

Opening remarks by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein at a press conference during his mission to Colombia

Bogota, 29 September 2016

We are half way through a truly momentous week. Last Monday, President Juan Manuel Santos and Rodrigo Londoño, the leader of Latin America's oldest guerrilla movement FARC-EP, signed the Final Peace Accord in Cartagena in front of a large audience and in the full international spotlight. Then this coming Sunday, 2 October, the Colombian people will have the opportunity to have their say on the Accord in the nationwide plebiscite.

Monday's signing, which I was invited to attend alongside UN Secretary-General Ban Ki-moon and several other top UN officials, was a deeply moving experience. To be present at the moment when a 52-year conflict comes to an end was a special privilege. To see the unique blend of Presidents from all across the region, Foreign Ministers from all over the world, and notable Colombians from all walks of life including, most importantly of all, some 250 people who were victims of the conflict — to see them weeping, chanting, waving, clapping or otherwise sharing the excitement of witnessing the arrival of peace, is a moment none of us who were there, who are here in this room today, or who watched it on television or on the internet, both here and abroad, will ever forget.

Indeed there are many moments that occurred this week that I will never forget. I will never forget the woman near to me in the audience dissolving into tears as she listened to the stirring, pointed, but also profoundly peace-loving words sung by the Afro-Colombian women from the village of Bojayá which experienced one of the worst killings involving the FARC, with the paramilitaries and Government armed forces also implicated, in 2002.

Last December, my staff along with the Catholic Church made extensive efforts to facilitate the ground-breaking visit by seven FARC leaders from Havana to Bojayá to make a public apology in front of some 700 inhabitants for the FARC's role in the killing of 80 people sheltering in a church. Monday's performance by the Bojayá women at the Cartagena signing ceremony was another important positive step down the long path of truth, reparation and reconciliation for that particular community, with whom my staff have been working closely ever since the 2002 massacre.

Their song marked the start of the Cartagena ceremony. It was followed by the iconic handshake between President Santos and Mr. Londoño, known for so long by his nom de guerre "Timochenko," and by Mr. Londoño's important and unambiguous acceptance of FARC's role in a conflict that resulted in hundreds of thousands of lost lives and the displacement of millions. "I ask sincere forgiveness of all the victims of the conflict for all the pain that we have caused in this war."

Then came the conciliatory and impassioned speech of President Santos, who determinedly pursued peace through four long years of negotiations. There was the recognition by him in his speech of the important role the United Nations — including my Office here in Colombia — has played in bringing the country to this point, and the even more important role it will play in the weeks, months and years to come, helping Colombia

ensure this highly complex and comprehensive Accord delivers what it is supposed to deliver.

As the Secretary-General noted in his speech at Monday's event, "victims have been among the most forceful voices for peace and reconciliation, and against bitterness and hatred. Their example should be an inspiration to all."

It is indeed their example that has motivated my staff, since the UN human rights office was opened here 19 years ago, in April 1997. We have been working directly with victims ever since then: victims of FARC, victims of the paramilitaries, victims of the armed forces and other State agents, victims of business interests and victims of discrimination and of neglect.

I wish to pay tribute here to the Government of Colombia — indeed all Governments of Colombia since we began work here — for having the foresight to invite, and then accept and retain, the presence of a UN human rights office in the country. With 110 employees — 90 percent of them Colombians — in 13 offices across the country it is indeed one of the largest teams we have anywhere in the world, and it will need to grow even larger if it is to carry out the daunting but also exciting tasks assigned to it under the Final Peace Accord.

Unlike many other Governments around the world, Colombia has accepted that we are fiercely independent; that we will criticize them from time to time, as well as their opponents; that we play the role of the blunt friend prepared to speak plain truths when necessary. We have had our ups and downs, our disagreements. But I think there has been a growing number of people at all levels of Government — local, regional and national — who realise that neutral outside monitoring, advice and expertise are useful stimuli for improving human rights, and that improved human rights are essential for sustainable peace and development.

