

**Statement by High Commissioner for Human Rights Sergio Vieira de Mello to
Commission on Human Rights: Presentation of Report on Work of OHCHR
Office in Colombia**

4 April 2003

Madam Chairperson,
Distinguished members of the Commission,
Ladies and Gentlemen;

I have the honor to present to the Commission on Human Rights the sixth report on the human rights situation in Colombia and the activities of our Office in the country. My report is submitted in the context of my Office's mandate in Colombia, as well as in the context of the Chairperson's Statement to the 58th Session of the Commission on Human Rights, requesting me to submit an analytical report on the human rights situation in the country.

I would like to emphasize an important development in the country in 2002 following the coming into power in August of a new Government headed by President Alvaro Uribe Vélez.

On the initiative of President Uribe, the Government of Colombia took a commendable step in renewing the mandate of my Office for four more years, until October 2006. This clearly reflects the recognition of the important work that my Office is doing and the greater commitment to more productive collaboration with my Office. It also gives my Office the possibility to plan its work on a medium-term basis. I am encouraged by this step.

An intensive dialogue is developing between, on the one hand, senior Government officials, the Ombudsman's Office, the General Procurator of the Nation and the Congress of the Republic, and on the other my office in Colombia. I trust that, thanks to this coming together, international recommendations relating to human rights and International Humanitarian Law will now be implemented with increased vigor.

During the past year, my Office continued to deepen its efforts to address the relevant human rights concerns of the Colombian people, to establish its presence and to follow the evolution of the situation in different regions of the country. My Office continued to provide advice to authorities and civil society and to promote awareness and application of the principles of human rights and international humanitarian law. The activities of the sub-offices in Medellín and Cali, established last year, represented a further step towards the achievement of these objectives. In October of last year the new Director of the Office took office.

The Colombian State has adopted a number of positive measures towards the ratification of international agreements and the internal application of some of them. Among these, I would like to mention the ratification of the Rome Statute of the International Criminal Court, even though war crimes are excluded for seven years, and the adoption of standards for the enforcement of the Ottawa Convention regarding antipersonnel mines and the Convention relating to human trafficking. The

Constitutional Court also handed down important decisions that reaffirmed its traditional role as a guarantor of human rights. In this context I was particularly pleased to hear the Vice-President announce during the High-Level Segment of the Commission that the Government had extended a standing invitation to the Thematic Special Procedures of the United Nations Commission on Human Rights. My Office has received a letter confirming this most welcome development.

Madam Chairperson,

Despite these very important developments, I continue to be deeply concerned about the gravity of the humanitarian and human rights situation in Colombia. The extreme deterioration of the armed conflict, with the use of unacceptable methods of combat by the illegal armed groups, namely the paramilitaries and the guerrilla, increases the challenges for the Colombian Government as it faces this critical situation. The atrocities committed by these armed groups, including the increase of acts of terrorism, in particular by the FARC-EP, put the civilian population in an extremely vulnerable position and worsen the conditions of survival and security for civilians.

In this delicate context, the Colombian Government is compelled to act on a number of fronts to respond to the situation and the demands for protection of the civilian population. This represents a true challenge for the application of human rights, in particular those of vulnerable groups such as human rights defenders – one of whom I had the pleasure of handing the Martin Ennals Human Rights Prize for 2003 to in a ceremony recently in Geneva -- trade unionists, ethnic minorities, the internally displaced, women and children.

Another issue of concern worth that must be highlighted is the challenges the State faces in relation to respect for the rule of law. The defense of this essential precept does not abide the existence of links between public servants and illegal armed groups, nor can it allow impunity, which weakens judicial guarantees and the independence and autonomy of the justice system.

Let me stress that it is fundamental that the policies and measures adopted by the Colombian State, including those relating to security, are compatible with international standards and principles, and that they are checked by adequate and independent controls to guarantee respect for the fundamental rights and freedoms of the people. On the other hand, the reinforcement of the civil institutions that are fundamental for the defense and protection of human rights is essential for the strengthening of the rule of law. In parallel, I trust that the search will intensify for ways and means to move towards peace and to provide substantial relief for the suffering of the Colombian people.

Given the serious situation, my report makes 27 concrete recommendations. These should be understood as evidence of a profound willingness interest to cooperate with the authorities and civil society. Assisting the Government in the implementation of these recommendations will form a fundamental part of the work of my Office.

The recommendations imply some priorities that should be addressed during the course of this year. The recommendations refer to themes of vital interest for the country such as:

- Prevention and protection.
- Armed conflict
- The rule of law and impunity
- Economic and social policies
- The promotion of a culture of human rights
- The provision of advice and technical cooperation by my Office to Colombia.

Madam Chairperson, in the last several weeks my Office in Colombia has been able to discuss the report, particularly its recommendations, with the Government and various State institutions. My Office has received positive expressions of interest from the Government regarding the establishment of a follow-up mechanism for the implementation of the recommendations.

I would like to inform you, Madam Chairperson, of my Office's ready willingness to assist the new Government and the Colombian State in the implementation of the report's recommendations, through advice and technical cooperation. It is my hope that the Colombian State can implement the recommendations that fall within its competence.

Some of the recommendations are addressed to the illegal armed groups, whether the FARC-EP, the ELN or paramilitary groups, as appropriate. I call solemnly on these groups to take into account and implement the recommendations specifically directed at them.

The implementation of the recommendations also requires the continued support of the international community and those countries that have been generously providing me with the means to carry out my tasks. I also take this opportunity to thank my colleagues in the three offices in Colombia for their abnegation and dedication.

For my part, I hope to visit Colombia in the course of this year in response to the invitation extended by the Government of President Uribe.

Thank you, Madam Chairperson.