



**ANNUAL REPORT ON
HUMAN RIGHTS AND IHL**
2003

Republic of Colombia



Libertad y Orden

**ANNUAL REPORT
ON HUMAN RIGHTS
AND IHL
2003**

**ANNUAL REPORT
ON HUMAN RIGHTS
AND IHL
2003**

REPUBLIC OF COLOMBIA

ANNUAL REPORT ON HUMAN RIGHTS AND IHL 2003

ISBN 958-18-0287-8

Álvaro Uribe Vélez
President of Colombia

Francisco Santos Calderón
Vice-President of Colombia

Carlos Franco Echavarría
**Director of the Presidential Human Rights and IHL Programme
Vice-Presidency of the Republic**

Tomas Concha Sanz
**Vice-Director of the Presidential Human Rights
and IHL Programme
Vice-Presidency of the Republic**

Anne Sylvie Linder
**Coordinator of the Presidential Human Rights
and IHL Programme Observatory
Vice-Presidency of the Republic**

Presidential Human Rights and IHL Programme Observatory

Carolina Albornoz Herrán
Diana Barbosa Maldonado
Viviana Bolívar Bautista
Camilo Echandía
Rodolfo Escobedo David
Marianella Forero Moreno
Diego García Ruiz
Juan Carlos Garzón Vergara
Diana Losada Mutis
María Alejandra Ojeda Ortiz
Jaddy Marcela Palacios Garzón
María Cristina Sáenz
Luis Gabriel Salas Salazar
Gustavo Salazar
María Paula Torres Laverde

Comunications

Patricia Lora
**Presidential Human Rights and IHL Programme
of the Vice-Presidency of the Republic**

Cover design

Patricia Lora

Cover photos

Gina R. Lora
Guillermo Molano
Marca Registrada

Design

Zuly Norbelia Usme López

Typeset by

Editorial ABC

Free distribution.

Total or partial reproduction of this document
is permitted when the source is quoted.

www.derechoshumanos.gov.co
obserdh@presidencia.gov.co
Calle 8 N° 6-63
Phone: (571) 334 5077 – Fax (571) 565 7672
Printed in Colombia, April 2004

THANKS

The present document is the result of the common effort made by all the Colombian State entities, which are working day by day to improve the human rights situation in Colombia. The Annual Report contains all the progress and advancements made during the year 2003 and reflects the commitment of the Government to guaranteeing and protecting the rights of its citizens.

Álvaro Uribe Vélez
President of Colombia

Francisco Santos Calderón
Vice-President of Colombia

Home and Justice Ministry

Ministry of Foreign Affairs

Ministry of National Defence

Ministry of Social Protection and Health

Ministry of National Education

Social Solidarity Network

Presidential Counsellor's Office for the Equality of Women

Presidential Programme Against Kidnapping and Extortion

Presidential Human Rights and IHL Programme

TABLE OF CONTENT

INTRODUCTION	11
HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW POLICY	15
CHAPTER I	
PREVENTION OF HUMAN RIGHTS AND IHL VIOLATIONS	21
INTER-INSTITUTIONAL EARLY WARNING COMMITTEE, CIAT	21
PROTECTION FOR PERSONS AT RISK PROGRAMME	23
PROTECTION OF MINORITY ETHNIC GROUPS	28
PUBLIC HUMAN RIGHTS AND IHL POLICY DECENTRALIZATION STRATEGY	31
PREVENTION OF VIOLATIONS ON PUBLIC ROADS	34
ANTI KIDNAPPING POLICY	35
STRENGTHENING THE HUMAN RIGHTS AND IHL CULTURE	
WITHIN THE ARMED FORCES AND NATIONAL POLICE	37
CHAPTER II	
FORCED DISPLACEMENT ASSISTANCE AND PREVENTION STRATEGY	41
PREVENTION OF FORCED DISPLACEMENT	42
HUMANITARIAN ASSISTANCE FOR THE DISPLACED POPULATION	44
SOCIO-ECONOMIC STABILIZATION OF THE DISPLACED POPULATION	46
DEVELOPMENT AND CONSOLIDATION OF THE NATIONAL SYSTEM	
FOR INTEGRAL ASSISTANCE TO THE DISPLACED POPULATION	48
CHAPTER III	
SPECIFIC MEASURES TO PROMOTE INTERNATIONAL HUMANITARIAN LAW	53
ANTI-PERSONNEL MINES	53
PROTECTION OF THE MEDICAL MISSION	56

CHAPTER IV	
PROMOTION OF THE ADMINISTRATION OF JUSTICE ON HUMAN RIGHTS	59
FIGHT AGAINST IMPUNITY IN HUMAN RIGHTS VIOLATIONS AGAINST UNION MEMBERS	61
CHAPTER V	
INSTITUTIONAL STRENGTHENING	63
NATIONAL HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW ACTION PLAN	63
CHAPTER VI	
BUILDING SOCIAL EQUITY	67
SEVEN TOOLS FOR EQUITY	67
POLICY FOR CHILDREN	70
ASSISTANCE FOR THE DISABLED PROGRAMME	76
POLICY FOR WOMEN	79
CHAPTER VII	
HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW DIAGNOSIS	83
HOMICIDES	84
MASSACRES	90
HUMAN RIGHTS SITUATION OF UNION MEMBERS	93
HUMAN RIGHTS SITUATION OF TEACHERS	95
HUMAN RIGHTS SITUATION OF LOCAL AUTHORITIES AND CANDIDATES	96
HUMAN RIGHTS SITUATION OF INDIGENOUS PEOPLE	100
HUMAN RIGHTS SITUATION OF JOURNALISTS	102
KIDNAPPINGS	103
FORCED DISAPPEARANCE	107
TORTURE	109
ATTACKS ON THE CIVILIAN POPULATION	111
ATTACKS ON TOWNS AND VILLAGES	112
ATTACKS ON PUBLIC INFRASTRUCTURE	113
FORCED DISPLACEMENT	115
ANTI-PERSONNEL MINES	118
OPERATIONAL RESULTS OF THE ARMED FORCES AND POLICE	120
DEMOBILIZATIONS	121
CHAPTER VIII	
CHRONOLOGY OF HUMAN RIGHTS VIOLATIONS AND IHL INFRINGEMENTS IN 2003	125
CHAPTER IX	
PROGRESS MADE REGARDING THE APPLICATION OF RECOMMENDATIONS BY THE UNITED NATIONS HIGH COMMISSIONNER FOR HUMAN RIGHTS (2002)	137

INTRODUCTION

The Colombian State recognizes the gravity and magnitude of the threat faced by its institutions and society in general because of the actions of illegal armed groups. Their resources, their contempt for all humanitarian rules, their declared opposition to democracy and society and their increasing use of terror have given rise to circumstances in which it is difficult for the State to achieve its objective of guaranteeing and protecting human rights and require the adoption of legal measures which are proportional to this threat.

The State therefore considers that it has a responsibility to make known its own perspective regarding Colombia's situation, which is shared by millions of fellow countrymen, and to explain Governmental policy in matters of human rights and International Humanitarian Law (IHL), as well as presenting the results it has gradually achieved through the implementation of the Democratic Security Policy.

In this context, the present Government has received the mandate of the people to apply a policy aimed at ensuring the presence of the State throughout Colombian territory in order to guarantee the people's exercise of the rights set forth in the Constitution. Colombian reality, likethat of any other country, has demonstrated that the best safeguard for the true exercise of Constitutional freedoms and guarantees is the presence of the legally established institutions.

This Security Policy is for the benefit of all Colombians, regardless of their social status, political opinion or religious creed. The policy has clear objectives, concepts and methods: to strengthen the democratic authority, the rule of law and the active participation of the people and to protect the rights of all Colombians, their values and political debate. All of the foregoing falls within the framework of the strictest respect for legal regulations.

The relevance of this policy is demonstrated not only by popular support and the hopes being reborn throughout society, but also by the results achieved in 18 months of concerted efforts by the whole Colombian society. During 2003, homicides were reduced by 20%, thus preventing the death of 5,800 Colombians; forced displacement was down by 52%; massacres by 33%; murders of union members by 57%; kidnappings by 26% and attacks on towns and villages by 84%. Millions of Colombians have regained their rights to travel freely overland, of organization or enterprise as a result of the restoration of control of roads and all the urban areas in the country.

At the beginning of this Government, threats from the illegal armed groups had forced 246 mayors to work from outside their towns. By the end of 2003, the return of police and military authority to 140 municipalities which were without this presence has restored its governance. Today, only 14 mayors remain to be returned to their communities.

This significant reduction in human rights violations brought about by this policy is also due to a large extent to the impact of the Armed Forces and National Police's constant work against the illegal armed organizations. Within this framework, captures of members of the illegal self-defence groups have increased by 133% and of those of insurgents by 85%. Likewise, more members of these organizations were killed in combat, with an increase of 14% guerrillas and 85% self-defence groups. It is important to stress that these dynamics have facilitated the strengthening of citizen security as well as the protection of public goods: 32% fewer electricity pylons and 69% fewer communications towers were blown up and attacks on water supply systems and bridges were reduced by 84% and by 67%, respectively.

It must be pointed out that the Colombian Armed Forces and Police have assumed their responsibility to respect and guarantee human rights and to observe International Humanitarian Law. While tactical operations were multiplied by 137%, rising from 4,523 to 10,730, between 2002 and 2003, charges brought by the Attorney General's Office against members of the Armed Forces and National Police for alleged violations of human rights and IHL committed during 2003 have been reduced by 92% in comparison with 2002. To corroborate this, the Ombudsman's Annual Report for 2002 showed that, of 9,000 accusations of infringements of IHL with a known perpetrator, 261 are attributable to members of the Armed Forces; in 2003, there were only 161 accusations. The latter is the result of the training on human rights and IHL of more than 76,000 military and police personnel during 2003.

The Colombian State's 2003 Human Rights and IHL Report is the product of a joint, coordinated effort by all the State entities. It sets out the Human Rights and IHL Policy which, in a broad perspective, covers all spheres of State and Governmental action. Work to ensure the rights of the child and the equality of women, the policy for the respect of ethnic groups, action for economic, social and cultural rights and ensuring collective rights are based on this Policy. It

includes the work of judicial organizations to satisfy demands for justice, political guarantees, transparency in the administration of public goods and the guarantee of security. The promotion, guarantee and protection of rights is a commitment of all State agencies at all levels. This policy is complementary to the Democratic Security Policy and is condensed in the 2002-2006 Development Plan «Towards a community State».

Under this policy, from the point of view of prevention, strategies have been developed for the protection of people at risk, in particular members of unions and ethnic minority groups. Moreover there are the functioning of the Inter-institutional Early Warning Committee, the decentralization of the Human Rights and IHL Policy at Departmental and local level; a policy against kidnapping have been designed, a road safety strategy put into operation and the culture of human rights inside the Armed Forces and National Police has been strengthened.

The Protection of People at Risk Programme has been fortified. In only a year and a half, the Government has received more resources than in the four preceding years. This has enabled coverage to be extended to 9,208 direct and indirect beneficiaries, representing an 89% increase in persons assisted.

As to the prevention of mass human rights violations, the Inter-institutional Early Warning Committee (CIAT) was implemented at the end of 2002 to achieve an effective State response within this framework. In the course of 2003, 84 risk reports were analyzed, of which 32 became early warnings. The reduction in mass human rights violations and the presence of this type of incidents in fewer than 1% of the reports is a demonstration of the Government's commitment.

In the aspect of forced displacement, an integral policy has been implemented to deal with the phenomenon on two fronts, prevention and assistance for victims, seeking socio-economic stability for this population and their return home when the security conditions allow.

Considerable effort have been made to implement specific measures to promote International Humanitarian Law in the formulation of an Action Plan to combat anti-personnel mines and to protect the Medical Mission.

In the first case, implementation of the Action Plan comprises six components: management of information on events; education to prevent risk; destruction of stockpiled mines; decentralization of the Action Plan; promotion and monitoring of the population affected and emergency mine clearing.

As to the protection of the Medical Mission, an Action Plan which develops the National Health Programme has been drawn up and is orientated towards educating and training health personnel; care of victims of violent actions and mass marking of goods protected by IHL, and provision of identity tags for medical and sanitation personnel.

In addition, the Human Rights Policy has sought to promote the administration of justice in this area, and the Government has therefore defined the fight against impunity as a priority line of action. Within this framework, the Committee for the Promotion of Investigations on Human Rights Violations implemented a project during 2003 to establish the bases to draw up a public policy on this matter in the medium term. As part of this project, the Committee has selected 100 cases whose investigations will be promoted jointly by State judicial and control authorities.

Moreover, to resolve any deficiencies in sectorial planning, the Government has been working on the design and consensus of the National Human Rights and IHL Action Plan. The basic outlines of the Plan are the notion of integrality and mutual dependence of the so-called generations of human rights, its nature as a State initiative and the consensus dynamics which must accompany its development. The preliminary phase to start the process of concerted preparation of the Plan commenced in 2003.

In line with the Human Rights Action Plan and the social reactivation policy to permit greater social equality, the Government has prioritized policies and programmes for the protection of children and assistance for the disabled population and for women. As part of this policy, it is promoting full enjoyment of economic and social rights, such as the right to education, health, employment, food and housing. A reliable example of this commitment are the 477,958 new basic and secondary education places and 34,858 in higher education, which has extended coverage to 86.3%; the number of young people in the State technical education service rose from 1,070,000 to 2,266,768 in the year, 16% higher than the goal for the period; 1,241,218 jobs were created, there are 1,061,651 new health system beneficiaries; 2,463,363 child beneficiaries of school canteens; 322,051 infants' breakfasts and 5,000,000 children in the infant nutrition programmes and, lastly, there was 57% growth in credit extended to small enterprises.

Finally, the Government has made great efforts to carry out systematic follow-up of the recommendations of international human rights bodies and to study their gradual implementation, although the majority of them already form part of the Government's actions within the framework of its Human Rights Policy.

Results in the area of human rights, security and social benefits have been clear and conclusive. There is a long way to go, obstacles to be overcome and achievements to be reached, but progress is being made along the right road.

HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW POLICY

There is broad consensus on the gravity of the situation of violence in Colombia. When the Government was inaugurated in 2002, the rate of violent deaths was 68 for every 100,000 inhabitants, there were over 100 massacres and close to 300,000 persons forcibly displaced per year, 70% of the world's kidnappings took place in Colombia and the number of union members assassinated every year was 120.

However, when attempting to identify the respective causes, differences in interpretation arise and descriptions of the situation show that there is no unanimity as to the reasons. Some consider that the main cause is a State which systematically violates human rights, either by action or by omission. Others, who are today the very great majority, think the root of the problem lies in the violence perpetrated by the illegal armed organizations against society and the State.

The Government of President Alvaro Uribe Veléz has approached these problems from the second point of view, without denying that there is evidently State responsibility, either by action or omission, in some circumstances.

Nevertheless, for the Colombian Government, weakness in State territorial control is a much more important ground in the deterioration of human rights situation, because, on the one hand, it prevents it from duly playing its part as guarantor and protector of citizens' rights and, on the other, impedes the application of justice, thus creating a vicious circle of violations, lack of sanctions and encouragement of new violations. Of no less importance is the behaviour of the illegal armed groups, whose degradation and actions, without the slightest consideration for human dignity or humanitarian rules, have turned them into the main violators of the human rights of Colombians.

Finally, the weak human rights culture inside Colombian society has also a negative effect on this situation. Colombia is a country with multiple regulations, established rights, laws and decrees, but they are not sufficiently observed, and the situation is aggravated by the fact that public servants do not play their part in guaranteeing these rights adequately.

This diagnosis supports the Government's Human Rights Policy and also constitutes the basis of the Democratic Security Policy which appears to be essential to guarantee democratic State authority throughout Colombian territory, to control the actions of the violent groups and to achieve joint action between the State and society to guarantee the freedoms and rights of its citizens. Only a strong State can be capable of guaranteeing freedom to exercise rights, especially when it has to fight against illegal groups whose aim is to impose their will by force on its citizens, regardless of the cost.

Broadly, the Human Rights Policy covers all the areas of State and Governmental action. Efforts to ensure children's rights, the equality of women, the policy of respect for ethnic groups, action to support economic, social and cultural rights, as well as the collective rights, are all included in this policy. Also part of the policy is the work of the judicial authorities to ensure effective application of the law and political guarantees, transparency in the administration of public goods and the guarantee of security. All the Colombian State agencies are committed to the promotion, guarantee and protection of human rights.

This Human Rights and International Humanitarian Law Policy is complementary to the Democratic Security Policy and is condensed in the 2002-2006 Development Plan «Towards a Community State».

The Democratic Security Policy, by transcending concepts such as ideological hegemony and political exclusion inherent to National Security, is the roadmap by which the national Government is seeking to deal with the intensification and degradation of the human rights situation and to strengthen the principles of democratic authority, the validity of fundamental freedoms, the rule of law and the participation of citizens in matters of common interest. If the rule of law is firmly established throughout Colombian territory, then the rights and freedoms of the citizen will be protected and, the more they feel protected, the more citizen participation and security will increase.

Full democratic sovereignty and the capacity of the State and its institutions to ensure that legal order prevails are essential conditions to guarantee human rights, the foundation and *raison d'être* of the Constitution. In its Democratic Security Policy, the Government stresses that security, understood as the protection of citizens and democracy by the State, hinges on the capacity, not only of the Armed Forces and the National Police to exercise the coercive power of the State, but also of the judiciary to guarantee the efficient administration of justice, of the Government to fulfil the constitutional

responsibilities of the State and of Congress to legislate without losing sight of security as the public good *par excellence*. Likewise, it expresses that *a proper respect for human rights, which is both a basic condition and an objective of democracy, can only be achieved when democracy is strong and bridges the gap between the law and real life: when the laws and institutions of the State are effective, political debate is not under threat and the citizen can play an active role, participating in community affairs, overseeing the authorities and, in general, showing solidarity with others.*

Security, by guaranteeing human rights, is thus the transverse axis which supports the Democratic Security Policy on the basis of *protection of the rights of all citizens*, regardless of gender, race, origin, language, religion or political ideology; of the *protection of values, the plurality of political debate and the democratic institutions*, and of *solidarity and cooperation on the part of all citizens* in the defence of democratic values, expressed not only by exercising voting rights, but also by respecting and promoting the civic values surrounding the plurality of political debate, in society performing an active role in public affairs and in defence of the freedoms of all. The Democratic Security Policy aims to protect both political leaders and dissidents, at the same time ensuring a democratic framework and ample spaces within which citizens are able to participate, all of which are established in the Colombian Constitution.

Under its mandate to restore democratic authority throughout Colombian territory, the Government has acted in harmony with the firm decision to avoid sacrificing legitimacy for security, in the certainty that the sustainability of the policy depends on popular support, and the latter on State respect for human rights.

The foundation of the Government's actions is its policy to guarantee both rights and restraint the means used to achieve this objective.

The fundamental pillars to guarantee the full and free exercise of human rights in terms of the prevention of their violation, fight against impunity, aid for victims, promotion of the application of International Humanitarian Law, inter-institutional coordination and work in harmony with international human rights organizations are set out in Chapter I, «Providing Democratic Security» of the 2002-2006 Development Plan «Towards a Community State», as follows:

1. Prevention of human rights and IHL violations.
2. Aid for the displaced and prevention of forced displacement.
3. Specific measures to promote IHL.
4. Promotion of the administration of justice on human rights.
5. Institutional strengthening.

To this effect, and in accordance with the content of Presidential Directive N° 10 of 2002 and the areas of action described in the Development Plan, the different organisms responsible for the implementation of the Human Rights and IHL Public Policy are working to achieve the specific goals set by the Government for the year 2006.

Vice-Presidency of the Republic:

- Extension of the Programme for the prevention of accidents with anti-personnel mines to 268 more municipalities.
- 200 municipalities with human rights and IHL plans under way.
- Promotion of 100 serious cases of human rights violation and IHL infringements.
- Development of a system of public information on human rights violations and IHL infringements.
- Developing 50% of the short term components of the National Human Rights and IHL Action Plan, following previous consensus and approval.

Social Solidarity Network:

- Return of 30,000 displaced families to their homes.
- 200,000 displaced families with emergency humanitarian assistance.
- Reconstruction of over 5,000 houses destroyed by terrorist acts.
- Provision of the equivalent of two minimum legal monthly wages for 4,000 families affected by terrorist acts.
- Annual economic support for 15,000 families with family members killed in terrorist acts.
- Reconstruction of basic infrastructure destroyed by terrorist acts in 94 municipalities.

Ministry of National Defence

- Reduce the number of investigations for alleged human rights violations carried out by the National Attorney General's Office from 12 to 8 per 100,000 members of the Armed Forces and National Police.

Home and Justice Ministry:

- Design of strategies for the prevention of human rights violations and IHL infringements in 450 municipalities.
- Protection measures for 18,000 additional persons.
- Creation and implementation of the Emergency Exchange to strengthen early warning response capacity.

In addition, another of the objectives of the National Development Plan includes building up social equality, whose lines of action are orientated towards the protection of particularly vulnerable groups, such as women, children and the disabled. While these outlines are not included in the section on the human rights policy, they do constitute a Government area of action and their purpose is to improve these groups' economic and social conditions, at the same time working towards a more egalitarian society free from discrimination.

CHAPTER I

PREVENTION OF HUMAN RIGHTS AND IHL VIOLATIONS

The Government's objectives in matters of prevention of human rights and IHL violations is to inform people and raise their awareness of their rights and the threats and damage which they could suffer as a result of the armed conflict and to help avoiding the occurrence of violations.

As the Democratic Security and Defence Policy states, the basic mechanism to protect the fundamental rights of citizens is to strengthen the rule of law throughout national territory, freeing it from all types of discrimination by race, gender or physical condition. However, many Colombians who have been victims of the illegal armed organizations require special attention. To this end, the Government is working simultaneously on strengthening different programmes, some of which are designed for the protection of these populations at risk.

In its efforts to achieve this goal, the Government has also designed a human rights decentralization strategy and an integral policy against kidnapping. It is likewise promoting a human rights culture to encourage public servants to prevent any violations of human rights and to promote greater commitment on their part to their role as guarantors of rights.

INTER-INSTITUTIONAL EARLY WARNING COMMITTEE, CIAT

In response to a recommendation of the United Nations High Commissioner for Human Rights, the National Council for Integral Assistance for the Displa-

ced Population decided to implement an Early Warning System¹ (SAT) to help in the prevention of human rights violations such as massacres, multiple assassinations and forced displacement.

This system has been implemented by the Ombudsman's Office with the support of the United States Government through USAID. Difficulties in its functioning, –by the weak, bureaucratic, untimely and uncoordinated response of the Government, because of the extremely generalized content of the warnings issued and the absence of time and space limits for its application, among others–, required a definitive solution.

In view of this, on November 18, 2002, the Home and Justice Ministry, together with the Vice-Presidency of the Republic and the Ministry of National Defence, formed the Inter-institutional Early Warning Committee, CIAT, a working group responsible for coordinating Governmental functions to prevent mass human rights violations, which was appointed as the single receiver of the early warnings issued by the Ombudsman's Office and which is responsible for applying the respective procedure.

Following the procedure established², from January 1, 2003 to December 31, 2003, the CIAT received, processed and dealt with a total of 84 risk reports on 132 municipalities, passed to CIAT by the SAT of the Ombudsman's Office, of which 36 (38%) were considered to be early warnings. The rest of the reports, which were not considered warnings, were processed with the local authorities for specific actions.

The regional authorities have implemented prevention actions to reduce the likelihood of risks becoming a reality. These have varied according to the seriousness of the threat and the specific circumstances of each situation. In cases in which the possible violation of human rights in an urban zone was identified, prevention tasks were centred on police activities and humanitarian actions to assist the displaced population. In other events, in which the risk involved threats in rural areas, the measures applied were mainly Armed Forces operations.

¹ Minutes N° 1 of January 26, 2000. Minutes N° 2 of February 6, 2001. Minutes N° 3 of May 24, 2001, of the National Council of Integral Assistance of the Population Displaced by Violence. This mechanism was established in response to Recommendation N° 1 of the Office in Colombia of the United Nations High Commissioner for Human Rights.

² The Committee receives risk reports or other documents issued by the Early Warning System – SAT– directly from the Ombudsman's Office before they are published or sent to any other entity. The Committee complements the information contained in the report, decides whether it is in fact an early warning and proceeds to forward it, by way of a recommendation, to the civil authorities and the commander of the military and police units present in the zone. As soon as the warning is received, the Security Council is convened to adopt the appropriate measures.

It is undeniable that, as a result of the changing conditions of the Colombian armed conflict, isolated violations, such as selective homicides or injuries to people, have occurred. However, there have been no more massacres or other types of mass violations such as that of the town of Bojayá³, which took place before the creation of the CIAT. The flow of information and timely coordination with the Armed Forces and National Police and the civil and humanitarian authorities at territorial level, have produced positive results in the prevention of mass human rights violations.

Following the change in local and regional authorities, the Government will train all mayors and governors of Departments in the early warning system in the course of 2004 and to enhance its prevention policy, will also prepare at least four regional risk reports on the Sierra Nevada, the Colombian Massif, Catatumbo and Lower and Middle Atrato.

PROTECTION FOR PERSONS AT RISK PROGRAMME

The Government has continued its protection policy for vulnerable groups and has assigned more resources to the Protection for Persons at Risk Programme, which is the responsibility of the Human Rights Department of the Home and Justice Ministry. The Programme includes commitment to action by several Government entities and its objective is to safeguard the life, integrity, security and freedom of people in a situation of risk from threats by illegal armed groups.

The National Government has issued a number of decrees to define the target population as:

- Leaders or activists of political groups, especially of opposition groups, social, civil and community, sectorial, union, rural and ethnic group organizations, human rights NGOs and witnesses to cases of human rights violations and IHL infringements.
- Leaders and members of the Patriotic Union and the Colombian UP-Pcc Communist Party, journalists and reporters.
- Mayors, councillors, local representatives and municipal attorneys.
- Medical Mission⁴.

The Protection Programme provides people at risk with political and security measures. Among the political measures involved are the public recognition of the legitimacy of activities in defence of human rights and rapprochement between the State and civil society through inter-institutional coordination

³ In May 2002, the FARC attacked the church of Bojayá with gas cylinders and killed 117 people.

⁴ This Committee was formed under Law 782 of 2002, but has not yet been implemented. At present, the members of the Medical Mission are being dealt with by the Programme for the Protection of leaders and union organizations activists.

meetings at central, Departmental and local levels. On the other hand, security schemes applied to protect the people at risk may be *soft*, such as communications equipment, humanitarian aid and temporary relocation support, national tickets, transport and removals; or *hard*, such as armour plating, mobile protection schemes, bullet proof vests and international tickets.

To deal with requests for protection, the Regulatory and Risk Evaluation Committee (C_{REER}) met on 52 occasions in the course of 2003: 24 to receive leaders and activists of political groups and of social, civil, union, sectorial and ethnic group and human rights organizations and witnesses; 10 with leaders, members and survivors of the Patriotic Union - PCC; 9 with journalists and reporters and 9 with mayors, councillors, local representatives and municipal attorneys.

To respond to requests for protection, the Program's resources were increased by 22% between 2002 and 2003. During 2003, the Programme spent Col\$36 billion 648 million, Col\$33 billion 955 million in the year studied and Col\$2 billion 693 million during the final part of the preceding fiscal year. Thus, the budget spent in 2003 was Col\$31 billion 693 million from the National Budget (86%) and Col\$4 billion 955 million from international cooperation (14%).

