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Colombia: New government must guarantee an independent justice system

Colombia's new government must ensure the independence of the country's justice system, allowing it to bring to justice those responsible for human rights abuses committed during the country's long-running armed conflict, Amnesty International said today.

Juan Manuel Santos is set to be inaugurated as President of Colombia on 7 August, after winning a landslide victory in a second round of elections held on 20 June.

"If human rights abusers are to be held to account, urgent action also needs to be taken to stop the killing of and threats against witnesses, lawyers, judges, human rights defenders and prosecutors involved in human rights cases," said Marcelo Pollack, Colombia researcher at Amnesty International.

A UN report on Colombia published earlier this year found that at least 300 people working as part of judicial investigations had been killed in the past 15 years.

Amnesty International documented the killing, mainly by paramilitaries, of at least 8 human rights defenders and 39 trade unionists during 2009

"The new government has an opportunity to move away from the hostility shown by the outgoing administration towards human rights defenders and end the culture of impunity that has allowed those who commit abuses to evade justice," Marcelo Pollack said.

Amnesty International also called on the government to resist the temptation to weaken the ability of the civilian courts to investigate security personnel implicated in human rights violations, something suggested only a few months ago by the outgoing administration.

The Colombian security forces have in recent years been implicated in thousands of extrajudicial executions of civilians. Most are yet to face trial over such killings.

"If the new government is serious about ending impunity it must put an end to the campaign waged by the previous administration to discredit the Colombian Supreme Court, which has successfully prosecuted some of those with links to paramilitaries who carry out human rights violations," said Marcelo Pollack.

"Guerrilla groups must also be condemned for their attacks on civilians. They should once and for all take steps to put an end to the human rights abuses and violations of international humanitarian law committed by their fighters."

The situation faced by Indigenous Peoples, as well as by Afro-Colombians and peasant farmers, also remains acute.

Amnesty International documented the killing of at least 114 Indigenous People in 2009, carried out by members of the guerrilla, the security forces and paramilitaries.

“The recent increase in killings of leaders of displaced communities, who are campaigning for the return of lands stolen from them by paramilitary groups, has been a source of particular concern, and urgent action must be taken to protect these leaders”, said Marcelo Pollack.

“The new government must also make clear that the defence of human rights is not a threat to the security of the state. An immediate public statement asserting the legitimacy of the work of human rights defenders would help assuage fears that activists will continue to be harassed and left unprotected”.

The new government must also ensure that the Interior Ministry’s protection programme for human rights defenders is strengthened to ensure its effectiveness.

President Álvaro Uribe’s government was tainted by its repeated efforts to smear defenders by falsely linking human rights work with support for guerrilla groups. This compromised their safety and weakened their capacity to defend human rights.

Amnesty International is also calling for

- The new government to quickly announce a plan, with targets, benchmarks and a timetable, to implement in full the long-standing human rights recommendations of the Office of the UN High Commissioner for Human Rights and the UN treaty bodies and special procedures, as well as those issued by the Inter-American human rights system.
- The new government to ensure that the integral mandate of the Office in Colombia of the UN High Commissioner for Human Rights, which expires at the end of October 2010, is renewed.
- Guerrilla groups and the security forces to protect civilians from the human rights and humanitarian consequences of armed conflict and respect their right not to be drawn into hostilities. All parties to the conflict have been responsible for such abuses as unlawful killings, enforced disappearances or abductions and forced displacement.