

# Reporters Without Borders

<http://www.rsf.org/colombia-statutes-of-limitations-are-a-25-07-2013,44978.html>

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Americas - Colombia

Lest they be forgotten

## “Statutes of limitations are a tragic guarantee of eternal impunity”

25 July 2013

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Reporters Without Borders urges Colombia’s authorities and the prosecutor-general in particular to do what is necessary to prevent a 20-year statute of limitations from taking effect next week in the murder of *El Universal* photographer **Nelson De la Rosa Toscazo**, who was gunned down in the northern city of Cartagena on 3 August 1993.

Murders of journalists that occurred before 2000 are subject to a 20-year statute of limitations in Colombia. Murders of other journalists – **Manuel José Martínez Espinosa** (on 28 September 1993), **Eugenio Orejuela Micolta** (on 18 November 1993) and **Danilo Alfonso Baquero Sarmiento** (on 26 December 1993) – will also remain unpunished forever if nothing is done by the end of the year.

“The Colombian police and judicial system should investigate all murders of journalists – even those committed more than 20 years ago – in order to identify and punish those responsible,” Reporters Without Borders said.

“The state has a duty to combat impunity not just for the sake of the families, who have a right to demand truth and justice, but also in order to guarantee respect for freedom of information.

“Like the murders of **José Eustorgio Colmenares Baptista** and **Guillermo Cano**, these murders should be regarded as crimes against humanity, to which no statute limitations applies under Colombian and international law, so that they will not be forgotten.

“Statutes of limitations are a tragic guarantee of eternal impunity. Defining certain murders as crimes against humanity is a step forward, but the investigations must be stepped up at the same time, so that justice is rendered as quickly as possible.”

The statute of limitations has already taken effect this year in the murders of two journalists – **Gerardo Didier Gómez**, killed on 11 February 1993, and **Carlos Lajud Catalán**, killed on 19 March 1993.

It did not take effect in the 12 March 1993 murder of José Eustorgio Colmenares Baptista, the editor of the Cúcuta-based newspaper *La Opinión de Cúcuta*, because the Cúcuta special prosecutor’s officer declared his murder to have been a crime against humanity on 11 March.

This declaration was seen as recognition of the violence to which journalists have been subjected during the civil war, especially from 1990 to 1995. *El Espectador* editor Guillermo Cano’s 1986 murder was declared a crime against humanity by the Human Rights Unit of the Prosecutor-General’s office in 2010.

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