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country summary

Colombia

Colombia's internal armed conflict continues to result in widespread abuses by irregular armed groups, including both left-wing guerrillas and paramilitaries who remain active. Targeted killings, forced disappearances, use of antipersonnel landmines, recruitment of child combatants, and threats against trade unionists, human rights defenders, and journalists remain serious problems. Due to the abuses, Colombia has the second largest population of internally displaced persons in the world.

Colombia's public security forces also engage in abuses, and in recent years there has been an alarming increase in reports of extrajudicial executions of civilians by the military.

Most cases involving violations of human rights and international humanitarian law are never solved. Thanks to investigations by its Supreme Court, Colombia has begun to make progress in uncovering longstanding links between paramilitaries and high-ranking national political figures. Nonetheless, on several occasions in 2007 the administration of President Álvaro Uribe took steps that threatened to undermine this progress.

Paramilitary Influence in the Political System

Dozens of Congressmen from President Uribe's coalition, including the president's own cousin, Senator Mario Uribe, came under investigation by the Supreme Court in 2007 for their alleged collaboration with paramilitaries responsible for widespread atrocities. At this writing, 17 congressmen were under arrest. One of them is the brother of former Foreign Minister Maria Consuelo Araújo, who resigned as a result. President Uribe's former intelligence chief from 2002 to 2005, Jorge Noguera, is also under investigation for links to paramilitaries.

The government has provided funding to the court and spoken of the need for full investigations. However, President Uribe has repeatedly lashed out against the court, accusing it of suffering from an “ideological bias” and personally calling one Supreme Court justice to inquire about ongoing investigations.

In April 2007 President Uribe announced a proposal to release from prison all politicians who are convicted of colluding with paramilitaries. After it became evident that the proposal would be an obstacle to ratification of the US-Colombia Free Trade Agreement, he tabled it.

Demobilization of Paramilitary Groups

The Colombian government continues to claim that, thanks to its demobilization program, paramilitaries no longer exist.

Both the Organization of American States and the Office of the UN High Commissioner for Human Rights in Colombia reported in 2007 that mid-level paramilitary commanders continue to engage in criminal activity and recruitment of new troops.

The Inter-American Commission on Human Rights noted in a 2007 report that while over 30,000 individuals may have gone through demobilization ceremonies, some may not have been paramilitaries at all, but persons who played the role to access government stipends.

Thanks to a 2006 ruling by Colombia’s Constitutional Court, paramilitary commanders and others who have applied for reduced sentences under Law 975 of 2005 (known as the “Justice and Peace Law”) are legally required to confess and turn over illegally acquired assets. However, confessions moved slowly in 2007, in part due to a lack of sufficient prosecutors and investigators assigned to the unit of the attorney general’s office charged with interrogating the commanders.

Several paramilitary leaders are temporarily in prison, but government officials have publicly stated that they will eventually be allowed to serve their reduced sentences on “agricultural colonies” or farms.

Guerrilla Abuses

Both the FARC and ELN guerrillas continue to engage in abuses against civilians. The FARC's widespread use of antipersonnel landmines has resulted in a dramatic escalation in new reported casualties from these indiscriminate weapons in recent years. The FARC also continues regularly to engage in kidnappings. In June 2007, the FARC announced that 11 congressmen from the state of Valle del Cauca that it had been holding for more than five years had been shot to death while under their control.

The government announced in June that it was unilaterally releasing hundreds of FARC members, as well as Rodrigo Granda, a senior FARC leader, from prison to encourage the FARC to release hostages. At this writing, the FARC had not moved to release any hostages.

Military Abuses and Impunity

Reports of extrajudicial executions of civilians by Colombia's army have increased substantially in recent years, according to the UN High Commissioner for Human Rights as well as local groups, including the Colombian Commission of Jurists. Colombia continues to suffer from rampant impunity for human rights abuses. The authorities' failure to effectively investigate, prosecute, and punish abuses has created an environment in which abusers correctly assume that they will never be held accountable for their crimes.

The problem is particularly acute in cases involving military collaboration with paramilitaries. Low-ranking officers are sometimes held accountable in these cases, but rarely is a commanding officer prosecuted.

In one positive development, prosecutors in 2007 continued to make progress in investigating the "disappearance" of 10 people during security force operations in 1985 to retake Colombia's Palace of Justice (which housed the Supreme Court), after its invasion by the M-19 guerrilla group.

