

Press Release

Inter-American Court of Human Rights

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COLOMBIA IS RESPONSIBLE FOR EXTRAJUDICIAL EXECUTIONS OCCURRED IN THE DEPARTMENTS OF ARAUCA, SANTANDER AND CASANARE BETWEEN 1992 AND 1997

San Jose, Costa Rica, December 21, 2018. - In the judgment published today, the Inter-American Court of Human Rights (hereinafter, "the Court" or "Tribunal"), declared that the State of Colombia is responsible for the death of Gustavo Giraldo Villamizar Duran, Elio Gelves Carrillo, Carlos Arturo Uva Velandia, Wilfredo Quiñonez Bárcenas, José Gregorio Romero Reyes and Albeiro Ramírez Jorge, which occurred at the hands of members of the armed forces of Colombia in the departments of Arauca, Santander and Casanare between 1992 and 1997¹. The official summary of the judgment can be found [here](#) and the entire text of the judgment [here](#) (in Spanish).

The facts of the case relate to the extrajudicial executions of civilians carried out by agents of the security forces of the State during the Colombian armed conflict, specifically in the decade of 1990.

Within the framework of the proceedings before the Court, the State acknowledged its international responsibility for certain actions and omissions related to the executions of Gustavo Giraldo Villamizar Durán, Elio Gelves Carrillo, Wilfredo Quiñónez, José Gregorio Romero and Albeiro Ramírez Jorge by the Armed Forces. However, the State did not accept responsibility for all the acts, and particularly denied acknowledging its responsibility for the violations of several rights that had taken place as a consequence of the death of Carlos Arturo Uva Velandia.

In this specific case it was noted that Gustavo Giraldo Villamizar Durán, Elio Gelves Carrillo, Wilfredo Quiñonez, José Gregorio Romero and Albeiro Ramírez Jorge were executed extrajudicially by the armed forces, following the *modus operandi* of what would later be known as the "false positives", between the years of 1995 and 1997 in three departments of the country, namely Arauca, Santander and Casanare. On the other hand, in regard to the case of Carlos Arturo Uva Velandia, who was a victim of a homicide committed by a soldier on leave, on the night of June 20, 1992 in the municipality of Hato Corozal, the Court declared that the State had violated the rights to life, personal integrity and liberty, when he fell victim to an act perpetrated by a person performing public functions, who could reasonably be perceived as someone who exercised these tasks on behalf of the State.

At last, the Court established that, as a direct consequence of the facts of the case, the relatives of the direct victims have suffered deep suffering and anguish to the detriment of their mental and moral well-being.

In view of these violations, the Court ordered amongst other measures of reparation, for the State to publish the sentence; to continue with the ongoing investigations and judicial processes; to perform a public event of recognition of international responsibility; offer psychological and psychiatric treatment to the victims; and pay the fixed amounts in the sentence on the grounds of pecuniary and non-pecuniary damages.


¹ This case was submitted before the Court by the Inter-American Commission on Human Rights on the 14th of April 2016.

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 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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