The vulnerable population with the largest participation in the budget during 2003 were members of unions with 56%, followed by members of NGOs with 17%, leaders of the UP-PCC with 13%, leaders and witnesses with 6%, mayors, councillors, local representatives and municipal attorneys with 6% and journalists with 1%. The record of persons directly protected shows that, as

PROTECTION PROGRAMME FINANCIAL STRENGTHENING 1999-2003

Thousand of Colombian pesos

Year	National budget	International cooperation USAID	Total	Increase in comparison with previous year
1999	4,520,000	0	4,520,000	0%
2000	3,605,015	0	3,605,015	-20%
2001	17,828,455	4,095,000	21,923,455	508%
2002	26,064,000	4,043,995	30,107,995	37%
2003*	31,692,925	4,954,955	36,647,880	22%
Total	83,710,395	13,093,950	96,804,345	

* Includes the use of resources reserved from the 2002 fiscal year.

Source: Home and Justice Ministry.

proposed in the Development Plan Goals and Commitments, the increase in comparison with previous years was 7.4%.

Of the budget for Col\$36 billion 647 million spent during 2003, some 81% of resources was invested in the implementation of *hard* measures, 18% on *soft* measures and 1% on Programme operating expenses. In the case of the budget assigned for *hard* measures, 86% of the resources were used for the acquisition and implementation of mobile protection schemes, 11% for transportation support, 6% for architectural armour plating, 2% for bullet proof vests and

BUDGETARY PARTICIPATION BY TARGET GROUP (2003)

Thousands of Colombian pesos

Group	Total
Mayors, Councillors, Municipal Attorneys and Representatives	2,239,281
Unions	20,223,994
Ngo's	6,806,670
Leaders and witnesses	2,067,492
Up-Pcc	4,800,141
Journalists	510,302
Total	36,647,880

Source: Home and Justice Ministry.

POPULATION BENEFITED BY DIRECT PROTECTION MEASURES (1999-2003)

Years	Group						Total
	Unions	Ngo's	Leaders and Witnesses Representatives	Up-Pcc	Journalists	Mayors, Councillors, and Municipal Attorneys	
1999	84	50	43	0	0	0	177
2000	375	224	190	77	14	0	880
2001	1,043	537	327	378	69	0	2,354
2002	1,566	1,007	699	775	168	642	4,857
2003	1,424	1,215	456	423	71	1,632	5,221
Total	4,492	3,033	1,715	1,653	322	1,274	13,489

Source: Home and Justice Ministry.

1% for international tickets. Distribution by *soft* protection measures was 50% for communications equipment, 40% for temporary relocation support and 10% for national tickets.

At present, 349 protection schemes or measures are operating. Of these, 283 involve mobile protection and 66 transportation support, as approved between 2000 and 2003. Thus, 211 schemes have been implemented for union leaders, 36 for members of the Patriotic Union and the Colombian Communist Party, 68 for non-governmental human rights organizations, 25 for social leaders, 6 for mayors and 3 for journalists.

During 2003, the Union Members Protection Programme benefited a total population of 2,638 persons through direct protection measures (1,424 benefited) and by extension 1,214, in which Col.\$20 billion 224 million were invested.

The fact that union members are the vulnerable population which has most benefited from hard protection schemes has contributed to improving this group's situation and there has been a considerable reduction in human rights violations committed against them.

BUDGET ALLOCATED FOR HARD SECURITY MEASURES (2003)

Thousands of Colombian pesos

Measures	Total
Architectural armour plating	1,580,629
Mobile protection schemes	24,768,420
Bullet proof vests	922,648
International tickets	162,090
Support for transport	1,968,495
Total	29,402,281

Source: Home and Justice Ministry.

BUDGET ALLOCATED FOR SOFT SECURITY MEASURES (2003)

Thousands of Colombian pesos

Measures	Total
Communications equipment	3,439,001
Support for temporary relocation	2,822,748
National tickets	808,857
Total	7,070,606

Source: Home and Justice Ministry.

The Colombian State has taken a broader view of protection for union members and, therefore, was approved on January 15, 2003 the Working Plan⁵ of the Inter-institutional Commission's for Workers' Rights agreed upon and signed by the Vice-President of the Republic, the Minister of Social Protection and Health and the presidents of the most representative unions in the country. As part of its activities, the Commission has promoted encounters to reduce tension in the zones with greatest social conflict and, therefore, have been organized *tables on social dialogue, tension reduction and consensus and promotion of human and fundamental rights of union members.*

RESULTS OF THE UNION MEMBERS' GROUP PROTECTION PROGRAMME 2003*

Activity	Number
Number of Sessions of C _{RE} R	24
Armour plating measures	30
Mobile Schemes	40
Communications Network (Number of cell and Avantel apparatus)	789
Support for Temporary Relocation	244
National Air Tickets	172

* Data to December 15, 2003.

Source: Home and Justice Ministry.

In 2003, Barranquilla, Barrancabermeja and Valledupar were the first cities to reach consensus on these social spaces and they served as a basis for the Government, managers and unions to agree on actions and commitments for the prevention of human rights violations, the protection of union leaders in risk situations, promotion and follow-up of criminal investigations and mechanisms to guarantee the exercise of union freedom and of the actions agreed on, among others.

During the early months of 2004, similar tables were organized in Medellin, Cali, Pereira, Bucaramanga and Arauca.

For the purposes of protecting and guaranteeing the right to work, union freedom and other fundamental freedoms associated with those of expression

⁵ Two groups were defined: the first, responsible for the promotion and protection of the exercise of union freedom and rights of association, negotiation and collective bargaining and strikes, and the second, for justice and protection of workers' human rights and prevention of their possible violations. From that time, the Commission and its Technical Division have been working on the operative plan to implement all the actions and activities set forth in the Work Plan.

and assembly, the Ministry of Social Protection reactivated spaces for participation and interlocution and set in motion specific dissemination strategies targeted to this population.

The actions for the dissemination of workers' human rights undertaken during 2003 consisted in the publication of the «Most frequent questions on contracting domestic work» and «Fundamental Principles and Rights at Work»; foras on «Fundamental Rights at Work» in the cities of Bogotá, Cali, Medellín and Pereira; the creation of spaces for the dissemination of information on protection of the right to work in the Departmental Government of Cundinamarca and the ASED Educational Corporation in Bogotá, and the participation of 500 workers in 20 seminars held jointly with the ILO on the promotion and dissemination of fundamental rights at work.

Regarding the reactivation of participation and interlocution scenarios, there is, in the first instance, the Permanent Commission for Consensus on Labour and Wages Policies, which previously met once a year exclusively to discuss the increase in the minimum wage. In 2003, it met 10 times to discuss other labour related issues and, for the first time in seven years, reached an agreement on the increase in the minimum wage between managers, workers and the State. Likewise, the Departmental Sub-commissions for Consensus on Wages and Labour Policies in Valle del Cauca, Antioquia and Risaralda Departments were reactivated and the General Promotion of Work and Social Promotion Divisions worked with the National Penitentiaries and Prisons Institute (INPEC), seeking mechanisms to facilitate the protection of prisoners' and their families' right to work.

In the course of 2003, regional seminars and video-conferences with national coverage were held on subjects such as Labour and Pension Reform, the first National Forum for the Promotion of Fundamental Rights at Work was presided over by the Vice-President of the Republic, the Minister of Social Protection, the Director of the ILO Sub-regional Office and representatives of workers' unions and managers, and well as regional foras in Medellín, Pereira and Cartagena.

The holding of the First Week of Fundamental Rights at Work was significant and brought several Colombian universities together for five days. This initiative, during which more than 25 talks on the subject were given by experts and officials of the ILO, was attended by over 1,000 students. Likewise, a seminar/workshop on Convention 144 on tripartite consultations on international labour regulations was held in September.

PROTECTION OF MINORITY ETHNIC GROUPS

One of the human rights and IHL situations of greatest concern for Colombia arises because the territory and natural resources which indigenous

communities inhabit and use have become the centre of confrontations between illegal armed groups. The latter have established illegal plantations and laboratories for processing narcotics in indigenous and Afro-Colombian territories. They use them as mobility corridors, forcibly recruit members and intimidate the traditional authorities. This situation has been the cause of forced displacement of communities and constant violation of their rights, both individual and collective.

According to the Home and Justice Ministry Ethnic Groups Division, during 2003, violations of civil and political human rights, such as homicides, kidnappings, threats, forced displacement as well as violations of economic, social and cultural rights, occurred in regions such as the Sierra Nevada of Santa Marta, the Colombian Massif, Amazonia and Córdoba, Chocó, Tolima, Antioquia and Valle del Cauca Departments.

The Government has designed a protection strategy proposal for these groups, which will be presented for consideration by the National Human Rights Commission of the Indigenous Peoples and the Black Communities High Level Consultation Committee, within the framework of Decrees 2248 of 1995 and 1396 of 1996.

During 2003, several of the actions carried out by the Government were in benefit of these communities. The Ethnic Groups Division, together with the Home and Justice Ministry Human Rights Division, promoted the institutionalization of a session of the Ethnic Groups Risks Regulation and Evaluation Committee -ETNOCRER. Several meetings have been held so far, during which requests from the Kankuamo, Pijao, Embera Chamí, Embera Katío, Paez, Uitoto, Muinane, Inga indigenous peoples and from some social leaders who belong to the black communities of Buenaventura and Cali in Valle Department and the Lower Atrato region of Chocó Department were considered. The protection measures adopted were agreed on jointly with the beneficiaries, because of the special nature and specificities of their cultures.

In the case of the indigenous communities, some of them under precautionary measures decreed by the Inter-American Human Rights Commission, the following actions were implemented in particular to favour the Pijao, Wiwa, Kankuamo, Embera Chamí, Embera Katío, Kogui and Arhuaco peoples:

- Field visits with all the State entities and non-governmental organizations.
- Mixed commissions to follow up the situation.
- Indigenous security councils, led by the Ministry of Defence, from which work plans and commitments emerged.
- Formation of special investigative groups.
- Support with communications and transport for displacements.

- Commitment of the local authorities to protection and actions for integral security.
- Census of the Kankuamo community.
- Inclusion of their problems in local Development Plans.
- Re-evaluation of the risk studies when requested.

The Social Solidarity Network, together with the Ethnic Division of the Home and Justice Ministry, the Ombudsman's Office, the Office of the United Nations High Commissioner for Refugees -UNHCR- and the National Indigenous Organization of Colombia -ONIC- have been working on a process to produce the «Indigenous Displaced Population and in Risk Situations Assistance Guideline», whose purpose is to provide the ethnic groups with differential aid, respecting their habits and customs. This guideline is to be presented to the Indigenous People's National Human Rights Commission for approval.

Likewise, the Social Solidarity Network and the Presidential Human Rights and IHL Programme are implementing permanent accompaniment mechanisms for communities at risk on the Colombian massif and the Sierra Nevada of Santa Marta. The introduction by the Ombudsman's Office of community defenders in the zones, with the support of international cooperation bodies, has been definitive in this effort.

In the case of the Afro-Colombian communities, within the framework of the commitment acquired by the Ethnic Groups Division with the Combined Return to Caicara Verification Commission, a strategy for the restoration of the organizational structure of the Community Council of Rio de la Cuenca del Caicara, was formulated and coordinated. Its purpose is reinstate legitimate representation of the community in order to ensure that the respective process is in response to the wishes of each and every member of the Council.

Several visits have been made to this community and another group of three hundred families who have expressed the wish to return has been supported, while the security of the zone has been guaranteed by the Armed Forces and National Police. During 2003, there were no cases of either forced displacement or attacks against members of this community.

In Buenaventura, a Rural Table was set up within the framework of Inter-institutional Management promoted by the Colombian President in November 2002 in response to the Community Council held in this city. This Table was organized to promote progress in actions in response to requests received from the inhabitants of this city. Several meetings on human rights were held in the rural zone, coordinated by the Vice-Presidency and articulated with the Pacific Group of the Ministry of the Environment, Housing and Territorial Development.

PUBLIC HUMAN RIGHTS AND IHL POLICY DECENTRALIZATION STRATEGY

It has so far been the custom for responsibilities relating to the human rights situation at regional and local levels to be assumed by the national Government alone. The responsibility of the Departmental and municipal politicians have, in the majority of cases, been limited to informing the national military or civil authorities of situations affecting citizens' human rights and infringements of International Humanitarian Law committed by the illegal organizations in their respective territories.

Strengthening local capacity to guarantee, promote and protect human rights is one of the main objectives of the present Government, acknowledging that, in addition to the responsibilities of all the authorities, action in collaboration with the local people helps to improve the human rights situation in a given territory.

At territorial level, the Human Rights Policy has been presented as a goal to generate consensus mechanisms between the Departmental, municipal and national authorities, the Armed Forces and National Police, civil society and communities, organized through processes of human rights appropriation, prevention, defence and guarantee. With this in view, in 2003, the «Human Rights and IHL Policy Decentralization Strategy», with national scope and responsibility shared between the Human Rights Division of the Home and Justice Ministry and the Presidential Human Rights and IHL Programme of the Vice-Presidency of the Republic, went into action.

Its general objective is: *To strengthen a participative, institutional culture to guarantee the application of human rights and respect for International Humanitarian Law, through the participation of regional and local authorities, as well as civil society organizations, in its implementation* and its specific objectives are:

- Strengthening civil society, empowering citizens' understanding that a peaceful way of life, respecting human rights, is better.
- Developing institutional strengthening processes, with public servants trained in respect for human rights from an integral viewpoint.
- Including public policies on human rights and International Humanitarian Law in Departmental and municipal development plans.
- Creating or using joint participative work scenarios for human rights between society and the local State to provide spaces for planning and prioritising actions based on human security, mutual trust and the prevalence of rights.

The project is being developed on the basis of three systemically operated components, according to the work plan drawn up in each region, i.e.:

- Consensus and design of the human rights and IHL plans, programmes and projects component.

- Component for deeper, more complete knowledge and policy formulation.
- Component for the implementation and follow-up of action plans and immediate response policies.

The Human Rights Policy Decentralization Strategy is being implemented in 16 Departments and 450 municipalities, which are to be converted, progressively, into spaces to facilitate the development of consensus actions pursuant to the Human Rights and International Humanitarian Law Public Policy, and to elicit response and acceptance among their inhabitants.

In 2003, the Presidential Human Rights and IHL Programme implemented this strategy in Arauca, Meta, Casanare, Tolima, North Santander, Santander, Cauca, Valle and Nariño Departments, while the Human Rights Division of the Home and Justice Ministry was active in Antioquia, Chocó, Córdoba, Cundinamarca, Risaralda and Putumayo Departments.

In the first phase of consensus, encounters between the territorial authorities and society were held to present and agree on the work proposal set out in the Decentralization Strategy. This has facilitated the inclusion of regional, local authorities and social organizations in the process, thereby positioning the subject and adapting it to the particular characteristics of each region.

Encounters with local authorities and civil society representatives have been targeted towards strengthening the institutionalization of human rights and citizen participation. Thus, the creation of opportunities for working together, such as municipal Human Rights Committees, have been consolidated in the El Castillo, Lejanías, El Dorado, Puerto Rico and San Juan de Arama municipalities in Meta Department and in those of Recetor, Chámeza and Támara in Casanare Department.

In the five municipalities of Meta Department mentioned, municipal Human Rights Committees have been set up under a municipal Council agreement or mayor's decree. The Committee members are the Armed Forces and National Police, civil and ecclesiastical authorities and Community Action Committee delegates from both the urban and rural sectors. In addition, the Social Solidarity Network has promoted the operativity of the Integral Municipal Displaced Population Assistance Committees. One achievement was that of the allocation to these towns of a small part of the national budget for the development of an Action Plan, which is to form part of these municipalities' Development Plans.

In Casanare Department, municipal Human Rights Committees were set up in Recetor, Chámeza and Támara. Although institutional participation was key to the formation of these Committees, civil society, through representatives of the Community Action Committees, the Church and the cultural and health sectors, among others, participated actively in identifying the lines of work to be prioritized in each of the municipalities.

Likewise, preferential work was done in the cities of Barrancabermeja and Buenaventura. In the former, the Inter-Sectorial Commission for Life, created under a decree of August 6, 2002, was taken as a base, in which concrete activities for the prevention of human rights violations, information systems and overcoming impunity have been involved.

As far as Buenaventura is concerned, its territory is at present considered an initiative scenario for the integral development of human rights thanks to the establishment of *Pacific Agenda 21*⁶, which forms part of the commitments acquired by the Colombian State in the Rio Environment and Development Declaration. Within the framework of this territorial effort, the subject of human rights as a component and transverse axis in the development of *Pacific Agenda 21* was incorporated and were defined the lines of work on which progress will be made: prevention and assistance in the armed conflict through processes of training in human rights and resolution and prevention of conflicts, assistance and prevention of forced displacement, recognition of collective, ethnic and territorial rights, the strengthening of citizens' participation and the promotion of peace and coexistence, based on the principles of solidarity and security.

Likewise, in Risaralda and Cundinamarca Departments, training workshops for Departmental and local public officials, social organizations and human rights NGOs have been held to provide spaces for joint work between society and the State. In the latter Department, Human Rights Committees were created in eleven towns, with their epicentre in Fusagasugá, Usme and Soacha.

In Cauca and Nariño Departments, together with the regional authorities and representatives of society, a short term Action Plan was drawn up and implemented during the second half of 2003. In Nariño Department, as a product of this implementation process, three workshops were organized in the towns of Ricaurte, Mallama and Sandona, where subjects concerning human rights and IHL, economic development and human rights, Early Warning System and anti-personnel mines in Colombia were discussed.

In Putumayo Department, action plans were formulated and Human Rights Committees were set up in the towns of Colón, Santiago, San Francisco and Sibundoy. In North Santander Department, an action plan was agreed on with social organizations, regional authorities and the Church, including components on the prevention of human rights violations, the fight against impunity, a common information system, communications mechanisms, articulation with the Peace Laboratory, anti-personnel mines, legitimization of the work of NGOs and assistance for the displaced population. In Santander Department, activities on subjects such as a human rights culture, the displaced, protection for people under threat, rights of prisoners, anti-personnel mines, kidnapping, human

⁶ A project led by the Ministry of the Environment, the Inter-American Development Bank and the Pacific Environmental Research Institute, which the Presidential Human Rights and International Humanitarian Law Programme has joined, thus including in it the subject of human rights.

rights aspects in Development Plans, recommendations made by international bodies and analysis of the Democratic Security Policy were defined.

For the purposes of continuing the process begun during 2003 and to acquire a commitment from the new Departmental governors and municipal mayors elected in October, the Vice-President of the Republic and the governors and mayors elected signed a commitment agreement to include the Public Human Rights and International Humanitarian Law Policy in their agendas, as well as in Development Plans for Amazonas, Bolívar, Casanare, Cesar, Atlántico, Arauca, Guaviare, Meta, Nariño, Santander, Caquetá, Sucre, Valle del Cauca, North Santander and Vichada Departments, and in the cities of Barranquilla, Arauca, Valledupar, Yopal, Tunja, Montería, San José del Guaviare, Pasto, Bucaramanga, Ibagué, Cali, Puerto Inírida and Mitú. Nonetheless, the project has to be implemented in the 32 Departments of the country.

PREVENTION OF VIOLATIONS ON PUBLIC ROADS

Towards the end of the previous Government, a *Road Security Plan* was designed for the purposes of guaranteeing a fully secure infrastructure for users of the roads.

Aware of the importance of the roads as Colombia's main economic arteries, and because they are used by the illegal armed groups to commit terrorist acts and as infrastructure for their supplies and mobilization, the Government took up this initiative once again and assigned it greater importance in its Democratic Security Policy, in order to guarantee Colombians' rights to travel, recreation, work and freedom, according to which all persons can move freely, within national territory by whatever means they choose, with no limitations except those established by the law.

In January 2003, the Inter-sectorial Committee designed the «Integral Road Security Strategy» to strengthen safety on the highways with human, financial and logistical resources articulated with active participation of the people. The Ministries of Transport and National Defence and INVIAS signed an inter-institutional agreement to be used as a tool to provide the Armed Forces and National Police with the necessary means for its implementation.

The general objective of this strategy is to provide permanent security on the roads through integrated action by State organisms, with the active, organized cooperation of the people. To achieve this objective, the strategy is aimed at fulfilling the following specific objectives:

- To cover 6,100 of the 16,000 kilometres of the national road network, which carry the majority of vehicles transporting cargo and passengers, making it the overland axis of the national economy.
- To keep up-to-date information on the security situation of road network.
- To include actively the private sector in the implementation of the strategy.

Likewise, it has six components which fulfil specific functions:

- The *Strategic Road Information Centre*: An office specialized in collecting information on the security situation on all Colombian roads.
- *Road monitoring system*: Surveillance and permanent intelligence on the roads. The vehicles have AvL (satellite) technology.
- *Meteor Plan*: Response companies formed by the Army and Marines, with high levels of fighting and response capacity.
- *Mobile Judicial Units*: To permit immediate prosecution of persons captured *in flagranti* at the crime scene.
- *Road guardians*: Motorized squadrons with mobility and immediate response capacity.
- *Citizen cooperation networks*: Participation of road users by supplying timely information.

The following were the results of the implementation of the Integral Road Security Strategy in 2003:

- 60% reduction in the number of illegal roadblocks. While in 2002 there were 193 illegal roadblocks in which 703 persons were kidnapped, there were 78 with 303 persons kidnapped in 2003.
- A 7.7% increase in vehicular traffic in comparison with the year 2002.
- As a result of the foregoing and according to figures of the Colombian Hoteliers Association, COTELCO, there was 95% occupation of hotels in December 2003 and an annual average occupation of 50% during the year, against an average of 43% in 2002.
- Confiscation of merchandise, arms, ammunition, military uniforms and hydrocarbons on the different roads worth close to CoL\$467,362 million.
- In actions against thefts of hydrocarbons, 92 valves were confiscated, 2,736 persons arrested and 131 bands of criminals dismantled.
- In the case of kidnappings, 38 people were freed, thus avoiding the payment of ransom for CoL\$1.9 billion to illegal organizations.
- The Armed Forces and National Police received, in good time, four warnings of car bombs against road infrastructure and another four of explosive charges against bridges.

ANTI KIDNAPPING POLICY

In Colombia, kidnapping and extortion are not limited to common crime. Like drug trafficking, it is a mechanism frequently used to finance the illegal armed organizations' terrorist actions. In 2003, thanks to the integral policy against these crimes and the operations of the Armed Forces and National Police, DAS

(Administrative Security Department) and the National Prosecutor General's Office, and to citizens' collaboration during the year, there was a reduction of 26% in the total number of kidnappings, from 2,986 in 2002 to 2,200 in 2003. Kidnapping for economic purposes was reduced by 22%, from 1,923 in 2002 to 1,493 in 2003. This percentage increased if we compare 2001, when there were 2,359 cases of kidnapping, with 2003. The great majority of victims, Colombians from all walks of life, were kidnapped by illegal organizations and thus, the payment of ransoms contributed to financing terrorism⁷.

In addition to this, kidnapping and extortion have an adverse effect on both national and foreign investment and produce a similar psychological effect on individuals, families and society, by causing a constant sense of vulnerability.

The Government, aware of these problems and of the need to establish a clear, sustainable, long term State policy to combat such crimes, approved the *Anti Extortion and Kidnapping Policy*⁸ during the Security and National Defence Council session of March 4, 2003.

This policy established the general objective of reducing the number of cases of extortion and kidnapping and, as specific objectives, those of increasing the costs of committing these crimes, as well as consolidating both the trust of the people and of the international community regarding the Colombian State's capacity to deal with the problem.

Among the strategic outlines put forward for these objectives was those of improving information quality on which to base decision making and establishing a more precise cost structure of committing these crimes and of enabling anticipate new ways of operating. Likewise, systematic analyses will be made of the evolution, characteristics, behavioural, geographical and climate patterns of this crime and the existing *modus operandi* of its perpetrators.

To this effect, kidnapping and extortion were included in the Defence and Democratic Security Policy as a new threat to the human security, democracy and the vital interests of the Nation. This policy highlights the optimization of information by providing insight into the kidnapping organizations as the axis for the fight against them, to facilitate decision making and neutralize these organizations and their finances.

For this purpose, the President of the Republic assigned special functions to the Vice-President to combat kidnapping and extortion⁹. His activities in this

⁷ Defence and Democratic Security Policy - Presidency of the Republic - Ministry of National Defence, July 2003.

⁸ This State policy document was the result of coordinated work between the Vice-Presidency of the Republic, the Ministry of Defence and other entities involved in the fight against extortion and kidnapping.

⁹ Decree 295 of February 7, 2003.

regard are supported by the Presidential Programme Against Kidnapping and Extortion¹⁰ (PPCES).

The Programme provides the inputs necessary to plan policies and strategies against these crimes, supports the different State agencies responsible for this area in the design, planning and evaluation of strategies and actions, makes studies and analyses of the legal instruments in force in order to propose the required adjustments, promotes prevention programmes and campaigns, as well as assistance for victims and seeks to strengthen cooperation and international assistance mechanisms.

The implementation of all the functions of the Programme falls within the framework of coordination strategies with all the entities involved, to achieve results which are both concerted and in accordance with the needs of the fight against these crimes.

One of its actions is undoubtedly the protection of victims. To further this, bill N° 137 «under which measures and other provisions to protect the victims of kidnapping and their families are adopted» was brought before Congress.

This bill was the result of efforts and consensus among the Government, Congress of the Republic and civil society to deal with kidnapping, one of the worst threats to the fundamental rights of Colombian citizens, in the search for mechanisms for the protection of victims and their families. For this purpose, the *Inter-sectorial Family Protection Work Table* was created and is coordinated by the Vice-Presidency of the Republic under its Presidential Programme Against Kidnapping and Extortion.

This bill is for the creation of a system for the protection of victims, with strict access to the system and remaining within it and the extension of control measures, as well as the establishment of specific protection instruments in the areas of work, taxes, education, civil and financial obligations and social protection for the families of victims.

STRENGTHENING THE HUMAN RIGHTS AND IHL CULTURE WITHIN THE ARMED FORCES AND NATIONAL POLICE

The Colombian State and its Armed Forces and National Police are committed to respecting and promoting respect for human rights and the application of International Humanitarian Law. Humanitarian norms have been applied with no condition of reciprocity, that is, the legal obligations of public servants must be observed independently of the behaviour of the illegal armed groups.

¹⁰ Decree 519 of March 5, 2003.

On this understanding, and within the framework of the Defence and Democratic Security Policy lines of action to continue their «successful training programmes in human rights and International Humanitarian Law for members of the Armed Forces and National Police», the Ministry of National Defence, the Military High Command and the Direction of the National Police have worked on the development of a human rights and International Humanitarian Law training alternative. These outlines include the advances made in human rights and IHL training and have overcome any restrictions identified in the respective instructions. Academic aspects have been given priority, because the academic world has created the conditions for raising awareness on these issues, strengthening the generation of a true institutional culture.

The aim of the Permanent Plan for the Integration of International Human Rights Law and the International Humanitarian Law applicable in situations of armed conflict (ILAC) for the Armed Forces, issued in February 2003 by the Military High Command and supported by the Ministry of National Defence and the International Committee of the Red Cross (ICRC), is to strengthen the inclusion of human rights and IHL in the operational doctrine manuals of the Military Forces and their officers' and troops' military training, on the basis of a practical methodology and with an operational military approach, curricular transversality and gradual teaching.

