

## “False Combat Kills are Crimes by the State”

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### Statement from the Encounter of Relatives of Victims of Extrajudicial Executions in Colombia

As the relatives of the victims of extrajudicial executions from different regions of the country gathered in the city of Bogotá on the 5th and 6th of March, 2009,

#### WE DECLARE:

1. That during this encounter we have shared the anguish and pain overwhelming us as relatives of those who have been deprived their lives due to the criminal action of the public force, and in particular the national army. We have found that throughout the country hundreds of crimes have been committed against men who tend to be less than 35 years old and come from the most excluded and grass roots sectors of society, which indicates this concerns a systematic and generalized practice and represents crimes against humanity, the responsibility for which falls on the Colombian State.

2. That these crimes have affected the integrity of our families and communities, generating grave psychosocial impact and damage, have produced the breakup of many family groups, and have deteriorated our socio-economic situation. Nonetheless, this encounter calls us to become organized and with a singular voice demand the respect and guarantee of our rights to truth, justice, and comprehensive reparation and to constructing paths for hope and unity so these crimes never occur again.

3. That during the two presidential administrations of Álvaro Uribe Vélez and in application of the “democratic security” policy an increase has been reported in extrajudicial executions committed by the public force. According to reports by human rights and peace coalitions, at least 1,122 persons have been murdered in a total state of defenselessness and later presented as “combat kills.”

4. That the latest report of the Office of the United Nations High Commissioner for Human Rights expressed its concern for “the persistence of extrajudicial executions attributed to members of the public force, principally the army,” as well as that “some common characteristics in the reported cases include presenting the victims as persons killed on combat, altering the scene of the acts before the body is removed by the police after judicial inspection, and in most cases having the military criminal justice system lead the investigation. The investigation carried out by the authorities of some of these cases reveal that these crimes may be motivated by pressure for results and the fact that some members of the public force are interested in receiving a series of benefits and acknowledgements when they obtain these results.”

5. That for several years this practiced has been denounced; nonetheless effective measures have not been taken to put an end to this practice or investigate, bring to trial and punish the responsible parties for these crimes. The perpetrators enjoy total impunity due to the lack of the political will of the institutions responsible for carrying out serious and effective investigations.

6. That, instead of fulfilling their constitutional mandate of protecting the rights of the victims and their relatives, Colombian authorities have encouraged mechanisms of impunity and promoted a policy of persecution, re-victimization, and affectation of their good name and human dignity.

7. That we place greatest responsibility for the massive practice of extrajudicial executions on President Álvaro Uribe Vélez, as the commander in chief of the military forces, Minister of Defense Juan Manuel Santos, and senior military commanders, which includes former General Mario Montoya and General Fredy Padilla de León.

#### WE DEMAND:

1. That extrajudicial executions cease immediately and that effective preventive measures are taken so these acts do not happen again.

2. That all benefits and offers of prerogatives and favors are eliminated, as well as policies that encourage the practice of extrajudicial executions, under the guise of "democratic security";

3. That a special commission is appointed in both the Public Prosecutor's Office and the Procurator General's Office so that, under the parameters characterizing the commission of crimes against humanity, all responsible parties may be investigated, brought to trial and punished, with sentences proportional to the gravity of the acts, for the massive and generalized practice of extrajudicial executions, poorly named "false kills", as well for the crimes of forced disappearance, torture, and other crimes accompanying these murders.

4. That president Álvaro Uribe Vélez, in exercise of his constitutional powers, removes from their posts Minister of Defense Juan Manuel Santos, senior military commanders, and the commanders in the places where these crimes occurred, and that competent institutions initiate effective investigations that result in exemplary punishment in their condition of the command held at the time of the execution of these crimes.

5. That through an agreement reaching process with the relatives and victims the Colombian State adopt measures of protection and guarantees. We hold the State responsible for any attack or threat that may occur against the relatives and witnesses of extrajudicial executions.

6. That the President of the Republic Álvaro Uribe Vélez publicly recognize his responsibility for the extrajudicial executions committed by the public force, ask for forgiveness from the victims, relatives, and Colombian people, and vindicate the good name of the victims and their condition as civilians.

7. That the Colombian State respect and guarantee the rights of the victims to know the truth concerning the acts, that justice be achieved against the responsible parties, beneficiaries and accessories of these crimes, that reparations be made comprehensively for all of the individual and collective damage, and that it be recognized that State crimes are committed in Colombia. In this respect, we demand the Congress of the Republic to withhold passage of any law that ignores the rights of the victims of State crimes, as is being attempted with the legislative bill on victims presently being debated in Congress.

8. We invite society in general to support the victims, accompany them in the enforcement and justiciability of their rights, and publicly condemn these crimes.

We ask the international community:

1. For their total solidarity, effective accompaniment and ongoing monitoring so these crimes do not remain in impunity and the victims' and relatives' rights to truth, justice and comprehensive reparation are guaranteed. To demand the Colombian state promote effective policies that put end to this practice, and ensure the punishment of the persons bearing the most responsibility.

2. For the open repudiation of these policies that encourage this criminal practice and for there to be conditions for any international aid and assistance in the area of human rights.

3. For accompaniment and political and financial support of the victims' organizing processes and to demand that the Colombian state provide guarantees so the victims and their relatives may exercise and enforce their rights.

Bogotá, March 6, 2009

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