



THE ICC'S COLOMBIA INVESTIGATION: RECENT DEVELOPMENTS AND DOMESTIC PROCEEDINGS

Summary

This paper examines three aspects of the involvement of the International Criminal Court (ICC) in Colombia. The first is the impact of ICC Prosecutor Luis Moreno-Ocampo having the situation in Colombia under what he calls pre-examination or analysis¹. He has monitored the situation, and even visited the country twice, in an effort to promote the end of human rights abuses there, and the imposition of accountability for past abuses. Second, this paper explains how article 17 of the Rome Statute, which establishes the principle of complementarity, applies to this specific situation. Finally, it also describes the likely effect of an ICC investigation on the relations between the United States and Colombia.

The ICC, the first permanent international criminal tribunal, was established in 2002 by the 1998 Rome Statute. It can investigate and try those individuals most responsible for genocide, war crimes and crimes against humanity. The Prosecutor of the ICC, Luis Moreno-Ocampo, has indicated interest in such crimes in Colombia and reminded its government that by ratifying the Rome Statute on August 5, 2002 it accepted the jurisdiction of the Court. However, this jurisdiction is not total or automatic. Upon ratification, Colombia made use of the exception set up by Article 124 to defer the ICC's jurisdiction over Colombia with respect to war crimes for seven years, until November 2009. Moreover, under article 17 of the Rome Statute, the Court will not exercise its jurisdiction over a case if national courts are genuinely able and willing to try that case. This is known as the principle of complementarity.

The military involvement of the United States in Colombia is founded on the bilateral relations between both countries. The US, as part of the so-called War on Drugs and other counterinsurgency initiatives against the chronic armed conflict, has deployed its troops to provide direct assistance in the delicate Colombian situation. Thus, if the Court were to open a case in Colombia it would be the first country under examination by the ICC where charges of atrocity crimes against US nationals could be tried by the Court. Nevertheless, both governments signed a Bilateral Immunity Agreement (BIA), also known as an Article 98 agreement. Under this agreement, Colombia cannot transfer US citizens to the Court without the consent of the US.

Luis Moreno-Ocampo has declared that for the time being the ICC will not intervene in Colombia because Colombian courts are carrying out fair proceedings to ensure that crimes under the ICC's jurisdiction do not go unpunished.² Indeed, the visits and talks of the ICC Prosecutor have encouraged the Colombian judicial system to work efficiently for the first time in decades.

¹ Remarks of former ICC Office of the Prosecutor Trial Attorney Christine Chung at a seminar on International Criminal Justice: The Role of the ICC, UN Headquarters, New York, May 19, 2009.

² Maria Isabel, Moreno Ocampo: 'Colombia resembles but is not Congo', August 29, 2008, available at <http://www.rnw.nl/internationaljustice/icc/theicc/080829-Ocampo-Colombia>; Maria Isabel, Prosecutor Mario Iguarán: 'We have been warned', August 29, 2008, available at <http://www.rnw.nl/internationaljustice/icc/theicc/080829-Colombia-ICC>.





Background of the Conflict

Since the early 1940s, Colombia has been in a permanent state of fear as a consequence of the civil war which took place between 1948 and 1958, known as “*La Violencia*.” An estimated 200,000 civilians were killed. Although order was generally restored under Alberto Lleras Camargo’s conservative-liberal presidency (1958-1962), the conflict persisted in rural areas. This led to the rise of revolutionary groups. The weakness of the succeeding governments since has made possible a particular type of violence: the guerrilla warfare which is affecting the whole country. As a result, more than 4 million people have been displaced, the number of kidnappings amounted to 486 in 2007, and 1,106 people were either killed or injured by landmines in 2006.³

However, President Álvaro Uribe, when addressing UN General Assembly in October 2008, declared that the number of crimes had decreased by 30% in the previous year. He added that out of approximately 60,000 terrorists, 48,000 had abandoned their activities and that, as of September 17, 2008, 2,436 *guerrilleros* had been demobilized. Moreover, he pointed out that from 1991 to 2001 there were only two convictions. Meanwhile, 85 convictions for murder have been finalized in the last three years.

