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SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1

Colombia*

The present report is a summary of 21 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The periodicity of the review for the first cycle being four years, the information reflected in this report mainly relates to events that occurred after 1 January 2004.

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

1. In accordance with information submitted by 34 organizations (JS3), in February 2008, the Colombian Government wrote to the civil and human rights organizations asking for their views regarding the human rights situation in the country for the purpose of the report to be submitted for the universal periodic review.² Those organizations reported that the Alianza de Organizaciones Sociales y Afines por la Democracia y la Paz (Alliance of Social and Related Organizations for Democracy and Peace) (754 organizations), the Colombia-Europe-United States Coordination (199 organizations) and the Plataforma Colombiana de Derechos Humanos, Democracia y Desarrollo (Colombian Human Rights, Democracy and Development Platform) (110 organizations) queried the methodology employed by the Government for the review, considering that the State's attitude has been one rather of conflict than collaboration with civil society.³ For their part, the organizations representing the LGBTTTTI (lesbians, gays, bisexuals, transgenderists, transvestites, transformists, transgender, trans and intersex) sector reported that they had not been included in the survey, as they are not considered to be valid contributors owing to existing prejudice towards their working areas.⁴

A. Scope of international obligations

2. Amnesty International (AI) reported that on ratification of the Rome Statute, Colombia made eight interpretative declarations and a declaration invoking article 124.⁵ AI called on the government to withdraw the declaration made under Article 124 declaring that it does not accept the jurisdiction of the Court over war crimes committed by its nationals or on its territory and the declaration which attempts to limit the Court's jurisdiction regarding political crimes.⁶

B. Constitutional and legislative framework

3. According to AI, the legal framework for the demobilization process of paramilitary groups initiated in 2003 has failed to conform to international standards on the rights of victims to truth, justice and reparation, as well as to ensure that paramilitaries are effectively dismantled and held to account for any human rights abuses.⁷ About ten percent of the more than 31,000 paramilitaries that are said to have demobilized, have been included within the scope of the Justice and Peace process, under which they will benefit from reduced sentences in return for "full" disclosure of their involvement in human rights violations. The remaining 90 percent have so far escaped prosecution because Decree 128 grants de facto amnesties to those who are not under criminal investigation for human rights abuses or who have not been convicted of such crimes.⁸ According to Vides Internazionale (VI), the Ministry of Defence estimates that between 2002 and 2008, 16,074 ex members of armed groups have demobilized individually, 2,412 of which were child soldiers.⁹ VI also indicated that children must be considered victims of forced and illicit recruitment, and therefore should not be considered liable for crimes committed during their status as conscripted soldiers.¹⁰

4. Conscience and Peace Tax International (CPTI) indicated that under Article 2 of Law 548/99, the possibility of "voluntary" enlistment on mandatory military service of under the age of 18 had been repealed.¹¹

C. Institutional and human rights infrastructure

5. Colombia's institutions are facing serious threats, not only from the FARC guerrillas, but also from paramilitaries who have infiltrated the political system, as reported by HRW.¹² Key institutions, like the Colombian Congress, are undergoing a major crisis of legitimacy. HRW further

indicated that Colombia's institutions of justice, and particularly its Supreme Court, have stood almost alone in bravely facing down the paramilitary threat, but they have to constantly struggle to defend their independence.¹³ HRW recommended that the Council urge the Uribe administration to cease its attacks on the Colombian Supreme Court and other actors who are investigating paramilitaries' accomplices, and instead offer its unequivocal support for the investigations.¹⁴

D. Policy measures

6. The United Nations and Colombian human rights organizations have been insisting for many years that the State should adopt a National Plan of Action in Human Rights and International Humanitarian Law, according to the report by the organizations belonging to the OIDHACO (International Office for Human Rights - Action on Colombia) network.¹⁵ In this respect, the organizations have called for greater guarantees for their work, since these have not yet been granted and coordination remains suspended as a result.¹⁶

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

7. The OIDHACO network considers that several rapporteurs should visit the country as a matter of urgency, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the independence of judges and lawyers and the Working Group on Arbitrary Detention, which for years has been telling the Government that it would like to visit the country.¹⁷ The Andean Commission of Jurists, the World Organisation Against Torture (OMCT), La Alianza, the Colombia-Europe-United States Coordination and the Colombian Human Rights, Democracy and Development Platform, hereinafter referred to as joint submission JS1, recommended to the government to cooperate with the special procedures mechanisms through the effective implementation of the standing invitation for mandate-holders to visit the country.¹⁸

8. The OIDHACO network indicated that the Government has not complied with the recommendations issued by the former Commission on Human Rights, the Office of the United Nations High Commissioner for Human Rights (OUNHCHR), the system of rapporteurs and working groups and the supervisory committees on convention obligations, and has even acted against them, as in the case of its negotiations with the paramilitary groups, or its actions disregarding the independence of the judiciary and the land restitution rights of displaced persons, in particular the Afro-Colombian and indigenous communities.¹⁹

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

9. The JS1 organizations reported that for the last 40 years there has been an armed conflict in the meaning of article 1 of Protocol II Additional to the Geneva Conventions relating to non-international armed conflicts, and they mentioned the persistent denial by the President of the Republic that such a conflict exists.²⁰ The present Government refers to the armed conflict as a fight against terrorism.²¹ According to the OIDHACO network, the national Government's denial of the existence of an internal armed conflict has hampered the search for a negotiated solution, which has also raised doubts about the Government's wish fully to apply international humanitarian law.²² The OIDHACO network also referred to programmes such as the peasant soldiers and informers' network programmes, which continue to be implemented despite the fact that since 2002 the United Nations High Commissioner for Human Rights has recommended not applying them.²³ Between the Colombian Government and the FARC-EP (Revolutionary Armed Forces of

