

COMUNICADO DE PRENSA

HIGH COMMISSIONER'S MISSION TO COLOMBIA 16-19 July 2013

Press statement

Thank you for coming.

We are holding this news conference here, in the Centre of Memory, Peace and Reconciliation, to reiterate the importance of remembering the victims of human rights violations. There have been far too many victims over the last 50 years in Colombia.

I would like to thank the Colombian Government for inviting me, and for giving me the opportunity to discuss openly and frankly the human rights developments and challenges ahead.

I met with President Juan Manuel Santos yesterday. During our talks, he reaffirmed his commitment to transform the human rights situation and to achieve peace, moves which I applaud.

It will not be easy to create a society that respects each other's rights after years of conflict. I offered any assistance I can give under my mandate to help President Santos and his Government to reach their goal of peace for Colombia.

President Santos also confirmed that the agreement on my Office's presence in Colombia would be renewed until 31 October 2014. During my visit, I also had meetings with Vice-President, Angelino Garzon, as well as the Minister of Foreign Affairs, Minister of Defence, the High Command of the Military, the Minister of Education and representatives from the Ministries of Interior, Justice, Labour, Health and Social Protection.

I also met representatives of the Presidential Human Rights Programme, as well as officials working with victims, on land restitution, on social prosperity, women's equality and family welfare, among others. I also met Senators and the President of the Supreme Court of Justice. I had discussions with the Attorney General's Office and the Procurator General, as well as with the Ombudsman.

My talks with representatives of civil society, human rights defenders, victims, the Church and the private sector were productive.

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They had many concerns of human rights violations and requested our continuing assistance. Everyone I talked with in the communities and with the NGOs, they spoke about poverty, inequalities and insecurity. There are huge disparities in economic, social and cultural rights that need to be addressed urgently. Many mentioned feeling abandoned by the State.

We spoke about the importance of dialogue and their hope that the peace process succeeds. But the word that came up more often was “participation” – they called for their voice to be heard in the peace discussions on issues that directly affect them.

In Cauca, I met representatives of indigenous peoples, Afro-Colombian communities and small farmers’ groups, as well as the Governor of Cauca and the Mayor of Santander de Quilichao.

I would like to thank them for their frank exchange of views, and for their trust in my Office as a partner. My Office has been following very closely the difficult situation in Cauca and the proposals coming from this region to overcome the challenges.

We know that there are tensions between these communities, and I stressed that while they have distinct interests, they have far more in common.

I brought back some soil from Cauca offered by these communities and organisations. This soil formed part of the tribute at the monument for the victims at the Centre of Memory, Peace and Reconciliation. I hope that this gesture will help reinforce the voices of the victims and their claims for their rights.

My mandate

Our role is to support both the State and civil society, with the aim to improve the enjoyment of all human rights for all people including women, children, indigenous peoples, Afro-Colombians, LGBTI community, rural workers, persons with disabilities, and people with HIV.

In Colombia, my mandate is to contribute to improving the human rights situation, through monitoring, cooperation, advocacy and information, with the aim to provide advice to help the State adapt its legislation and practice to comply with international human rights standards and norms.

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I do this by acknowledging the achievements, raising a critical voice and calling for compliance with international obligations.

Having worked 16 years in this country, my office is fully committed to continue contributing to the promotion and protection of human rights. I believe we have a great opportunity to work together to finally turn the page from conflict towards peace and reconciliation; to meet the United Nations overall objectives towards peace, development and human rights.

The peace process

It was clear, from my discussion with the President and several high-level officials, that they understood that human rights obligations are central to the peace process. I stressed that the rights of the victims need to be at the centre of the peace negotiation with the FARC and I hope soon with the ELN.

The goal is to achieve both peace and justice so all Colombians stand to benefit from the peace process. Regardless of the status of the perpetrators, either State forces, guerrillas, paramilitary or post-paramilitary groups, crimes related to human rights violations cannot be subject to amnesties or impunity. This is not only Colombia's international obligation - it is what the people of Colombia deserve.

It is important to recall that restorative justice and other mechanisms of transitional justice have brought peace in many countries. This means there are stronger guarantees that violations are not repeated; that there are efforts to restore the rights of victims and transform their lives for the better; and truth is revealed and reparations are granted to victims.

It won't be easy. A peace accord is only the first phase. What really matters is how the peace accords are implemented; how violations will stop and not be repeated; how peace will improve the rights to political participation, health and education; and how it will reduce the poverty and extreme poverty. This is why the human rights must be at the centre of the peace process.

Human rights can be used to begin to build bridges between different parts of society that traditionally have been in conflict, to live and work together in this wonderful country.

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The human rights situation

When I visited Colombia five years ago, the country was in the middle of what was known as the “false positives” crisis - recognised by the High Command of the Military as one of the darkest pages of the armed forces. At that point, Mr Santos, then Minister of Defence Santos, and President Uribe sacked more than twenty high-ranking officials for a clear violation of human rights.

Today, I am visiting a Colombia that still faces many human rights challenges, but is beginning to look to the future with optimism. We have not received new reports of “false positives”, and I am confident that such violations will not remain unpunished.

I commend the peace process and the programmes put together by President Santos which are aimed at providing reparations and restoring the rights of some 5 million victims. I know there will be many difficulties in implementing such an ambitious plan, but reparation is fundamental to a sustainable peace based on the respect of their rights. Land restitution is key, given the number of people who were forced off their land during the armed conflict. My Office is working daily in various parts of the country in a number of ways to support these two important initiatives to restore the rights of the victims.

Progress in fighting poverty, the existence of free primary education and universal health care are very important developments in the human rights situation. It is critical not only to recognize these rights, but to make them real for all Colombians. There are still many who do not have access to proper quality education and health care. Such structural inequalities need to be addressed.

Human rights defenders

I am impressed by the work, courage and commitment of the human rights defenders whom I met during this visit. Defenders in Colombia often work under pressure and at great risk. They are a fundamental pillar of democracy, as they are the voice of victims and remind the State of its obligations.

Many defenders, including land restitution claimants, have been killed in recent time in their struggle for human rights.

I applaud the work of the National Protection Unit. However, it is a Herculean task to ensure the security of so many activists under threat. The State should focus on preventing

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these attacks by providing space and legitimacy for the work of human rights defenders and ensuring prompt and effective investigations to establish who is behind these attacks.

In Cauca, I heard from indigenous peoples, Afro-Colombians and rural workers who are tired of being caught in the cross-fire. I am concerned about the reports of civilian casualties, of people being killed or injured by landmines, and displaced by violence.

I was moved by the testimony of a mother of Soacha who showed me the picture of her son, one of the “false positives”, as she continues her struggle to recover his remains. It is towards ending situations like this, so that mothers don’t have to claim justice for their murdered children, that my office works throughout the world.

The fight against impunity

I acknowledge the efforts of Colombia in the fight against impunity. I met with the Attorney General’s Office and learned more about their significant efforts.

Regarding the military justice system, I have expressed my position on several occasions. I understand that the decision is now in the hands of the justices of the Constitutional Court, and have been assured by Government officials that the reform will not lead to impunity. I have stressed to the Minister of Defence that I will monitor the implementation of the statutory law on military justice to ensure that there will be no impunity.

Conclusions

Over 16 years in Colombia we have established close working relations with numerous State entities to improve their capacities to respond and end human rights violations, as well as with civil society organisations to promote respect of human rights.

You in the media are human rights defenders. You have both rights and responsibilities. I would like to remind you how the press can actually contribute at these difficult times to overcoming a culture of conflict and invite you to participate – as I invite all Colombians – to achieve sustainable peace.

Thank you.