The creation and activation of a Mobile Group or Committee for the Dissemination of ILAC within the National Army, whose members are three officers and five non-commissioned officers, is highlighted in the implementation of this Integration Plan, which has provided courses for military instructors at the Instruction and Training Centres and the Instruction and Re-training Centres of the six Divisions of the National Army. ICRC delegates were present at these courses as observers. For its part, the National Navy has trained some 20,000 of its members to be instructors in IHL.

With the clear objective of including IHL and human rights in both manuals and doctrine, the Superior War College 2003 High Command Course drew up a draft Chiefs of Staff Manual for the Colombian Army and the Air Force and, for the Naval Operations Department the corresponding manual for Naval Chiefs of Staff. The 2003 Army High Command course students prepared the Human Rights and IHL Operative Manual proposal for the operative and tactical units. All these proposals were developed within the Theme Force Unit and presented to the Superior War College Strategic Studies Centre on Security and National Defence.

The Superior War College academic Departments held a workshop on transversality of the subject for the 2004 High Command Course, led by ICRC advisers. The Air Force, for its part, held the Basic ILAC Course, with teachers of the Military Aeronautical Institute and the Air Force Non-Commissioned Officers College and drew up the inventory of the subjects based on which ILAC transversality may be implemented.

The following actions are highlighted as a contribution to strategic objectives and expected training results:

- Meeting of Heads of the Armed Forces, National Police and Ministry of Defence Human Rights Offices.
- Regional training workshops on indigenous legislation, in coordination with the Ombudsman's Office.
- Regional training workshops on forced displacement, in coordination with the United Nations High Commissioner for Refugees - UNHCR.
- «What more can we do in human rights?» encounter with the General Inspectors, Heads of Human Rights Offices and external interlocutors (ICRC, Home and Justice Ministry, Offices of the National Prosecutor General and National Attorney General, the Vice-Presidency, the Ombudsman's Office, UNHCR and the UNHCHR) in December 2003.
- Diploma in human rights and International Humanitarian Law Teaching Strategies for Military Forces training and education college teachers at Javeriana University.
- Postgrade in International Law in Armed Conflicts - ILAC, with the *José María Córdoba* General Military Cadets College.
- II International Seminar on Human Rights and International Humanitarian Law in Armed Conflicts held by the Superior War College.
- *Military Defence Attorneys* Seminar organized by the Colombian Air Force.
- II Seminar on Air Operations within the framework of International Law in Armed Conflicts.

In this area of strengthening a human rights and IHL culture within the Armed Forces and National Police, it is important to highlight the different circulars and guidelines which the Ministry of National Defence issued during 2003:

- Circular N° 2064 MDDHH-725 of March 4, 2003 - Ministry of National Defence Policy for the protection of human rights of indigenous communities.
- Transitory Guideline N° 14 of September 5, 2003 - Training Workshops on Indigenous Legislation for the Armed Forces and National Police.
- Guideline 09 N° 9175 of July 8, 2003 - Ministry of National Defence Policy for the protection of human rights of union members and human rights defenders.
- Transitory Guideline N° 08 of June 13, 2003 - Armed Forces and National Police Training Programme on protection and prevention in situations of forced displacement by violence.
- Transitory Guideline N° 22 of October 23, 2003 - «What more can we do in human rights and International Humanitarian Law?» Project.

CHAPTER II

FORCED DISPLACEMENT ASSISTANCE AND PREVENTION STRATEGY

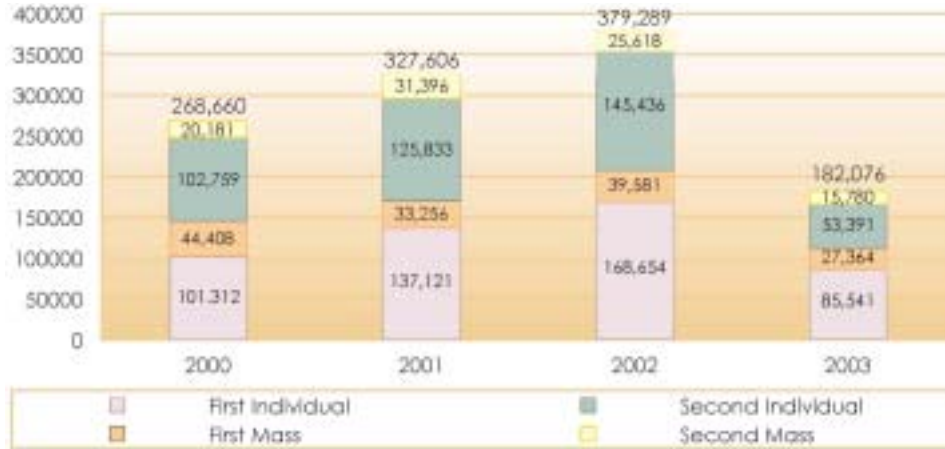
During the early months of President Alvaro Uribe Velez' administration, the Government recognized the dimension of the problem of forced displacement caused by violence. Even though its magnitude continues to be of great concern, after 18 months of Government, the Democratic Security Policy has resulted in a reduction from the 379,289 people registered in 2002 to 182,076 in 2003, that is, 52%.

Recovery by the Military Forces of territories controlled by the illegal armed groups, presence of the National Police in 1,096 of the 1,098 main towns, as well as the entire State's commitment to promoting development processes with more social investment were the actions which facilitated the reduction noted above.

In addition to the Democratic Security Policy, the Government has a policy targeted to dealing with the forced displacement phenomenon, with two principal objectives: i) prevention, through the implementation and strengthening of the measures necessary to prevent its occurrence, and ii) integral assistance for its victims.

For this purpose, the State has established the National System for Integral Assistance for the Population Displaced by Violence (SNAIPD), whose purpose is to implement the State policy designed and defined as a political and operative combined effort tool for public and private entities. Its objectives are fundamentally to prevent the occurrence of displacement, to mitigate its effects, to guarantee resources and to join forces for integral assistance for the forcibly

UNIFIED REGISTRATION SYSTEM S.U.R.
 YEAR BY YEAR REGISTRATION*
 Population affected by type of event 2000 - 2003 (by semesters)



* Consolidated data January 1, 2002 - December 31, 2003.

displaced, for such assistance to facilitate their return home or their re-incorporation in situ in the event that the displaced do not wish to return to their places of origin.

The main answers to this phenomenon were coordinated through the Social Solidarity Network (Rss). Integral assistance for the displaced population, complemented by the social reactivation policy, *Seven Tools for Equity*, is provided through 4 components:

1. Development and consolidation of the displacement prevention programmes and protection of the affected population.
2. Provision of emergency humanitarian assistance.
3. Socio-economic stabilization of the displaced population.
4. Development and consolidation of the National System for Integral Assistance for the Population Displaced by Violence (SNAIPD).

PREVENTION OF FORCED DISPLACEMENT

From this perspective, prevention refers, on the one hand, to Government actions to prevent the occurrence of the forced exodus of individuals, families and entire populations, and, on the other, to the existence of institutional mechanisms to generate early warnings for timely action on the part of the authorities. It also proposes to focus on food security projects in municipalities highly vulnerable to displacement, to permit population settlement

conditions; to activate tripartite or bilateral mechanisms with bordering countries to control migrations, to agree on the voluntary repatriation of Colombians and, finally, to protect the goods and property of the displaced population.

The gradual recuperation of territories and zones in conflict has been successful insofar as the reduction in the phenomenon of the displaced caused by the territorial dispute between illegal armed actors, is concerned, thanks to the strategic objectives of consolidation of State territorial control and protection of the population set forth in the Democratic Security Policy.

As far as humanitarian actions are concerned, the Military Forces have participated in the design and development of actions to minimize risks to life and physical integrity of the population which may be exposed to such risks, and have guaranteed free passage of humanitarian aid for the displaced in the affected zones. The Military Forces and National Police have evaluated security conditions in the regions or localities to which it was intended that displaced persons should return prior to the 92 return processes which have been undertaken during this Administration, in which more than 60,000 Colombians returned to their homes and the guiding United Nations principles on internal displacement of willingness, dignity and security were respected.

Likewise, one of the strategies of the Social Solidarity Network (Rss) to prevent displacement falls within the framework of the Democratic Security Network Programme (RESA), whose objectives are a change in attitude on the part of small rural producers, so that they will produce their own food and encourage agricultural workers and indigenous communities to remain in rural areas. Between August 7, 2002, and December 31, 2003, some 453,142 rural people were included in food security projects. In all, 28 projects in 13 Departments benefit this population, at a cost of COL\$32,789 million.

To implement protection and assistance measures for the population in frontier areas, a process of rapprochement and cooperation between the neighbouring governments and international bodies has been undertaken in response to emergency situations, in an effective, well coordinated manner. For this purpose, CONPES (National Council for Economic and Social Policy) issued document 3155 and agreements have been signed with Ecuador, Panamá, Perú and Venezuela. These tripartite or bilateral mechanisms for the treatment of the phenomenon of forced displacement in frontier zones facilitated, among other things, the voluntary repatriation of 87 people in December 2003 from Jaqué in Panamá to Juradó in Chocó Department, and 27 more people in February, 2004, to the municipalities of Turbo, Riosucio and Unguía. In addition, CONPES has permitted the formulation and implementation of the Frontier Sovereignty and Social Development Plan to implement actions for the protection of the economic, social and cultural rights of these populations that have been violated.

By way of prevention and protection actions, the Government has carried out, with the support of the World Bank Post Conflict Fund, the *Protection of Property and Goods of the Displaced Rural Population and Strengthening Social Links Project*, aimed at designing, validating and transferring the methodologies necessary to apply real property protection regulations. Within this framework, and in compliance with the State obligations to safeguard rights and democratic security, a Unified Property Register (RUP) will be established to serve as the basis for the population affected to request protection and recover their property, in particular the land taken from them as a result of their displacement.

All these actions are supported by an inter-institutional network formed by Colombian Institute for Rural Development (INCODER), Agustín Codazzi Geographical Institute (IGAC), the Superintendency of Notaries and Registration and the Social Solidarity Network. The Attorney General's Office, following the principle of harmonious collaboration, helps to make these legal and institutional protection measures effective.

Finally, and following the guiding principles on internal displacement, the Government has implemented a project of *Early Warning System for Afro-Colombian and indigenous communities*, coordinated by the Rss jointly with the Ministries of Defence and Communications. It consists of installing communications radios as a system for the prevention of possible attacks by illegal armed groups, as well as natural catastrophes. Moreover, methodologies and instruments for training in ethnic development and in the formulation of productive projects for the socio-economic strengthening of communities at risk of displacement in the Colombian Pacific Coastal area and the Departments of Bolívar and Cesar are being included.

Also important to mention is the *Emergency Exchange* design and implementation project to assist people under protection programmes and communities for which the Inter-American Human Rights Commission has established precautionary and provisional measures. This project will facilitate the establishment of a private, immediate, reliable telecommunications network in the Human Rights Department of the Home and Justice Ministry, to link the National Prevention System entities together for the purposes of supporting the early detection of, and dealing with risks of possible violations of human rights and infringements of International Humanitarian Law, targeted to people and communities under the protection programmes of the Home and Justice Ministry Human Rights Department which are considered in imminent danger.

HUMANITARIAN ASSISTANCE FOR THE DISPLACED POPULATION

The most immediate consequence of forced displacement caused by violence is the loss of satisfaction of the basic needs of the population affected. This is

associated with a lack of protection and food vulnerability, which especially affects women and children. This situation has to be dealt with immediately and, for this purpose, within the framework of integral assistance for the displaced population policy, emergency humanitarian aid is being provided as a means to cover the basic needs of food, health, psychological care, lodging, internal living items, public health and emergency transportation.

At the beginning of the present Government, 40,000 Colombians were found not to have received this aid. Between August 7, 2002, and December 31, 2003, the Rss delivered emergency humanitarian assistance to 40,233 families, both directly and to complement the international humanitarian organizations. As a strategy, the Rss has a Donations programme, which channels goods delivered by the Direction of Taxes and National Customs (DIAN) to complement food aid and assistance in other aspects of the emergency phase.

Responsibility for providing humanitarian assistance for the displaced population is, in the first instance, that of the Colombian State. However, given the serious humanitarian situation, as the President of the Republic recognized before the United Nations, the Government has succeeded in bringing different sectors together, through the Rss, so that coordinated actions complement humanitarian assistance efforts.

With this in view, the *Memorandum of Understanding* between the Rss and the International Committee of the Red Cross (ICRC) has been strengthened; it permits this international humanitarian aid organism to provide emergency humanitarian aid in both mass and individual displacements in the 16 cities where it has an office, acting under its own criteria of neutrality, independence and impartiality. In addition, together with the Habitat and Finances Community (CHF), present in 13 municipalities, joint humanitarian aid actions have been undertaken in individual and family displacement events.

In response to the present Government's request to continue the food aid being provided to Colombians displaced by violence, the World Food Programme (WFP), approved the second phase of *Prolonged Help and Recuperation for Colombia 10158, Assistance to Persons Displaced by Violence Operation*. A Memorandum of Understanding was signed on June 25, 2003, between WFP, the Colombian Family Welfare Institute (ICBF), the Colombian International Cooperation Agency (ACCI) and the Rss. The Operation will be implemented during the period between June 2003 and May 2006 and may be extended by the parties. The goal in number of beneficiaries is to attend 375,000 people, both displaced or in high risk of displacement. The costs of the Operation are US\$48 million, of which the WFP will contribute US\$25.9 million and the Government, through the Rss and the ICBF, US\$22.1 million. These resources will enable 31,010 tons of food to be mobilized during the three years' implementation.

As tools to deal with, coordinate and plan emergency services, the Rss has 21 Units for the Assistance and Orientation of displaced persons, the great majority of which are located in Departmental capitals where the local institutions collect and provide articulated emergency assistance.

In regions highly vulnerable to displacement, there are Contingency Plans to serve as an instrument to guide the municipalities to prepare adequately for such an eventuality and to improve institutional response to the emergencies brought about by mass displacements.

Moreover, in the emergency phase, the territorial entities provide health care, guarantee educational services, psycho-social care and all the installed capacity of basic public and social services. Special attention is paid to women who are pregnant or breast feeding, minors and the elderly through complementary ICBF food programmes.

SOCIO-ECONOMIC STABILIZATION OF THE DISPLACED POPULATION

The purpose of programmes and projects in this phase of assistance is to provide the displaced population with relocation opportunities and alternatives in a new locality, or for them to return to the home they were forced to leave, to help them rebuild their social and economic systems so that they may be integrated into the receiver community, and to facilitate, wherever possible, their access to welfare opportunities better than those they left behind when the displacement occurred.

Stabilization, in addition to forming part of Colombia's social and development policies within the framework of the *Seven Tools for Equity* for social reactivation, implies immense challenges, because what are sought are long lasting solutions with the contribution of a variety of national, local and territorial agencies. This requires a systemic articulation approach because of the plurality of actors and territorial complexities and particularities.

To deal with and strengthen rural stabilization, a special line of credit of COL\$100 billion has been made available. It is being promoted through direct support for Project Managers for the promotion and application of the FINAGRO line (Investment Fund for Rural y Agricultural Development) in some regions of Colombia, for the viability of, and to favour agreement on rural production with the organizations for the displaced. The result of this activity has been the creation, to date, of 9 projects with Banco Agrario (Agrarian Bank) for the sum of COL\$8,925 million, benefiting 520 families; a further 22 projects are being arranged in benefit of 886 displaced families, at a cost of COL\$9,179 million.

As to urban restoration, a line of credit for displaced persons and the vulnerable population affected by violence has been created through financial intermediaries with a quota in BANCOLDEX, to cover the financing of productive

projects through the development of small companies to engage in activities such as industrial transformation, handicrafts, trade and services and to support working capital and fixed assets.

To support the implementation of this line of credit, 13 entrepreneurial and financial training projects have been co-financed with NGOs at a cost of Col\$403,694,940, with the cooperation of FOMIPYME, the IOM and Rss.

In the housing component, a public management model was introduced and designed and regulated procedures and conditions for access to the rural and urban family housing subsidy, which include: exemption from prior time and savings requirements; inclusion in the variable qualification formula for people in a situation of forced displacement and inclusion in the qualification formula to participate in productive projects. It takes into account factors of ownership or non-ownership, relocation, return home, prevention, extension to all types of housing, such as second hand and rented accommodation, to apply Family Housing Subsidy resources. The policy is governed by Decrees 951 of 2001, 2488 of 2002 and 1042 of 2003.

So far in the present Government, Col\$36,164 million have been allocated by INURBE (Urban Reform National Institute), FONVIVIENDA (National Fund for Housing), Banco Agrario and Rss, through which the sum of Col\$7,999 million has been channelled by international cooperation entities and municipal and Departmental administrations for the beneficiary community. This is intended to cover the housing needs of 8,505 families displaced by violence, including basic sanitation solutions, housing improvement, urban infrastructure and the acquisition of new or second hand housing.

Returning home is the process of stabilization and re-settlement of the displaced in the places from which they were displaced by the violent action of the illegal armed groups. For the Government, it is fundamental to provide the protection, security and social and economic assistance conditions to ensure trust and lasting solutions as basic conditions for the process of returning home. This Government applies the guiding principles of dignity, security and willingness and, to this effect, responded to the wish of 11,145 families, who returned to their homes between August 7, 2002, and December 31, 2003. As components of this assistance for the processes of returning home, the State provides food aid and agricultural packages to guarantee food security in the initial phase. On the understanding that returning home is the best alternative, the Government has been working towards helping at least 30,000 families, that is some 150,000 Colombians, to return to their own land.

For the purposes of articulating the displaced population and strengthening the level of coordination and organization of the supply of the National System for Integral Assistance to the Displaced Population, the Rss Strategic Alliances programme promotes actions to insert the displaced population in social networks, with the generation of regular income in the towns, villages and

regions where they have resettled. At present, the programme is under way in Valle del Cauca, Antioquia, Cundinamarca, Magdalena and Atlántico Departments and Bogotá and is implementing 11 projects in benefit of 4,126 people in the garment industry, food security initiatives and job opportunities and training, with an investment of Col\$4,023,938,000.

Finally, and with a view to improving children's conditions, reducing the emotional impact caused by displacement and integrating them into new social and cultural surroundings, in December 2002, the Rss signed Cooperation and Technical Assistance Convention N° 881/2002 with the Batuta Foundation for Col\$2,500 million *Let music touch you - Phase III*. The Foundation promotes musical practice among children and young people in Colombia to heal the emotional wounds caused by the different violent actions. Taking advantage of this scenario, the children not only learn music, but also build up relations of friendship, solidarity and affection. With these resources, the Rss increased the number of 471 children helped in 2001 to 5,000 in 2003 in 18 Departments of Colombia.

DEVELOPMENT AND CONSOLIDATION OF THE NATIONAL SYSTEM FOR INTEGRAL ASSISTANCE TO THE DISPLACED POPULATION

The Rss, as a coordinator entity, has undertaken actions to strengthen 18 Integral Assistance for the Displaced Population Territorial Committees, in which 1,700 people, representing 811 public and private entities, participate and has set up 51 prioritized work tables.

The basic purpose of these work spaces is to achieve integrality of action in the local sphere through the Unified Integral Plan, this being understood to be the series of strategies, activities, resources and management mechanisms formulated and agreed through the Committees in a region or micro-region. These Plans have to respond to the different demands and needs of the population, and articulate and coordinate institutional actions to help to fulfil them. Examples of local articulation of the System are the mass inclusion of the displaced population in SISBEN (Beneficiaries of National Health Subsidized Service) in several Colombian towns, the availability of school places and humanitarian missions to reduce the threats on a region and its population, among others.

In addition, at national level, the present Administration has been working on the formulation of a new CONPES¹¹ to include the present public policy in this respect. Moreover, it is preparing, jointly with the SNAIPD institutions, the National Plan for Integral Assistance to the Displaced Population, which will implement the measures and actions needed in accordance with the characteristics and conditions of this community. It is proposed that this Plan be approved in

¹¹ Document of Social and Economy Policy Council.

March, when the National Council for Integral Assistance for the Population Displaced by Violence, the organization responsible for formulating the policy and guaranteeing the budgetary allocation for the programmes created for assistance, is to meet.

On a sectorial basis, the SNAIPD, in the aspect of health and pursuant to Law 387 of 1997, Decree 2131 of August 30, 2003, and National Health Social Security Council (CNSSS) Agreement 59 of 1997, health care for the population displaced by violence is integral during the time they remain on the Unified Register of the Displaced accredited by the Social Solidarity Network. This implies undertaking actions to promote and foment health, the prevention of disease, intervention of risk factors, emergency care, outpatient consultations, laboratory examinations and other diagnostic aids, hospitalization and surgery and the provision of medicines and rehabilitation. Likewise, and in accordance with Agreement 85 of 1997, the territorial entities have to develop assistance projects in the components of psycho-social and nutritional care for the population displaced by violence.

To guarantee health care for the most vulnerable displaced population, Resolution 474 of 2003 emphasizes their affiliation as displaced persons who do not belong to any health service and have no payment capacity and allocates resources for the care of this population.

Likewise, Agreement 244 of 2003, prioritizes the affiliation of displaced and indigenous populations who are not affiliated to any health service and have no payment capacity to the Subsidized Regime. The coverage of assistance for this population is therefore to be gradually increased, as resources become available.

From the point of view of education, the Ministry of National Education is developing transverse strategic actions to train teachers for the displaced child and teenage population through seminars or training workshops under the *School and displacement* teaching proposal. In addition, in association with the Colombian Educational and Technical Studies Abroad Credit Institute (ICETEX), it has adjudicated nearly 1,094 secondary school subsidies, for a total of Col\$437,600 million, benefiting 307,925 pupils in the Departments of Chocó, Meta, North Santander, Sucre, Tolima and Valle del Cauca.

Likewise, it has been providing technical assistance to Departmental, District and Municipal Education Divisions in the areas of education for this population in the different phases set forth in Law 387. It has also implemented flexible methodologies to accelerate direct learning for school age minors in 21 Departments, benefiting 3,425 pupils and 137 teachers.

The National System for Integral Assistance to the Population Displaced by Violence (SNAIPD) has a National Information Network, created under Law 387 of 1997, which is the basis for designing assistance plans, programmes and

projects for the displaced population in its different components. To comply with the foregoing, two sub-systems which form part of the National Information Network: the Unified Registration System (SUR) and the Contrasted Sources Estimate System (SEFC), have been consolidated through the Social Solidarity Network.

The SUR is the application used to identify the displaced population which should receive assistance from the State and to follow up the impact of State policies and resources.

During 2003, a new version of this system was implemented and a unified, national level database was established and processed with a minimum of automatic validation rules. A territorial level process of manual clearing is under way. Work is being done to establish remote connection with 20 Assistance and Orientation Units (UAO) and 35 Territorial Units (UT) to the unified data base. The design of strategies and tools for the inclusion in the SUR of information on assistance provided was begun, as well as the exchange of information with other SNAIPD entities; a new design of the aid provided follow-up module will result from this work.

In the area of technological innovation, the Social Solidarity Network has been implementing the development of the SUR on the Web to guarantee easy access, via the Internet, to information contained in a unified database which will be fed from the Territorial Units (UT) and the Assistance and Orientation Units (UAO), through remote communication technologies which guarantee the quality, veracity and timeliness of the information.

Another National Information Network tool is the Observatory on Forced Displacement and, for this purpose, in association with the National University and with the cooperation of the International Organization on Migrations (IOM), an agreement for the conceptual, methodological and operative design of the Observatory is to be signed.

To conclude, within the framework of prevention and dealing with the phenomenon of forced displacement, today more than ever, the Programmes for Victims of Violence and Reconstruction of Municipalities and Social Infrastructure of the Rss have become a strategy benefiting displaced Colombians, either directly or indirectly.

Humanitarian aid for victims or their families, repair of destroyed housing, reconstruction of public infrastructure, that is, the direct consequences of guerrillas' attacking townships or perpetrating terrorist acts or massacres committed by illegal armed groups, among other violations, which may or may not cause displacement, constitute actions to prevent displacement and to mitigate its effects when it occurs, or to enable the population affected by the violence to return home.

Regarding the humanitarian assistance in the form of two minimum legal monthly wages given by the Government to people slightly injured or who have lost goods in terrorist acts, the Social Solidarity Network had, at the beginning of President Alvaro Uribe Velez' administration, owed the sum of Col\$2,500 million to 4,000 families affected by terrorist acts. The Rss had been brought up to date by May 2003, and, from then on, aid is being given to every person affected during the month following an attack. By December 2003, this entity had handed over 10,291 of these benefits, at a cost of Col\$6,147 million. During 2003, the Rss gave Col\$2,361 million in resources to 211 relatives of victims killed in terrorist acts.

As a result of the armed groups' attacks on the civilian population, municipal infrastructure has been affected and reconstruction activities had to be undertaken as a strategy to prevent forced displacement. In this effort, from August 7, 2002, to December 31, 2003, the Rss undertook the reconstruction of 4,772 housing units affected by terrorist acts, in 75 municipalities in 18 Departments under the Towns Reconstruction Programme, with an investment of approximately Col\$4,017 million.

Likewise, 145 reconstruction works and the building of public infrastructure in 71 municipalities in 20 Departments were completed, with an investment of approximately Col\$9,993 million. 36 such infrastructure works in 23 municipalities are to be handed over during the first half of 2004.

It is expected that 614 houses which are in the process of reconstruction will be handed over during 2004, following an investment of approximately Col\$550 million, thus completing a total of 5,386 housing units. Likewise, through the Community Management Programme, 128 reconstruction works in 30 municipalities in 8 Departments, with an investment of Col\$11,590 million were handed over, thus completing a total of 309.

CHAPTER III

SPECIFIC MEASURES TO PROMOTE INTERNATIONAL HUMANITARIAN LAW

In Colombia, one of the problems caused by the internal armed conflict and its gradual degradation has been the use of anti-personnel mines as a weapon of war by the illegal armed groups. Because they are indiscriminate arms, anti-personnel mines make no distinction between combatants and non-combatants, which constitutes a very grave threat to the civilian population.

In addition, the illegal organizations are seriously affecting the provision of health services and health prevention programmes, especially in rural areas where armed actions take place and, at the same time, have made the members of the Medical Mission¹² victims of threats, murder and kidnapping.

In these two areas, the Government is developing action plans and programmes to counter the effects of these infringements, prevent them and protect the civilian population.

ANTI-PERSONNEL MINES

One of the main lines of action included in the Government policy established in the National Development Plan are specific measures to promote International Humanitarian Law and, in particular, actions against anti-personnel mines, highlighting this as one of the priority areas requiring fulfilment of the obligations imposed by international rules such as Protocol II Additional to the four Geneva

¹² Understood as the group of sanitation personnel, goods, facilities, institutions, vehicles, equipment, necessary materials, persons and actions involved in the provision of the health service.

Conventions and the Ottawa Convention - ratified under Law 554 of 2000 - which prohibit the use, storage, production and transfer of anti-personnel mines.

The National Action Plan against anti-personnel mines¹³ has been designed for the purposes of implementing this policy and to comply with the extension of the Programme for the prevention of accidents with anti-personnel mines set forth in the National Development Plan to 268 more municipalities.