Colombia - People's Army), various initiatives and proposals have been tabled since 2004, on the Government's side to obtain a humanitarian exchange of prisoners and kidnap victims, sometimes with the mediation of foreign governments, but there are no dialogue channels between the parties. Between the Government and the National Liberation Army (ELN), peace discussions have been taking place since 2005, but at the date of this report no agreement has been reached regarding a negotiating agenda.²⁴

1. Equality and non-discrimination

10. While some positive changes have been observed in the law favouring the rights of LGBT persons, these have been obtained through judicial proceedings (*tutela* action) and the jurisprudence of the Constitutional Court, as reported by 34 organizations in their joint submission (JS3).²⁵ Colombia Diversa (CD) also submitted information about discrimination at work, in the access to and quality of health services, and in the right to education; on violence based on prejudice; on police abuse and on the situation of LGBT persons deprived of liberty. Trans-ser also contributed information concerning the problems affecting this group.²⁶

2. Right to life, liberty and security of the person

11. In recent years, there have been increasing reports of extrajudicial executions carried out directly by the security forces, as reported by AI.²⁷ Most of the victims are campesinos or community leaders who the security forces falsely claimed were guerrillas killed in combat. In most cases, the military justice system claims jurisdiction over the investigation, and as a result such cases are often closed prematurely and those responsible are rarely brought to justice.²⁸ AI indicated that the government has issued a number of directives designed to tackle the increase in extrajudicial executions, however, these are yet to yield concrete results.²⁹ HRW also reported that the Army has increasingly been carrying out extrajudicial executions of civilians, who they later claim were combatants killed in action.³⁰ The OIDHACO network also submitted information on the problem of the "false positives", indicating that from January to December 2007, human rights organizations collected information on 131 cases of "false positives", in which 211 persons were killed, 20 tortured, 15 injured and 22 arbitrarily detained.³¹

12. According to HRW, the Government often claims that paramilitaries no longer exist, however new paramilitary groups have cropped up all over the country.³² HRW indicated that the Organization of American States (OAS) Mission verifying the demobilizations has identified 22 such groups. The paramilitaries enforce their control through killings, enforced disappearances and threats, and they exert influence at some of the highest levels of government, as also indicated by HRW.³³ In recent months, eight foreign embassies in Bogotá and the OAS have reportedly received threats from these groups.³⁴ HRW further indicated that victims who have sought to press claims related to abuses by the paramilitaries have been killed.³⁵ HRW recommended that the Council urge the Government to take strong action to fully dismantle paramilitaries' continuing criminal, financial and political networks by supporting full and effective criminal investigations of these groups; and substantially strengthen the witness protection program.³⁶ According to the OIDHACO network, in December 2007, 542 paramilitaries were in prison. The great majority were not prosecuted under the Justice and Peace Act and were released under the 2003 Decree No. 128. Furthermore, the demobilization process has reached a legal impasse since the ruling of the Criminal Chamber of the Supreme Court of Justice, whereby offences perpetrated by the paramilitary are not political in nature so that such persons cannot take advantage of Decree No. 128.³⁷

13. Guerrilla groups continue to commit human rights abuses and to violate international humanitarian law, including deliberate killings of civilians, abductions and hostage-taking, as reported by AI.³⁸ The FARC is believed to hold around 700 hostages, often in appalling conditions. AI also expressed concern about the dispute between the FARC and the National Liberation Army (ELN) in Arauca Department, which has resulted in the killing of hundreds of civilians over the last few years, and about the continued use of anti-personnel mines by guerrilla groups. The FARC were also allegedly responsible for many of the 29 killings of candidates in the run-up to the October 2007 local elections. AI further expressed concern about bomb attacks that have taken place in several urban areas, some of which the authorities attributed to the FARC.³⁹ In recent years there has also been a substantial increase in the number of casualties from antipersonnel landmines, which are used by the guerrillas, as reported by HRW.⁴⁰

14. According to JS1, between 2002 and 2007, around 932 persons were subjected to torture; 90.6 per cent of these cases involved the State's responsibility, while 9.4 per cent are believed to be attributable to the guerrilla.⁴¹ Out of the total number, 82 were women and 33 minors. There were further reports of cases of cruel and degrading treatment by the police against the LGBT population.⁴²

15. The JS1 organizations also indicated that from 2002 onwards there was an increase in arbitrary detentions, coinciding with the implementation of the "democratic security" policy.⁴³

16. Colombia's laws criminalizing enforced disappearances are quite advanced, but their application is altogether insufficient, according to OIDHACO.⁴⁴ Enforced disappearances have long been a cornerstone of the security forces' counter-insurgency strategy, as reported by AI.⁴⁵ In most cases no one has been held accountable. Although some of the paramilitary leaders participating in the Justice and Peace process have revealed information about persons they have killed, information about the identity of their victims and the whereabouts of their bodies remains sketchy. More than 1,525 bodies of people thought to have been subjected to enforced disappearance by paramilitaries were exhumed between 2006 and 2008. Only 193 bodies have been identified and 160 returned to their families. The Attorney General's Office is reportedly investigating more than 15,000 cases of enforced disappearances.⁴⁶