Who’s Who

The *Fuerzas Armadas Revolucionarias de Colombia-Ejercito del Pueblo* (Revolutionary Armed Forces of Colombia-People’s Army, FARC-EP) was born in 1964 as an insurgent Marxist-Leninist force whose main goal was to overthrow the Government and install a Marxist regime. Currently it has approximately 12,000 members despite governmental efforts to demobilize them. It is the oldest and largest revolutionary guerrilla movement in Latin American history.

Its alleged activities include bombing, murder, rape, torture, terrorist attacks, drug trafficking, kidnapping, extortion, hijacking, forced displacement, as well as other attacks against Colombian political, military and economic targets.

In response to FARC attacks, landholders and drug dealers organized in 1997 their own force to free Colombia from left-wing guerrillas: the *Autodefensas Unidas de Colombia* (United Self-Defense Forces of Colombia, AUC). It is comprised of several right-wing paramilitary groups, wealthy landowners, drug cartels and segments of the Colombian army. Just like the force they try to combat, they allegedly use terror tactics such as massacres, selective killings and threats, mainly against human rights defenders and trade union and other social movements’ leaders, journalists and members of Government. Over the past 10 years the paramilitaries, with support of the Colombian army and government, have killed some 15,000 trade unionists, peasants and indigenous leaders, human rights workers, land reform activists, leftwing politicians and their sympathizers.⁴

In 1964 Fabio Vazquez Castaño founded the *Ejercito de Liberacion Nacional* (National Liberation Army, ELN). It is the second largest guerrilla group in Colombia which, inspired by the Cuban revolution, fights

³ Human Rights Watch 2009 World Report, Chapter on Colombia, January 2009, available at <http://www.hrw.org/en/node/79342>.

⁴ George Monbiot, To crush the poor, *The Guardian*, February 4, 2003, available at <http://www.guardian.co.uk/world/2003/feb/04/colombia.comment>.





against capitalism and imperialism. It targets mainly oil and electricity industries. The ELN is also allegedly involved in kidnapping, hijacking, bombing and extortion activities.

The Catholic Church in Colombia plays a very important role in bringing together the guerrillas and the Government for peace agreements. Due to its social reach, it is the only actor whose legitimacy the FARC recognizes and therefore agrees to negotiate with. The work of the Episcopal Conference, headed by Monsignor Luis Augusto Castro, has been of special interest and help in the negotiations to release hostages and in demobilization.

When Colombia ratified the Rome Statute it accepted the ICC's jurisdiction over the crimes which fall under the Statute's provisions. As a consequence, individual leaders within all the parties to the conflict, including members of the Government, can potentially be held personally responsible before the Court.

Administration of Justice

Colombia signed the Rome Statute on December 10, 1998 and ratified it on August 5, 2002, becoming the 77th State Party. Nevertheless, under Article 124 of the Rome Statute, Colombia made a declaration deferring the ICC's jurisdiction over Colombian nationals with respect to war crimes for seven years.

It is unlikely that Colombia itself would refer the situation to the ICC because all parties to the conflict could be held accountable and there is evidence that links the Government to the atrocities which have been taking place. However, should an ICC investigation begin, the Court would give priority to fair national proceedings as Article 17 of the Statute requires. This means that the ICC would not exercise its jurisdiction if the domestic courts could prove their ability and willingness to hold accountable those most responsible for mass crimes.

In 2002, the Colombian Congress passed the Justice and Peace Law, which was later complemented by another law in 2005. Under these laws members of the illegal organized armed groups who decided to abandon both arms and the group, would face a maximum conviction of five to eight years if they released hostages, made a sincere and full confession, helped to locate the corpses of the disappeared people and paid damages to victims. Although this law could be seen as an attempt to avoid the Court's jurisdiction, in the last four years Colombia's judicial system has overcome past delays due to corruption and started to work efficiently. However, some cases were not completed or resulted in acquittals.

