

Press Release

Inter-American Court of Human Rights

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COLOMBIA IS RESPONSIBLE FOR THE FORCED DISAPPEARANCE OF TRADE UNIONIST, 31 YEARS AGO IN PUERTO NARE, ANTIOQUIA

San Jose, Costa Rica, December 19, 2018. - In the judgment published today in the case of *Isaza Uribe et al. v. Colombia*, the Inter-American Court of Human Rights, taking into consideration the acknowledgment of responsibility of the State and the examination of the case, declared Colombia internationally responsible for the forced disappearance of Víctor Manuel Isaza Uribe, which occurred since November 19, 1987 in the municipality of Puerto Nare, Department of Antioquia, when a group of unidentified men removed him from the jail of the municipality, where he was being held in preventive detention. Mister Isaza Uribe was a member of the labour union of workers of the industry of construction materials (SUTIMAC) and sympathizer of the political party Unión Patriótica (UP). The official summary of the judgment can be found [here](#) and the entire text of the judgment [here](#) (in Spanish).

Within the framework of the proceedings before the Court, the State declared that it “deeply regretted the disappearing of Victor Manuel Isaza Uribe” and apologized to his relatives. The State recognized its international responsibility for the violation of the rights to legal guarantees and protection, particularly for the lack of investigation and urgent search actions, as well as the right to personal integrity of his relatives. While admitting that it had failed in its custodial and protection obligations towards Mister Isaza Uribe, the State emphasized that it did not recognize the responsibility for the forced disappearance.

The Court declared the State to be guilty for the violation of the right to legal personality, the right to life, the right to personal integrity, the right to personal freedom and the syndical freedom of Mister Isaza Uribe, recognized in the American Convention. In the same way, it declared responsibility for the violation of the rights to access of justice and the right to be heard within a reasonable time (judicial guarantees and legal protection), to the detriment of him and his relatives, and of the right to know the truth and to personal integrity of these.

In its sentence, the Inter-American Court declared that the State had a special position as guarantor of the victim, who was deprived of his liberty. Since the agents that guarded him had failed to ensure his security and protection effectively, and given that the investigative response of the State did not provide a satisfactory explanation about what had happened, the Court characterized the acts as an enforced disappearance.

The Court noted that, before and after the enforced disappearance of Victor Manuel Isaza Uribe and until 1989, a significant number of members and leaders of the syndicate SUTIMAC were murdered or disappeared and some others were displaced, which revealed a systematic pattern of violence against it. That violence has mainly been attributed to the activities of paramilitary groups, due to the close links between the syndicate and the political party Unión Patriótica, amongst other factors. For this reason, the Court estimated that the act was committed by members of an organized paramilitary structure, which at that time acted with the acquiescence of members of the security forces of the State.

Furthermore, the Tribunal concluded that the disappearance was linked to the union activities of the victim, which would have a frightening effect in other members of the syndicate, whereby it determined that the State was responsible for the violation of his freedom of association.

At the same time, the tribunal found that the investigations have not been effective, as they have delayed exploring lines of investigation, directed towards unraveling possible patterns of joint action or complex criminal structures. More than 31 years later, the State has still not clarified the acts, whereby it is responsible for the violation of the rights to access to justice and to know the truth.

In view of these violations, the Court ordered as measures of reparation, amongst others, for the State to continue with the ongoing investigations and judicial processes; to perform a rigorous search to determine the whereabouts of Víctor Manuel Isaza Uribe; to grant medical and psychological or psychiatric treatment to the victims; to arrange a public act of recognition of international responsibility; to publish the judgment; to strengthen the mechanisms of protection for trade unionists, representatives and trade union organizations; and to pay the fixed compensations in the Sentence in acknowledgement of the concept of monetary and non-pecuniary damages.

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

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