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UN Human Rights Council
Twenty-Eighth Session
2 – 27 March 2015

Item 2: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
Presentation of the country reports of the Secretary-General and High Commissioner for Human Rights followed by general debate (including High Commissioner's report on Colombia¹)

Mr. President

Amnesty International has submitted a written statement on **Colombia** to this Council session.²

The peace talks between the Colombian government and the *Fuerzas Armadas Revolucionarias de Colombia* (FARC) continue to make progress. Their willingness to begin talks on a bilateral ceasefire, and the possibility of formal talks between the government and the *Ejército de Liberación Nacional* (ELN) also bode well for efforts to put a definitive end to hostilities.

However, the government and the FARC have failed to make an explicit commitment to guarantee justice for all victims of the conflict in line with international human rights law. This, coupled with government efforts to promote legislation that would make it more difficult to prosecute alleged perpetrators, could undermine the long-term viability of an eventual peace agreement.

In spite of the peace process, all the parties to the conflict the security forces and paramilitaries, either acting alone or in collusion with each other, as well as the FARC and ELN, continue to commit human rights violations and abuses and violations of international humanitarian law, especially against Indigenous, Afro-descendent and peasant farmer communities, human rights defenders, and trade unionists.

¹ Addendum - Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, A/HRC/28/3/Add.3

² **The Human Rights Situation in Colombia: Amnesty International's written statement to the 28th session of the UN Human Rights Council (2-27 March 2015)**
<https://www.amnesty.org/en/documents/amr23/0004/2015/en/> [last accessed on 24 March 2015]

At least 55 human rights defenders and 20 trade union members were killed in 2014 . There was also an increase in mass death threats against human rights defenders, peace and land activists, politicians and journalists

Amnesty International insists that to effectively protect those at risk, the authorities must ensure that those suspected of criminal responsibility for human rights abuses and violations are brought to justice. However, criminal investigations in this regard have made little progress.

Impunity continues to be a defining feature of the conflict. Government support for measures to shield alleged perpetrators, such as the Legal Framework for Peace [and Senate Bill No.85], throws into doubt its commitment to victims' right to truth and justice. In September 2014, 12 UN human rights experts warned that Senate Bill No. 85 would be a step backwards for human rights.³

The failure to ensure the fair distribution of land lies at the heart of the conflict. The Victims and Land Restitution Law is an important first step towards ensuring that the right of some of the victims of the conflict to full reparation, including land restitution, can at last be realized.

However, the Law remains seriously flawed, with many victims excluded from its provisions, and its implementation beset by difficulties. Even in those few cases where land has been adjudicated to the rightful occupants, many of those wishing to return to their land have been unable to do so because of the poor implementation of measures to ensure they can sustain themselves economically and in safety. Land claimants and those representing them, continue to be threatened and, in some cases, killed.

Human Rights Council members and observers have a critical role to play in ensuring that the right of victims to truth, justice and reparation, including sustainable land restitution, can be realized in line with international human rights standards. They must insist that these rights are essential to ensure that Colombia can enjoy a lasting and effective peace.

We urge HRC members and observers to raise these concerns and recommendations in the Council debates and in bilateral dialogues with the Colombian government.

Thank you Mr. President

³ <http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=15116&LangID=S>