17. According to information provided by Human Rights First, Front Line, OMCT and FIDH ('The Coalition'), from July 2002 to December 2007, 75 human rights defenders were killed. Human rights defenders face a range of attacks and forms of intimidation, such as smear campaigns and break-ins, surveillance, death threats, physical assaults, kidnapping, assassination attempts and other types of attacks, such as unfounded criminal prosecutions and stigmatization as terrorist sympathizers.⁴⁷ The Coalition noted that the President should issue and enforce a directive prohibiting public officials from making false accusations that compromise the security or reputation of human rights defenders and the Colombian Congress should enact legislation regulating the use and collection of information in government intelligence reports.⁴⁸ The OIDHACO network comments that although the Government does run a protection programme, it is ineffective, due amongst other reasons to negative interference by top officials of the military and the Government and by the President of the Republic.⁴⁹

18. According to statistics provided by AI, there has been an increase in killings of trade union members in 2008.⁵⁰ According to the World Federation of Trade Unions (WFTU), in 2008, 26 trade union members were killed, most of them by paramilitary groups, who consider that the trade union

movement is related to the guerrillas or to extreme left-wing movements. WFTU further indicated that 96.8 per cent of these killings remain unpunished.⁵¹ HRW also raised concerns on the killings of unionists and recommended to provide increased long-term support to the prosecutors' subunit, in the Office of the Attorney General, investigating unionist killings.⁵²

19. The OIDHACO network commented that in the dynamic of internal armed conflict, women especially suffer physical, psychological and sexual violence.⁵³ The JS3 organizations also stressed the vulnerability of lesbian women.⁵⁴ According to the Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM), several reports agree that the present Democratic Security Policy increases the exposure of women to sexual violence.⁵⁵ Threats and direct attacks against women and their organizations are still continuing.⁵⁶ CLADEM also indicated that in the last four years a total of 127 cases of sexual violence were reported to the National Directorate of Public Prosecutors' Offices, in which most of the aggressors were identified as persons belonging to legal or illegal armed groups.⁵⁷ On the other hand not enough effort has been made in the implementation of the Justice and Peace Act to draw attention to the offence of sexual violence perpetrated against women, adolescents and girls.⁵⁸ AI also reported that in May 2008 the Constitutional Court ruled on a "tutela" presented on behalf of women victims of paramilitary violence stating that the government's strategy for protecting victims was in breach of the state's constitutional and international obligation to prevent discrimination and violence against women. The Court gave the authorities six months to revise the witness protection programme.⁵⁹ The JS1 organizations also supplied information on sexual violence against women.⁶⁰

20. CPTI also expressed concern about a number of human rights violations associated with the military recruitment system in Colombia, such as *inter alia*, the practice of the "batidas," as well as forced recruitment, by both, the armed forces of the state and non-state actors.⁶¹

21. According to VI, it is estimated that there are between 11,000 and 14,000 child soldiers in Colombia today.⁶² HRW indicated that the guerrillas regularly recruit children as combatants, including children under the age of 15.⁶³ AI reported that it continues to receive reports about forced recruitment of children by both guerrilla and paramilitary groups.⁶⁴ On 6 March 2007, the Ministry of Defence issued a Directive prohibiting the use of children for intelligence purposes; however, AI indicated that the Colombian security forces continue to employ children in intelligence and other similar activities. AI also noted that on 12 February 2008, the government accepted the reporting and monitoring mechanisms under United Nations Security Council Resolution 1612 (2005) but expressed reservations about extending the reporting and monitoring mechanism to cover acts of sexual violence.⁶⁵ AI called on the government to ensure the full participation of NGOs in the mechanism, the effective coordination with the United Nations as well as the inclusion of sexual violence as a specific category within the mechanism. AI also called on the government to acknowledge that paramilitaries, as well as guerrilla groups, continue to recruit children and, as such, should not be removed from the United Nations Secretary General's list of parties that recruit or use children in situations of armed conflict.⁶⁶

22. The JS3 organizations expressed concern at the vulnerable situation of young transvestites or trans engaged in prostitution.⁶⁷

23. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) made reference to concerns expressed by the Committee on the Rights of the Child on the use of corporal punishment in the home and schools and other institutions, recommending enforcement of the legislation. GIEACPC further noted that there is no explicit prohibition of corporal punishment as a disciplinary measure in penal institutions.⁶⁸ GIEACPC hoped the review will recommend that the government enact explicit prohibition of all corporal punishment, however "light," in all settings.⁶⁹

24. The new Children's and Adolescents' Code established a new system for dealing with offences committed by minors. There is nevertheless much concern regarding the transition phase, since a great deal of effort is needed to train professionals, to verify the suitability of institutions and the diversification of educational models, according to reports by the JS4 organizations.⁷⁰

3. Administration of justice, including impunity, and the rule of law

25. The Justice and Peace Unit of the Office of the Attorney General is responsible for investigating abuses committed by members of illegal armed groups supposedly demobilized under Law 975, whereas investigation of human rights violations involving the security forces remains under the jurisdiction of the Human Rights Unit. AI further indicated that separate criminal investigations dealt with by different units may weaken investigations.⁷¹ According to HRW, accountability for serious crimes is almost non-existent.⁷² The OIDHACO network for its part indicated that the initial versions by the free paramilitary chiefs shed useful light on the set up that made the crimes of these groups possible. The truth-building process, however, was suddenly interrupted when the main paramilitary chiefs were extradited to the United States in May 2008.⁷³ The JS1 organizations also referred to the impunity enjoyed by paramilitaries for their crimes, the safety of victims and witnesses, the National Search Plan for Disappeared Persons adopted in 2007 and the extradition of 15 paramilitary chiefs to another country.⁷⁴

