

# Press Release

Inter-American Court of Human Rights

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## COLOMBIA IS RESPONSIBLE FOR THE DEATH OF THREE FAMILY MEMBERS

*San Jose, Costa Rica, December 18, 2018.* - In the judgment published today in the Case *Omeara Carrascal et al. v. Colombia*, the Inter-American Court of Human Rights (hereinafter, "the Court" or "Tribunal"), taking into consideration the partial recognition of international responsibility and the examination of the case, declared that the State of Colombia is responsible for: i) the violation of the right to life and personal integrity, to the detriment of Noel Emiro Omeara Carrascal and Héctor Álvarez Sánchez, for the attacks suffered and their subsequent deaths; ii) the forced disappearance and subsequent execution of Manuel Guillermo Omeara Miraval; iii) the violation of the judicial guarantees and legal protection, to the detriment of Noel Emiro Omeara Carrascal, Manuel Guillermo Omeara Miraval, Héctor Álvarez Sánchez and his relatives; iv) the violation of the rights to personal integrity, protection of the family and rights of the child, to the detriment of the relatives of Omeara Carrascal, Omeara Miraval and Álvarez Sánchez, due to the profound pain and suffering caused by the acts, and v) the violation of the right to Freedom of Movement and Residence, to the detriment of Carmen Teresa Omeara Miraval, Fabiola Álvarez Solano and her three children. The official summary of the judgment can be found [here](#) and the entire text of the judgment [here](#) (in Spanish).

The Court found that the acts took place in the department of Cesar, in the municipalities of Aguachica and San Martín in 1994. The tribunal identified existing ties between members of the public force of Colombia and paramilitary groups. In that sense, it determined the relationships maintained at that time between paramilitary groups and the security forces of the State's anti-kidnapping unit UNASE, consisting of members of the national army, National Police and the administrative Department of Security (DAS). This tie manifested itself through direct actions of support, collaboration and coordination and through omissions of members of the public force, which through acquiescence or tolerance favored the paramilitary groups and which led to the deaths of the three members of the Omeara and Álvarez families.

Additionally, the Court concluded that Colombia violated the judicial guarantees and legal protection, given that the investigations were not carried out with due diligence in a reasonable time frame to identify, prosecute and, in their case, sanction those responsible of said acts. The Court also concluded that the State is responsible for the violation of the right to know the truth, to the detriment of the missing victim.

In view of these violations, the Court ordered several measures of reparation.

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The Court's composition for the sentence included the following: Judge Eduardo Ferrer MacGregor Poisot, President (México); Judge Eduardo Vio Grossi, acting Vice-President (Chile); judge Elizabeth Odio Benito (Costa Rica); Judge Eugenio Raúl Zaffaroni (Argentina) and Judge Patricio Pazmiño Freire (Ecuador). Judge Humberto Antonio Sierra Porto, of Colombian nationality, did not participate in the deliberation and adoption of this judgment, in accordance with Articles 19.2. and 19.1 of the Rules of the Court.

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