The implementation of the National Action Plan against anti-personnel mines is based on the following components:

Information management. This is to systematize, analyse and disseminate national and territorial information to facilitate decision making and generate knowledge through actions to combat anti-personnel mines and abandoned unexploded ammunition. The following were the achievements of this process in 2003:

- Cooperation and technical assistance with the Agustín Codazzi Geographical Institute.
- Raising awareness of public servants to their responsibility to report events to primary sources: 1,100 mayors, 1,100 municipal attorneys, 1,686 Community Action Committees in Bogotá, 276 Committees in Bucaramanga, both rural and urban, 76 Action Committees in Valledupar, 75 Committees in Cúcuta and in the rural zone and 382 fire fighter organizations throughout the country.
- Registration and description, to December 31, 2003, of 4,122 events of anti-personnel mines and unexploded devices.
- Geo-referencing of 560 mine fields throughout Colombian territory.
- Signposting and mapping by the Military Forces of mine fields used for the protection of certain military bases and vital infrastructure.
- Monitoring of 21 humanitarian emergencies because of the presence of anti-personnel mines.
- Establishment of 140 pilot studies of mined zones in 4 Departments and one city.
- Verification of 160 mined zones to focus evaluations of humanitarian risk and impact on the exercise of social, economic and environmental rights in 9 Departments.

¹³ This was set up with the participation of member entities and guests of the National Inter-sectorial Commission and the Technical Sub-commissions, representatives of indigenous peoples, black communities and non-governmental organizations committed to the process. Likewise, it was important in the definition of the plan the participation of the National Planning Department - Justice and Government Division- Government and Security Group.

- Improvement in the identification and present location of survivors of accidents caused by anti-personnel mines and unexploded devices.

Information and education to prevent the risk of the presence of anti-personnel mines and abandoned unexploded ammunition: The objectives of this component are to raise awareness of society and the national authorities, as well as the international community, of the scourge of anti-personnel mines and abandoned unexploded ammunition to educate the people living in high risk zones to promote safety precautions. Its achievements in 2003 were:

- 21 informative and raising awareness workshops were held, attended by 947 representatives of indigenous peoples, black communities, churches, national and international NGOs, Government officials, mayors' offices, municipal attorneys, Government defenders and institutions which assist populations in a vulnerable situation, from 29 Departments and 78 towns.
- Consensus on information management activities, promotion of the rights of survivors and prevention of accidents with national entities which deal with high risk populations.
- Workshops for the identification of key actors and concrete actions against mines in 6 Departments.
- Preparation and application of the National Survey of awareness, attitudes, practices and beliefs for the definition of a communication strategy appropriate to the Colombian situation for 1,168 persons in 23 Departments, 119 towns, 4 indigenous territories and two Afro-Colombian communities.
- Acquisition and distribution of 200,000 tabloids to facilitate the location of mined zones and dissemination of Law 759 of 2002.
- Production and distribution of 20,000 leaflets on the prevention and promotion of care for the population affected and 20,000 bulletins on territorial analyses.

Destruction of stored anti-personnel mines: Monitoring the application of the National Mines Destruction Plan for stockpiled anti-personnel mines, defined by the Military Forces' High Command. On this point, they have progressed in the formulation of the *Stored Mines Destruction Schedule*, under which only 987 necessary anti-personnel mines will be kept for the study and formulation of techniques in mine destruction or clearance, and two destruction of stockpiled anti-personnel mines took place, the first of 496 mines on June 26 and the second of 796 on October 30, for a total of 1,292 mines destroyed.

Likewise, 698 mine fields were detected, deactivated and destroyed in the course of 2003.

Decentralization of the National Action Plan: This Plan harmonizes and provides technical assistance for the implementation of Departmental and municipal action plans against mines.

- Harmonization of the National Action Plan in 2003 in East Antioquia, Bolívar and Sucre Departments and the Ariari region in Meta Department¹⁴.
- Designation of a Government agency to be responsible for action against mines in 30 Departments.
- Appointment of consensus agencies under administrative agreements between the State and society in the Departments of Antioquia, Bolívar, Meta, North Santander and Magdalena.

Promotion and monitoring of assistance for the affected population: To promote and monitor the exercise of the rights of people affected by anti-personnel mines, because of their situation of manifest vulnerability.

Promotion and monitoring emergency mine clearing: To promote and monitor timely response by State entities to guarantee the life, physical integrity, health, coexistence and security of the population in situation of humanitarian emergency¹⁵ because of the presence of anti-personnel mines and abandoned unexploded ammunition.

PROTECTION OF THE MEDICAL MISSION

Faced with these problems¹⁶, and in compliance with the obligations arising under International Humanitarian Law, as set forth in the Geneva Conventions

¹⁴ Meta Department - Ariari region (municipalities of Cubaral, El Castillo, El Dorado, Fuente de Oro, Granada, Guamal, Mapiripán, Mesetas, La Macarena, La Uribe, Lejanías, Puerto Concordia, Puerto Lleras, Puerto Rico, San Juan de Arama, San Martín and Vista Hermosa); Bolívar Department and Sucre - Montes de María Region: (Sincedejo, Buenavista, Caimito, Colosó, Corozal, Chalán, Galeras, Guaranda, La Unión de Sucre, Los Palmitos, Majagual, Morroa, Ovejas, Palmito, Sampedo, San Benito Abad, San Juan de Betulia, San Marcos, San Onofre, San Pedro, Sincé, Sucre, Tolú, Toluviejo, Coveñas, El Roble, Calamar, El Carmen de Bolívar, Córdoba, El Guamo, Mahates, María La Baja, San Jacinto, San Juan Nepomuceno, Zambrano, Arroyo Hondo) Antioquia Department - East Antioquia: (municipalities of: Abejorral, Alejandría, Carmen de Viboral, Concepción, Cocorná, Granada, Guanare, Guatapé, La Ceja, La Unión, Marinilla, Nariño, El Peñol, Puerto Triunfo, El Retiro, Rionegro, San Carlos, San Francisco, San Luis, San Rafael, San Roque, San Vicente, Santuario, Santo Domingo, Sonsón, Yolombó, Zaragoza and Remedios).

¹⁵ In the case of the Observatory, Humanitarian Emergencies are understood to be «...those situations in which the civilian population is in danger from anti-personnel mines or abandoned unexploded ammunition in their territories, common meeting places or necessary transit locations». See Anti-personnel Mines Observatory, Final Draft of Regulatory Decree of Article 10 of Law 759 of 2002. April 2003.

¹⁶ In fact, according the Ministry of Social Protection Register, between 1999 and 2003, there were 538 infringements in Colombia against members of this Mission. The worst affected Departments were: Antioquia (81 infringements), Caquetá (79), Cundinamarca (59), Tolima (42), Cauca (38) and North Santander (27). The distribution of infringements, according to type, shows that most of the cases were against the life and physical integrity (67.99%, against sanitation activities (15.9%) and against health infrastructure (14.51%). No acts of perfidy nor violations of professional secret were recorded.

and their additional Protocols, the National Government acted for the protection of the Medical Mission, as persons and goods protected by the IHL, to safeguard the free exercise of their rights and duties.

The Permanent National Table for Respect of the Medical Mission in Colombia¹⁷ was consolidated in an attempt to strengthen the Medical Mission protection policy based on a process of consensus among the health State agencies and national and international social health organizations. At present, this Table has a technical secretary and four working groups (legal, Medical Mission Observatory, Medical Mission National Day and training and education), each with its own action plan which are in process of implementation.

Pursuant to the National Health Programme, an Action Plan covering three main components was formulated:

- Education and training in International Humanitarian Law applied to Medical Mission personnel.
- Assistance for members of the Medical Mission victims of violent acts. This assistance has been provided through the consolidation of the Medical Mission Observatory, the implementation of protection, assistance and stabilization mechanisms for medical and sanitation personnel who have been victims of such actions and follow-up of criminal, disciplinary and contentious investigations for infringements against the Medical Mission.
- Mass signposting of the different goods protected by International Humanitarian Law and the provision of identity tags for medical and sanitation personnel.

For the implementation of the Medical Mission Protection Action Plan, the *2002 - 2006 National Health Programme* was approved as part of the National Development Plan, which progressed along each of the following lines:

- *Organization of an infringements registration system and study of the formation of the respective Observatory.* The Ministry of Social Protection and Health, with the support of the Pan-American Health Organization, distributed forms for the registration of infringements against the Medical Mission among Departmental and local Health Divisions and established a registration system of infringements as of 1998.

¹⁷ The State representatives at this Table were: Ministry of Social Protection, Home and Justice Ministry, the Presidential Programme for Human Rights and International Humanitarian Law, the Attorney General's Office, Forensic Medicine and Sciences Institute, Cundinamarca Health Department and the Bogotá Health Department. The social and international organizations present were: National Association of Hospital and Clinic Workers (ANTHOC), Studies for Development and Peace Institute (INDEPAZ), National Health Movement, Javeriana University - Human Rights Institute, Colombian Red Cross, Indigenous Health Services Provision Companies, José Alvear Restrepo College of Attorneys, Colombian Media Network, Colombian Nursing Faculties Association (ACOFAEN) and the International Committee of the Red Cross (ICRC).

- *Participation of associations of health science faculties and public universities in the consensus for a plan to raise awareness and provide training.* The Ministry of Social Protection, jointly with different institutions grouping universities together, such as the Colombia Medical Faculties Association and the Colombian Nursing Faculties Association, have been working in the teaching course on International Humanitarian Law, with emphasis on the protection of Medical Mission rights.
- *Plan to raise awareness and gather information for the prevention and reduction of infringements.* In coordination with social organizations and public institutions in the Departments of Cundinamarca, Bolívar, Antioquia and Risaralda, action plans to raise awareness of protection for the Medical Mission were agreed on.
- *Wide dissemination of IHL, in particular in relation to respect for the Medical Mission.* Implementation of a mass communication campaign¹⁸; training in IHL and the Medical Mission through 30 workshops to raise awareness and training to 750 social leaders, regional managers of the Social Security Institute (Iss) and sanitation services personnel in general; inclusion of the theme by the Ministry of Defence in the different training modalities, training and promotion course for the Armed Forces and National Police; preparation and distribution of the Manual for the Use of the Medical Mission Protecting Emblem in Colombia, and the inclusion of a chapter on protection of the Medical Mission in the hospital planning workshops for disasters held in 650 hospitals throughout the country.
- *Construction of a State policy and regulatory mechanisms for the protection of the Medical Mission in Colombia.* In this line of action, the II National Respect for the Medical Mission Day was held, during which the *Declaration of Commitment to Respect for the Medical Mission* was signed between State institutions and social organizations in the health and peace sector and Law 875 of 2004 was approved under which the use of the Red Cross emblem and other emblems protected by the Geneva Conventions and their Additional Protocols was regulated. In addition, in a joint action with other national and territorial Government bodies, the Ministry of Social Protection carried out different activities which included constant denouncement at national and international level, legal support for victims and processing of reports of serious violations against the Medical Mission before the competent authorities.
- *Sanitation infrastructure signposting plan.* With the support of the Bolívar Department Government, the Peace Office and the Health Division, actions for signposting protected goods were carried out following the appropriate training.

¹⁸ Active participation of ANTHOC, the Colombian Red Cross, ICRC, the Cundinamarca Health Division, Antioquia Health Division, Risaralda Health Division, Bolívar Health Division, among other organizations.

CHAPTER IV

PROMOTION OF THE ADMINISTRATION OF JUSTICE ON HUMAN RIGHTS

The Democratic Security Policy emphasizes that a properly functioning justice system «forms the foundation of security, peaceful coexistence and democracy». Thus, the fight against impunity is one of the National Government's priority lines of action.

In response to this guideline set out in the National Development Plan, the Special Committee for the promotion of investigations on human rights violations, created in 1998, was convened and studied and approved the draft *Bases for an inter-institutional management and coordination strategy for the fight against impunity in serious human rights violations and infringements of IHL*, the Government's flagship programme in the fight against impunity.

Since its approval in June 2003, the Presidential Human Rights and IHL Programme has adopted, for all purposes, the concept of impunity referred to in the «Special Rapporteur's Final Report on Impunity and the Principles for the Protection and Promotion of Human Rights through the Fight against Impunity»¹⁹: *Impunity is understood to be the non-existence, de facto or*

¹⁹ Among the functions of the Special Committee, formed by the Vice-President of the Republic, who chairs its meetings, the Home and Justice Minister, the National Public Prosecutor and the National Attorney General, and whose meetings are attended, as special guests, by the President of the Superior Judiciary Council, the President of the Supreme Court of Justice, the Ombudsman and the Director of the Office in Colombia of the United Nations High Commissioner for Human Rights, is that of promoting investigations into human rights violations, as well as supervising, controlling and coordinating its development through

according to the law, of criminal answerability of the perpetrators of human rights violations, as well as civil, administrative or disciplinary answerability, because they escape from any investigation aimed at their inculcation, detention, processing and, if found guilty, condemnation to appropriate penalties, including the indemnity of damages caused to their victims.

Within the framework of the implementation of this Project, the Special Committee delegated officials directly related to the investigating cases of human rights violations, who form the Special Committee Working Group, to be responsible for the selection of the 100 most serious cases for the promotion of their respective investigations.

During 2003, several actions included among the main objectives of the project were carried out and are summarized as follows:

- The Fight Against Impunity Office commenced operating as part of the Presidential Human Rights and IHL Programme.
- Definitive selection of cases, with the participation of the Office in Colombia of the United Nations High Commissioner for Human Rights and all the State agencies.
- By request of the Office in Colombia of the United Nations High Commissioner for Human Rights, 10 of the 100 cases mentioned were prioritized.
- Approval of cooperation regulations fixing the parameters for the administrative actions of the Special Committee and the Working Group to be ordered.
- 19 judicial investigation commissions, of both the National Prosecutor's Office and the National Attorney General's Office were ordered and financed with Project resources. These commissions produced an important result in the arrest and prosecution of those responsible. Preparation of strategies to achieve greater efficiency in the investigation of the 10 cases selected by ordering and financing certain promotion actions, such as special investigation commissions, the collection and protection of evidence, witness, victims, and victims' relatives and certain other complementary activities.
- Preparation of a framework for the design of a public policy on the matter. It should be highlighted that this policy has to be presented to the Special Committee for approval.

The Fight against Impunity Office, taking up the queries put forward during different meetings with the institutions which form part of the Fight against Impunity Project, drew up a matrix to show the status of the investigations, both at the start and during the subsequent progress made and obstacles encountered.

harmonious collaboration among the different institutions concerned in the matter and reporting the results of these activities.

The Project has among its objective the preparation and coordination of the public policy on this matter that should be complete by the end of 2004. Its principal lines of actions will be:

- Institutional strengthening.
- Technical and legal training and education.
- Strengthening of Witnesses and Victims Protection Programmes.
- Strengthening of Legal Employees Protection Programmes.
- Prevention.
- Inter-institutional coordination.

FIGHT AGAINST IMPUNITY IN HUMAN RIGHTS VIOLATIONS AGAINST UNION MEMBERS

Since impunity is one of the situations which causes the Government greater concern, the Ministry of Social Protection, the National Prosecutor's Office, the National Attorney General's Office and the ILO agreed to hold seminars for local prosecutors offices in which 60% of investigations of murders of union members and leaders are concentrated. The purpose of this consists in raising awareness among the officials of the Prosecutor General's Office about international labour regulations, the declaration of fundamental rights at work and ILO control mechanisms, as well as informing the prosecutors regarding Case 1787, which groups together the reports of human rights violations presented to the ILO by union members, and analyzing them jointly.

The first of these seminars was held in Bogotá in September 2003 for prosecutors of 8 Departmental divisions, the National Specialized Unit against Terrorism and the National Human Rights and International Humanitarian Law Unit of the Prosecutor General's Office. There, the ILO and the Prosecutor General's Office agreed on the creation of an Itinerant Commission to accompany and follow up the seminars. The second was held in the city of Cali, in which officials of 6 more divisions participated.

In addition, among the 100 criminal and disciplinary investigations into serious human rights violations approved by the Special Committee, cases concerning leaders of national or regional unions, such as CUT, USO, ANTHOC, SINTRAOFAN and SINTRAISS, which are of special interest for union leadership and the national and international community, were included.

CHAPTER V

INSTITUTIONAL STRENGTHENING

To remedy deficiencies in sectorial planning, improve inter-institutional coordination, prevent scattering of actions and difficulties in the evaluation of results in the area of human rights, the Government has been working on design and consensus for the National Human Rights and International Humanitarian Law Action Plan.

NATIONAL HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW ACTION PLAN

The World Conference on Human Rights held in Vienna in 1993 recommended that each State consider the possibility of drawing up a human rights plan establishing the measures necessary to improve the promotion and protection of human rights. It stressed the importance of «human rights education, training and public information, which are indispensable to establish and promote stable, harmonious relations among communities and encourage mutual understanding, tolerance and peace».

In 2002, Colombia completed the preparatory phase of its respective plan and drew up the basic scheme for its *National Human Rights and International Humanitarian Law Action Plan*, which was submitted for the consideration of the Inter-sectorial Human Rights and IHL Commission Technical Group and to the Office in Colombia of the United Nations High Commissioner for Human Rights. Favourable comments on the Plan have been received from both.

This document constitutes the basic contribution for concerted preparation, for the definition of institutional areas of action, policy outlines and programmes, projects and actions to be undertaken in the preparation of the *National Human Rights and International Humanitarian Law Action Plan*.

The basic outlines of the Plan are the concepts of integrality and mutual dependence between the so-called generations of human rights. It is also a State Plan which requires the concurrence of consensus dynamics for its development. These outlines indicate the routes of approach for the problems of human rights and International Humanitarian Law, on the basis of which a large number of areas of action were defined and for which guidelines, policies, programmes, projects and actions must be designed.

This background, the priorities defined in the National Development Plan, and the areas of action described above were taken as a point of reference in 2003 and the phase prior to commencing the concerted preparation process of the National Human Rights and International Humanitarian Law Action Plan was begun. It followed three routes:

Route 1: This route is the axis for the articulation of the rights to life and physical integrity and also adopts three different approaches: a) for the country as a whole, not counting the existence of the conflict b) for the country as a whole, taking the conflict situation into consideration and c) for the zones directly and seriously affected by the armed conflict. This route includes the following areas of action:

- Promotion of a culture of the rights to life and physical integrity, as well as the safety of the people.
- Actors: these include the armed actors (subversives and illegal self-defence groups), as well as any members of the Armed Forces or National Police who fail to apply official policies. Also included are officials with responsibilities in matters of human rights and IHL and non-governmental human rights organizations which contribute to the protection and promotion of these rights.
- Sectors: will be taken into consideration human rights defenders, union members, political leaders, religious communities, members of the Medical Mission, journalists, public officials, teachers, leaders, members of social organizations and prisoners. The foregoing sectors are in a situation of vulnerability, closely linked to the existence of the domestic armed conflict.
- Scourges: forced displacement, kidnapping, forced disappearance, the use of means and methods prohibited by IHL, violation of the principle of distinction between combatants and non-combatants and impunity of human rights and IHL violations. These are the scourges linked to the degradation of the domestic armed conflict.

Route 2: The fight against discrimination of social sectors, such as: ethnic groups, women, children and the disabled. These are sectors traditionally focused from the human rights point of view, independently of the existence of an armed conflict.

Route 3: Economic, social and cultural rights. In this area, actions to raise public officials' awareness of the perspective of these rights in sectorial policies

will be designed and work will be done on policies, programmes and actions for the effective application of vital minimums. The rights covered will be those of education, health, basic sanitation and work.

The organizations proposed for the general coordination of the Plan preparation process were the Permanent Inter-sectorial Human Rights and International Humanitarian Law Commission and the Interlocution Committee for non-governmental human rights organizations, as well as the Presidential Programme for Human Rights and International Humanitarian Law, which is the executive body for this coordination.

A diagnosis of the competences, capabilities, coverage, approaches and resources of the institutions responsible for implementing the Plan is to be made to establish the priority policies, programmes, projects and actions to be included in it.

In order to progress in the methodology of formulation of the Plan, an operative consensus proposal²⁰ has been drawn up and put before the Permanent Inter-sectorial Human Rights Commission for consideration. The Commission must give its opinion and prioritize the rights to life and physical integrity as the articulating axis for its immediate development along the above mentioned routes.

Versions of the proposal were submitted in the months of May and September 2003, according to their state of progress, to the Office in Colombia of the United Nations High Commissioner for Human Rights, which supported it as a methodological proposal.

Likewise, the following working documents were prepared on the inputs for the consensus workshops to be held:

- Proposal of general framework of action which develops the operative elements for the preparation of the National Action Plan on Human Rights and IHL, to be agreed on with the public Government and State agencies

²⁰ With the exception of the subject on which consensus scenarios are already functioning and plans agreed on or to be agreed on (union members, ethnic groups, the disabled, the Medical Mission, the fight against impunity, childhood, adolescence and women) and which are to be incorporated into the Plan, workshops will be held with the interlocutors defined in each of the areas of action, following prior distribution of questionnaires on the points to be discussed. Each workshop will prepare a report and the information it contains will be computerized, in accordance with the elements of diagnosis and the definition of priorities, programmes, projects and actions proposed. On the basis of the foregoing, a draft document will be drawn up, containing, in relation to the specific area of action, the outlines of policies, programmes, projects and actions, on which the participants in the workshops will be asked to comment. This document will then be submitted for validation to the Inter-sectorial Commission, the National Planning Department and the Ministry of Finance, within the framework of the entire Route. The detailed identification of the interlocutors and their notification will begin in 2004.

and representatives of the organizations working for the exercise of human rights in Colombia, to define jointly policy outlines and priority actions to promote and protect human rights and IHL.

- Diagnosis elements relating to the most outstanding problems in each area, approached from the viewpoint of violations of the right to life and physical integrity.
- Policy and action outlines, within the framework of fundamental rights, in each of the areas included.
- List of experts' proposals to accompany the workshops on each subject.
- Typical agenda proposal for the National Action Plan consensus workshops to be held.
- Compilation of *state of the art* information, describing the development of the Human Rights and IHL Policy through programmes, projects and actions undertaken by the present administration.

These inputs will be useful in the experts' work of guiding and accompanying the workshops to be held during the National Human Rights and IHL Action Plan consensus process.

CHAPTER VI

BUILDING SOCIAL EQUITY

SEVEN TOOLS FOR EQUITY

In spite of fiscal limitations, the Government is determined to transfer the benefits of economic growth to the most deprived sectors and promote improvement in the living conditions of the people.

To build a fairer and more equitable society, the Government is seeking to increase efficiency in social spending to gain better results, and then to target the resources to the most needy sectors, also consolidating a social protection system, so that economic constraints affect as little as possible the future possibilities of the most vulnerable groups.

Using seven tools, the social reactivation policy is intended to create optimum conditions to facilitate the greater equity. These tools are:

- Educational Revolution
- Social Protection
- Economic Solidarity
- Rural Social Management
- Household Public Services.
- Country of Owners
- Urban Life Quality

The following are the results achieved by the Government during 2003 through each of these tools for equity:

Description	2003			End of Presidential Term	
	Goal for 2003	Achievements in 2003	(%) Completed	Goal for 2006	Progress 2006 (%)
1. EDUCATIONAL REVOLUTION					
Coverage					
New places in primary and secondary education	500.000	477.598	96%	1.500.000	32%
New places in higher education	50.000	34.858	70,0%	400.000	8,7%
IcETEX loans for stratum 1, 2 and 3	20.000	20.119	101,0%	100.000	20%
Quality					
Examinations «Saber»	2.793.000	2.080.399	74,5%	6.943.000	32%
IcFES approved programmes	100	42	42,0%	600	12%
Technical training					
Young people in action (graduates)	29.240	28.687	98,1%	109.157	28%
Integral professional training (number trained)	1.950.225	2.266.768	116,0%	8.000.000	28%
Libraries					
Equipment	100	192	198,0%	500	39,8%
Bands					
Creation and strengthening	50	92	184,0%	200	46%
Children trained in «Batuta» programme	5.000	5.000	100,0%	5.000	100%
2. SOCIAL PROTECTION					
Employment					
Comparative unemployment rate*	14,6%	-1,23%	1.241.218 employments	12,3%	100,0%
Subsidized regime					
New affiliates	300.000	1.061.651	354,0%	3.000.000	35%
Contributions regime					
New affiliates	3000.000	293.722	97,2%	1.300.000	23%
Pensions					
Contributing affiliates	3000.000	176.351	59,0%	1.300.000	20%
Job promotion					
Apprentices in companies	63.000	56.847	90,2%	288.578	20%
National Companies Incubation System	22	22	100,0%	40	55%
Companies created	116	263	227,0%	2.460	11%
Unemployment protection					
Unemployment subsidies	42.000	19.079	45,4%	168.000	11%
Loans to women					
Single parent families benefited	2.500	2.383,0	95,3%	9.500	25%
Displaced persons					
Variation in number of displaced families	N.A.	-50%	N.A.	N.A.	N.A.
Families who return home	6.000	7.580	126,0%	30.000	37%

Description	2003			End of Presidential Term	
	Goal for 2003	Achievements in 2003	(%) Completed	Goal for 2006	Progress 2006 (%)
NUTRITION PLAN					
Families in action					
Families benefited (subsistence)	325.000	337.337	104%	325.000	104%
Nutrition					
Infants' breakfasts	300.000	322.051	107,3%	500.000	64,4%
School canteens	100.000	161.165	161%	200.000	92%
Children benefited by school canteens	2.329.687	2.463.363	105,7%	2.497.114	98,6%
Children in ICBF welfare homes	1.309.000	1.375.410	100%	1.309.000	100%
Elderly adults					
Monetary subsidies for elderly adults	125.000	142.000	115,27%	125.000	115,27%
3. ECONOMIC SOLIDARITY					
Territorial public network					
Community companies created	250	341	136%	1.000	34%
Community micro-enterprises/ jewelry and ceramics	10.345	5.562	54%	27.600	20%
Community micro-enterprises/ public services	37	37	100%	200	19%
Community mothers					
Process of induction into cooperatives	9.600	4.826	50%	68.000	8%
4. RURAL SOCIAL MANAGEMENT					
Productive activity					
Cultivated area (hectares)	131.500	109.731	83%	516.000	21%
Rural housing					
Social interest housing subsidies	29.700	9.370	31,5%	59.400	16%
Family forest conservationists					
	12.000	20.932	174,43%	50.000	41,86%
5. HOUSEHOLD PUBLIC SERVICES					
Interconnected electricity zones					
Electricity coverage	88,7%	88,69%	100,0%	90,80%	97,70%
Biennial telephony plan					
New lines installed	19.772	18.531	93,7%	19.772	94%
Lines replaced	23.562	23.426	99,4%	23.562	99%

Description	2003			End of Presidential Term	
	Goal for 2003	Achievements in 2003	(%) Completed	Goal for 2006	Progress 2006 (%)
6. COUNTRY OF OWNERS					
Urban social interest housing					
Subsidies	106.493	56.171	52,7%	400.000	18,9%
Micro-loans Vis	8.000	12.152	152%	30.000	40,5%
Development of small and medium enterprises MIPYMES					
Micro-entrepreneurs loans (BANCOLDX)					
Commercial Banking Agreement (NGOs)	430	672	156%	2.800	24%
Loans assigned to small and medium enterprises	930	1.166mm	125,4%	5.020	27,8%
FOMIPYME Programme	25	25	100,0%	70	50%
7. URBAN LIFE QUALITY					
Water supply and basic sanitation					
WATER SUPPLY. New population benefited in urban areas	639.751	1.474.645	230,5%	2.605.622	56,6%
SEWAGE SYSTEM. New population benefited in urban areas	772.903	942.285	121,9%	3.189.544	29,5%
REFUSE COLLECTION. New population benefited in urban areas	806.323	1.052.590	130,5%	4.031.617	26,1%
Road paving					
Kilometres of roads paved / improved	1.000	477,1	47,7%	2.500	24,2%
Transmilenio mass transit system in Bogotá					
Kilometres built	12,50	11,7	93,6%	42	37%

VULNERABLE GROUPS

POLICY FOR CHILDREN

The general children's policy in Colombia falls within the framework of the principles set out in the *Towards a Community State* section of the National Development Plan and includes three of its main objectives: democratic security, renovation in public administration and building social equity, which the Government has developed through programmes to guarantee children's human rights.