Violence against Trade Unionists

Colombia has the highest rate of violence against trade unionists in the world. The National Labor School, a Colombian labor rights group, has recorded over 2,500 killings of trade unionists in Colombia since 1986.

The number of yearly killings has dropped since 2001. However, the situation remains critical. The National Labor School reports that 72 trade unionists were killed in Colombia in 2006. The government reports 58 killings in 2006. At this writing, final statistics for 2007 were unavailable.

The overwhelming majority of these cases have never been solved. In 2007, a specialized sub-unit of the attorney general's office reopened some cases, but it remains to be seen whether the unit will produce concrete results.

Threats against Human Rights Defenders, Journalists, and Victims of Paramilitaries

Human rights monitors, journalists, politicians, and victims of paramilitary groups continue to be the subjects of frequent threats, harassment, and attacks for their legitimate work. Investigations of these cases rarely result in prosecutions or convictions.

In 2007 President Uribe once again made statements attacking the media for its coverage of public issues. In October, journalist Gonzalo Guillén fled Colombia due to the numerous death threats he received after Uribe accused him of making false claims about the president. Another prominent journalist, Daniel Coronell, who had only recently returned to Colombia after nearly two years in exile, also received a death threat after Uribe publicly accused him of being a "liar."

Victims of paramilitaries who speak about their experiences are also threatened and sometimes killed. Mrs. Yolanda Izquierdo, for example, a mother of five who led a group of 700 paramilitary victims who were demanding the return of land that paramilitaries had stolen from them, requested government protection after

receiving repeated threats to her life. The protection was never provided. In February, 2007, she was shot to death in front of her house.

The Colombian Ministry of Interior has a protection program, established with US funding, for journalists, trade unionists, and others who are under threat. The program does not cover victims of paramilitaries who present claims in the context of the demobilization process. In October 2007 the government announced that, pursuant to a Supreme Court ruling, it would create a victim protection program.

Discrimination against Same-Sex Couples

On May 14, 2007, the UN Human Rights Committee found that Colombia had breached its international obligations when it denied a gay man's partner pension benefits. In June, the Colombian Senate voted down a law that would have guaranteed same-sex couples equal access to welfare benefits. Colombia's Constitutional Court, however, issued decisions advancing equal rights: in February, it recognized same-sex civil partnerships and in October it recognized the right of same-sex partners to participate in the health plans of their partners.

Key International Actors

The United States remains the most influential foreign actor in Colombia. In 2007 it provided close to US\$800 million to the Colombian government, mostly in military aid. Twenty-five percent of US military assistance is formally subject to human rights conditions.

The United States also provides financial support for the paramilitary demobilization process, subject to Colombia's compliance with related conditions in US law. In 2007 the US Congress updated and strengthened the conditions in US law on military assistance and support for the demobilization process. In April 2007, the US Congress froze \$55 million in US assistance due to concerns over the increase in reports of extrajudicial executions by the military and lack of adequate progress in reducing impunity in major cases involving military-paramilitary links.

The Democratic leadership in the US House of Representatives announced in June 2007 that it would not support a Free Trade Agreement with Colombia until there is

“concrete evidence of sustained results on the ground” with regard to impunity for violence against trade unionists and the role of paramilitaries.

In 2007 the US Department of Justice announced a US\$25 million settlement with Chiquita Brands in a criminal proceeding over the multinational corporation’s payments to paramilitaries in the banana-growing region of Colombia. The AUC paramilitaries, as well as FARC and ELN guerrillas, are on the US Department of State’s list of Foreign Terrorist Organizations.

The United Kingdom provides military assistance to Colombia, though the full amount is not publicly known. The European Union provides social and economic assistance to Colombia, and has provided some aid to the government’s paramilitary demobilization programs.

The OAS Mission to Support the Peace Process in Colombia, which is charged with verifying the paramilitary demobilizations, issued reports in 2007 highlighting the presence of new, re-armed, or never demobilized groups. The Inter-American Commission on Human Rights also released a report raising numerous concerns over implementation of the demobilizations.

The Office of the UN High Commissioner for Human Rights (UNHCHR) is active in Colombia, with a presence in Bogota, Medellin, and Cali. In 2007 the UNHCHR announced that the government had extended the office’s full mandate, with no changes.