According to the reports of both the UN High Commissioner of Human Rights, Navanethem Pillay, and the Permanent Mission of the Organization of American States to Support the Peace Process in Colombia, the results of the Justice and Peace Law have been good, but there is still much to be done. Ms. Pillay said that the law should be reviewed in order to compel people under it to give complete information, and to speed and improve its implementation. Out of the 3,637 persons who are candidates to be investigated by this law, 1,189 of the cases did not continue because there was not enough evidence of grave crimes; and 1,626 have started, although they are still in the first stage, known as *version libre*. This consists of a full and true confession of the demobilized individuals in presence of their defense counsel and of a member of the Attorney General's Office about their involvement with the illegal armed group and the assets they have available to pay damages to the victims. Only seven procedures have finished. However, this has allowed the Attorney General's Office to start





or reopen cases involving high level civil servants who remained unpunished. Moreover, more than 560 victims' bodies have been located thanks to the confessions of demobilized individuals. Nevertheless, the UN High Commissioner for Human Rights called for the contribution of more international experts to help in the search for and identification of corpses. Finally, out of the 31,651 demobilized individuals, 23,000 are working and participating in the activities of Colombia's governmental programs to reintroduce them in society.

However, the majority of those who bear ultimate responsibility for crimes against humanity committed in Colombia have been extradited to the US for drug trafficking. Yet, they also face charges in Colombia, where they are being tried via videoconference. For example, in September 2008, Salvatore Mancuso, the AUC leader who was extradited to the US early that same year, was sentenced to 40 years of imprisonment for the murder of 12 people in 1994 and 1997 by a Colombian court. In addition, the testimony of Edgar Ignacio Fierro, alias "Don Antonio", an ex-paramilitary leader who benefited from the Justice and Peace Law, led to enough evidence to advance the proceedings against Rodrigo Tovar Pupo, alias "Jorge 40", in the US and in Colombia, where he faces murder charges. During 2008, 15 paramilitary leaders have been extradited to the US. Only two have been convicted and sentenced to more than 20 years imprisonment.

Moreover, since 2006, members of the opposition parties and the Attorney General's Office filed specific charges against political leaders and state officials for their links to paramilitary forces. As of November 2008, more than 70 members of the Colombian Congress were found to be involved in relations with the *Autodefensas Unidas de Colombia*. In order to keep their political control of their municipalities, which are similar to US counties, the members of the Colombian Congress participated with paramilitaries in unlawful acts, such as by financing them. This is known as *parapolíticas*. As a consequence, 11 members have been convicted, four have been absolved and 25 have resigned. Currently, the Attorney's General Office has advanced another 250 cases in which mayors, governors and ministers are allegedly involved.

The Attorney General's Office achieved a real success when it confiscated the computers of "Jorge 40" and Raul Reyes, AUC and FARC leaders, respectively. These computers were analyzed by INTERPOL and they revealed plans of crimes against social leaders, alliances between politicians and the AUC and identities of politicians involved in the scandal of the *parapolíticas*.

A key development in the investigation of the *parapolíticas* was the declaration in 2006 of Miguel de la Espriella, senator of the Uribe Government. As part of the investigations being held, he confirmed to the media that in 2001 an agreement was signed between AUC and four senators, two governors and five mayors in order to look for alternative paths to peace. However, the Attorney General's Office discovered that it was all part of a plot to overthrow the government. On May 14, 2007 all the signatories to the "Ralito Agreement", as it is popularly known, were arrested.