Regarding *democratic security*, the Government has established as guiding principles the promotion and restoration of children's human rights and the development of a culture of respect for them. Therefore, at national level, initiatives to overcome these problems have been defined as follows:

- *Child combatants*: This initiative intends to provide children with perspectives and models of life different from those relating to the conflict, free them from violence and teach them life alternatives coherent with the culture of peace. Collaboration is being provided in the development of their working, vocational and affective capacities, promoting inter-institutional work among the responsible entities at different territorial levels, as well as guaranteeing the National Family Welfare System commitment to the design and implementation of the different programmes, the provision of health services, access to education and food for child deserters, especially in zones where there is significant presence of the illegal armed groups²¹. The *Care for victims of the armed conflict Programme* provided integral care services for 726 child deserters from illegal armed groups during 2003.
- *Make Peace Policy*: The process of formulating the Make Peace Inter-sectorial Plan for the years 2003-2006 as an initiative to improve the implementation of this policy was begun. Its main objective is to articulate and coordinate the latter with other policies on sexual and reproductive health, mental health and Women Builders of Peace, among others. Likewise, during 2003, the Programme's main actions through the ICBF (Colombian Institute for Family Welfare) were the publication of *Methodology for the Prevention of Domestic Violence* within the framework of the *Make Peace prevention, vigilance, early detection and dealing with domestic violence Project*, financed by FIP (Investment Fund for Peace) and coordinated by the ICBF. The *Pact for Integral Protection in the Prevention and Care of Mistreated Children* Congress was also held. The objective of this Congress was to train more than 1,000 public servants responsible for managing cases of child mistreatment and sexual abuse, as well as developing the investigation on *Social and Economic Costs of Domestic Violence in Colombia*, for which the CEDE²¹ is responsible.

²¹ The main instruments are the homes where the children are helped and guided in their process of social inclusion. On this point, several modalities are followed at institutional level: *Transitory home*: in this first phase of the programme, the children are cared for by decision of a judge or family defender. In addition, the respective evaluations are made and the psycho-social aspects to determine the receiver scenario where the socialization process will take place. *Specialized Care Center*: the objective is to restore the rights violated through integral care of minors in vocational, sports, academic, cultural and work aspects. The children are evaluated medically and psychologically to define the initial aspects of their life project and improve their social inclusion process. *Young People's Houses*: seek to facilitate the process of socialization as such and thus enhance their inclusion in society. In the socio-family sphere, care may be divided into two kinds: *Guardian Home*: the children and young people who deserted from the ranks of the illegal armed groups -after receiving care in the transitory homes, specialized care centers and young people's homes- are capable of living in a family environment. However, it is necessary to use substitute homes when it is impossible to return them to their own. *Return to Family homes*: during this phase, children and young people return to their own homes or those of relatives following a family diagnosis by the entity.

²² Economic Development Study Center of Inter-American Bank for Development.

- *Care of children and young people victims of forced displacement*²³: The Government has put into practice a system of humanitarian aid and integral restoration of the rights of children, taking psychological, social, cultural, work related, economic and political criteria into account. 29 *mobile units*²⁴ are an important tool in this work. They are located in 23 Departments at great risk because of their high violence indices and in the zone centres for food and psycho-social assistance in 155 municipalities and provided assistance for 25,202 families. In addition, in this area of action, the «Help and Recuperation Operation» project, costing Col\$130 billion, was signed by the Colombian Institute for Family Welfare (ICBF), the Social Solidarity Network, the Colombian International Cooperation Agency (Acci) and the World Food Programme (WFP), whose principal objective is provide emergency assistance to the displaced population.

The resources invested by the ICBF to assist in the situation of displaced children in Colombia to September 2003 was Col\$2,863 million.

The second objective of *renewing public administration* through efficacy and efficiency in children's policy actions is being implemented with the participation and concerted efforts of different sectors committed to the promotion of a children's human rights culture, i.e.: the children themselves, their families, the community and organizations which are part of their daily life, the State, the agents and actors of the productive component, the communications media and universities and research centres which provide knowledge.

The policies followed for this second objective include the articulation of national legislation with the International Convention on the Rights of the Child and the implementation of international recommendations, such as the *Country Plan*²⁵, under which the Government has established a single line of action at national level, unifying important strategies, goals, objectives and purposes in the fight

²³ It is important to highlight that the *Country Plan* includes among its target population children and young people who are victims of forced displacement or natural disasters, as established by the United Nations guiding principles on internal displacement.

²⁴ These are responsible for assisting the population, providing psycho-social, food security, cultural and educational activities and activities with local and community institutions.

²⁵ It is important to note that the *Country Plan* includes assistance for two new groups: homes for children of indigenous, Afro-Colombian or other ethnic groups and homes with children offenders. The first group, given the special conditions in which they develop -poverty and cultural vulnerability- the *Country Plan* establishes the following objectives: i) ensuring access to the National Health Service and to the education system, recognizing their cultural identity and promoting healthy growth of children; ii) evaluating the nutritional situation of both children and pregnant and breast feeding mothers, in order to provide them with medical care, preventing mortality from avoidable diseases, without threatening their traditions; and iii) guaranteeing basic sanitation and the security of the indigenous peoples. In addition to this first group, the *Country Plan* covers assistance to a second one: homes with child offenders. This initiative includes two main objectives: i) implementation of national legislation in line with international regulations and the national Constitution and ii) provision of integral care for child offenders and their families and carrying out appropriate re-socialization process.

for the protection of, and respect for the rights of the child, revision of the Criminal Code for minors and a new general family and children law establishing the National Family Welfare System's responsibility to provide assistance and generate mechanisms for the protection of families and minors in Colombia.

Building social equity through fair distribution of income has been included in specific programmes aimed at dealing with child risk or vulnerability situations. To this effect, policies have been implemented in the areas of:

- *Infants*: Within the framework of this policy, whose target population are children between 0 and 6 years of age, the *Country Plan* proposes the implementation of a series of strategies to benefit, in the first place, women who are pregnant and breast feeding and infants under one year of age²⁶, and secondly, infants from 1 to 5 years of age²⁷. The most important action during 2003 was the *Infants' Breakfasts*, which benefited 322,000 infants from 6 months to 5 years of age, at SISBEN levels 1 and 2²⁸, mainly in rural areas. It is important to stress that the annual goal was exceeded by 7%, as the number of children it was expected to assist had been 300,000. In addition, joint efforts were made to create spaces for discussion to identify alternative solutions to the infancy situation, such as the *Forum on Infancy and Development: The challenge of the decade* held in February 2003.
- *Street children*: The purpose of this initiative is to disconnect children from their previous customs and conceptions when they enter the assistance homes and begin their socialization process. The national Government has developed an assistance scheme which identifies two groups, under seven, who are cared for by the ICBF and children and young people from 9 to 22 years of age, cared for by the District Children's and Young People's Protection Institute –IDIPRON. This care scheme is based on a re-socialization model which, in turn, has six phases: street, club care, promotion of commitment, personalization, socialization and integration into society. It should be stressed that ICBF had the support of 11 institutions, which have taken in between 4,500 and 5,000 children.

²⁶ Regarding pregnant women, breast feeding mothers and infants under one year, the *Country Plan* expects: i) to implement efforts to promote responsible, desired and healthy maternity; ii) to increase food security measures for mothers in the process of pregnancy; iii) to ensure pregnancy and births in healthy conditions to prevent maternal mortality; iv) to provide family guidance in terms of upbringing and education to guarantee children's growth in an appropriate environment which allows them to develop freely, in peaceful coexistence and, principally, to enjoy their rights from birth onwards.

²⁷ Regarding infants from 1 to 5 years of age, the *Country Plan* has established as its main guidelines: i) access to pre-school education, ii) integral upbringing within a consolidated family group, iii) adequate nutrition, iv) prevention and treatment of diseases, v) joint work between families and community to prevent mistreatment of infants and sexual abuse and, lastly, vi) promotion of, and respect for the rights of the child.

²⁸ Beneficiaries of National Health Subsidized Service.

- *Abandoned children*: This strategy attempts to disseminate a culture of prevention and rejection of abandonment in Colombian cities and to promote care and assistance for abandoned children through support families and providing subsidies, by inter-institutional coordination with other entities with an interest in finding foster homes. It was implemented through the ICBF *Integral protection of children and the family to restore and guarantee their rights* programme. By September 30, 2003, 10,192 infants and 1,672 disabled children had received care through the *foster homes* modality. The *biological support homes for children at risk* provided 1,031 subsidies, the Friend Foster Homes for Abandoned Children cared for 122 children and the house homes protected 68. In the course of 2003, care was provided for a total of 55,000 abandoned or vulnerable children.
- *Adoption policy*: Among the Government's actions are an agreement between the ICBF, the Forensic Medicine Institute and the Organization of Iberian American States for Education and Culture, through which the ICBF was committed to carrying out the paternity examinations required by courts and family defenders. Moreover, the Government enacted Decree 2112, which regulates the accreditation and certification of laboratories responsible for carrying out maternity or paternity tests with genetic DNA markers. A special system has been implemented for receiving children who, because of their health, require special care and attention.
- *Working Children*: During 2003, following the National Development Plan mandate, the ICBF and the Ministry of Social Protection, with the technical and financial cooperation of the ILO, promoted the design of the *Third National Eradication of Child Labour and Protection of Young Workers Plan*, with which a participative methodology was begun in consultation with 13 Regional Eradication of Child Labour Committees.
- *Sexual abuse policy*: Within the framework of the *Design and implementation of integral care models for victims of sexual crimes strategy*²⁹, implemented since February 2000 in coordination with the United Nations Population Fund, the Ombudsman's Office, the National Prosecutor's Office, the Forensic Medicine and Sciences Institute, the National Police, the Ministry of Social Protection, the Town Hall, the Colombian Institute for Family Welfare and the National Attorney General's Office, two training events were held during 2003 for officials of ICBF in the Departments of Santander, Casanare, Caquetá, San Andrés, Boyacá, Cundinamarca, North Santander and Meta.
- *Policy against sexual exploitation of children*: Applying Law 679 of 2001, which establishes answerability for any natural and legal persons involved in the crimes of prostitution, infant pornography and sexual tourism with minors; includes provisions for the supervision of children's use of global

²⁹ This training was centered on the formulation and development of integral care models for victims of sexual violence. The purpose of this initiative was the restoration of the rights of minors who were victims of sexual abuse, covering different sectors with competence in the area: Justice, education, health and protection.

information systems and educational and social awareness strategies, in 2003, the national Government implemented educational campaigns through the main communications media to raise awareness and for communities to assume a commitment to fighting against this grave violation of children's rights. In addition, several training workshops were held for ICBF officials, stressing the seriousness of this matter and a leaflet setting out the international regulations governing the subject was published, and the Ministry of Communications *Child Dignity* website, which reports cases of sexual exploitation, was created.

- *Illegal transportation and detention of minors*: Applying the Convention of The Hague, which condemns international kidnapping of children and which was also included in our legislation under Law 173 of 1994, Colombia ratified its interest in, and commitment to overcoming and fighting the illegal transportation and detention of children. The ICBF is responsible for applying the Law to prevent this abuse. Frontier control mechanisms were established for children from 0 to 5 years of age, to identify them and record the documents they carry when leaving Colombia.
- *Restoring ties*: The restoration of rights of families and the community to enjoy integration, cohesion and individual commitment was established as a priority. This axis is supported by a second strategy of *Family Restoration*. Its aim is to consolidate family protection processes, that is, for children and young people to remain under the care and custody of their parents and for leaving home to be the result of a decision to pursue their own interests and projects. Through educational campaigns, a *Family Reconciliation* module has been developed for the purposes of education in the peaceful solution of conflicts, conciliation, consensus and a culture of tolerance. Through this modality, care was provided for over 17,300 child offenders.
- *Nutrition axis*: Its fundamental purpose is to reduce indices of chronic malnutrition in Colombia. The ICBF is responsible for promoting improvement in children's nutritional situation, in particular the most vulnerable and with least resources, through the coordination with different sectors (health, agriculture, education, nutrition, communication and environment), citizen participation, private sector support and the collaboration of national and international non-governmental organizations. The *Nutritional Assistance for School Children and Adolescents Programmes* were implemented and, throughout 2003, they provided daily rations assistance for over 2,463,000 children and young people between the ages of 5 and 18 years. In comparison with previous years, the increase in coverage was 10%, that is, 233,676 more children were benefited.
- *Growing and Learning Axis*: Its purpose is to ensure the living conditions necessary for the appropriate growth and development of minors, right from the time of gestation, and the creation of a suitable environment for the definition of life values, principles and criteria. To achieve this, programmes such as *Community Welfare Homes* were implemented and

provided care for more than 1,666,000 children under 7 in vulnerable conditions; *Children's Homes*, which benefited over 148,000 children between 3 months and 5 years of age, with priority for children whose parents were out of their houses during the day, at work or studying; and *Youth Clubs*, in which nearly 52,000 young people received training in active participation as actors for social change, the construction of alternative life projects free from violence and the development of mechanisms to prevent mistreatment, abuse, violations of their rights and drug addiction. An important achievement was the creation of 8 Clubs during 2003 in the municipality of Bojayá (Chocó Department), to help young Afro-Colombian and indigenous people in this zone.

ASSISTANCE FOR THE DISABLED PROGRAMME

In accordance with the objectives of the Government's National Development Plan, it is a fundamental priority to consolidate national public policy in matter of disability to facilitate the construction of a society which, while it considers disability as a situation which can and should be prevented, respects and recognizes the differences arising from it.

In fact, through a national mobilization effort, a process of construction of the 2003-2006 National Disability Plan process was started, with the participation of different State entities and sectors, as well as organizations of and for the disabled. This Plan includes the principles and foundations of the Public Policy on Disability, focused on rights and duties such as: equality, solidarity, decentralization, integrality, consensus, shared responsibility and participation, rather than solely on assistance.

The objectives of the 2002-2006 National Disability Plan are strategic components for intervention in the situation of disability, as described in the Unified Standards document issued by the United Nations in 1993 as a guide for intervention in matter of disability. The development of these components involves different actors (State, family and civil society) and requires complete coordination and integral actions for human beings and their surroundings.

To further this effort, the following are the strategic intervention components of the Plan:

- Promotion and prevention
- Equal opportunities
- Qualification and rehabilitation

Permanent efforts on the part of the State institutions and civil society have been necessary at different territorial levels for the implementation of these three objectives and to coordinate and optimize actions to fulfil the characteristic needs of this population.

Promotion and prevention actions

With the coordination of the Ministry of Social Protection, the competent entities have established outlines to identify and intervene in the risk factors involved in disability, as well as to control, mitigate and reduce the effects of disability for people in their daily lives at home, at work, at school and in urban spaces, among others.

Likewise, progress has been made in designing strategies for the systematic detection of the signs of disability, in particular among children, by community agents whose work brings them into contact with groups of the population most likely to become disabled. At the same time, information, orientation and induction mechanisms have been defined to facilitate timely intervention in favour of persons suffering from disabilities.

Finally, citizen participation processes have been promoted for a cultural transformation in the way disability is perceived, to empower the capacity for interaction and to potentiate the contribution of the disabled to entities and community organizations which can exert an influence over welfare, coexistence and citizen participation.

Actions for equal opportunities

Aware that disability is not a circumstance which depends only of the person, but also of the external conditions and environment in which it develops, the Colombian State is committed to promoting the social inclusion of this population, encouraging their participation, with equal opportunities with other people, in institutional activities to qualify and foment the full contribution of each and every Colombian in society building.

To encourage this commitment, the Vice-Presidency of the Republic has assumed the responsibility for inter-institutional coordination in education, employment, transport, housing, communications, recreation and culture, among others, and the commitment to developing policies and instruments to guarantee the inclusion of the disabled, within a human rights framework and, consequently, to eliminate any form of exclusion or discrimination. In this same context, the participation and permanent supervision of the organizations of and for the disabled have been promoted.

Indeed, the Ministry of Education is working permanently to guarantee their access to education, assisting and promoting the interests of the disabled throughout their vital cycle and, to this end, it accompanies the different Colombian education departments which are responsible for providing quality education services which respond to special educational needs and adequate teacher training to the latter.

The Ministry of Social Protection and SENA (National Apprenticeship Service) are working together to develop strategies to promote the employability of the

disabled and their families, to incentivate their productive participation in the respective programmes and to compensate the disadvantages produced by disability for them and their families.

Access to physical spaces are being developed by the Ministry of the Environment, Housing and Territorial Development through accessibility manuals and the dissemination, application and adjustment of existing regulations. In this area, it is hoped to achieve accessibility of educational and health establishments, public entities, service providers, sports facilities, public parks and recreational zones and, especially, social interest housing to facilitate access and use of these services and opportunities by the disabled.

For its part, the Ministry of Transport and other entities of the sector have prioritized the elimination of physical barriers in bus terminals, stations and public transport and is carrying out intensive awareness raising campaigns, training in and disseminating the obligatory regulations issued for the purpose (Decree 1660 of 2003).

Information and communication for the disabled are also a central aspect of social inclusion and, therefore, the Ministry of Communications and the Connectivity Agenda have developed successful strategies for access to information and accessible technology. Proof of this are investments made in Compartel centres, strategically located for the population to have access to information and Internet connection, centres to facilitate communication for the deaf and the implementation of technologies and media to help the disabled to gain access to communication and information and promote their active participation in collective activities.

The Ministry of Culture and COLDEPORTES are equally encouraging the disabled to participate in recreational activities, sports, culture and tourism by adapting plans and programmes to facilitate and improve their participation in these spaces and in sports facilities, parks and public recreation zones.

Actions for integral qualification and rehabilitation

In this area, priority has been given to the organization and strengthening of service networks within the framework of the General Services Network, to the definition of supply, and also to promoting and providing technical assistance for services accreditation, standardization and the application of evaluation instruments and procedures. Methodologies with community participation and the provision of technical aids and technologies which, with joint intervention, can improve the ability of the disabled to be autonomous at home and in their daily surroundings, are also included.

The Ministries of Education and Social Protection are in fact developing strategies for the provision of integral qualification and rehabilitation services, respectively, to minimize the impact on minors of being disabled during their development periods,

identifying effective organization, procedures and methodologies to prevent disabilities from affecting social integration and positioning in productive life.

Types of organization, articulation and channelling among the different levels of competence have been identified for accreditation services to provide effective intervention to improve quality of life, with an integral focus on autonomy in the daily activities of the disabled and their families.

Finally, easier access to technical and technological aids to improve the autonomous performance of the disabled at home, at school, at work and, in general, in day to day life has been established.

POLICY FOR WOMEN

To eliminate all forms of discrimination against women³⁰ and strengthen their participation as citizens is another of the objectives set out by the Government in its National Development Plan, to reflect the principal of equality expressed in the Democratic Security Policy and established in the Colombian Political Constitution.

From the Presidential Counsellor's Office for the Equality of Women and for the purposes of promoting their participation in a framework of equity, their full inclusion in social dynamics and to fulfil the commitments acquired by the Colombian State at international level, the Public Equality Policy *Women Builders of Peace and Development* was designed and is orientated towards promoting more regulations to protect women's rights, to transversalize the gender equality policy, strengthen institutionality and find resources to improve women's quality of life, respect for their human rights, citizen participation and potentiate women's organizational processes.

To implement this policy, the Counsellor's Office has been coordinating a consensus process with the respective Ministries and other public entities, to articulate the dimension of gender in programmes, projects and budgets, as laid down in Law 823 of July 10, 2003³¹ and in the *National Agreement for Equality between Men and Women* signed in October 2003.

The purpose of *Women Builders of Peace and Development* is to favour the creation of new opportunities for women and, in particular, for both urban and

³⁰ Article I of the *Convention on the elimination of all forms of discrimination against women* defines such discrimination as any distinction, exclusion or restriction based on gender which is for the purpose or is the result of diminishing or annulling the recognition, enjoyment or exercise by women - regardless of their civil status and on the bases of gender equality - of human rights and the fundamental freedoms in political, economic, social, cultural and civil spheres of life or in any other sphere.

³¹ The purpose of this Law is to establish the institutional framework and to guide gender policies and Government actions to guarantee equity and equality of opportunities for women in both public and private spheres.

rural single parent women, indigenous and Afro-Colombian women and women and girls victims of violence, in aspects such as the generation of income, decision making, access to resources and public services, social security and education, as well as the eradication of the different forms of violence against women.

For this purpose, the following actions in the programmes defined were undertaken in the course of 2003.

Employment and entrepreneurial development for women: Its purpose is the gradual creation of opportunities for women to have access to dignified, paid work or to carry out their business activities through affirmative measures to eliminate the differences between men and women in the development indicators. The following programmes are at present under way:

- Raising awareness and recognition of the rights of working women.
- Integral Support for Single Parent Women, Urban and Rural Micro-enterprise Women Entrepreneurs; the Agrarian Bank has allocated funds for 985 projects in the urban sector and 565 in the rural sector for this project.
- The National Business Training for Women Plan, which began with the training of 470 women in Tolima, Cundinamarca and Valle Departments.
- The Best Women's Productive Projects Competition, in which 4 projects presented simultaneously were financed with resources from the German Technical Cooperation Agency (GTZ) and the Canadian Agency for International Development (CAID) for COL\$50 million.
- Promotion Fund for rural women, created under Resolution N° 0127 of June 6, 2003, to strengthen the administrative and practical capacity of rural women's in economic, political and social processes, by appropriate training to facilitate their access to Governmental policies.

Health: Its purpose is to support policies and programmes for the gradual elimination of inequalities which prevent women from enjoying integral health, to promote the inclusion of the gender perspective in assistance programmes for populations in conditions of vulnerability and to work for the prevention of domestic violence.

Along this route, the development of different programmes by various institutions during the year 2003 are highlighted:

- The National Sexual and Reproductive Health Policy was formulated by the Ministry of Social Protection.
- Implementation of the Integral Care model for victims of sexual crimes in the General Social Security in Health System. To this same effect, the Ombudsman's Office promoted the creation of inter-institutional committees to provide adequate, effective care for victims and the Delegate Attorney for the Minor and the Family's Office supervise the institutionalization of integral care models for the victims of these crimes.

- At present, the Attorney General's Office is participating and supervising compliance with the agreements and commitments of the District Council for the integral care of sexually abused children³², and makes technical contributions to the design of the Bogotá District Plan to deal with these problems.
- In addition, the Uterine and Breast Cancer Prevention Programme benefited 2,000 displaced women.

Education: Its objective is to promote education for life, highlighting the appreciation of diversity, tolerance and respect for gender differences, as well as guaranteeing, with equity and equality of attention for women and girls and to increase their performance and participation in all areas. The following progress was made in 2003:

- The design and implementation of the Education in Gender and Diversity Demonstrative Plan for Bogotá and Cali, together with gender research centres of the public and private universities of the country.
- Training in the axis themes of the policy for women provide to 400 male and female public officials and 8,000 women.
- Inclusion in the Colombian Military Forces training process of dissemination of the international legal instruments related to women³³.

Violence against women: Emphasis here is on the prevention, sanctioning and eradication of the phenomenon of violence against women and on the promotion of an efficient legal framework in line with international commitments related to women's human rights. In consideration of the impact of the armed conflict on women, the Government has created the following actions and spaces for discussion of this problem:

- *Through the Table on Women, Peace and Security*, an inter-sectorial agenda to coordinate the process of implementation and dissemination of United Nations Resolution 1325³⁴ was agreed upon with the Ministry of Foreign Affairs and the Presidential Counsellor's Office for the Equity of Women.
- The *Family Democracy* Programme was designed as a modality to support existing programmes for the prevention of domestic violence and as a

³² The Bogotá Council created, under Agreement 12 of 1998, the *District Council for the Integral Care of minors in situation of Sexual Abuse and Exploitation*, which is the consultant and advisory body responsible for formulating policies and programmes for the respective responsible entities in Bogotá.

³³ The Convention on the Political Rights of Women, on the Elimination of Discrimination against Women, the Declaration of the Elimination of Violence against Women and the Protocol for the Prevention, Repression and Sanctioning of slave traffic of persons, especially women and children, which complements the UN Convention against Trans-national Organized Crime.

³⁴ The United Nations Resolution relating to the promotion of women's participation in the political negotiation of the social and armed conflict. The Colombian context is intended to facilitate the creation of consensus on the agendas proposed and presented by different women's organizations and to support the establishment of alliances to strengthen women's influence in resolving the conflict.

training strategy for the institutions and the Women's Network against violence.

- Discussions were held between the Presidential Counsellor's Office for the Equity of Women, the Social Solidarity Network and CINEP to define actions for the joint development, within the *Ursula Iguaran Return to the Earth Campaign*, to encourage the return of displaced women and children to their homes.
- An awareness raising and training campaign against slave traffic in persons. For these purposes, a proposal has been designed to include the subject on the bilateral agendas with Spain, Japan and Holland and inter-institutional tables on the subject have been established.

Institutional strengthening: Since the Political Constitution of 1991, women have gradually increased their presence in the public sector and hold more elected positions. 42% of public employees are women and close to 15% of the popularly elected positions are held by them. As the latter participation is still low, opportunities such as the following have been created to incentivate women's political participation:

- The creation of 150 Community Councils³⁵ at Departmental and municipal levels, as well as consultancy for their formation in 300 towns.
- 50 encounters with women of different social and political organizations and the implementation of the Gender Participative Budgets project in 40 towns.
- In relation to compliance with the Quotas Law, the Ombudsman's Office, in agreement with the Presidential Counsellor's Office for the Equity of Women and the FESCOL Foundation have undertaken a teaching process on the Law and has established a follow-up mechanism in the 1,098 municipalities of the country using leaflets, posters, communications to mayors and other directors of public entities.
- In the area of participation, the issue of Law 823 of 2003 is highlighted because it establishes an institutional framework to guarantee equity and equal opportunities for women in the public and private sectors, committing the Presidential Counsellor's Office for the Equity of Women, the Ministry of National Education, governors of Departments, mayors and other national and territorial authorities to develop measures to promote women's participation at all levels of decision making in civil society.
- Progress has been made in the design of the Observatory on Gender Issues to establish gender indicators and follow up Government policies to ascertain how women are benefiting and to make the appropriate recommendations.

³⁵ The Community Councils were created to facilitate women's participation in the decisions which affect them, and also to strengthen the implementation of the Women Builders of Peace and Development Policy and the empowerment of women.

CHAPTER VII

HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW DIAGNOSIS

Thanks to the Democratic Security Policy, Colombia has achieved very considerable progress in the defence of human rights and IHL. As a direct result of this policy, in the course of 2003, there was a 22% reduction in homicides in comparison with the preceding year, which meant that 5,800 Colombian lives were saved; kidnappings decreased from 2,986 to 2,200, attacks on communications towers from 62 to 19 and attacks on electricity pylons from 483 to 326; cases of blowing up bridges from 100 to 32, attacks on water supply systems from 12 to 3 and attacks on towns and villages from 32 to 5.