26. The OIDHACO network expressed its concern at the killing in 2006 and 2007 of 17 victims who were participating in the Justice and Peace process.⁷⁵ According to AI, in September 2007 the government created a protection programme for victims and witnesses participating in the Justice and Peace process.⁷⁶ AI also informed that on 22 April 2008, the government issued a Decree creating a programme for victims of abuses by illegal armed groups to receive modest individual monetary reparations from the state. However, the Decree fails to address the issue of land ownership, as well as reparation for victims of violations by the security forces and other state agents, and collective reparations for organizations that have been affected by the conflict, such as trade unions, human rights NGOs, and civilian Indigenous and Afro-descendant communities.⁷⁷ According to information provided by the OIDHACO network, the National Commission for Reparation and Reconciliation (CNRR) admits that demobilized paramilitaries have neither confessed nor handed over the quantity of properties required by law, and none of the goods offered by them in the course of their inquiries have reached the Victims Reparation Fund.⁷⁸

4. Right to privacy, marriage and family life

27. The JS3 organizations mentioned the rights of same-sex couples, referring to one case in particular on which the Human Rights Committee had expressed its opinion in 2005 (Communication No. 1361/2005).⁷⁹

28. In their joint submission, World Vision, Plan Internacional Colombia, Aldeas SOS Colombia (SOS Children's Villages), Observatorio sobre Infancia de la Universidad Nacional de Colombia (Children's Observatory of the University of Colombia), and Save the Children United Kingdom (JS4) reported that a significant number of children throughout the country have not been entered in the civil registry of births, while others who were entered no longer appear in the registry, owing to the fact that the process of modernizing and automating the National Registry has still not been completed.⁸⁰ According to the law, children must be registered at the place of their birth, which is not easy to comply with for persons who have had to move or have insufficient means to do so.⁸¹

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

29. Religious organizations regularly complain that the registration process is too lengthy and cumbersome, as reported by the Institute on Religion and Public Policy (IRRP).⁸² There are also complaints by some non-Catholic organizations that the process is biased against them.⁸³ IRRP further indicated that there have been reports of violence, discrimination, harassment, and intimidation by guerrillas, paramilitaries, and indigenous groups targeting religious communities and individuals. There have also been sporadic reports of indigenous groups setting fire to some Christian missionary churches either on or near indigenous lands.⁸⁴

30. CPTI reported on difficulties faced by conscientious objectors, whose objection is all too often interpreted as active support of the “other side”. No legislation or regulations recognise conscientious objectors to be exempted or excused of such service and military authorities have refused to accept such declarations.⁸⁵ CPTI also referred to recent death threats to a number of prominent members of Red Juvenil, an organisation which has been active in the support of conscientious objectors to military service and other young persons threatened by forcible recruitment by the Government or any armed non-state actor in Colombia.⁸⁶

31. According to Reporters Without Borders (RWB), journalists in Colombia are directly and physically threatened. The media, especially in the provinces, risk reprisals if they tackle sensitive topics such as drug-trafficking, armed conflict and corruption. RWB reported that the main enemies of Colombian journalists are the paramilitary forces.⁸⁷ The guerrillas are also a threat to journalists.⁸⁸ Threats to journalists increased in the north-eastern department of Santander in the first quarter of 2008.⁸⁹ Five journalists obtained protection in 2007, under the OAS journalists protection programme.⁹⁰

6. Right to work and to just and favourable conditions of work

32. LGBT persons face greater obstacles at work on account of discrimination for reasons of sexual orientation and gender identity/expression, according to reports by the JS3 organizations.⁹¹

7. Right to social security and to an adequate standard of living

33. The JS1 organizations indicated that although the country has enjoyed significant levels of economic growth in recent years, this has not led to a decrease in inequality, poverty and unemployment. Regressive measures have been adopted, such as cutting back resources transferred to local authorities for investments related to health, education and basic sanitation.⁹² According to official figures quoted by the JS1 organizations, 41 percent of the population are in a situation of food insecurity, while public health has been deteriorating. The health system suffers from very uneven levels of coverage and quality, which depend on people's ability to pay. A further concern is the closure and privatization of the specialized hospital network.⁹³ The JS3 organizations noted the absence of public policies in favour of the LGBT population.⁹⁴ The JS4 organizations commented on the high proportion of the population without access to basic services, or to supplies of drinking water or sanitation; the nutritional situation of ethnic minorities; the worrying number of international adoptions; the ill-treatment of children; the sexual and commercial exploitation of minors; and child labour, chiefly in the informal sector and in high risk occupations.⁹⁵

34. The JS1 organizations mentioned attacks against property protected by humanitarian law, such as blocking of food supplies and highways, or attacks on medical missions and schools, perpetrated by all the groups involved in the hostilities. The guerrilla groups continue to use prohibited weapons. The JS1 organizations also reported that, according to Handicap International, Colombia is the country with the highest number of victims of anti-personnel mines in the world.⁹⁶

35. Centre on Housing Rights (COHRE) supplied information on the right to adequate housing and against expulsions, with special emphasis on the rights enjoyed by the victims of enforced displacements.⁹⁷ COHRE pointed out that the State of Colombia should promote and adopt policies, programmes and concrete measures to ensure that displaced persons return to their lands, in conditions that guarantee their tenure, use and enjoyment of their property. It also drew attention to the opinion of the Constitutional Court of Colombia, according to which the right of persons in a situation of displacement to recover property they were deprived of is a fundamental right, because the relevant international norms are part of Colombia's domestic legislation since they belong to the country's "constitutional core" and must therefore be implemented by the national authorities.⁹⁸