Colombian Attorney General, Mario Iguarán, opened an investigation in late August, 2008 after the visit of paramilitaries to "La Casa de Nariño", official home and principal workplace of the President of Colombia. The Administrative Department of Security (DAS, *Departamento Administrativo de Seguridad*), which has been in charge of the investigation, believes that the purpose of such meeting between members of AUC and state officials would be to offer paramilitaries leniency in judicial proceedings, such as the reduction of convictions





or even amnesties, and protection, in exchange for their testimonies revealing possible links between political members and paramilitaries.

The Colombian Supreme Court of Justice has also been carrying out 2,764 investigations in relation to the scandal of the *parapolíticas*. This has caused tensions between the Government and the Colombian Supreme Court. The UN High Commissioner for Human Rights reported that the Colombian Supreme Court of Justice should improve the enforcement of its rulings, specifically arrest warrants, and guarantee the right to appeal and be consistent in its application.

The case of Rodrigo Granda, a FARC leader captured on December 13, 2004, who also benefited from the Justice and Peace Law, led the Attorney General's Office to the discovery of international branches of FARC in France, Spain and Switzerland, all of them States Parties to the Rome Statute. Therefore, if those responsible for crimes which fall within the jurisdiction of the ICC were arrested by the authorities of these States, they could decide to hand them over to the ICC. In late August 2008 a woman was arrested in Spain for financing the FARC through an NGO but she was later released on a \$16,775 bail. She was charged with cooperating with a terrorist organization and sentenced to appear in her local court every week. In addition, her passport was withdrawn, preventing her from leaving Spain.

Currently, there is strong evidence of significant ties and complicity between the national army and the right-wing paramilitary groups. The Colombian army allegedly provides these groups with information and ammunition and allows them to carry out their criminal activities. Military personnel even join these groups when off duty. Moreover, members of the armed forces themselves have frequently committed abuses either collectively or individually, such as arbitrary arrests or indiscriminate killings or sexual harassment. In 2001, the Colombian Congress passed a law of defense and national security through which it limited the capacity of the Attorney General's Office to start investigations on the involvement of military in human rights violations. This law also allows military personnel to arrest and interrogate suspects and to hold them in preventive detention for longer periods of time before turning them over to the courts. Under the Colombian Criminal Procedural Code, preventive detention cannot last longer than 36 hours.

Following the visit of the UN Secretary General's representatives concerned with rights of children and with conflicts and arbitrary detention in May and October, 2008, the Attorney General's Office started 112 investigations against Colombia's security forces for their engagement in "widespread and systematic" extrajudicial killings of civilians, also known as "false positives". The Armed Forces allegedly killed civilians and then dressed them up with military uniforms to claim they were members of guerrilla groups killed in combat. As a consequence, 27 army officers, including three generals and 11 colonels, were dismissed and Colombia's top military commander, General Mario Montoya, resigned over the scandal. In addition, Alvaro Uribe, Colombia's President, established a special unit in each battalion to compile any accusations of misconduct by any member of the armed forces and held meetings with high-level military personnel.

In January 2008, the Defense Ministry passed an integral policy of human rights and international humanitarian law which includes the establishment of legal advisers to ensure that military operations comply with international humanitarian law standards and adopt measures to avoid and punish human rights violations.





Furthermore, in November 2008, the Colombian Congress passed a new version of the Criminal Military Code which still has to be reviewed by the Colombian Constitutional Court.

Currently, the National Unit of Human Rights and International Humanitarian Law of the Attorney's General Office is investigating about 716 cases with more than 1,100 victims involved. However, there are still cases under military jurisdiction which should be in the regular justice system but have not still been referred to civilian courts. In her annual report on Colombia, UN High Commissioner for Human Rights Navanethem Pillay called for more cooperation between the Attorney General's Office and the Defense Ministry. She also suggested that the ICC may intervene if the cases are not investigated. In addition, the US halted financial aid to three Colombian army units which were involved with gross violations of human rights.

