

AI INDEX: AMR 23/66/98  
9 SEPTEMBER 1998

## **Fundamental human rights are not negotiable: President Andrés Pastrana must take urgent action to end Colombia's escalating reign of terror**

Amnesty International is calling on President Andrés Pastrana Arango to use the opportunity of Colombia's national human rights day on 9 September to announce an immediate and decisive program of action to tackle the country's escalating human rights crisis.

One month after his inauguration, the international community anxiously awaits a sign that the new government has the political will to end massive and systematic violations of fundamental human rights without further vacillation.

The widespread contempt for human rights in Colombia has led to a deep-rooted crisis of alarming proportions. More than 30,000 people have been victims of politically motivated killings in the last decade, some 3,000 have "disappeared" and more than one million people have been internally displaced by the escalating and increasingly brutal armed conflict -- 150,000 in the first eight months of 1998 alone.

The principal victims of the spiralling human rights crisis are civilians, including community leaders, trades unionists, political and social activists, human rights defenders and poor peasant farmers living in areas whose control is disputed between the armed forces, their paramilitary allies and guerrilla organizations.

Important sectors of Colombian civil society and the government of President Pastrana have recently launched a number of initiatives in relation to the search for peace which, it is to be fervently hoped, will result in an agreement to bring the decades-old conflict to an end.

Guerrilla organizations have recently committed themselves to reducing violations of international humanitarian law. Amnesty International urges all Colombian guerrilla organizations to swiftly move to full and transparent compliance with international humanitarian principles.

"Respect for human rights should not be dependent on an eventual political agreement between the state and guerrilla organizations: fundamental human rights are not negotiable," Amnesty International said.

As well, as noted by the UN High Commissioner for Human Rights in her 1998 report on the human rights situation in Colombia: *"the internal armed conflict is a major cause of human rights violations, but many violations occur outside of that context"*.

Amnesty International is therefore urging the government of Andrés Pastrana to take immediate action -- in advance of any peace talks -- to tackle the human rights crisis and thereby fulfil its obligations under national and international law to protect the inalienable right to life, the

right not to be tortured or “disappeared” and the right to justice. In particular, the Colombian government should act to:

- Separate from active military duty all armed and security force personnel formally charged or convicted of human rights violations
- Dismantle paramilitary organizations and civilian vigilante groups known as Convivir
- Improve the administration of justice and combat impunity by:
  - Reforming the military penal code to ensure compliance with international human rights law and jurisprudence of the Constitutional Court by excluding human rights violations committed by military personnel from the military justice system
  - Security force personnel responsible for human rights violations should be prosecuted in civilian courts. The perpetrators should not benefit from any legal or political measure exempting them from criminal prosecution or conviction.
  - Introduce legislation to criminalize enforced disappearance.
- Ensure adequate humanitarian assistance for displaced people and guarantees for their safe return
- End harassment, threats and attacks against human rights defenders

“Respect for human rights is an essential pre-requisite to achieving peace,” Amnesty International said. “Only by ensuring that fundamental civil and political rights are protected can the government of President Pastrana and the Colombian people hope to achieve genuine national reconciliation based on peace and justice.”

ENDS.../