And the compliments should go both ways: for my part, I wish to point out that Colombia — despite all the conflict, killings, displacement and other horrendous abuses and violations that have taken place — has made some remarkable advances in human rights in the 19 years we have been here. This is perhaps nowhere more apparent than in the text of the Final Peace Accord, which contains 353 references to "rights", and a preamble which stresses that the entire accord is permeated with human rights, as well as a strong focus on gender. It also has five specific references to the role the UN human rights office is requested to play during the implementation of the Accord.

Human rights are now well understood and appreciated in Colombia, by the authorities and the population at large. The country has developed a large number of effective, determined and courageous human rights defenders and NGOs. State institutions are generally cooperative and open to constructive suggestions, and there are some remarkable individuals within those institutions — real committed supporters of human rights — without whose help none of this would have been possible. Implementation of some fine laws and policies is, however, decidedly patchy. And swift and determined implementation will be absolutely key to the success of the Accord.

In addition to the excellent cooperation of the State in general, during this visit I have had useful and informative interactions with representatives of many different sectors of Colombian society, ranging from the current and former Presidents, Ministers and other senior national and local Government and State officials, members of civil society, community leaders, and many more. I also met several member of the FARC Secretariat, including Mr Londoño, with whom I held frank and constructive discussions for nearly two hours on Monday, shortly before the signing ceremony.

I told Mr Londoño then, and I repeat to you now, the following: I promise that we, the UN Human Rights Office, as foreseen in the text, will follow the progress of the numerous human rights aspects of the peace accords closely. I will not hesitate to speak out, or intervene in other ways, in the event of any serious violations or omissions by either side.

I will pay close attention to the fulfilment of the guarantees for the protection of members of FARC from physical violence, and stigmatization, made by the Government. It is of fundamental importance that there is no repeat of the deplorable assassinations that have followed — and sometimes wrecked — previous peace agreements, most noticeably the decimation of the members of the Patriotic Union (UP), a political party that included the FARC after a 1984 ceasefire agreement between them and the Government. In all, several thousand members of the UP were murdered over the next few years, others were forced into exile, and peace was postponed for a further 30 years.

The leader of the M19 group was also assassinated after they demobilized and he entered politics, and so were many members of the paramilitaries who had disarmed. This must not happen this time.

My staff in Colombia have been working extremely closely with, and been deeply inspired by, the human rights defenders who live and work among the victims, and who have all too often paid with their lives for their commitment to justice and human rights.

Attacks on human rights defenders, including those working on issues such as LGBTI and on behalf of discriminated or marginalized groups such as the Campesinos, are continuing, along with attacks on journalists. In all, my office has documented a staggering total of 776 human rights defenders killed from 1994 to 2015. We are working on a further 36 cases involving human rights defenders who may have been killed because of their work in the first nine months of 2016.

The responsibility for the protection of both human rights defenders and demobilized members of FARC lies squarely with the Government, and my Office will work with it to ensure that the mechanisms created for this purpose are effective.

I will not hesitate to speak out or intervene if elements of FARC fail to carry out its commitments, including through resorting to violence or crime. For example, if we believe that FARC is not acting seriously to carry out its obligations to deliver the entire truth and provide reparations to its victims, we will say so. If the Government fails to create the programmes necessary for the improvement of social, economic and cultural rights, including the establishment of viable livelihoods including crop substitution programmes in coca growing areas, we will speak about that.

One action we are required to take in the Final Peace Accord is to include a new section in our annual report devoted to reporting and analyzing progress — or setbacks — on the human rights related aspects of the Accord, and we will take that responsibility very seriously. But we will of course also commentate on the process, as and when necessary, between the publication of the annual reports.

Immediate action is needed by all those involved in human rights violations to individually and collectively begin socially valuable work that will measurably increase the level of respect for human rights in communities affected by the conflict. My Office stands ready to develop a certification system that can be used to demonstrate their willingness to engage in concrete gestures of reconciliation and their contribution towards reparations.