Both the reports about Colombia of the Permanent Mission of the Organization of American States to Support the Peace Process in Colombia, and of the UN High Commissioner of Human Rights, describe crimes that if committed in a State Party to the Rome Statute would fall within the category of war crimes or crimes against humanity, such as torture, enlistment of child soldiers or forced displacement. Although Colombia is party to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, there are reports that crimes of this nature have been committed by the Security and Armed Forces. As of June 2008, according to the National Fund for Defense of Freedom of the Defense Ministry, the number of kidnapped people was 2,820. This adds to the approximately 5 million people who are displaced and the 111 cases of forced disappearance which were open by the Attorney General's Office by the end of 2008. The lands and property left behind are occupied either by paramilitary forces, the guerrillas or even by the Security and Armed Forces. In addition, according to data collected by the Attorney General's Office, the FARC has been recruiting as many as 3,581 children as soldiers. Although it is not considered a crime under the Rome Statute, both the Security and the Armed Forces have been distributing toys and military propaganda among children in exchange for information about the location and identity of *guerrilleros*, thus risking the lives and security of the children.

Women continue to suffer the most as victims. Not only are they forcibly displaced, but there are continuous rapes by paramilitaries, the official military and the guerrillas. Furthermore, they face serious obstacles in obtaining police assistance and are usually denied access to justice. Although the Colombian Constitutional Court has pushed the Government to develop prevention programs and the Attorney General's Office to investigate 182 cases of sexual violence, there are still high levels of impunity due to structural problems: there are not enough resources, the information mechanisms are weak and there is no coordination between institutions.

The project for a program for victims in general and not only for victims of the armed conflict is still being debated in Congress. It provides for their participation in the first stage of the Justice and Peace Law proceedings and protective measures and remedies, such as the appropriate social services to attend to their needs.





US Relations with Colombia

The relations between the United States and Latin America date back to the early 1800s, when the principles of the US policy of Pan Americanism were settled. The aim was to resolve regional conflicts through peaceful means. This collaboration has been especially close in Colombia, whose Government has joined with the US Government forces against communism, the War on Drugs and, especially since 9/11, the threat of terrorism. More specifically, Plan Colombia was launched in 1999 under the Administration of Andrés Pastrana as a joint effort between Colombia and the US to fight drug trafficking, end the armed conflict and promote economic and social development.

The US military involvement in Colombia, which is coordinated by the US Southern Command (SOUTHCOM), an initiative of the Franklin D. Roosevelt administration, is limited to support in the areas of training, logistics and intelligence. A US Congress mandate limits the maximum number of US military personnel that can operate within Colombia to 800 and the maximum US defense contractors that can operate within the country to 600⁵. In addition, there is a Military Group based at the US Embassy in Bogotá formed by US Marines, Air Force and Army personnel which is led by Colonel Kevin Saderup.

In March 17 and 18, 2009, Admiral James Stavridis, commander of SOUTHCOM, testified before the Senate and the House of Armed Services Committee as part of the Command's annual statement to Congress. In reference to Colombia, the admiral reported on the success of Plan Colombia. However, he pointed out that over the next two years it is essential to continue supporting the Colombian armed forces campaign to defeat the FARC, and the Colombian interagency efforts to bring governance and economic opportunity to areas recaptured from the FARC. The means to achieve this goal are continuing training and key infrastructure and human rights programs to provide long-term self-sufficiency. Admiral Stavridis emphasized that continued US commitment will be critical over the next two years as the Colombian government assumes responsibility for funding the development of programs and institutions. He concluded that "with US help, a stable and secure Colombia is very achievable in the near term, and will serve as a democratic model for the region."⁶

Current administration

The current President of the United States, Barack Obama, maintained conversations with President Uribe throughout his campaign and after the election. President Obama stated his desire to work together closely with Uribe and with other regional leaders to improve the US relationship with Latin America. The two presidents discussed cooperation between the US and Colombia on counter-narcotics, security, and human rights. President Obama reassured President Uribe that the United States will continue to support Colombia's efforts to improve its security and prosperity.