8. Right to education

36. The JS1 organizations reported that in Colombia primary education is not free of charge. According to official data, the rate of illiteracy among persons over the age of 15 is 7.9 per cent. The rate among Afro-Colombian women is 18.4 per cent and men 16.9 per cent, among indigenous men 13.1 per cent and indigenous women 22 per cent.⁹⁹ According to the JS3 organizations, discrimination on the ground of sexual preference is encouraged by several bodies in the education system, which is reflected in the lack of public policies in favour of the LGBT population.¹⁰⁰

9. Internally displaced persons

37. AI and HRW indicated that the number of internally displaced people (IDPs) continues to increase. In the last 20 years, 3-4 million people have been forcibly displaced, in particular campesino and Indigenous and Afro-descendant communities.¹⁰¹ The Internal Displacement Monitoring Centre of the Norwegian Refugee Council IDMC/NRWC indicated that none of the IDPs live in camps, but there are areas where the majority of the inhabitants are IDPs. 96 per cent of the country's more than 1,000 municipalities have experienced force displacement.¹⁰² Afro-Colombian and indigenous communities are proportionally more exposed to conflict, violence and displacement.¹⁰³ The IDMC/NRC expressed concern *inter alia* about the precarious living conditions of IDPs in humanitarian zones; the increasing threats and attacks against returnees; the protection risks of internally displaced children and their limited access to education; the lack of adequate protection and effective remedies.¹⁰⁴

38. The JS1 organizations for their part commented that the State had not fulfilled its obligation to protect the property of the displaced population, nor had it undertaken to give back property that had been seized by the paramilitary groups.¹⁰⁵ According to the OIDHACO network, the returns organized by the Government have not respected the international principles of voluntariness, security and dignity. Many returned families have been displaced again.¹⁰⁶ The OIDHACO network also reported that the budget assigned to the displaced population has increased in recent years, but according to the Constitutional Court this effort is still insufficient.¹⁰⁷ The IDMC/NRC informed that in response to the Court verdict, the Nacional Plan of Integral Attention to People Displaced by Violence was launched in February 2005 and the government committed about US\$ 2 billion to the protection and assistance of IDPs for the period from 2005 to 2010.¹⁰⁸ The JS3 organizations also informed about little recognized displacement situations of LGBT persons on account of their sexual preferences, identity, appearance or gender expression.¹⁰⁹

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

39. The OIDHACO network welcomed the drop in the number of massacres, kidnappings and certain military-style operations, such as armed seizures of villages and illegal roadblocks on the country's highways. This decrease should be seen more as the outcome of strategies pursued in relation to the chief armed actors, including negotiating with paramilitary groups, increasing the presence of security forces and increasing pressure on the FARC-EP, rather than a human rights policy. Nevertheless, the increased militarization of territories had increased the number of human rights violations directly attributed to the security forces, such as extrajudicial executions.¹¹⁰

40. AI also indicated that all the parties to the internal armed conflict in Colombia continue to be responsible for widespread abuses of international human rights and humanitarian law, mostly committed against civilians. However, in recent years, there have been reductions in some types of human rights abuses. Kidnapping have fallen as have the number of killings of civilians.¹¹¹ AI welcomed the fact that several high-profile hostages, have now gained their freedom after years of captivity at the hands of the Revolutionary Armed Forces of Colombia (FARC). AI noted that the security situation has also improved in some urban centres, as well as in many of its principal highways. However, AI indicated that the human rights and humanitarian situation remains critical, and has even deteriorated in some regions, expressing particular concern about increases in extrajudicial executions committed by the security forces and about the increased number of civilians forcibly displaced by the armed conflict.¹¹²

41. The OIDHACO network considered that the fact that many of the contacts between politicians, both Congress and Executive, and paramilitary groups are being investigated is a significant step forward.¹¹³ It is hoped that these efforts will continue and will not be undermined by statements on the part of the President alleging a lack of independence of the Judiciary, or by legal initiatives designed to avoid establishing the judicial responsibilities of congressmen.¹¹⁴

42. The JS4 highlighted the passing of the Children's and Adolescents' Act as an advance for the country, but recalled that the current challenge now consisted in full implementation.¹¹⁵

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil Society

AI	Amnesty International, London (England)*.
CD	Colombia Diversa, Colombia
CLADEM	Comité de América latina y el Caribe para la Defensa de los Derechos de la Mujer/Latin American Committee for the Defence of Women's Rights (CLADEM), Colombia*.
COHRE	Centre on Housing Rights and Evictions, Geneva (Switzerland)*
CPTI	Conscience and Peace Tax International, Thonex (Switzerland)*.