The Government has concentrated its greatest efforts on the vulnerable, threatened population: there was a decrease in murders of union members of 57 per cent, of teachers of 48 per cent and of journalists 43 per cent in comparison with the year 2002. In addition, murders of mayors and town councillors were down by 31 and 6 per cent respectively, as well as assassinations of indigenous people by 9 per cent. By December 2003, 4,294 members of illegal armed groups had demobilized, a figure higher than that of recent peace processes.

In spite of the improvement in the majority of the violence indicators, the overall situation still existing in Colombia, above all in infringements of International Humanitarian Law, continues to be of concern. During recent years, Colombia's indicators of violence –assassinations, massacres, kidnappings and forced displacement–, register levels and proportions which are unacceptable in any society, and on this the Government is in agreement.

There is no doubt that the principal cause of this situation is the strengthening of the illegal armed groups -FARC, ELN and ELN- made possible by four main sources of income: drug trafficking, kidnapping, extortion and theft of gasoline. This increase has been accompanied by a degradation of their actions, ever more orientated towards terrorism.

This chapter presents a diagnosis and a general analysis of the main human rights and IHL indicators, of the situation of the most vulnerable sectors of the population and a list of the actions undertaken by the authorities against the illegal armed groups.

HOMICIDES

Thanks to the Democratic Security Policy, the number of homicides in 2003 was down to levels unprecedented in the last 16 years. The rate of 51.6 for every hundred thousand inhabitants is below that of 1987, which was 52.9 and all the subsequent years until 2002. Moreover, the significance of this result is that the continuous upward trend between 1997 and 2002 has been halted, as shown on the table below. There was a reduction from 28.837 homicides in 2002 to 23.013 in 2003, and this downward curve was more pronounced as of June 2003. This seems to be an indication that the figures will continue this trend during the year 2004.

The table below represent the Colombian municipalities with the highest rates and which have suffered most from the phenomenon. The graph uses colours to indicated zones where the dispute is between self-defence groups and guerrillas, where there were combats³⁶, where there are coca plantations and/or different combinations of these types of action. It should be highlighted that, in many of these municipalities, there were reductions in homicides in comparison with the immediately preceding years, and therefore, while the situation is still a cause of great concern, it has improved considerably, to a large extent as a result of the Government's efforts to recover territorial control in the regions where these towns and villages are located.

An example of this is the present situation in the east of Antioquia Department, a region where the National Army's Martial Operation took place and where the most critical homicide levels had been recorded during the early months of the year, after which the trend turned downward. In Granada, which heads the list in both the country and the region with an index of 460 homicides for every hundred thousand inhabitants in 2003, there were 664 in 2002. San Francisco, which recorded 569 homicides in 2002 was down to

³⁶ Regarding combats, it is important to note that the rates rise not because the deaths were among the civilian population, but because the deaths in combat, of both the illegal armed groups and members of the Armed Forces and National Police, are included in the statistics.

HOMICIDE ANNUAL RATES PER HUNDRED THOUSAND INHABITANTS
 AND PERCENTAGE VARIATION

Year	Annual Rate	Number of Victims	Annual Variation
1986	48,73	15.894	
1987	52,94	19.463	22%
1988	57,85	21.510	11%
1989	62,69	21.600	0%
1990	69,51	24.308	13%
1991	79,26	28.284	16,36%
1992	77,53	28.224	-0,21%
1993	75,88	28.173	-0,18%
1994	70,88	26.828	-4,77%
1995	65,9	25.398	-5,33%
1996	67,8	26.642	4,90%
1997	63,35	25.379	-4,74%
1998	56,57	23.096	-9,00%
1999	58,57	24.358	5,46%
2000	62,71	26.540	8,96%
2001	64,64	27.841	4,90%
2002	65,79	28.837	3,58%
2003	51,62	23.013	-20,20%

Source: National Police - Criminological Investigations Centre.
 Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

379 in 2003. San Carlos, a town which had very high rates with as many as 700 per hundred thousand inhabitants in previous years, was down to 392 in 2002 and to 271 in 2003.

Cundinamarca is another Department where many towns had very high rates. It is important to note the incursion of illegal self-defence groups fighting over areas with the FARC in towns such as Útica, Gama, La Palma, Guayabal de Siquima, Gachetá, Silvania and Ricaurte. Following Operation Freedom One, which dismantled large illegal guerrilla and self-defence networks, it is expected to be material reductions in the figures on violence. In absolute numbers, there were 63 homicides in La Palma municipality, 37 of them in the first half of the year and from then showed a downward trend in the final months of the year. Similarly, there were 14 homicides in Útica in the first five months of the year, of a total of 18. In any event, it is important to note that Operation Freedom One, centred more on the west of the Department, had

HOMICIDE ANNUAL RATES PER HUNDRED THOUSAND INHABITANTS (NATIONAL RATE 2003, 51.6)

Department	Municipality	Rate	Department	Municipality	Rate
Antioquia	Granada	460.19	Guajira	Urumita	133.18
	San Francisco	379.29		Riohacha	130.19
	Maceo	301.75		Villanueva	124.93
	San Carlos	271.90	Guaviare	San José del Guaviare	113.30
	Remedios	257.29	Huila	Acevedo	240.19
	Santo Domingo	246.27		Baraya	219.06
	San Roque	224.19		Suaza	184.26
	Concepción	221.58		Algeciras	178.91
	Cocorná	182.72		Isnos	176.69
	Toledo	174.74		Altamira	171.17
	Gómez Plata	164.55		Tello	123.62
	Sonsón	160.49		San Agustín	121.75
	Yolombó	156.47		Iquira	117.84
	Nariño	151.71	Colombia	108.71	
	Caracolí	142.20	Magdalena	Ciénaga	113.46
	Yarumal	141.68	Meta	El Castillo	363.36
	Argelia	141.55		San Juan de Arama	353.80
	Peñol	140.77		San Luis de Cubarral	292.91
	Abriaquí	140.68		Mesetas	238.22
	Abejorral	131.25		Castilla La Nueva	229.12
El Santuario	119.17	Fuente de Oro		224.03	
Alejandro	116.80	El Dorado		209.33	
Hispania	110.79	La Macarena		206.54	
Amalfi	109.94	Puerto Lleras		171.07	
Santa Bárbara	104.74	Vistahermosa		120.31	
Andes	103.87	Puerto Rico		110.34	
San Vicente	103.05	Lejanías	107.89		
Arauca	Tame	340.27	Guamal	105.61	
	Saravena	229.01	Nariño	Ricaurte	236.46
	Fortul	154.63	Norte de Santander	Tibú	426.53
	Puerto Rondón	121.87		El Tarra	274.79

Department	Municipality	Rate
Bolívar	Zambrano	278.62
	Villanueva	151.52
	Santa Rosa	142.38
Boyacá	Pisba	260.28
	Chivor	210.92
	Macanal	193.05
	Chita	138.09
	Tinjacá	122.30
	Chinavita	112.52
	Sutatenza	107.83
	Pajarito	104.69
Caldas	Anserma	170.12
	Belalcázar	149.14
	Supia	143.97
	Palestina	111.48
	Samaná	109.06
Caquetá	Filadelfia	104.10
	Puerto Rico	175.07
	El Paujil	117.01
Casanare	San José del Fragua	105.37
	Chámeza	384.12
	Sacama	299.76
	Yopal	175.29
	Aguazul	154.22
	Pore	111.02
Cesar	San Luis de Palenque	104.27
	San Diego	162.76
	Becerril	153.78
	Bosconia	151.62
Cesar	El Copey	120.14

Department	Municipality	Rate
North Santander	Santiago	250.18
	Arboledas	248.03
	Teorama	210.22
	Cucutilla	172.30
	San Cayetano	165.02
	Bochalema	140.60
	El Zulia	138.77
	Hacarí	133.50
	Bucarasica	132.83
	Herrán	131.38
	Los Patios	117.25
	Cúcuta	103.09
Quindío	Quimbaya	115.98
Risaralda	Balboa	257.00
	Mistrato	190.68
	La Virginia	115.44
	Quinchia	110.79
Santander	Suratá	310.71
	Sucre	140.08
	Guapotá	139.86
	Puerto Parra	131.18
	Chima	118.84
Sucre	Tona	116.03
	Ricaurte	238.83
	Chalán	165.98
	Galeras	124.42
Tolima	Guayabal	242.24
	Dolores	236.67
	Herveo	167.64
	Casablanca	127.47

Department	Municipality	Rate	Department	Municipality	Rate
Cundinamarca	El Peñón	389.79	Tolima	Icononzo	122.79
	Útica	313.81		Alvarado	120.43
	Gama	285.47		Cajamarca	113.42
	La Palma	282.02		Ambalema	104.17
	Guayabal de Siquima	281.91	Valle	Dagua	181.61
	Topaipí	260.42		La Cumbre	173.77
	Gachalá	246.87		El Águila	166.24
	San Juan de Rioseco	240.16		El Cairo	161.74
	Paime	164.39		Florida	134.89
	Villagómez	162.60		Ulloa	121.25
	Gachetá	158.66		Calima	119.14
	Viani	149.28		Cartago	115.53
	Silvania	148.02		Tuluá	110.23
	San Cayetano	143.77		Alcalá	108.76
	Beltrán	124.92		Jamundí	107.08
	Ricaurte	124.83		Argelia	104.32
	Albán	116.21		Vijes	104.11
	Sesquilé	115.77			
Apulo	114.26				

Source: National Police - Cic.
 Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

	Combats and disputes		Combats and coca crops
	Combats		Disputes and coca crops
	Disputes		Coca crops
	Combats, disputes and coca crops		

influence on the homicide statistics, because deaths in combat were included (see footnote N° 36).

North Santander, like East Antioquia, showed a substantial improvement, even though homicide rates remain very high. An example is Tibú in the Catatumbo region, where the rate was 675 in 2002, but was down to 426 in 2003. In this town, as in El Tarra, there has been intense dispute between the illegal self-defence groups and the FARC for control of the coca growing regions, which explains the rates being so high. Nevertheless, military operations and

fumigations of coca plantations are being carried out and, therefore, the situation is expected to improve. In Cucutá, the Departmental capital, the situation involving actions by the illegal self-defence groups, is causing great concern. It must be stressed, however, that there was a notable improvement from 153 in 2002 to 103 in 2003.

The rate was high in all the towns in Arauca Department and had increases in comparison with 2002. There were combats between the guerrillas and the Armed Forces and National Police. Disputes between the guerrillas and the illegal self-defence groups as well as the presence of coca plantations have increased homicide levels. The self-defence groups acted against the civilian population, especially in Tame, while the ELN did so in Saravena. In this Department, actions of the State dismantled numerous support networks and improvements are therefore expected in the short and medium term. In any event, as the State retakes this Department, in which these illegal groups had consolidated their presence, the reaction of the illegal organizations intensified and caused a significant increase in homicide rates and IHL infringements in the Department, including terrorist attacks with explosives.

Homicide rates were high in many towns in Meta Department, the majority in the zone historically dominated by the FARC. In this case, military operations, disputes between the illegal self-defence groups and guerrillas, disputes between different self-defence groups, allied with the presence of coca plantations, all influenced these results. In Caquetá Department a similar situation exists and in Casanare, there is a territorial dispute between two self-defence groups.

The town of Ricaurte in Nariño Department illustrates events occurred in other municipalities where there are disputes between illegal self-defence groups and guerrillas for the control of coca plantations and for the control of the corridors through which they bring in arms and take out coca. The right to life is thus violated to a very considerable extent. This explains why the rate has risen from 96 to 232. A similar situation exists in the municipality of Buenaventura in Valle del Cauca Department, where there are also disputes between self-defence groups and guerrillas.

It is notable that, in northern Colombia, Montes de María and neighbouring zones in Bolívar and Sucre Departments, have high homicide rates, because as in Arauca, the illegal armed groups perpetrated terrorist acts to defend the territory they had consolidated for themselves.

In the case of urban areas, there are two cities in which the reduction in the homicide rate has been significant. In Medellín, the 3,589 homicides in 2002 were down to 1,936 in 2003, that is, a reduction of 46%. Its annual homicide rate dropped from 177 to 94 for every one hundred thousand inhabitants. In this respect, the Armed Forces and National Police operations in the city's most critical *communes* dismantled networks of militia and the illegal self-

defence groups. Also important is that there has been a change of attitude of the illegal self-defence groups, in whose case, as a result of their approaches to the Government in this city for the purpose of a peace process, there has been a notable reduction in massacres and homicides. Similarly, in Barrancabermeja, where the rate in 2003 was 56, while its rates in 2000 and 2001 had been close to 200, there had been disputes for many years between guerrillas and illegal self-defence group. The Armed Forces and National Police, for their part, made enormous efforts to dismantle these organizations and, in recent months, have arrested hundreds of members of the self-defence groups.

MASSACRES

Massacres, like homicides, have shown a downward trend in recent years: while in 2000 there were 1,403 victims, in 2003 they were down to 423. If we compare the last two years, the reduction was 38%, from 680 in 2002 to 423 in 2003. This level is undoubtedly associated with the decision of the illegal self-defence groups to gradually eliminate the practice of massacres with a view to an eventual peace process, but it was also a result of Armed Forces and National Police actions, in particular, the military operations carried out in critical zones.

The actions of the Armed Forces and National Police, in particular the Army's military operations in zones such as eastern Antioquia, limited and restricted the operational capacity of the illegal armed groups and likewise resulted in a reduction in the number of massacres committed by guerrillas and illegal self-defence groups. Nevertheless, it is important to note that the self-defence groups, while they committed fewer massacres, did carry out a considerably large number of selective homicides. This is what has been happening in the municipalities of Valledupar, Santa Marta, Tibú, Tame, several towns in Meta, Ricaurte (Nariño) and Buenaventura (Valle), to mention only a few examples.

The perpetrators of massacres committed by unidentified groups may be presumed. In Cali, at the Cañabrava Social club, a fight in a Cali discotheque ended in a gunfight leaving seven dead. Similarly, in Yumbo, assassins murdered seven people at a cock fight. It is very possible that, in these towns, there was a drug trafficking related settling of scores. Also significant is an event in the town of Urrao (Antioquia), where an unknown group assassinated seven people. This zone is disputed by illegal self-defence groups and guerrillas.

Farc's interest in maintaining its influence in zones in dispute explains their committing a very considerable number of massacres, although the reduction in this type of actions achieved in the year 2003 as a result of the Democratic Security Policy is also appreciable.

It is, however, worth mentioning the assassination of three people by the 37th front on the road from the Arenas district in San Jacinto (Bolívar), that of 7

VICTIMS OF MASSACRES BY PERPETRATORS AND YEARS

Perpetrator	1999	2000	2001	2002	2003	Total
Unknown	375	500	609	309	259	2,052
Self-defence groups	408	701	281	59	13	1,462
Farc	126	161	120	295	147	849
Eln	8	41	22	17	4	92
Epl	12					12
Erg			7			7
Erp			5			5
Total	929	1,403	1,044	680	423	4,479

Source: National Police - Criminological Investigations Centre.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

people by members of the 44th front in the hamlet of Lindosa in Puerto Rico (Meta), that of another 7 people in the La Sierra district of Carmen de Bolívar (Bolívar) by insurgents of the 20th front and that of 8 young people, between 20 and 25 years of age, in the rural zone of Pensilvania (Caldas) at the hands of guerrillas of the 47th front.

It may also be said that a larger number of victims of the FARC shows that this group has increasingly used terrorist methods to demonstrate its power. An example of this is the attack in February 2003 on the El Nogal club in Bogotá, in which two car bombs were exploded, causing the death of 32 people. Likewise, in Villa Magdalena on February 14 in a neighbourhood alongside the Neiva (Huila) city airport, explosives were detonated by FARC subversives at a time when the Police were carrying out a search, causing 18 deaths. In March, in Cucutá (North Santander), several explosive devices were set off, very possibly by the ELN, causing the death of seven people.

The situation at regional level shows that 46% of victims were concentrated in four of the twenty Departments where massacres were perpetrated in the year 2003: Valle with 15.4% (65 victims), Antioquia with 14.7% (62), Cundinamarca with 8.7% (37) and Tolima with 6.6% (28 victims). Bogotá, for its part, saw 11.3% with 48 victims. Notwithstanding the reduction at national level and, in particular, in Antioquia, North Santander and Caldas, there were increases in Departments such as Valle, Cundinamarca and Caquetá, as well as in the city of Bogotá.

Cundinamarca was especially hard hit by intense battles between the self-defence groups and subversives for the control of certain zones, especially in the west. This is demonstrated by the assassination of six people in the Manuel

Sur hamlet in the municipality of Ricaurte, by unknown perpetrators and a massacre - also with 6 victims - in the Santa Rita hamlet near Silvania.

Several facts explain the high level in Antioquia. It is the Department with the largest number of FARC, ELN and the illegal self-defence group fronts. It has

VICTIMS OF MASSACRES REGISTERED BY POLICE DEPARTMENTS AND PERCENTAGE VARIATION, ORGANIZED FROM LARGEST TO SMALLEST NUMBERS IN 2003

Department	2002	2003	Variation %
Valle	36	65	81%
Antioquia	141	62	-56%
Capital District (Bogota)	24	48	100%
Cundinamarca	22	37	68%
Tolima	0	28	
Caquetá	18	25	39%
Norte de Santander	96	18	-81%
Caldas	20	17	-15%
Arauca	18	17	-6%
Boyacá	4	12	200%
Cauca	26	9	-65%
Guajira	16	9	-44%
Nariño	16	9	-44%
Risaralda	0	9	
Sucre	0	9	
Bolívar	14	8	-43%
Córdoba	9	8	-11%
Putumayo	0	8	
Meta	31	7	-77%
Quindío	5	5	0%
Santander	4	5	25%
Cesar	31	4	-87%
Atlántico	4	4	0%
Chocó	123	0	-100%
Magdalena	13	0	-100%
Guaviare	5	0	-100%
Huila	4	0	-100%
Total	680	423	-38%

Source: National Police - Criminological Investigations Centre.
Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

important corridors used for trading coca and bringing in arms, in the direction of both the Caribbean Sea and the Pacific Ocean, there are many regions in dispute and presence of illegal crops. One of the massacres with the largest number of victims took place in Urrao while a rescue operation was under way, in which eight hostages were assassinated by FARC insurgents, among them the Governor of the Department, Guillermo Gaviria and his Peace Adviser, former Minister of Defence Gilberto Echeverri. In December, in addition, unknown perpetrators assassinated seven people in the same town.

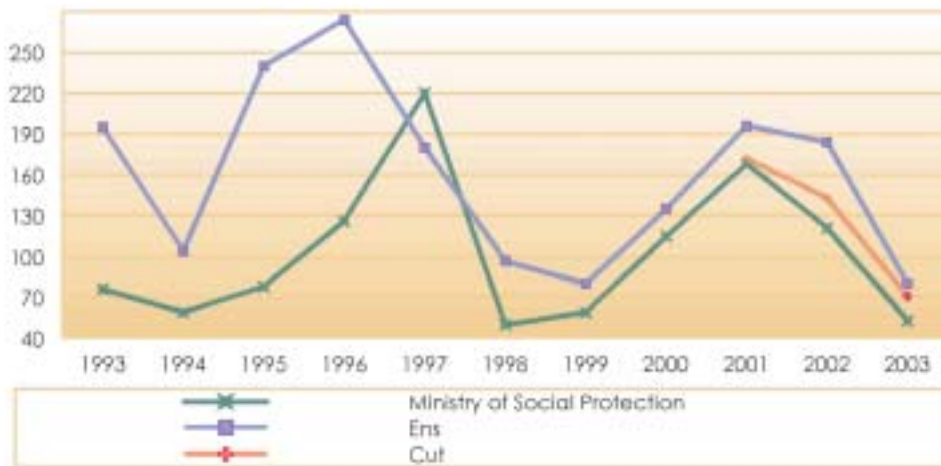
In Valle Department, as already mentioned, there was a series of facts very possibly associated with disputes between drug traffickers and actions of illegal groups.

HUMAN RIGHTS SITUATION OF UNION MEMBERS

The reduction in homicide, kidnapping and forced disappearance indices is the characteristic feature regarding the human rights situation of union members during 2003. This trend follows the trend of the majority of the indicators analyzed which, in turn, have also improved considerably. Although certain NGOs have presented figures of possible increases in threats, there are no official figures to corroborate this information.

In the first place, the considerable annual reduction in the number of assassinations, according to all the sources consulted, was outstanding during

HOMICIDES OF UNION MEMBERS FROM 1993 TO 2003



* The Ministry of Social Protection has information to December, but not yet consolidated.

Source: Ministry of Social Protection, CUT and ENS.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

2003. The graph presented above, based on information provided by the Ministry of Social Protection, which verifies information with the National General Prosecutor's Office, shows that homicides were down from 168 in 2001 to 121 in 2002 and to 52 in 2003, a reduction of 57% in the last two years. Likewise, non-governmental sources recorded the following reduction: according to the Workers Unified Union (CUT) there were 172 homicides in 2001, 143 in 2002 and 71 in 2003, a reduction of 50%; according to the National Union School (ENS), there were 196 assassinations in 2001, 184 in 2002 and 80 in 2003, a reduction of 56.5%. It must be clarified that the difference between the sources lies in the definition of criteria for storing information and also in the information verification mechanisms used.

HOMICIDES OF UNION MEMBERS BY PERPETRATORS AND YEARS

Perpetrator	2000	2001	2002	2003	Total
Unknown	68	119	69	46	303
Self-defence groups	36	47	31	4	118
Farc	8	2	13		23
Others	1			1	2
Other guerrillas	1				1
Eln	1			1	2
Epl					0
Total	115	168	114	52	449

Source: Ministry of Social Protection, CUT and ENS.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

The distribution by criminals responsible for homicides of union members in the years 2000 to 2003 shows that the majority of them are attributed to unknown perpetrators and the self-defence groups. However, there is evidence of a reduction between 2002 and 2003, which may be related to a new approach by the illegal self-defence groups within the national Government's peace process with this group. It is also due to the strengthening of the protection measures provided by the State to this vulnerable population.

In 2003, the teachers' and health sector unions were the most affected. According to Ministry of Social Protection figures, 37% of assassinations were concentrated in five sector unions: the National Hospitals And Clinics Workers Association (ANTHOC) with 5 homicides, the Arauca Educators Association with 4, the Cesar Educators Association with 3, the Magdalena Educators Association with 3 and the Nariño Teachers Union with 3.

As to geographical distribution, of the 17 Departments in which there were murders, 67% was concentrated in 7: Arauca with 7, Cesar and Antioquia with 5 each and Atlántico, Magdalena and Valle with 5 each. At municipal level, the

worst affected were Barranquilla (Atlántico) with 4 homicides, Tame (Arauca) with 3 and Valledupar (Cesar), Arauca (Arauca), Ricaurte (Nariño) and Saravena (Arauca) with two each.

There was a considerable reduction in the number of union members kidnapped. According to ENS, kidnappings were down to 40 in 2001, 27 in 2002 and to only 4 in the first eleven months of 2003, a reduction of 85% in the last two years³⁷. It is also important to note that forced disappearances were down from 12 in 2001 to 8 in 2002 and to 1 in 2003³⁸. Threats³⁹, according to ENS, on the contrary, increased: from 232 in 2001 to 189 in 2002 and to 288 in the first eleven months of 2003, equivalent to an increase of 52% between the last two years.

HUMAN RIGHTS SITUATION OF TEACHERS

Teachers are an especially vulnerable sector because of their extended presence throughout the country. Colombian teachers find themselves in situations which make them vulnerable to reprisals by illegal organizations, and make them the targets of their actions in certain zones.

During 2003, 41 teachers were assassinated. The Departments with the highest number of cases were Antioquia with 7, Magdalena and Arauca with 4, respectively; Caldas, Cesar, Tolima, Nariño and North Santander, each with two. In another eleven Departments there was one homicide each. However, the reduction in some of these Departments is noteworthy: Antioquia with 50%, Magdalena 56% and Nariño and North Santander both with 62%. Putumayo is also highlighted with a reduction of 86% and Caquetá and Meta with no murders of teachers at all in 2003, after there had been 6 in each one in 2002. The Departments where there was an increase were Arauca, up to 4 assassinations in 2003 from 3 in 2002, and Caldas from 2 to 3. By municipal distribution, Medellín (Antioquia) had 3 homicides, and Arauca (Arauca), Cucutá (North Santander), Ibagué (Tolima) and Valledupar (Cesar) had 2 each.

Notwithstanding this global situation, it must be emphasized that, on the basis of figures provided by the Colombian Federation of Teachers, FECODE, the trend is downwards (-48%) between 2002 and 2003.

The unions most hardly hit by assassination of their members were the Antioquia Teachers' Association (ADIDA) with 6 victims, Magdalena Teachers

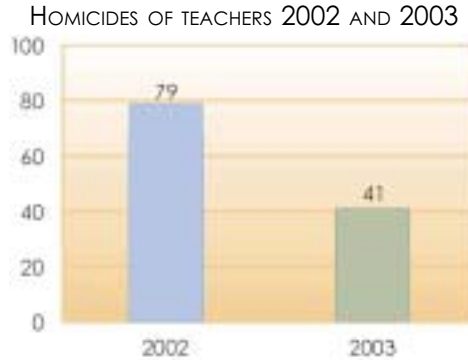
³⁷ National Union School, ENS *Executive Report on the violation of human rights of Colombian union members*. January 1 to November 30, 2003.

³⁸ ENS figures to November 2003.

³⁹ No reliable figures on threats are available.

(EDUMAG) with 4, Cesar Teachers' Association (EDUCAL) and the Tolima Teachers Union (SIMATOL) with three homicides each.

While there is no information as to the criminals responsible for these murders, as in the analyses of the unions' situation, the majority of the assassinations are attributed to persons unknown. However, the majority are carried out in zones where there are disputes between illegal armed groups. The use of schools by these groups must be taken into consideration, as they take over the buildings as transit points because they have public services, especially drinking water, preventing normal classes from being held and making schools a vulnerable space for reprisals and possible combats.



Source: FECODE.

HUMAN RIGHTS SITUATION OF LOCAL AUTHORITIES AND CANDIDATES

In view of the national Government's firm objective of consolidating the Democratic Security Policy throughout national territory, the illegal armed groups have opted to attack governance, threatening, kidnapping and assassinating public servants and elected representatives of the people. The assassination of governors and mayors, councillors and public officials are thus included in the search for local power by these armed organizations, as well as their objective of dominating territories, the political life of communities, public resources and the population itself.

In 2003, 9 mayors were assassinated – five of them were perpetrated by the FARC -, fewer than the 13 victims in 2002 and 17 in 2001, but higher than the 5 in 2000. The mayors of Cabrera (Cundinamarca), the temporary mayor of Saravena (Arauca), the mayors of Roble (Sucre), San Antonio (Tolima), Aguadas (Caldas) and Suaza (Huila), Almaguer (Cauca), Bolívar (Cauca) and the elected mayor of Zapayán (Magdalena) were all assassinated in 2003.

Thus, it is important to take note of threats by the illegal armed groups against local authorities which have resulted in the resignation and displacement of mayors, councillors and municipal attorneys. According to information of the Home and Justice Ministry, at the beginning of this Government, threats by the FARC had forced 246 mayors to work from outside their municipality. The return of the police and military forces to 140 municipalities where they had had no presence, has given back governance to these towns. Before the elections of October 2003, the most critical cases were found in Arauca, Caquetá, Casanare, Cauca, Guaviare, Guajira, Nariño and Quindío Departments,

where the FARC had declared 80% of the local mayors as military objectives. 14 mayors have still not been able to return to their communities.