⁵ United States Southern Command, USSOUTHCOM Support to Colombia, May 30, 2008, available at <http://www.southcom.mil/AppsSC/factFiles.php?id=35>.

⁶ US Navy Commander Admiral James Stavridis, US Southern Command 2009 Posture Statement, March 17, 2009, available at <http://www.southcom.mil/AppsSC/files/0UI0I1237496303.pdf>.





On March 11, 2009, President Obama signed the Omnibus Appropriations Act, 2009, into law (Public Law No. 111-8). The Congress had passed it on April 29. The bill included \$36.8 billion for Division H, which includes the Department of State, Foreign Operations, and Related Programs Appropriations.

The President's Fiscal Year 2010 International Affairs Budget for the Department of State, the US Agency for International Development (USAID), and other foreign affairs agencies totals approximately \$53.9 billion. Out of the \$36.1 billion requested for Foreign Operations and Related Agencies, \$540 million will be assigned to Colombia. Within this budget, there are three areas of major interest for the purpose of this paper: (1) the Andean Counter-Drug Program, which includes Plan Colombia; (2) Foreign Military Financing; and (3) International Narcotics Control and Law Enforcement.⁷

Instead of the \$405 million the Bush administration requested for 2009 or the \$320 million that Plan Colombia received in 2008, the new appropriations bill has only \$315 million for the Andean drug war. The budget for foreign military financing is \$5.3 billion, out of which \$53 million will be appropriated to Colombia. US SOUTHCOM would receive \$200 million.

The International Narcotics Control and Law Enforcement program (INCLE) is the largest source of aid to Colombia, and combines both military and socio-economic aid. It is administered by the State Department's Bureau for International Narcotics Control and Law Enforcement Affairs. The Obama administration would cut this program deeply by about \$50 million. Thus, the funds assigned to this program would amount to \$558 million, being a total of \$23 million for Colombia.

Conclusion

The Prosecutor of the International Criminal Court, by pressuring Colombia through statements and visits, seems to have boosted Colombia's historically ineffective justice system. The Colombian Supreme Court is making an unprecedented effort and has had success in bringing to justice those responsible for the worse atrocities against human rights. Although the UN and human rights NGOs continue to report crimes against humanity, for the first time in decades the Colombian judiciary appears to be an effective institution. Thus, under the complementarity principle, the ICC is unlikely to intervene because Colombia, at least for the time being, appears willing and able to hold accountable those who bear the ultimate responsibility for crimes under the Court's jurisdiction. Moreover, in order for the Court to investigate if the crimes committed in Colombia fall within its jurisdiction, the Security Council or Colombia itself must first refer the situation to the Court or the Prosecutor must open an investigation with the approval of a three-judge panel.

Furthermore, on August, 2008, the Andean Parliament passed a decision to urge the State members of the Andean Community to comply with their Rome Statute obligations, including passing effective laws for its implementation. In addition, it suggested that they should adopt a common policy towards the Review Conference of 2010.

⁷ Budget for Fiscal Year 2010, Department of State and other International Programs, available at <http://www.whitehouse.gov/omb/budget/fy2010/assets/sta.pdf>.





Finally, in January 2009, Colombia ratified a law through which it adopted the Rules of Evidence and Procedure of the ICC and in April 15, 2009 it ratified the Agreement on the Privileges and Immunities of the Court. In November 2009, upon expiration of Colombia's declaration under the seven year-long waiver of Article 124 of the Rome Statute, the Court's jurisdiction in Colombia will extend to war crimes.

In reference to the possible effect of an ICC investigation on US citizens who are involved in the situation in Colombia, it is highly improbable that they would be delivered to the ICC because Colombia and the US have signed a Bilateral Immunity Agreement (BIA). This Agreement requires US consent for Colombia to transfer US nationals to the ICC. Nonetheless, the BIA does not stop ICC prosecutions; it only prevents the Colombian government from delivering a US suspect to The Hague, where the Court is based.