GHRP	Germán Humberto Rincón Perfetti
GIEACPC	Global Initiative to End All Corporal Punishment of Children
HRW	Human Rights Watch, Geneva (Switzerland)*.
IDMC/NRC	Internal Displacement Monitoring Centre of the Norwegian Refugee Council, Geneva (Switzerland)*.
ICJ	International Commission of Jurists, Geneva (Switzerland)*.
Vides	International Volunteerism Organization for Women, Education and Development (Vides Internazionale)*.
IRPP	Institute on Religion and Public Policy, Washington DC (USA)
JS1	Joint submission by 5 NGOs: Colombian Commission of Jurists (CCJ)*, Bogotá (Colombia), OMCT*, La Alianza, Coordinación Colombia Europa Estados Unidos, Plataforma Colombiana Derechos Humanos Democracia y Desarrollo
JS2	Joint submission by 15 NGOs: Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (FADPDH), Madrid (España) and member organizations: Asociación para las Naciones Unidas en España (ANUE), Asociación Pro Derechos humanos de España (APDHE), Asociación para la Defensa de las Libertades Religiosas, Comisión Española de Ayuda al Refugiado (CEAR), Institut de Drets Humans de Catalunya, Instituto de Estudios Políticos para América Latina y África (IEPALA), Justicia y Paz, Liga Española Pro Derechos Humanos, Movimiento por la Paz, el Desarme y la Libertad (MPDL), Paz y Cooperación, Mundubat, UNESCO Etxea, Miembro Invitado: Asociación Española para el Desarrollo y la Aplicación del Derecho Internacional de los DDHH (AEDIDH), Madrid (Spain)
JS3	Joint submission by 34 NGOs: Espacio Latinoamericano de Sexualidades y Derechos - Proyecto Colombia Mulabi and Asociación Derecho a la Identidad-ADALID, Asociación Líderes en Acción, Bogotá Neo Queer Rockers, Colectivo Feminista Hallyaniwa - Universidad Nacional, Colectivo Sentimos Diverso, Colectivo Tinku, Colombia Diversa, Comunidad del Discípulo Amado, Corporación Sisma Mujer, Corporación el Otro, Corporación Opción por el derecho a ser y el deber de hacer, Ciudadano Gay de Medellín, De-liberar, DeGenerese-E, Escuela De Colores - Red De Maestros y Maestras Por La Diversidad Sexual, Fundación Radiodiversia, Grupo de Mamás Lesbianas, International Lesbians and Gay Law Association Latinoamérica, L & C Investigaciones, Mesa LGBT de Bogotá, Mesa Joven por la Diversidad Sexual, Movimiento Poder Ciudadano, Mujeres Al Borde, MULABI-Colombia, Paréntesis - Grupo Interdisciplinario de estudios de género y sexualidad-UN, Polo de Rosa-Bogota, Proyecto MundoLES, Punto Focal Colombia y por las personas trans de Latinoamérica del Frente Latinoamericano y del Caribe de Artistas Activistas VIHARTE, Punto Focal Grupo de Trabajo Trans de ILGA, Punto Focal Observatorio Latino AIDS for AIDS, Red de Apoyo a Transgeneristas, Transcolombia, Subsecretaría Trans ILGALAC Región Andina- y la Iniciativa por los Derechos Sexuales (una coalición que incluye a Action Canada for Population and Development; Creating Resources for Empowerment and Action - CREA- India; Mulabi - Espacio Latinoamericano de Sexualidades y Derechos y otros
JS4	Joint submission by 5 NGOs: World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido
The Coalition	Joint submission by 4 NGOs: Human Rights First*, Front Line*, OMCT* and FIDH* in the framework of their joint programme, the Observatory for the Protection of Human Rights Defenders ('The Coalition')
Red OIDHACO	Oficina Internacional de Derechos Humanos - Acción Colombia, Brussels (Belgium). Submission signed by 75 member organisations of the OIDHACO network and other international organisations: Austria: Dreikönigsaktion der Katholischen Jungschar DKA, Catholic Women's Movement KFB; Belgium: Broederlijk Delen, CNCD-11.11.11, Coalition of the Flemish North-South Movement - 11-11-11, Confédération des Syndicats Chrétiens CSC-ACV, Frère des Hommes-Belgique, Oxfam Solidarité, Solidarité Socialiste; France: Action des Chrétiens pour l'Abolition de la Torture ACAT-France, Comité Catholique contre la Faim et pour le Développement - CCFD, France Amérique Latine, Secours Catholique - Caritas France, Terre des Hommes; Germany: Brot für die Welt - Pan para el Mundo, Departamento de Derechos Humanos de la Obra Diaconica Alemania, Deutscher Caritasverband - Leiter Caritas international, Diözesanrat der Katholiken im

Bistum Aachen, kolko - Menschenrechte für Kolumbien e.v., kolumbienkampagne berlin, Kolumbiengruppe Nürtingen e.v., Misereor e.v., Nicaragua-Verein Düsseldorf e.v., Nürnberger Menschenrechtszentrum, Pax Christi Alemania Fondo de Solidaridad Un Mundo; Netherlands: Oxfam-Novib; Spain: Cooperacció, Federación de asociaciones de defensa y promoción de los derechos humanos, Fundación Mundubat - País Vasco, Intermón Oxfam, Taula Catalana por la Paz y los Derechos Humanos en Colombia (Generalitat de Catalunya, Fons Català de Cooperación al Desenvolupament, Ajuntament de Barcelona, Ajuntament de Lleida, Ajuntament de Sant Cugat del Vallès, Ajuntament de Santa Pau, Associació Catalana per la Pau, Colectiu Maloka - Colòmbia, Comissió Catalana d'Ajuda al Refugiat-CEAR, Consell Nacional de la Joventut de Catalunya, Entrepobles, Federació Catalana d'ONG per al Desenvolupament, Fundació Josep Comaposada - UGT, Fundació Pau i Solidaritat - CCOO, Fundació Pagesos Solidaris, Fundació per la Pau, Justícia i Pau, Lliga dels Drets dels Pobles, Moviment per la Pau, Solidara - Intersindical-CSC), Sindicatos de Cataluña (Comisiones Obreras-CCOO, Unión General de Trabajadores - UGT, Intersindical - CSC); Sweden: Colombianätverket, Diakonía Suecia, Forum Syd, Fundación Sueca para los Derechos Humanos, Swedish Fellowship of Reconciliation SweFOR; Switzerland: Arbeitsgruppe Schweiz-Kolumbien ask (Grupo de Trabajo Suiza - Colombia), Asamblea Internacional por la Paz en Colombia y en el Mundo-sección Suiza, Bethlehem Mission Immensee, Caritas Schweiz; United Kingdom and Ireland: British and Irish Agencies working in Colombia-ABColumbia (Christian Aid, Catholic Agency for Overseas Development CAFOD, Oxfam GB, Scottish International Aid Fund -SCIAF, Trocaire), Justice for Colombia; International organisations: Center on Housing Rights and Evictions COHRE, FoodFirst Information and Action Network FIAN International, Franciscans International, International Federation for Human Rights FIDH, Peace Brigades International (Observer).