This situation led the mayors to express concern for their security, because, as they had to resign in December 2003 prior to the possession of the newly elected mayors, their lives were at risk as a result of the reduction in guarantees and protection measures. In response to this concern, the Home and Justice Ministry included this population among the beneficiaries of the Protection For Persons at Risk Programme.

Regarding the town councillors' situation, according to the National Councils Federation (FENACON), a source contrasted with the Ministry of Defence's information, 75 councillors were murdered in 2003, that is, five fewer than in 2002, when there were 80 .

HOMICIDES OF TOWN COUNCILLORS FROM 1996 TO 2003



Source: National Federation of Councillors and the Ministry of National Defence.
 Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

Of the 32 Departments of Colombia, councillors were murdered in 22: Antioquia with 11, Tolima with 10, Cundinamarca with 7, Cesar and Valle with 5, Magdalena and Risaralda with 4, North Santander, Arauca, Cauca and Boyacá with 3, Atlántico, Casanare, Nariño and Putumayo with 2 each and Caquetá, Sucre, Bolívar, Chocó and Guajira with one each. As to responsibility, the perpetrator was unknown in 60% of the cases, FARC were responsible for 28%, followed by the illegal self-defence groups with 11% and unidentified guerrilla groups with 1%.

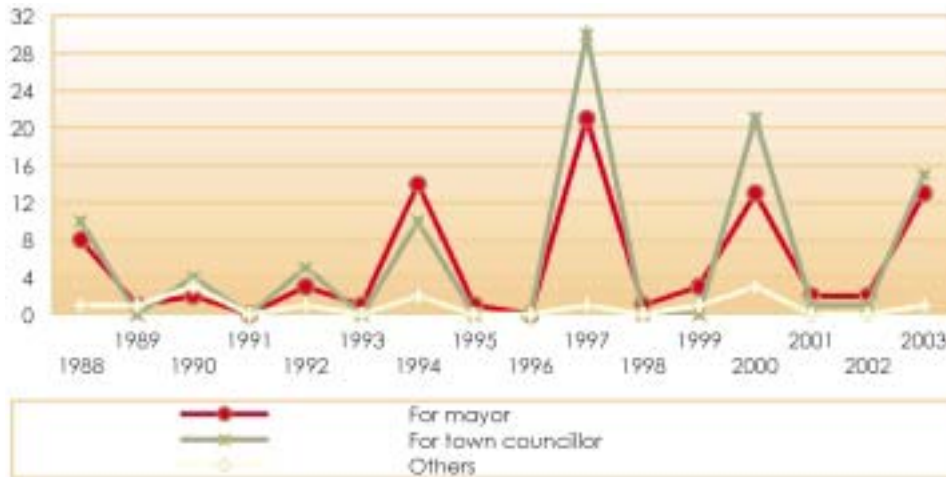
According to the Fondelibertad report, 138 public officials were kidnapped in 2003. The subversive organisations were responsible for the majority of these

crimes: the FARC, with 45% (61 kidnappings) and the ELN, with 37% (50). The illegal self-defence groups, for their part, perpetrated 44% and common criminals 3%; the kidnappers in over 8% of the cases have not been identified. Among these kidnappings, the outstanding cases were those of the mayors of Sácama (Casanare) and Samaniego (Nariño), as well as one town councillor of La Jagua del Pilar (Guajira), one of Cañasgordas (Antioquia) and one of Magangué (Bolívar).

In addition, attacks were made on one Department councillor of Arauca, the mayors of San Vicente del Caguán (Caquetá), Arauquita (Arauca), San Antonio (Tolima) and Bolívar (Cauca), as well as town councillors of the Zona Bananera (Magdalena), Soledad (Atlántico), Carmen de Bolívar (Bolívar), Útica (Cundinamarca) and Ayapel (Córdoba).

There was an historical reduction in the number of assassinations of candidates for public office, a category which is obviously related to electoral periods. There was, however, a clear increase just prior to the election of governors, mayors and town councillors in October 2003. During this electoral year, 29 candidates: thirteen for mayor, fifteen for town councillor and one for governor were murdered. Nevertheless, as the following curve shows, the year with the highest number of assassinations was 1997 with 53 candidates: 21 for mayor, 30 for town councillor and two for governor. Among all the candidates, the relative impact was greater in the case of candidates for mayor, as there are fewer of these than councillors.

HOMICIDES OF CANDIDATES FOR PUBLIC OFFICE FROM 1988 TO 2003

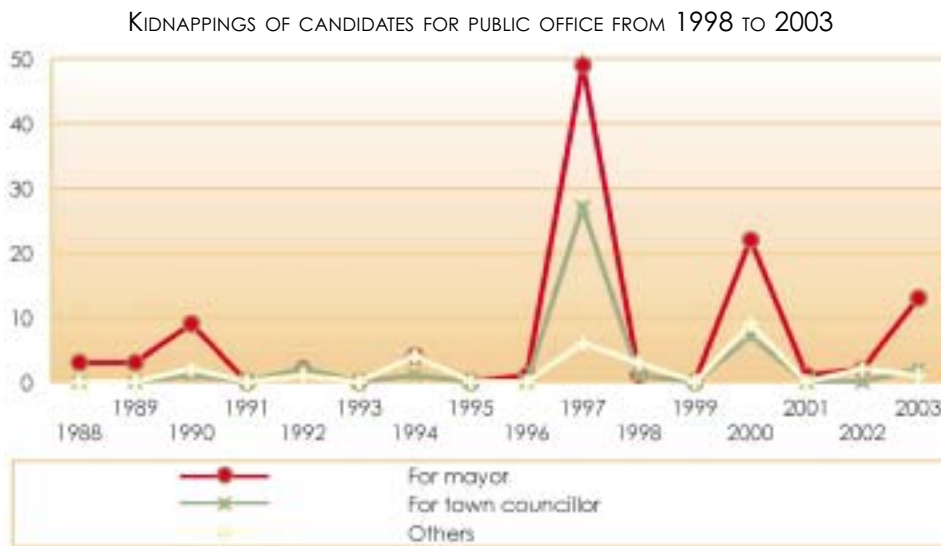


Source: DAS Daily Bulletins.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

As to candidates kidnapped, there were 16 cases in 2003: thirteen for mayor, two for councillor and one for governor. These figures contrast with those of 1997, when 82 candidates were kidnapped: 49 for mayor, 27 for town councillor and six for governor.

The kidnapping of certain candidates led to mass resignations because of the constant threats of the illegal armed groups. In October 2003, in the municipality of Hacari (North Santander), five candidates for town councillor were kidnapped by subversives of the FARC 33rd front. They were freed one day later with the order to resign. Following this action, 22 resigned their candidature.



Source: *Das Daily Bulletins*.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

Following this, the President of the Republic, Alvaro Uribe Vélez, requested the candidates who were under threat from the illegal armed groups to continue in their endeavour to strengthen democracy, assuring the 70,000 candidates for mayor, governor, town councillor and Departmental assembly that the Government would guarantee their safety on the 26 October election day. To guarantee normal elections, the *Democracy Plan* was implemented, with the successful deployment of 150,000 members of the Armed Forces and National Police who were present in all of Colombia's 32 Departments. Among the achievements of the *Democracy Plan* were the following: of the 70,000 voting tables throughout national territory, only 50 were affected by the destruction of papers; criminal actions were down by 24% in comparison with the elections of the previous May and the candidates who were most at risk were given protection.

HUMAN RIGHTS SITUATION OF INDIGENOUS PEOPLE⁴⁰

According to the latest findings, information is held on 164 indigenous persons assassinated in 2003, slightly below the 2002 figure of 180, but higher than the annual figures between 1998 and 2001, which varied from 68 to 154 per year. The illegal self-defence groups were responsible for 42% (326) of the homicides between 1998 and 2003, followed by unknown perpetrators with 36% (281 homicides), FARC with 15% (117), ELN with 2% (17), other groups with 4% (34), other guerrillas with 1% (4) and several other illegal armed groups with 1% (6).

HOMICIDES OF INDIGENOUS PEOPLE PER PERPETRATOR AND YEAR

Perpetrator	1998	1999	2000	2001	2002	2003	Total	%
Self-defence groups	37	27	50	59	78	75	326	42%
Unknown	20	25	53	57	75	51	281	36%
Farc	7	14	30	32	16	18	117	15%
Others	2	8	6	3	7	8	34	4%
Eln	2	0	2	3	2	8	17	2%
Other guerrillas	0	1	3	0	0	0	4	1%
Two or more illegal groups	0	0	0	0	2	4	6	1%
Total	68	75	144	154	180	164	785	100%

Source: Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

Databases of the State and of non-governmental organizations were taken into account for these figures.

Analysis by ethnic groups shows that, in 2003, the most vulnerable ethnic group was the Kankuamo community, located in the jurisdiction of Valledupar in the foothills of the Sierra Nevada of Santa Marta⁴¹. There are serious conflicts between illegal self-defence groups and guerrillas in this zone. As the guerrillas' capacity for action in the lower parts of the Sierra has been reduced, the actions of these groups are more and more frequently perpetrated in the middle and high regions. Responsibility is therefore shared between illegal self-defence groups and guerrillas. In 2003, there were 53 victims of the Kankuamo indigenous people, the highest figure in the last six years with a total of 152 victims between 1998 and 2003. The

⁴⁰ Figures of homicides of indigenous persons presented above form part of an investigation which is at present being carried out by the Presidential Human Rights and IHL Programme Observatory, for which a database with information from the DAS daily bulletins was built up and the databases provided by the National Prosecutor's Office, the Ministry of the Interior, the Ombudsman, some NGOs, such as CINEP, Justice and Peace, Hemera and information downloaded from the Internet and extracted from the files of the Assistance and Prevention area of the Presidential Programme for Human Rights and IHL of the Vice-Presidency of the Republic. Data provided by the Kankuamo community were also included.

⁴¹ At present located in the districts or hamlets of Chemesquemena, Guatapurí, Atánquez, Los Hálicos, La Mina, Patillal, Río Seco, Murillo and Villa Rueda, among others.

HOMICIDES OF INDIGENOUS PERSONS BY ETHNIC GROUP

Ethnic Group	1998	1999	2000	2001	2002	2003	Total	% Partici- pation in 2003	% Partici- pation between 1998 and 2003
Kankuamo	11	22	18	13	35	53	152	32.30%	19.40%
Embera chami	3	2	1	10	16	20	52	12.20%	6.62%
No precisa	5	15	15	5	17	17	74	10.40%	9.40%
Nasa o paez	14	5	36	76	44	11	186	6.70%	23.70%
Wayúu	1	3	1	12	16	9	42	5.50%	5.40%
Coyaima	2	5	4	1	7	6	25	3.70%	3.20%
Betoyes (Guahibo)			2		2	6	10	3.70%	1.30%
Tule (Kuna)		1	1			5	7	3.00%	0.90%
Huitoto						5	5	3.00%	0.60%
Embera katio	16	13	24	11	22	4	90	2.40%	11.50%
Senú	5		1		4	4	14	2.40%	1.80%
Arhuaco					3	4	7	2.40%	0.90%
Embera		2	15	6	6	3	32	1.80%	4.10%
Awa kwaiker					1	3	4	1.80%	0.50%
Bari			1	13		2	16	1.20%	2.00%
Inga				6	1	2	9	1.20%	1.10%
Arzario o wiwa			1		2	2	5	1.20%	0.60%
Kamëntsa						2	2	1.20%	0.30%
Kuiba						2	2	1.20%	0.30%
Pastos		1	3		1	1	6	0.60%	0.80%
Yanacona					2	1	3	0.60%	0.40%
Ingano						1	1	0.60%	0.10%
Kamsá						1	1	0.60%	0.10%
U'wa	1	1	7	1			10	0.00%	1.30%
Puinabe			8				8	0.00%	1.00%
Sikuani	7						7	0.00%	0.90%
Embera o Embera katio		4	1		1		6	0.00%	0.80%
Guambiano	2	1	2				5	0.00%	0.60%
Siona	1		1				2	0.00%	0.30%
Tariano o tucano			2				2	0.00%	0.30%
General Total	68	75	144	154	180	164	785	100.00%	100.00%

Source: Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

State and NGo databases were taken into account for these figures.

year began with 8 homicides in January, of which 4 were attributed to the self-defence groups, 3 to the FARC and 1 to unknown perpetrators. There were 27 in February, 12 committed by the self-defence groups, 8 by unknown persons, 6 by the ELN and 1 by the FARC. A total of 8 assassinations were committed between March and August by the self-defence groups and guerrillas and in October, there were 10 victims, all perpetrated by the self-defence groups.

The territories of the Embera Chamí indigenous people, located in the Departments of Chocó, Risaralda, Caldas and south eastern Antioquia⁴², coincide with a corridor leading to Chocó used by the illegal armed groups for trafficking in arms and cocaine. Last year, 20 members of this community were assassinated, the great majority by illegal self-defence groups. There have been 52 assassinations since 1998. This community has traditionally suffered from violence associated with land disputes and, in particular, with the recuperation of their reservations. The Nasa or Paez people inhabit zones with disputes between self-defence groups and guerrillas, as well as combats with the Armed Forces and National Police. There were 11 victims in 2003 and 184 have been assassinated in the last six years. The Wayuú people in La Guajira with 9 persons assassinated and the Coyaima in Tolima with 6 are the other ethnic groups seriously affected by the illegal armed groups. In the case of the latter, most of these crimes were committed by the self-defence groups.

HUMAN RIGHTS SITUATION OF JOURNALISTS

According to information from the Free Press Foundation (FLIP), 7 journalists were assassinated in 2003, fewer than the 10 cases occurred in 2002. In March, journalists Luis Eduardo Alfonso, who specialized in covering public order and denouncing public administration irregularities, was murdered in Arauca (Arauca). In April, José Emeterio Rivas was assassinated by unknown criminals in Barrancabermeja (Santander). In the same month, Guillermo Bravo Vera, journalist and director of the economic analysis programme *Facts and Figures* with the regional Alpevision channel in Neiva (Huila), as well as reporter Jaime Rengifo Revero, director of the *Journalists in Action* programme and the *Guajiro Quincenario* newspaper in Riohacha (Guajira) were assassinated. In August, on the road to Mocoa in Putumayo Department, journalist Juan Carlos Benavides, an employee of Emisor Manantial Estereo of Sibundoy was also murdered. Radio broadcaster José Nel Muñoz, who was found dead with signs of torture, was murdered in October in Puerto Asís (Putumayo). In December, journalist William Soto was assassinated in Buenaventura (Valle).

It is relevant to call the attention to the connection of these homicides with local dynamics, above all concerning the denouncements of corruption of certain Departmental and municipal administrations made by the reporters through the

⁴² The communities of Riosucio, Caldas, which inhabit the Cañamomo, Lomapieta and San Lorenzo reservations, are included with the Embera Chamí.

different media. This is complemented by the pressure exerted by the illegal armed groups on journalists, who are the constant victims of threats against freedom of expression, making them constantly vulnerable.

In this context, not only homicides, but also other types of actions were perpetrated by the illegal armed organizations. March 2003 was especially critical in regard to threats, above all in Arauca Department.

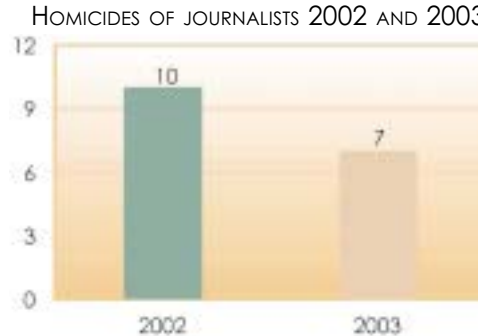
According to the Human Rights and IHL Press Observatory Logbook kept by the Vice-Presidency of the Republic, on March 19 in the city of Arauca, a Caracol Channel journalist received a list of 16 threatened journalists, delivered by a presumed member of the FARC militia; on March 28, the illegal self-defence groups distributed a list of 10 journalists under threat, of whom two had already been assassinated. In addition, in May there were threats to three journalists in Buenaventura (Valle) and in June to a photographer in Santa Marta (Magdalena).

The kidnapping of a team of Rcn reporters, including journalist Ramón Martínez, cameraman Rafael Guerrero, technicians Mauricio Vega and Rubén Peñuela and their driver on January 26, on the Tame - Pueblo Nuevo (Arauca) road was important, as well as the disappearance of a reporter in April 2003 in San Gil (Santander) and the kidnapping of another in Honda (Tolima). In August, two El Tiempo newspaper correspondents, who were reporting from Guaviare Department, were kidnapped by members of the FARC 44th front for 5 days.

In addition, while FLIP reported a homicide in the month of August 2003, the Vice-Presidency of the Republic's Human Rights and IHL Press Observatory Logbook records two: in the municipality of Bello (Antioquia) the body of reporter and broadcaster Andrés Carmona, who had worked for Rcn in Medellín, was found, and in the village of La Joya, between Puerto Caicedo and Puerto Umbría (Putumayo), one journalist was assassinated and another wounded after the driver of their vehicle disobeyed an order to stop by FARC guerrillas who had set up an illegal roadblock. The journalists worked for Radio Manantial Estéreo, a community radio channel owned by the Diocese of Putumayo.

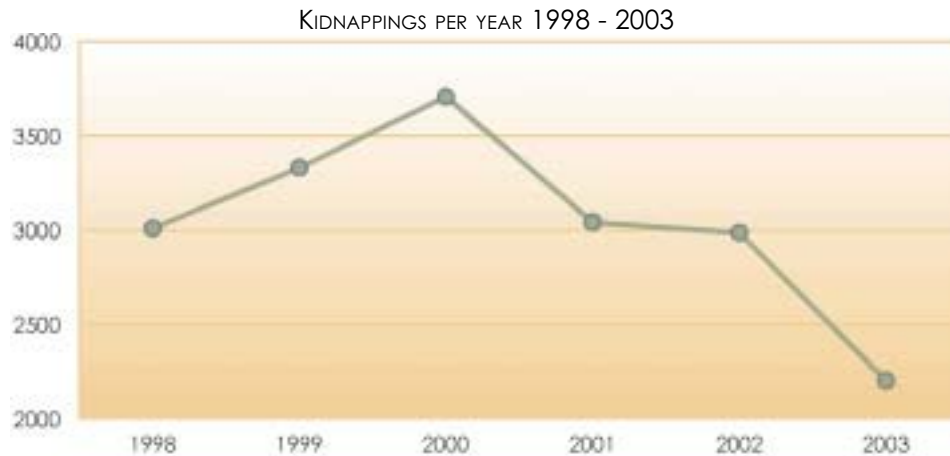
KIDNAPPINGS

Four actions by the State became decisive factors in reducing kidnappings by 26 percent during the year 2003. In the first place, the Armed Forces and National Police offensive in the *Marcial* operation in eastern Antioquia and the *Freedom One* operation in Cundinamarca Department against fronts of the subversive organizations who committed the largest number of



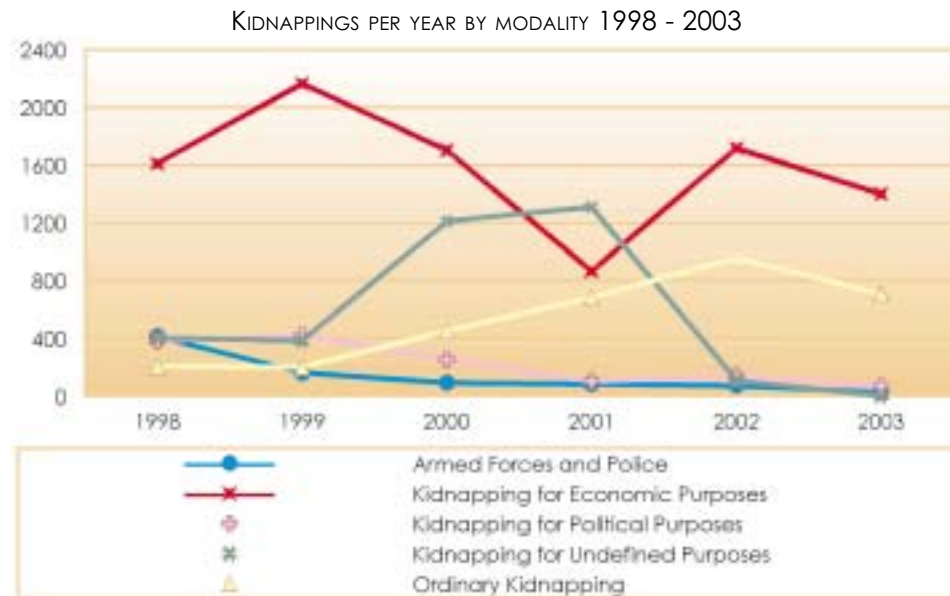
Source: Free Press Foundation.

kidnappings: the ELN Carlos Alirio Buitrago front and the FARC 22nd and 45th fronts. In the second place, it was the result of increased protection on roads, supported mainly by the co-operators network. In the third place, there were decisive attacks on urban kidnappers' structures and finally the Military Forces had greater response capacity, with an increase in air power



Source: Fondelibertad.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.



Source: Fondelibertad.

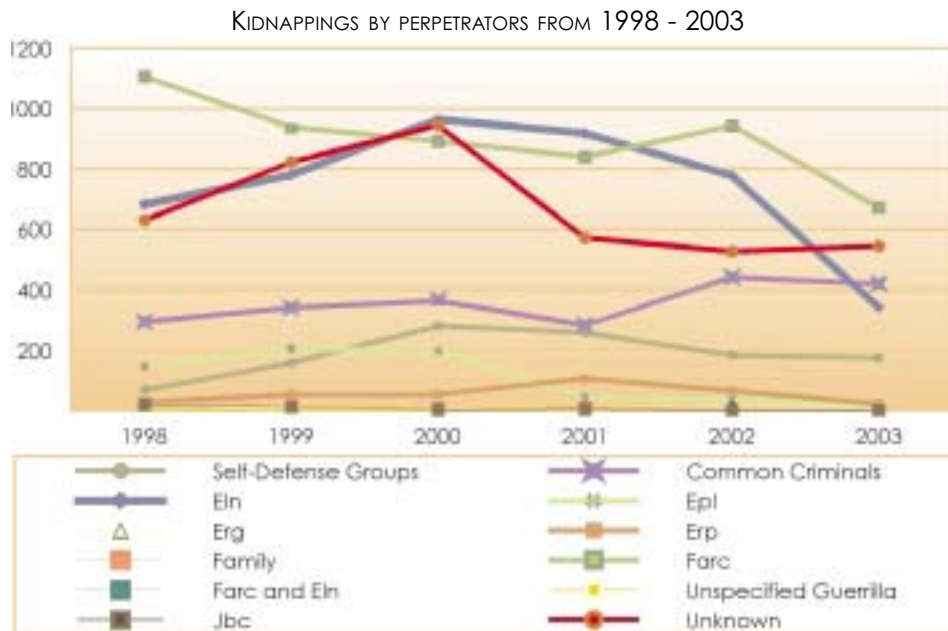
Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

which is an obstacle to the perpetration of mass kidnappings by the illegal armed groups.

Thus, the 2.200 kidnappings in 2003 were a reduction in comparison with the 2,986 in 2002. This figure is lower than 3,041 in 2001 and the 3,706 in 2000.

As shown in the previous graph, the curve of ordinary kidnapping is upward until last year, increasing from 204 in 1998 to 955 in 2002. It then starts down in 2003 to 707. Kidnapping for economic purposes, the modality with the highest indices, shows a downward trend from 1999 to 2001, from 2,163 to 863, but rises again in the year 2002 with 1,715 kidnappings; there was a drop again in 2003 to 1,398. The trend of kidnapping for political purposes is more regular, showing a more or less sustained downward trend from 381 in 1998 to 138 in 2002 and 70 in 2003. Kidnappings of members of the Armed Forces and Police are, proportionally, the ones which reduced most, from 412 in 1998 to 71 in 2002 and to 25 in 2003. Lastly, it is important to stress the curve of kidnappings whose purposes remain unknown, as they were at a very low level in 2002 and null in comparison with the years 2000 and 2001, demonstrating a substantial improvement in recording and in access to information.

There were a total of 18,271 kidnappings between 1998 and 2003, of which 30% were committed by the FARC, 25% by the ELN, 22% by unknown



Source: Fondelibertad.
 Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

perpetrators, 11% by common criminals and 6% by illegal self-defence groups. All the organizations responsible showed a reduction in 2003 in comparison with previous years, as indicated on the respective graph.

At national level, the Departments with the highest number of kidnappings were: Antioquia with 13% (286 victims), Cesar with 8.4% (186), Cundinamarca with 6% (132), Tolima with 5.2% (116) and Meta with 5% (111); the figure for Bogotá was 8.4% (186). However, comparison between the number of kidnappings and the number of inhabitants - rate per hundred thousand inhabitants - shows that this order changed to Arauca and Cesar with a rate of 18 kidnappings per hundred thousand inhabitants, Casanare with a rate of 17, and Guajira and Chocó with a rate of 15, which were the jurisdictions most affected.

KIDNAPPING DEPARTMENTAL RATE PER 100,000 INHABITANTS IN 2003

Department	Number of victims	Rate	Department	Number of victims	Rate
Arauca	49	18.4983842	Guainia	2	4.90364341
Cesar	186	18.3090869	Boyacá	65	4.65965854
Casanare	53	17.1300396	Santander	91	4.46223673
La Guajira	78	15.3347095	Caldas	46	4.01100061
Chocó	63	15.2970542	Nariño	67	3.89724761
Meta	111	14.9274405	Putumayo	14	3.88899692
Caquetá	60	13.4503815	Vichada	3	3.28382062
Tolima	116	8.86210564	Bolívar	57	2.66696861
Sucre	71	8.45469593	Bogota, D.C.	183	2.66530848
Magdalena	103	7.59276255	Quindío	15	2.5285814
Vaupés	2	7.37517516	Norte Santander	33	2.29927183
Cauca	96	7.26336194	Valle	90	2.05035396
Huila	60	6.19942945	San Andrés, islas	1	1.25851068
Cundinamarca	132	5.82317146	Guaviare	1	0.78867463
Risaralda	56	5.63759146	Córdoba	6	0.43891413
Antioquia	286	5.09910357	Atlántico	4	0.17604317

Source: *Fondelibertad*.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

FORCED DISAPPEARANCE

In view of the difficulties in obtaining reliable information on victims of forced disappearance in Colombia, the State has strengthened the Inter-Institutional Search for Disappeared Persons Commission mechanisms, one of whose main objectives is to build up a database to fulfil this need. However, although the large number of cases regarding which there is not information at all remains a cause for considerable concern, both non-State sources, such as ASFADES and CINEP, as the official agencies, the National Prosecutor's Office and the National Attorney General's Office, show that, in spite of the constant declarations by NGOs of an increase in forced disappearances, the figures do not show any notable change.

The National Prosecutor's Office keeps a record of all requests for searches for missing persons in general, mainly by relatives⁴³; but all of these cases do not necessarily fall within the framework of forced disappearance. According to this source, the number of cases in 2003 increased by 19% in comparison with 2002, by 23% with 2001 and 110% with the year 2000. Of the disappeared reported in 2003, 46% were found alive, 50% were never found and 4% were found dead.

