

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-75/2023 English

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I/A Court H.R.
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COLOMBIA IS RESPONSIBLE FOR THE FORCED DISAPPEARANCE OF ARLES EDISSON GUZMÁN MEDINA THAT OCCURRED IN MEDELLÍN

San José, Costa Rica, October 20th, 2023. – In the Judgment in the Case of *Guzmán Medina and others v. Colombia*, notified today, the Inter-American Court of Human Rights declared that the State is responsible for the forced disappearance of Mr. Arles Edisson Guzmán Medina, as well as for the violation of the rights to judicial guarantees and judicial protection, to the detriment of Mr. Arles Edisson Guzmán Medina and his family. Furthermore, the Court declared the violation of the right to know the truth, to personal integrity and to the protection of the family, to the detriment of his family.

In the present case the State made an acknowledgment of international responsibility.

The official summary of the Judgment can be consulted [here](#) and the full text of the Judgment can be consulted [here](#).

The events of the present case took place in Medellín in 2002 and occurred within the framework of the “social recovery plan” that had various military operations in Comuna 13, among them the one known as “Operation Orión”, which began in the early morning of October 16th, 2002 and lasted until October 22th and was an operation between the National Army and the Cacique Nutibara Bloc (BCN) in which forced disappearances, arbitrary detentions, attacks on life and integrity occurred. . personnel, death threats, and displacement of the indicated inhabitants of the commune. After “Operation Orion”, in a process of consolidation, the Cacique Nutibara Block entered Commune 13 and became the hegemonic group and continued with expulsions, displacements and forced disappearances, and a high number of clandestine burials, specifically in the “La Arenera” and “La Escombrera” sectors.

At the time of the events, Arles Edisson Guzmán Medina was 29 years old, married and living with Luz Enith Franco Noreña. On November 30th, 2002, at approximately 7:30 p.m., two men dressed in civilian clothes in a taxi arrived at the place where Mr. Guzmán Medina was working, who spoke briefly with them, and told his wife that he had to go. with these men to answer some questions. Luz Enith showed her concern about this fact, and one of the men told her that Arles Edisson should go with them because the questions would be asked by her “boss.” Arles Edisson proceeded to enter the taxi and since then, his stop has been unknown.

In the domestic jurisdiction, different processes were opened to investigate the events that occurred on November 30th, 2002. To date, the whereabouts of Mr. Guzmán Medina have not yet been determined.

The Inter-American Court found that, by virtue of the recognition of international responsibility made by the State, its constant jurisprudence on forced disappearance and the proven facts, it is proven that the abduction and subsequent forced disappearance of Mr. Guzmán Medina is attributable to the BCN who acted with the collaboration of state authorities. In this regard, the Court highlights that, in

its recognition of responsibility, the State indicated that it is reasonable to infer that the crimes committed by the BCN, in this case, are attributable to the Colombian State. The foregoing is due to the fact that the events occurred in a proven context of the relationship between state agents and paramilitary groups in the consolidation phase of "Operation Orion." Furthermore, he indicated that there is a coincidence between the BCN's modus operandi and the circumstances of the disappearance.

Furthermore, the Court concluded that the State violated the rights to judicial guarantees, judicial protection, and the right to know the truth regarding what happened to Mr. Arles Edison Guzmán Medina.

Likewise, the Court concluded that as a result of this situation, Luz Enith Franco Noreña, wife of Mr. Guzmán Medina, and her family suffered damage to their personal integrity and the protection of their family. Furthermore, with respect to Mrs. Luz Enith, this Court indicated that with respect to the work of searching for her husband, the States have the obligation to carry out actions to recognize and guarantee the work of women searchers in the prevention and investigation of forced disappearance so that said work is carried out without obstacles, intimidation or threats, ensuring the personal integrity of the searching women.

Due to the violations declared in the Judgment, the Court ordered various reparation measures.

The composition of the Court for the issuance of this Judgment was as follows: Ricardo C. Pérez Manrique, President (Uruguay); Eduardo Ferrer Mac-Gregor Poisot, Vice President (Mexico); Nancy Hernández López (Costa Rica); Verónica Gómez (Argentina) Patricia Pérez Goldberg (Chile) and Rodrigo Mudrovitsch (Brazil). Judge Humberto Antonio Sierra Porto de Colombian nationality, did not participate in the processing of this case or in the deliberation and signature of this Judgment, in accordance with the provisions of articles 19.1 and 19.2 of the Rules of Court.

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Inter-American Court of Human Rights. 2023. 

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