The difficulties will be immense. There will be dramas, misunderstandings, delays and setbacks. It is important that expectations are not too high, despite the Accord setting stringent timetables and benchmarks, but it is even more important that every effort is made to maintain the momentum. The Government and FARC, and each and everyone of us involved in this process, must now up our game. We simply cannot afford to let things slip and disillusion set in.

And it is a truly daunting task: truth, reconciliation, reparations, accountability; rapid and large-scale development in the poorest areas; dramatic improvements in infrastructure, including roads, health, education; job creation, crime reduction, efforts to tackle corruption — simple abstract terms that refer to vast areas of complex policies and hard work needed to underpin the peace process.

One of the most discussed areas of the Final Peace Accord is justice and accountability. I have made it clear during my discussions with Government ministers and the FARC leaders, that there must be accountability, and it must be in line with international standards when it comes to ‘international crimes’ — in other words war crimes, crimes against humanity and other very serious human rights violations.

It is quite wrong to suggest — as some have done — that the Accord offers complete impunity. How accountability will be applied in practice by the courts is not yet clear, however. It is an aspect of the Accord which we — along with many others — will scrutinize very closely when it comes to implementation. We reserve the right to comment forcefully if we feel that the practice is straying beyond what is acceptable with respect to established standards. It should be noted that impunity for serious crimes has been a chronic problem in Colombia for many years in relation to groups other than the FARC — such as some of the paramilitaries, and also soldiers, police and other state actors suspected of committing serious crimes and violations.

The day before the Cartagena signing, I visited the village of Mampuján in the Montes de Maria region of Bolivar Department. Mampuján, and its neighbour Las Brisas, were targeted by a paramilitary group, who accused them of collaborating with the FARC, in March 2000. Twelve people were tortured and summarily executed, and the rest of the population driven out.

The situation of these two villages provides a sort of microcosm of the complex problems and possibilities that will be faced by countless other communities following the signing of the Peace Accords. My staff have been working closely with the Mampuján and Las Brisas communities for the past four years, focusing on access to truth about what happened, as well as on justice, reparations and efforts to ensure there is no repetition.

There has been considerable progress in some areas, and virtually none in others. Most families do not yet have a house to go back to, and promises to build a hard-top road through Mampuján to the more remote Las Brisas — vital for transporting and selling the agricultural produce on which both villages depend for a living — have likewise not yet materialized.

Better, if incomplete, is the progress in the area of justice and reconciliation: two of the paramilitary leaders confessed their roles in the attacks on the two villages during the first judgment under the Justice and Peace Law governing the demobilization of the paramilitaries in 2005-6, and were jailed. Mampuján community leaders — and this village contains some truly remarkable people, including an award-winning group of women weavers — met them face to face when they were in jail, and this has had an important impact on the villagers. Further reconciliation efforts are planned now the two men, whom community leaders seem to believe are genuinely repentant, have finished serving their sentence.

Alan Jara, the Director of the Victims Unit who travelled with me to Mampuján, was himself kidnapped and held captive by the FARC for nearly eight years. He made a powerful presentation reinforcing the villagers' own efforts towards forgiveness and reconciliation, declaring that the most important thing was that what happened in Mampuján — and what happened to him — do not happen again. He told the villagers that he found it “incredible there is even a debate” about whether or not to vote yes in Sunday's plebiscite. In his view, and I quote, “there are 8 million victims, and so 8 million reasons to end the conflict.”

There are thousands upon thousands of Mampujáns across Colombia, and the Government needs to dedicate massive resources to capitalise on the opportunity created by the peace process. The deprivation in many rural areas of Colombia is shocking, with an average 44 percent of the rural population living in multidimensional poverty, compared to just 15 percent of the urban population.

The figures are even worse in areas where the majority populations are indigenous or Afro-Colombian. In Chocó department, for example, where the population is 82% Afro-descendant and 12% indigenous, poverty affects 68% of the population. In Guajira, the department with the largest indigenous population, 53% live in poverty, despite Guajira having one of the highest oil revenues in the country.