RWB Reporters Without Borders, Paris (France)*.
TRANS-SER Red de Apoyo a Transgeneristas, Bogotá (Colombia)
WFTU World Federation of Trade Unions/Federacion Sindical Mundial (FSM), Geneva (Switzerland)*.

² JS3 (34 organizaciones), pages 1-2.

³ JS3 (34 organizaciones), pages 1-2.

⁴ JS3 (34 organizaciones), pages 1-2.

⁵ Amnesty International, page 4. See also AI's document: *International Criminal Court: Declarations amounting to prohibited reservations to the Rome Statute* (IOR 40/032/2005).

⁶ Amnesty International, page 8-9.

⁷ Amnesty International, page 3.

⁸ Amnesty International, page 3. See also submissions from Reporters without Borders, World Federation of Trade Unions, Vides Internazionale.

⁹ Vides Internazionale, page 2.

¹⁰ Vides Internazionale, page 3.

¹¹ Conscience and Peace Tax International, page 5.

¹² Human Rights Watch, page 3.

¹³ Human Rights Watch, page 3.

¹⁴ Human Rights Watch, page 4.

¹⁵ Red OIDHACO page 9. See also Joint Submission 2.

¹⁶ Red OIDHACO page 9. See also Joint Submission 2; CCJ-OMCT-LA-CC-PCDHDD, page 10.

¹⁷ Red OIDHACO, page 9. See also Joint Submission 2.

¹⁸ Colombian Commission of Jurists, OMCT, La Alianza, Coordinacion Colombia-Europa-Estados Unidos, Plataforma Colombiana Derechos Humanos Democracia y Desarrollo, page 11.

¹⁹ Red OIDHACO, pages 9-10. See also Joint Submission 2; CCJ-OMCT-LA-CC-PCDHDD, page 11.

²⁰ CCJ-OMCT-LA-CC-PCDHDD page 1.

²¹ CCJ-OMCT-LA-CC-PCDHDD page 4.

²² Red OIDHACO pages 1-2. See also Joint Submission 2.

²³ Red OIDHACO pages 1-2.

²⁴ Red OIDHACO pages 1-2.

²⁵ JS3 (34 organizations), pages 1-3. See submission for cases cited.

²⁶ Colombia Diversa, pages 1-7. See also submission from Trans-Ser.

²⁷ Amnesty International, page 5. See also submission from Human Rights Watch, pages 6-7; CCJ-OMCT-LA-CC-PCDHDD pages 1-11.

²⁸ Amnesty International, page 5. See also submission from Human Rights Watch, pages 6-7.

²⁹ Amnesty International, page 5. See also submission from Human Rights Watch, pages 6-7.

³⁰ Human Rights Watch, page 1.

³¹ Red OIDHACO, pages 2-3. See also Joint Submission 2.

³² Human Rights Watch, page 2. See also submission from CCJ-OMCT-LA-CC-PCDHDD page 5.

³³ Human Rights Watch, page 1.

³⁴ Human Rights Watch, page 2.

³⁵ Human Rights Watch, pages 2-3.

³⁶ Human Rights Watch, pages 2-3.

³⁷ Red OIDHACO, page 5. See submission for cases cited as examples.

³⁸ Amnesty International, page 6. See also Human Rights Watch submission.

³⁹ Amnesty International, page 6. See also Human Rights Watch submission.

⁴⁰ Human Rights Watch, page 1.

⁴¹ CCJ-OMCT-LA-CC-PCDHDD page 2.

⁴² CCJ-OMCT-LA-CC-PCDHDD page 2.

⁴³ CCJ-OMCT-LA-CC-PCDHDD page 2.

⁴⁴ Red OIDHACO, pages 2-3. See also Joint Submission 2.

⁴⁵ Amnesty International, page 5.

⁴⁶ Amnesty International, page 5. See also submission from Red OIDHACO, pages 2-3.

⁴⁷ The Coalition, page 2. See also information on individual cases. See also CCJ-OMCT-LA-CC-PCDHDD, page 10.

⁴⁸ The Coalition, page 1.

⁴⁹ Red OIDHACO, pages 7-9. See also Joint Submission 2.

⁵⁰ Amnesty International, page 5.

⁵¹ Federacion Sindical Mundial (FSM)/World Federation of Trade Unions (WFTU), page 4. See also submission from CCJ-OMCT-LA-CC-PCDHDD, page 11.

