

# AMNESTY INTERNATIONAL

## Public Statement

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### **Amnesty International's public statement on Colombia on the occasion of the second session of the UN Human Rights Council**

Amnesty International (AI) welcomes the decision by the Colombian Government and the UN High Commissioner for Human Rights made public on 12 September 2006, to renew the integral mandate of the Office in Colombia of the UN High Commissioner for Human Rights for one year.

The decision to renew the mandate of the Office for one year, rather than four, as in the past, is however regrettable. The four-year mandate granted to the Office at the time of its previous renewal afforded it with the necessary stability to carry out its work effectively and independently. A one-year renewal does not provide that stability which is particularly necessary at a time when the Colombian government has reportedly expressed its desire to restrict the Office's observation role. This would significantly weaken its effectiveness.

The Colombian government has stated that the mandate has been renewed for only one year to allow it and the Office of the UN High Commissioner for Human Rights to negotiate a new mandate which will better reflect the current human rights reality facing Colombia. Such a reality, the government argues, differs greatly from that which existed when the Office was first established in 1997.

AI believes that the current human rights situation in Colombia makes it all the more critical that the current mandate is maintained intact. International bodies, such as the Inter-American Commission on Human Rights (IACHR) of the Organization of American States, and many members of the international community, in particular the European Union, have repeatedly expressed support for the integral mandate of the Office in Colombia.

Although some indicators suggest that conflict-related violence has fallen, notably the number of kidnappings and killings, these figures mask a human rights reality that AI continues to categorize as critical. In particular, AI has expressed serious concerns about the increase in numbers of new internally-displaced persons and in reports of extra-judicial executions carried out directly by the security forces, as well as about the still high number of "disappearances", as reported by the Working Group on Enforced or Involuntary Disappearances to the Human Rights Council (E/CN.4/2006/56/Add.1). AI also continues to receive numerous reports of human rights violations carried out by paramilitaries, despite their supposed demobilization.

The increasing ferocity of attacks by armed opposition groups against civilian communities, including killings and kidnappings, and their systematic use of economic blockades and "armed strikes", of which civilians are the main victims, is also a cause for concern. Although AI acknowledges a reduction in killings

in some of the larger cities, the situation in the regions, and particularly in the countryside, continues to deteriorate. Few of the human rights abuses committed in rural areas are ever reported to the authorities, either out of fear of reprisals by one or another armed actor, or because of a lack of confidence in the relevant institutions.

All the parties to the conflict continue to show grave disregard for human rights and international humanitarian law and have been responsible for war crimes, crimes against humanity and other crimes under international law, including killings, “disappearances”, torture, and kidnapping. It is the civilian population that has inevitably borne the brunt of this still critical human rights crisis, since it is precisely they who continue to be targeted by all armed sectors to prevent their possible, perceived or imaginary support for the opposing side.

Given this reality, the role played by the Office, including observation, advice, technical cooperation and promotion of human rights, has proved invaluable. Most importantly, the Office has been effective in saving the lives of many civilians through its intervention. The invaluable work carried out by Colombia’s human rights defenders would also be all the more dangerous without the persistent and unwavering support given to them by the Office over the years. The work of its regional offices has also been effective in ensuring that the human rights of those living in remote parts of the country are not forgotten.

The Office has also played a critical role in defending international human rights standards when these have been threatened by a raft of legislative initiatives promoted by the government, in particular those associated with the supposed demobilization of members of illegal armed groups, be they armed opposition groups or paramilitaries. The Office has been at the vanguard of efforts by Colombian and international NGOs to remind the Colombian administration that legislation such as the Justice and Peace Law and Decree 128, which is designed to regulate the demobilization process, has persistently failed to conform to international standards on the right of human rights victims and their families to truth, justice and reparation, and which threaten to exacerbate the endemic scandal of impunity which reigns supreme in Colombia. However, the Colombian government has persisted in ignoring these reminders.

AI welcomes the High Commissioner’s report on Colombia (E/CN.4/2006/9), and its submission to the current session of the Human Rights Council. The report stresses the importance of implementing the recommendations contained in it and earlier reports. In the area of prevention and protection, the report urges the adoption of the long-promised national human rights action plan and increased protection of human rights defenders. It calls on the parties to the conflict to respect the right to life and to refrain from indiscriminate attacks, kidnappings, recruitment of child soldiers, and sexual violence. AI welcomes the fact that the report recommends that legislation on the demobilization of members of illegal armed groups be made consistent with human rights principles including the right of victims to truth and reparation. The report also urges the government to implement a policy to end impunity.

AI regrets that the Colombian government, and the armed opposition groups, are yet to implement the bulk of the recommendations in this and previous reports, despite the fact that many of these have been contained in previous reports. AI is also disappointed that a request by the UN Working Group on Arbitrary Detention to visit Colombia has so far not been satisfied.

AI stresses the importance for the Human Rights Council to devise ways to encourage the Colombian government to implement the High Commissioner’s recommendations, as included in her reports on the activities of her Colombia Office.

AI looks forward to the High Commissioner’s next report on Colombia to the Human Rights Council.