In these and other similarly affected departments, inequality results in the deaths of children by malnutrition and lack of access to the right to health. My Office has collected information showing that indigenous and Afro-Colombian girls and boys in Chocó continue to die from whooping cough, gastroenteritis and respiratory diseases, as a direct result of the major obstacles they face accessing appropriate health services.

In addition, in many cases, not only do they not have access to safe drinking water and basic sanitation services, they are dependent on water that has been poisoned by the mercury waste flushed into rivers by illegal gold-mining enterprises operating in the full knowledge of local, departmental and national authorities. I visited some illegal mining sites on the Atrato river in Chocó two days ago, in the company of the Minister of the Environment, whom I acknowledge is working tirelessly on this issue, but is facing considerable resistance and poor prioritisation, lack of coordination among Government and State entities, corruption, and a failure to involve local communities in the search for viable legal solutions.

Women and children are particularly badly affected: according to Colombian Health Ministry figures, the maternal mortality rate in Chocó stands at 181.64 per 100,000 live births, more than five times the Bogotá rate of 33.7. Similarly, mortality rates for children under five stand at 31.86 per 100,000 live births in Chocó, almost three times the Bogotá rate of 11.76.

While the conflict, and the operations of FARC and of other armed groups such as the ELN and criminal groups involved in the drugs trade, explain some of this, there is really no excuse for a sophisticated middle-income country such as Colombia to be producing such massive disparities in social and economic indicators between urban and rural areas. FARC and some of the other armed groups were nourished by disillusionment and anger about the deprivation in rural areas, and it is therefore essential that the Government invests massive human and financial resources to prevent history from repeating itself.

It is not just the authorities, international organisations like my own and NGOs that have a role to play in peace-building and development activities. In Medellín, I had an encouraging discussion with business leaders about the potential for the private sector to contribute. I was impressed by their awareness of the transformative role Colombia's business community can take in improving the human rights situation. I was equally impressed by their deep understanding of the intricate challenges Colombia faces in promoting human rights and development in rural areas. Those attending the meeting were also open to finding jobs for victims of the conflict and demobilized FARC members who abandon illegal activities and integrate into civilian life. Acquiring jobs that provide a viable income is of course a vital element in preventing demobilised fighters from being drawn into other armed groups or criminal organisations — one of the main fears being expressed about the Final Peace Accord.

Another key topic was the need to transform the illegal and informal mining industries, like the ones I saw on the Atrato River later the same day. According to the business leaders I met — with whom we have been building a relationship over several years — the private sector is ready to contribute to the formalization and regulation of these destructive industries, and requested my Office's support to help develop new public policies to that end.

We in the United Nations, like most Colombians, want nothing more than a successful peace to take firm root all across the country. Not only is it so desirable in its own right, it would also be a much-needed antidote to the disastrous state of affairs in so many other places around the world, most notably my own region, the Middle East. What is happening

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in Colombia is profoundly good news — and this planet has been all too short of good news in recent years.

But there are further steps towards peace that also need to be taken now, while there is such a favourable wind of opportunity blowing across the country.

A few days ago, Colombia's other remaining major guerrilla force, the National Liberation Army (or ELN), declared it would observe a ceasefire until the plebiscite is over. I urge the ELN, as an act of good will, to extend that ceasefire.

And I urge the Government to create a schedule for the implementation of the accords it has reached with social movements and communities, but not implemented, which is causing considerable tension, not just in areas where the ELN is operating, but all across the country. And my Office will continue its efforts to support this vital process.

I also pledge the full and enthusiastic support of my Office, which has gained so much experience during the long process of negotiations with the FARC — including numerous visits by my Representative in Bogota to Havana — to support any concerted attempt to end the conflict between the Government and the ELN.

Illicit economies are a source of violence and human rights violations. It is important for all parts of Colombian society to work towards transforming these illicit economies. The State should create a set of incentives to facilitate successor groups of paramilitaries to stop their illegal activities and contribute to this transformation -- so that finally, in a few years time, Colombia can benefit from complete peace.

Complete peace. With imagination and effort this is now attainable. And what a country this will be if it can attain it.

Thank you.

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