⁵² Human Rights Watch, pages 4-5.

⁵³ Red OIDHACO, pages 4-5. See also Joint Submission 2.

⁵⁴ JS3 (34 organizations) pages 7-8.

⁵⁵ Comité de América latina y el Caribe para la Defensa de los Derechos de la Mujer/Latin American Committee for the Defence of Women's Rights (CLADEM), pages 2-3.

⁵⁶ Comité de América latina y el Caribe para la Defensa de los Derechos de la Mujer/Latin American Committee for the Defence of Women's Rights (CLADEM), pages 2-3.

⁵⁷ Comité de América latina y el Caribe para la Defensa de los Derechos de la Mujer/Latin American Committee for the Defence of Women's Rights (CLADEM), page 3.

⁵⁸ Comité de América latina y el Caribe para la Defensa de los Derechos de la Mujer/Latin American Committee for the Defence of Women's Rights (CLADEM), page 3.

⁵⁹ Amnesty International, page 4.

⁶⁰ CCJ-OMCT-LA-CC-PCDHDD page 3.

⁶¹ Conscience and Peace Tax International (CPTI), page 1.

⁶² Vides Internazionale, page 3. CCJ-OMCT-LA-CC-PCDHDD page 3.

⁶³ Human Rights Watch, page 1.

⁶⁴ Amnesty International, page 6.

⁶⁵ Amnesty International, page 4.

⁶⁶ Amnesty International, page 8-9. See also CCJ-OMCT-LA-CC-PCDHDD, page 3; Joint submission by JS4 (World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido) page 8.

⁶⁷ JS3 (34 organizations) page 6. See submission for cases cited.

⁶⁸ Global Initiative to End All Corporal Punishment of Children, page 2.

⁶⁹ Global Initiative to End All Corporal Punishment of Children, pages 1-2.

⁷⁰ JS4 (World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido) page 9.

⁷¹ Amnesty International, page 3.

⁷² Human Rights Watch, page 1.

⁷³ Red OIDHACO, page 5.

⁷⁴ CCJ-OMCT-LA-CC-PCDHDD, page 7.

⁷⁵ Red OIDHACO, page 5. See also Joint Submission 2.

⁷⁶ Amnesty International, page 4.

⁷⁷ Amnesty International, page 4.

⁷⁸ Red OIDHACO, page 6. See also Joint Submission 2.

⁷⁹ JS3 (34 organizations), page 8. On individual case, see also submission on individual case by lawyer Germán Humberto Rincón.

⁸⁰ JS4 (World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido) pages 1-2.

⁸¹ JS4 (World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido) pages 1-2.

⁸² Institute on Religion and Public Policy, pages 1-2.

⁸³ Institute on Religion and Public Policy, pages 1-2.

⁸⁴ Institute on Religion and Public Policy, page 1.

⁸⁵ Conscience and Peace Tax International (CPTI), page 3.

⁸⁶ Conscience and Peace Tax International (CPTI), page 5.

- ⁸⁷ Reporters Without Borders, page 1.
- ⁸⁸ Reporters Without Borders, page 2.
- ⁸⁹ Reporters Without Borders, page 2.
- ⁹⁰ Reporters Without Borders, page 2.
- ⁹¹ JS3 (34 organizations) page 9.
- ⁹² CCJ-OMCT-LA-CC-PCDHDD, page 9.
- ⁹³ CCJ-OMCT-LA-CC-PCDHDD, pages 8-9.
- ⁹⁴ JS3 (34 organizations) page 9.
- ⁹⁵ JS4 (World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido) pages 1-9.
- ⁹⁶ CCJ-OMCT-LA-CC-PCDHDD, page 3.
- ⁹⁷ COHRE pages 1-12.
- ⁹⁸ COHRE pages 1-12.
- ⁹⁹ CCJ-OMCT-LA-CC-PCDHDD, page 9.
- ¹⁰⁰ JS3 (34 organizations), page 10.
- ¹⁰¹ Amnesty International, page 5; Human Rights Watch, page 2. See also IMDC /Norwegian Refugee Council.
- ¹⁰² Internal Displacement Monitoring Centre/Norwegian Refugee Council, page 1.
- ¹⁰³ Internal Displacement Monitoring Centre/Norwegian Refugee Council, page 1.
- ¹⁰⁴ Internal Displacement Monitoring Centre/Norwegian Refugee Council, pages 1-4.
- ¹⁰⁵ CCJ-OMCT-LA-CC-PCDHDD, page 7. Ver casos citados.
- ¹⁰⁶ Red OIDHACO, page 4. See also Joint Submission 2.
- ¹⁰⁷ Red OIDHACO, page 4. See also Joint Submission 2.
- ¹⁰⁸ Internal Displacement Monitoring Centre/Norwegian Refugee Council, page 5.
- ¹⁰⁹ JS3 (34 organizations) page 5.
- ¹¹⁰ Red OIDHACO, page 9.
- ¹¹¹ Amnesty International, page 1.
- ¹¹² Amnesty International, page 1.
- ¹¹³ Red OIDHACO, page 7.
- ¹¹⁴ Red OIDHACO, page 7. See also Joint Submission 2; CCJ-OMCT-LA-CC-PCDHDD, page 10.
- ¹¹⁵ JS4 (World Vision, Plan Internacional Colombia, Aldeas SOS Colombia, Observatorio sobre Infancia de la Universidad Nacional de Colombia, Save the Children Reino Unido) page 1.
