the years by paramilitaries, as well as the key role played by the security forces, state officials and leading political and business figures in these crimes, will remain hidden and, as such, in complete impunity," said Amnesty International.

Amnesty International is also concerned that allegations about the involvement of US agencies in supporting paramilitary groups may not now be fully investigated. Not only has the US provided military assistance to Colombian military units operating closely with paramilitaries, but in the 1990s evidence emerged that the PEPES paramilitary structure - created to hunt down drug-trafficker Pablo Escobar - was possibly operating with the support of US security agencies. "Don Berna" allegedly had close links with the PEPES. The PEPES evolved into the paramilitary Autodefensas Campesinas de Córdoba y Urabá.

"Despite the extraditions, criminal investigations in Colombia into human rights atrocities committed by these paramilitaries, and their links with the security forces and others, must continue, if their countless victims are ever to receive any semblance of justice," said Amnesty International.

"The US authorities, for their part, also have a duty to effectively investigate, and if there is sufficient admissible evidence, prosecute the countless allegations of human rights violations already levelled against the 14 extradited paramilitaries, as well as investigate any possible links these men had with either Colombian or US officials."

Amnesty International called on the Colombian authorities to seek and confirm assurances from the US authorities that the death penalty will not be imposed.

Background Information

The Colombian government today announced that it had extradited the 14 paramilitary leaders, including Salvatore Mancuso, Rodrigo Tovar Pupo (alias "Jorge 40") and Diego Fernando Murillo (alias "Don Berna"), to the United States, after the government argued that they had broken the terms of a demobilization agreement.

Over the last few decades paramilitaries, in coordination with the security forces and the political and economic support of many local, regional, and some national political and economic elites, have been responsible for some of the worst atrocities imaginable, including the killing and enforced disappearance of thousands of civilians and the forced displacement of millions more.

The 14 paramilitary leaders, together with hundreds of other paramilitaries, had been in detention in Colombia awaiting trial under the controversial Justice and Peace process, whereby paramilitaries who agreed to demobilize were eligible for significant reductions in prison sentences in return for full confessions about human rights violations they committed, including war crimes and crimes against humanity.