Moreover, since the ICC is subject to the principle of complementarity, it can only act if US citizens responsible for such crimes are not investigated or tried in either Colombia or the US. In fact, US soldiers found responsible for crimes in Colombia were disciplined by US military courts. Furthermore, there is no evidence that proves US involvement in war crimes in Colombia or in other atrocities which fall under the ICC's jurisdiction. Indeed, US soldiers who have been arrested in Colombia were charged with crimes that the ICC cannot try, such as drug smuggling and smuggling arms.⁸

In conclusion, the Court's actions in Colombia are a clear example of what is known as positive complementarity. One of the core principles of the International Criminal Court is that with its help and example national criminal justice systems should become more and more able to pursue domestic prosecutions. As Chief Prosecutor Luis Moreno-Ocampo affirmed in the ceremony for his solemn undertaking, "As a consequence of complementarity, the number of cases that reach the Court should not be a measure of its efficiency. On the contrary, the absence of trials before this Court, as a consequence of the regular functioning of national institutions, would be a major success."⁹ In 2004, he reaffirmed, "Rather than competing with national systems for jurisdiction, we will encourage national proceedings wherever possible."¹⁰

⁸ Colombia will not try US troops, BBC News, April 7, 2005, available at <http://news.bbc.co.uk/2/hi/americas/4420329.stm>; Juan Forero, Colombia: US Soldiers In Cocaine Inquiry, NY Times, available at <http://query.nytimes.com/gst/fullpage.html?res=9B07EEDC113FF931A35757C0A9639C8B63>; Suzanne Goldenberg, American troops accused of arms theft in Colombia, The Guardian, May 5, 2005, available at <http://www.guardian.co.uk/world/2005/may/05/usa.colombia>; Karl Penhaul, Colombia arrests 2 US soldiers, CNN, May 4, 2005, available at <http://www.cnn.com/2005/WORLD/americas/05/04/colombia.smuggling/index.html>; Juan Forero, Colombia Yields 2 Accused Soldiers to US, NY Times, May 6, 2005, available at <http://query.nytimes.com/gst/fullpage.html?res=9E04E2DB1430F935A35756C0A9639C8B63&sec=&spon=>

⁹ Statement made by Mr. Luis Moreno Ocampo at the ceremony for the solemn undertaking of the Chief Prosecutor of the ICC, June 16, 2003, available at <http://www.icc-cpi.int/Menu/Go?id=d7572226-264a-4b6b-85e3-2673648b4896&lan=en-GB>.

¹⁰ Statement of the Prosecutor Luis Moreno-Ocampo to Diplomatic Corps, The Hague, Netherlands, February 12, 2004, available at <http://www.icc-cpi.int/Menu/Go?id=0f999f00-a609-4516-a91a-80467bc432d3&lan=en-GB>.





Sources

- Annual Report of the High Commissioner of Human Rights
- Quarterly Report of the Permanent Mission of the Organization of American States to Support the Peace Process in Colombia
- Human Rights Watch World Report 2009
- US Department of State (<http://www.state.gov/r/pa/ei/bgn/35754.htm>)
- US Department of Defense (<http://www.defenselink.mil>)
- Embassy of the United States in Bogotá, Colombia (<http://bogota.usembassy.gov/>)
- US Southern Command Partnership for the Americas (<http://www.southcom.mil>)
- Embassy of Colombia (<http://colombiaemb.org/index.php>)
- Equipo Nizkor (<http://www.derechos.org/nizkor/eng.html>)
- A Critical Analysis of Positive Complementarity, by Hitomi Takemura ([http://www.defensesociale.org/xvcongreso/pdf/cfp/16\)_A_critical_analysis_of_positive_complementarity_Takemura.pdf](http://www.defensesociale.org/xvcongreso/pdf/cfp/16)_A_critical_analysis_of_positive_complementarity_Takemura.pdf))

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