



NACIONES UNIDAS
ALTO COMISIONADO PARA LOS DERECHOS HUMANOS
OFICINA EN COLOMBIA

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HIGH COMMISSIONER FOR HUMAN RIGHTS
OFFICE IN COLOMBIA

Statement at press conference of the UN High Commissioner for Human Rights
Bogotá, Saturday 14, May 2005

I would like to thank the government of Colombia for inviting me to visit the country, and facilitating the many fruitful discussions that I have had in the last three days. I was honored to be received by the President, with whom I had informative and valuable dialogue. I also had the opportunity to meet with the Vice-President, the Minister for Interior and Justice, the Minister for Foreign Affairs, the Minister of Defense, and other high ranking officials of the Government and the security forces. I also had the pleasure to meet with the Procurator-General, the Ombudsman, the Attorney-General, and the members of the Constitutional Court. Of course, as I do in all my visits, I also met with many representatives from different sectors of civil society.

I have been impressed by the energy, the commitment and indeed the passionate way in which they express their hopes and their visions for the future of their country. In that respect I wish to single out the remarkable young people that I met in Ciudad Bolívar in Bogotá. I also visited settlements along the Atrato River in the Chocó, where I was able to better appreciate the degree of hardship that the ongoing armed conflict has inflicted on afro-Colombian and indigenous populations. Villages sit empty a few kilometers along the river Atrato from overcrowded settlements where displaced people lack the most basic access to health, lodging and education. The few who stay behind live in fear and under even more extreme deprivation.

Colombia is an established democracy but a State where the rule of law is facing tremendous challenges. The 1991 Constitution with its constitutional block of human rights provides a solid guidance to meet those challenges, as do the established institutional framework and the remarkable human capital from which the county can draw both its leadership and work force.

I believe that the presence of my Office in Colombia, at the invitation of the government, is a credit to the willingness of the government to face these challenges in a transparent and credible way.

The new UN reform proposal of the Secretary General puts forward a useful and constructive vision, one that should find particular resonance in Colombia.

The reform proposal is built upon three pillars: security, development and human rights. It postulates that there can be no security without development, no development without security and that neither security nor development can be adequately sustained without human rights.

In this context, the Secretary General tasked me to prepare a Plan of Action to redefine the role of my Office world-wide in view of his vision. This Plan of Action will be presented to the Secretary General at the end of this month and among other issues it will advocate a greater engagement at the country level. The Colombia Office, which is the most comprehensive country presence of the Office of the High Commissioner today, will certainly serve as a guiding light for our work in the future.

Our Colombia mandate is an integral one which comprises observation, advisory services, technical cooperation and information and promotion of human rights. It is a model that I believe will continue to serve Colombians well in their pursuit for the full enjoyment of all human rights, by all.

A month ago, the human rights situation in Colombia was extensively discussed during the 61st session of the Commission of Human Rights in Geneva. The President of the Commission issued a statement which expressed a consensus of the international community as well as the Colombian authorities on the way forward to the effective realization of human rights in the country. The statement endorsed the 27 recommendations that I have presented in my report and the need to support the prompt implementation of them by all relevant parties. In this connection, I am pleased that the Government will coordinate with my office to establish a time table before the end of June on the implementation of the recommendations.

Once again, I denounce unequivocally the infringements of international humanitarian law by the illegal armed groups who operate in the country and I regret their unwillingness to respond to the recommendations that my report addresses to them.

In relation to the internal armed conflict that sadly is continuing to affect all Colombians in many cruel ways, I call upon all the armed illegal groups to establish, immediately, effective cessations of hostilities, in order to participate in a dialogue and negotiations with the Government towards a just and lasting peace. Dialogue and negotiations should therefore give priority, from the outset, to international humanitarian and human rights law.

Regarding the negotiations, I urge the Government and Congress to establish, as soon as possible, a legal framework which fully recognizes and guarantees the rights to truth, justice and reparations for the victims. Impunity must be avoided while certain incentives and judicial benefits may be essential for success of the negotiations. The legal framework should also take due account of the situation of women, children and vulnerable minorities. A fair and predictable process is essential to persuade illegal armed groups that there is a future for them in Colombia if they renounce their criminal ways. But inadequate accountability for past atrocities is a further betrayal of those who rely on the law for their protection.

The minimum element to adequate accountability is the full respect of the right to truth. Without a public exposal of the truth, the reality of the lives of the victims is denied and it is not possible to offer them any form of justice and reparations. Moreover, without a full and credible account of their activities, the public can have no confidence that illegal armed groups have been effectively dismantled.

I share the concerns expressed by many others that the draft bill currently before Congress therefore needs to be strengthened with regard to the right to truth. Its current formulation provides no incentive to perpetrators who want to be eligible for benefits to come forward and fully disclose the crimes to which they have been party. Instead, the draft Bill induces them to disclose as little as possible as they do not lose any of the benefits granted if it later transpires that they have not disclosed the full extent of their criminal participation. In my view, the law should also provide better access to reparations to all victims.

On these and other aspects of the draft law, my Office stands ready to continue to provide advice on how these desirable improvements can be made.

In a democratic state, the dialogue with all sectors of society, in particular civil society organizations, trade unions and human rights NGOs is essential. I would like therefore to encourage the Government and organizations of civil society to

develop further space for this dialogue. The elaboration of the human rights plan of action should be taken as an opportunity to enhance this dialogue.

I have noted the commitment and engagement of the authorities and civil society organizations in addressing the dramatic situation of vulnerable groups in Colombia. National NGOs and human rights defenders continue to stress the urgent need to improve the situation of women and children, afro-Colombians, indigenous populations and other vulnerable groups of society. I share their concerns and my office is ready to continue to provide advice and support on these matters.

Thank you very much.