CASES OF DISAPPEARANCE FROM 2000 TO 2003

Cases	2000	2001	2002	2003
Reported	1,845	3,153	3,255	3,866
Found alive	189	1,284	1,168	1,791
Found dead	42	107	113	148
Not found	1,245	1,782	1,974	1,927

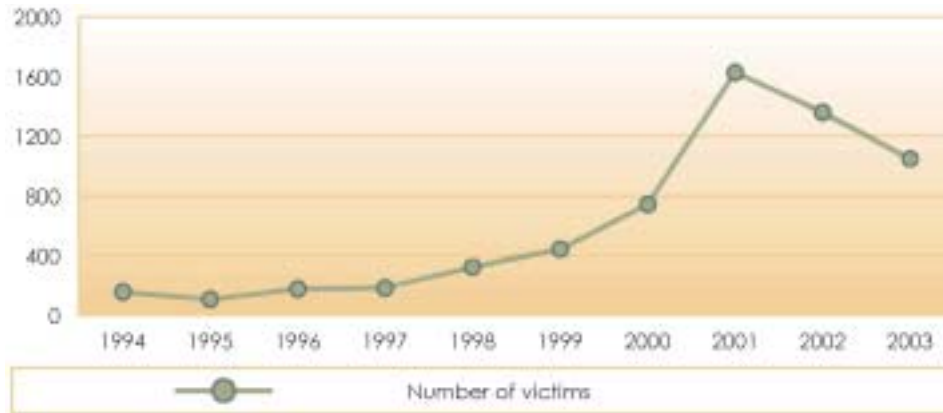
Source: National Attorney General's Office.

Review of the records of victims kept by non-governmental organizations which are principally concerned with this type of violation, such as the Association of Detained and Disappeared Relatives (ASFADES), shows that there was a downward trend in 2003 - projecting September data to December; but nevertheless, there was still a large number of cases. According to ASFADES, there were 785 cases of forced disappearance from January to September 2003, which, if the same tendency continued, would be equivalent to 1,047 for the entire year. This figure shows a reduction of 23% in comparison with the 1,358 victims recorded in 2002. This reduction is considerable bearing in mind that there had been a constant upward trend since 1995, which peaked in 2001, during which cases increased by 119% in comparison with the 743 victims in the year 2000.

According to this organization, this decrease is the result of fewer cases being reported.

⁴³ What is usually considered as ordinary disappearance.

CASES OF FORCED DISAPPEARANCE FROM 1994 TO 2003



Source: Asfaddes.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

*2003 Projected on the basis of the records to the month of September.

Monthly figures in CTNEP's publication, *Revista Noche y Niebla*, which records a lower number of cases, basically owing to methodological information collection differences, shows a reduction of 17% in the first nine months of 2003 in comparison with the same period of 2002: the 198 victims in this latter period to 164 in 2003.

According to the same source, the criminals responsible for the largest number of forced disappearances were unidentified groups with 53% of the victims, followed by self-defence organizations with 44%. In the period from January to September 2003, it was the self-defence groups which were responsible for the largest number of forced disappearances with 53%, followed by unknown perpetrators with 44.5%, the Military Forces with 1% and the Police with 0.6%. Altogether, the Armed Forces and National Police were responsible for 1.6% of disappearances, lower by 3% than in the year 2002⁴⁴ It should be stressed that this source attributes very few acts of forced disappearance to guerrillas, which cannot be taken to mean that the illegal subversive organizations do not perpetrate this crime.

Departmental distribution in forced disappearance shows that, in the period from January to September 2003, Arauca had the highest number, with 27 cases, Antioquia and Tolima had 16, Cundinamarca and Santander 13 and North Santander 10.

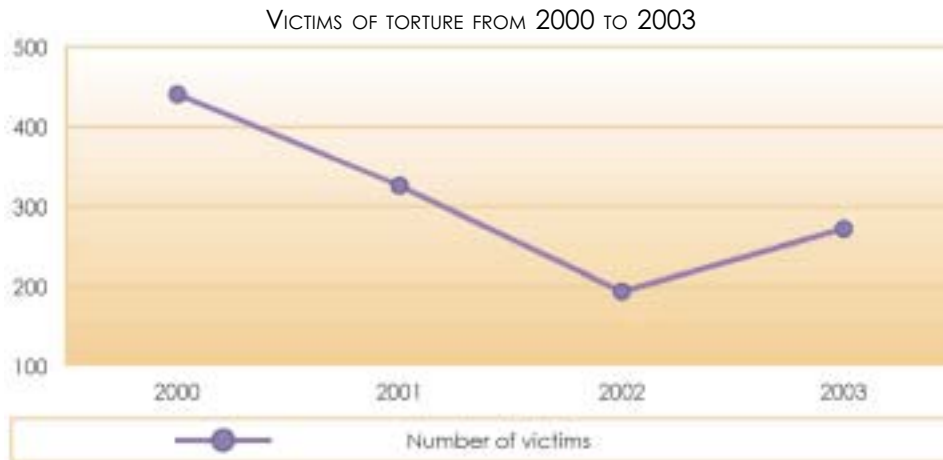
⁴⁴ By the end of 2003, the National Prosecutor's Office had started 15 preliminary investigations of this crime and brought charges in one case against members of the Armed Forces and National Police.

In July 2003, the Ombudsman’s Office gave the alert on numerous forced disappearances in Barrancabermeja (Santander) and in Medellin (Antioquia). It called attention to 7 cases recorded in Barrancabermeja in June and to the 20 reported in the first five months of that year. It likewise highlighted 18 disappearances reported to the Complaints Division, mainly involving victims of Commune 13 in Medellin (Antioquia); it is noteworthy that, in addition, the People’s Training Institute (IPC), a human rights organization working in the zone, had received a report of 8 victims of forced disappearance, of whom two were found dead.

TORTURE

The Colombian State does not have a database of victims of torture, and therefore the Observatory of the Presidential Human Rights and IHL Programme of the Vice-Presidency of the Republic is in the process of setting up an informative system on this human rights violation. Thus, there are few figures for analysis and they have time limitations. Some cases have been reported by CINEP in its *Noche y Niebla* publication, which only reports some cases, and it considerably under-records cases of torture by guerrillas. Information is also available only until September 2003.

According to this source, from January to September 2003, there were 204 cases of torture, equivalent to an increase of 43% in comparison with the first nine months of 2002, in which 143 victims were recorded. If the trend until September continues, 2003 will end with a total of 272, that is 41% more than those recorded in 2002 and 17% fewer than in 2001, as shown



Source: CINEP – Justice and Peace Publication Revista Noche y Niebla.

* 2003 was projected on the basis of the records to September.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

above. The considerable under-recording of this violation is notable since, in the majority of cases, the persistent presence of perpetrators and their constant control of the population, prevent or impede the respective reports being made. On this point, it should be highlighted that 85.2% of the records of victims of torture up to September 2003 included murder of the victims, that is, only 14.8% of the cases were reported by the victims themselves. As happened in 2002, when only 20% of cases of torture were reported, the rest of the cases were identified by visible signs of torture on victims of homicide.

According to information from this source, from January to September 2003, self-defence groups were the main perpetrators of this violation with 43% of actions, followed by unknown criminals with 37.7% and presumed members of the Armed Forces and National Police with 12.7%. It is important to note that guerrillas are also guilty of torture, but there is a notable absence of cases reported by this source.

In 2003, the illegal armed groups' actions responsible for the largest number of victims of torture were: on March 19, self-defence groups, which had entered the Aeropuerto La Pista hamlet in the municipality of Tibú (North Santander) the previous day, crossed the border and arrived at La Escuelita, where they tortured and assassinated 7 people. On the 18th of the same month, 6 people were tortured and assassinated by members of a self-defence group in the municipality of Suazá (Huila). On April 7, in Barrancabermeja (Santander), journalist José Rivas and the 4 people accompanying him were tortured and assassinated by members of the Central Bolívar block. On May 15, in Colosó (Sucre), the bodies of 6 people with signs of torture were found in a mass grave. On August 21, at Los Achiotes, Santa Marta (Magdalena), a self-defence group travelling in three vehicles, tortured and assassinated 6 people, among them a woman.

From January to September 2003, 54.4% of cases of torture were concentrated in 5 Departments: Magdalena with 16.6%, North Santander with 11.7%, Antioquia with 10.2%, Valle with 8.3% and Huila with 7.3%. The towns with the highest number of victims were: Cúcuta (North Santander) with 17, Santa Marta (Magdalena) with 16, Cali (Valle) with 10, Barrancabermeja (Santander) with 9, Suazá (Huila) with 8; Medellín (Antioquia) and Prado (Tolima) with 7 each.

The spatial distribution of the victims of torture is related to a strong presence of self-defence groups, which inflict torture as a way to establish control over the population and obtain information from their adversary's support networks. The subversive organizations are also guilty of committing this violation, although reports of the cases are less frequent. In any event, establishing the dynamics behind torture is a complex issue, because, as mentioned above, victims are reluctant to report this type of actions for fear that the illegal armed organizations will carry out reprisals. The majority of the events are

discovered following removal of the bodies of persons first tortured and then assassinated.

ATTACKS ON THE CIVILIAN POPULATION

Compromising the existence of democratic security and causing a sense of constant threat in communities through terror as a strategic resource and the tactical activation of explosive devices are part of the actions of the illegal armed groups against the civilian population. Therefore, the illegal organizations, especially the subversives now finding it impossible to maintain a constant presence at urban level, thanks to the decisive actions of the Armed Forces and National Police, have opted to attack the main cities as a way of exerting pressure.

Terrorist acts, including indiscriminate actions with explosive devices, against the lives and property of non-combatants, are considered in the category which the Ministry of Defence uses to record this type of action against the civilian population. According to this source, in the year 2003, there was a reduction of 48% in comparison with 2002, down from 1,645 actions to 853, fewer than the 1,626 in 2002 and the 1,172 in 2001.

In spite of this reduction, the record of these acts for 2003 showed that the situation had become very worrying, above all in the first three months of the year, following attacks, the majority of which were perpetrated by the FARC, in public places involving a large number of civilian victims. Among these were the activation of two car bombs on February 7 in the El Nogal club in Bogotá, where 32 people died and 150 more were injured; on February 14, in Neiva (Huila) an bomb was exploded by FARC guerrillas just at the moment when a Police search was being carried out, causing the death of 18 people. In March, in the basement of the Alejandria Commercial Center in Cúcuta (North Santander), unknown persons, allegedly the ELN, activated an explosive device made with 50 kilos of anfo, fitted into the interior of a vehicle, killing 7 people; in the same month, within the urban perimeter of Pueblo Rico (Caquetá), guerrillas of the 15th front of the FARC activated a car bomb, killing two minors.

These facts demonstrate more willingness by this guerrilla group to perpetrate terrorist acts in large cities and within the urban limits of some towns, as happened on September 10 in Chita (Boyacá), when guerrillas of the FARC 45th front exploded a bomb carried by a horse close to a restaurant frequented by Army units, leaving 8 dead, 6 men, one woman and one minor, and 35 wounded. Through militia groups established in the peripheral neighbourhoods, *commando* type actions, which require only a small number of men to explode bombs in busy areas, governmental buildings, shops and other objectives, are planned and carried out as a sabotage against the economic and political infrastructure of the country.

ATTACKS ON TOWNS AND VILLAGES

Thanks to the constant work of the Armed Forces and National Police, the network of co-operators and increased number of troops, including trained rural soldiers, all of them fundamental developments of the Democratic Security Policy, attacks on towns and villages are ever fewer. An example of this is the considerable reduction in incursions by illegal armed groups after August 2002. While in July of that year there were 6 events, in August there were two and in November none at all.

In the year 2003, according to Ministry of Defence data, there were 5 attacks on towns and villages, that is 27 fewer than in 2002 (a reduction of 84%) and 34 fewer than in 2001. This reduction was achieved by locating members of the Police in municipalities where they hadn't been present and due to the increased air operations capacity of the Military Forces, which has made possible, on the one hand, large and rapid deployment of troops and, on the other, identification of guerrilla movements by phantom aircraft monitoring.

The Presidential Human Rights and IHL Programme Observatory Press Logbook recorded a total of 6 incursions into towns and villages in 2003, of which two were directed against Armed Forces and National Police facilities with no victims, while 4 affected in some way the civilian population. This shows a considerable reduction in comparison with 2002, when, according to the same source, there

ATTACKS ON TOWNS AND VILLAGES 2002 AND 2003



Source: Ministry of Defence, DIIIN.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

were 73 incursions, of which 45 caused deaths of citizens and damage to civilian property.

Responsibility for the majority of the incursions recorded by this source in 2003 rests with the FARC, who were the perpetrators of 5 of the 6 attacks on towns and villages (83.3%). This accentuates its increased participation in this type of actions, as the FARC carried out 69% of the incursions (44) in 2002, followed by the ELN with 6% (4). 22% of the attacks were perpetrated by unidentified illegal groups. As to geographical distribution, the Departments most affected in 2002 were: Nariño with 13 incursions, Cauca with 7, Boyacá and Huila with 6 each and Arauca with 5. Moreover, five municipalities were attacked on more than one occasion: Gauyata (Boyaca), Algeciras (Huila), Cumbal (Nariño), Páez (Cauca), Puente Nacional (Santander), Quétame (Cundinamarca) and Saravena (Arauca).

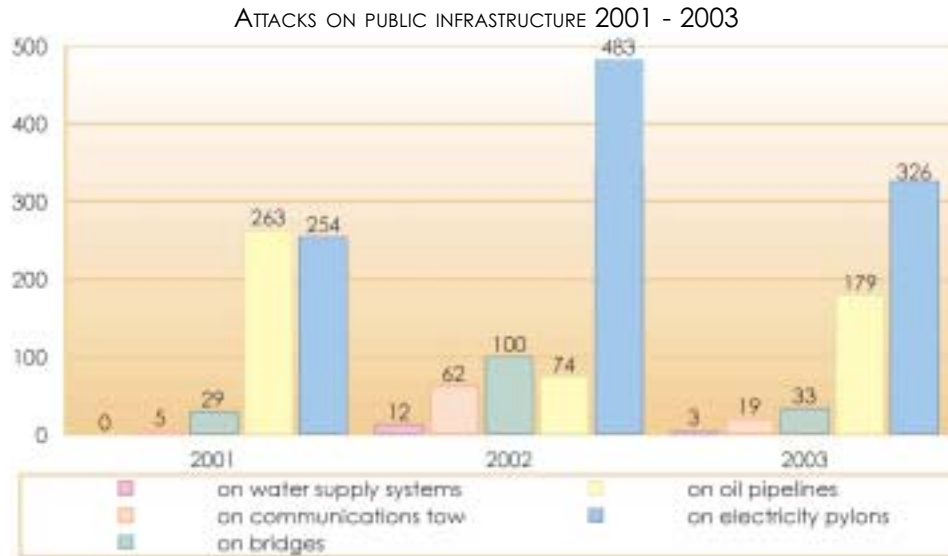
In 2003, according to the Press Logbook, there were incursions into towns and villages in Western Colombia, Nariño being the worst affected Department with three, two in Ricaurte and one in Cumbitara. The other attacks of this sort were in Balboa (Cauca), Montecristo (Bolívar) and Hacari (North Santander).

In 2003, as recorded in the daily bulletins of the Administrative Security Department, DAS, incursion by the FARC 5th front in the hamlet of Taparal in Riosucio (Chocó) on March 8, is highlighted, because they assaulted the people both physically and verbally and burnt two rear diggers; the result of this action was at least 280 displaced persons. For its part, the national press gave notable coverage to the facts of March 25, 2003, in Ricaurte (Nariño), where there were confrontations between the Police and the FARC 29th and 48th fronts and the ELN's Comuneros del Sur front. The guerrillas attacked the Police facilities and the Mayor's Office, and damaged at least eight houses.

ATTACKS ON PUBLIC INFRASTRUCTURE

In 2003, there were 560 attacks on infrastructure, a considerable reduction in comparison with the 731 recorded in the year 2002. This is significant because, according to the Ministry of Defence, between 2001 and 2002 these attacks rose from 551 to 731, an increase of 33%, largely in the form of electricity pylons destroyed. According to Interconexión Eléctrica S.A. (ISA), these attacks increased from 254 to 483, some 90%, from one year to the next. The attacks on communications towers increased from 5 in 2001 to 62 in 2002.

There was a very notable reduction in destroying electricity pylons in 2003. According to ISA, this year 326 pylons were dynamited, equivalent to a reduction of 32.5% in comparison with the 483 blown up during the year 2002. Likewise,



Source: ISA, DIJIN and ECOPETROL.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

there was a reduction of 69% in attacks on communications towers against the year 2002. Contrariwise, the latter multiplied by 10 in 2002 in comparison with 2001. This increase occurred in particular in the first half of the year, during which 45 of the 62 attacks were perpetrated.

Attacks on water supply systems showed a reduction of 84%, with three cases in 2003 in comparison with the 12 perpetrated in 2002.

In the case of bridges blown up, there is a descending curve in the first six months of 2003, from 5 attacks in January to none in June; likewise in 2003, there was a reduction of 67% in comparison with the year 2002. This is significant, as the blasting of bridges increased by 245% between 2001 and 2002, according to DIJIN, an increase from 29 to 100 in those two years. This strategy was set in motion by the FARC as a reaction to the re-taking of the distension zone by the Armed Forces and National Police, and increased from January to May 2002, with the highest peak in the latter month with 26 attacks with explosives, 23 more than those recorded in December 2001.

The opposite phenomenon to the foregoing variables arose in the number of attacks on oil pipelines by the illegal armed organizations, in particular FARC and ELN. According to the Colombian Oil Company, ECOPETROL, there was an increase of 141% in 2003 in comparison with 2002, from 74 to 179 attacks. This increase changed the trend set in 2002, when the blastings

were down by 72%, from 263 attacks recorded in 2001 to 74. November 2003 was the most critical month in recent years, with 71 attacks on oil pipelines, due to an unprecedented escalation by the FARC in Putumayo Department, to damage the Transandean pipeline and certain wells and facilities in this region.

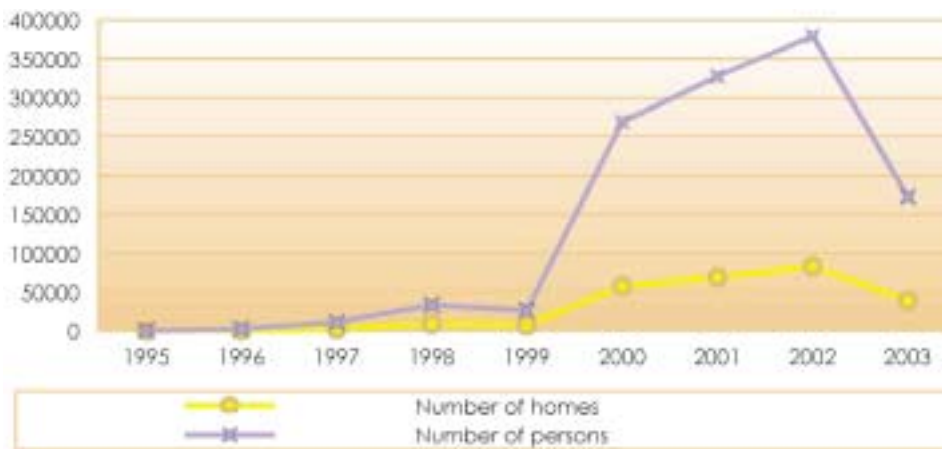
FORCED DISPLACEMENT

Information on forced displacement is recorded on the Unified Displaced Population Register according to reports by people seeking recognition by the Colombian State that they have in fact been displaced. For this purpose, the Social Solidarity Network (Rss) has the technical tool *Unified Registration System (SUR)*, which seeks to identify the displaced population and its respective characteristics, as well as keeping up to date information on the potential population requiring aid, the number assisted and follow-up of the services provided by the State for people displaced by violence.

According to the SUR, in the year 2003, there was a reduction of 52% in the number of displaced persons in comparison with 2002, from 379,289 victims in the latter to 182,076. This reduction halts the rising curve which had been occurring since the year 2000, in which there was a rise of 926% in comparison with 1999, up from 26,180 persons to 268,660; 2001 followed with 327,606 victims.

It is important to stress that this increase responds basically to a better registration of the information on forced displacement and methodology

DISPLACED HOMES AND PERSONS FROM 1995 TO 2003



Source: SEFC, Social Solidarity Network of the Presidency of the Republic.
 Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

changes. In 2000, the Rss begins to register information about massive displacement and procedures are implemented to feed the data base, making the difference between individual and massive forced displacement. In April 2001, the SUR is implemented at nacional and territorial level. Likewise, at the same time, the new forms for declaration, valorization, characterization and follow-up are being distributed, allowing the unification of criteria for the registration of the information. Thus the latter explains the notable increase in number of victims of forced displacement registered since 2000.

To analyse the geographical dynamics of forced displacement, the place of departure (Department or municipality of origin) and the final place of arrival (receiver Department or municipality) have to be taken into account. In 2003, the five Departments with the highest number of people fleeing from their towns and villages as the result of a threat or actions by armed organizations were Antioquia with 27,342 victims (15.8%), Cesar with 12,656 (7.3%), Putumayo with 11,626 (6.7%), Bolívar with 10,158 (5.8%), Cundinamarca with 9,398 (5.4%) and Valle with 8,748 (5%). With the exception of the last of these Departments, which showed an increase in 2003 from 7,409 persons displaced in 2002 to 8,748 (an increase of 18%), the rest of the jurisdictions recorded lower numbers. In Antioquia there was a reduction of 41%, in Cesar 46%, in Putumayo 42% and in Bolívar 67%. It may be said that in Cundinamarca the flow of displaced has stabilized as 2003 saw an increase of only 3% in comparison with 2002, up from 9,114 to 9,398 victims.

The municipalities with the highest figures of displaced persons in 2003 had dynamics directly related to the violent actions of the illegal armed groups. The first one is Buenaventura (Valle), which counts with the presence of Calima block self-defence group in the city and the ELN José María Becerra, Lucho Quintero and Luis C. Cárdenas fronts, as well as the FARC 30th front and Arturo Ruiz mobile block in the surrounding rural area. In this coastal city, the illegal armed groups maintain a constant fight for the port and the outlet to the Pacific Ocean to control the entry of arms and the dispatch of illegal drugs, which caused the displacement of 5,991 persons in 2003.

The foregoing are followed by San Francisco (Antioquia) with 4,973 victims, where, the Armed Forces and National Police sustained combats against guerrillas of the FARC and the ELN Carlos Alirio Buitrago front, within the framework of the *Martial* operation. In Viotá (Cundinamarca), a town historically dominated by the FARC, there were incursions of members of the self-defence groups which entered the region as part of an offensive to establish territorial presence in Bogotá and its surrounding area; amid these dynamics, 3,478 persons were displaced. In Carmen de Bolívar (Bolívar), there were 3,458 victims. This municipality is vital to illegal armed group logistics, because it is the principal economic centre of the region and also the meeting point of the Magdalena and the Western Highways. As this is a corridor to the sea, the illegal armed groups use it to mobilize drugs and bring in arms.

In Valledupar (Cesar), with 3,322 displaced persons in 2003, there was an intense dispute between members of self-defence groups and guerrillas to dominate the Sierra Nevada of Santa Marta and its foothills. In Tame (Arauca), 3,254 persons were displaced amid the dispute between illegal armed organizations; in San José del Guaviare (Guaviare), 3,132 people abandoned their land and homes, following violent actions by members of the illegal armed organizations. Among the 10 municipalities most affected were also La Hormiga (Putumayo) with 3,057 victims, Samaná (Caldas) with 2,979 and San Carlos with 2,609.

In addition to considering these figures in absolute terms, it is useful to contrast those of the displaced with the populations of the towns and villages of origin, in order to gain a better idea of the demographic impact of forced displacement. Taking the displacement rate per ten thousand inhabitants, the 10 worst affected municipalities were:

FORCED DISPLACEMENT DEPARTMENTAL RATE PER TEN THOUSAND INHABITANTS 2003

Department	Municipality	Rates
Antioquia	San Francisco	4,715.5
Meta	La Uribe	1,810.8
Cundinamarca	Viotá	1,797.4
Meta	El Castillo	1,194.0
Antioquia	San Carlos	1,162.9
Casanare	Sácama	1,139.1
Norte Santander	San Calixto	1,065.1
Casanare	Chámeza	1,030.7
Antioquia	Argelia	930.90
Antioquia	Granada	904.10

Source: SUR.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

As the table shows, the town worst affected is San Francisco (Antioquia), whose situation was described in previous paragraphs, with a rate of 4,715 per ten thousand inhabitants, which means that, of every 10 inhabitants, 4 have been forcibly displaced. The dynamics of this municipality is within the framework of events in eastern Antioquia, where there was a fierce confrontation between self-defence groups. The Cacique Nutibara block carried out a fierce offensive against the Metro block, because it refused to accept the command and control of the United Self-Defence Groups of Colombia (AUC). In this context, there were very high levels of forced displacement in this area. In municipalities such as San Carlos, Argelia and Granada, one of every 10 inhabitants was displaced.

In Meta Department, in the town of La Uribe and El Castillo, with displacement rates per ten thousand inhabitants of 1,810 and 1,194, respectively, there

was incursion of self-defence groups into the zone in which the FARC had had a historic presence. In Casanare Department, Sacamá is highlighted with a rate of 1,139 for every 10 thousand inhabitants and Chámeza with a rate of 1,030. In this zone there was a fierce dispute between the Peasant Self-defence Groups of Casanare and the Centauros block, members of the Auc, which strengthened through territorial control of coca plantation zones and the acquisition of funds from extortion of cattle ranchers and traders, in addition to the resources stolen from this Department's oil royalties.

Finally, among the worst affected municipalities was that of San Calixto in North Santander, with a rate of 1,065 displaced for every 10 thousand inhabitants. This population is located in a coca plantation zone, continuously in dispute between the self-defence groups and subversive organizations.

Also of the greatest importance are the towns and cities which have received the largest number of displaced. The ones heading this list are the main cities at national level - with the exception of Barranquilla (Atlántico) and Cali (Valle). Bogotá is in first place with 14,423 displaced who have arrived in this city, in the majority of cases to settle in the peripheral neighbourhoods, Medellín (Antioquia) follows with 7,171 persons, Buenaventura (Valle) with 6,671, Valledupar (Cesár) with 6,222, Santa Marta (Magdalena) with 5,842, Cartagena (Bolívar) with 4,047, Sincelejo (Sucre) with 3,555 and Florencia (Caquetá) with 3,416.

ANTI-PERSONNEL MINES

According to the Presidential Human Rights and IHL Anti-personnel Mines Programme Observatory of the Vice-Presidency of the Republic, there were 354 accidents on mine fields, that is 32% more than the 262 reported in 2002. In addition, there were 11 accidents with abandoned, unexploded ammunition, some 21 fewer than in 2002.

As to the victims, it must be stressed that 75.5% have suffered injuries and 24.5% died as a result of the activation of an anti-personnel mine or the explosion of abandoned, unexploded ammunition.

Of the wounded, 71% belong to the Armed Forces and National Police, 27% to the civilian population and no information is held on 2% of cases. These figures vary in relation to 2002, in which 49% of the wounded belonged to the Armed Forces and National Police and 49% to the civilian population. This change may be explained to a large extent by the progressive increase in operations which both the Military Forces and the National Police have carried out, which has implied greater vulnerability on entering rear guard zones and camps which, in the majority of cases, are surrounded by mine fields.

Of the 160 victims killed in 2003 by an anti-personnel mine or the activation of abandoned ammunition, 74% belonged to the Armed Forces and National Police

and 21% to the non-combatant population, while in 2002 the proportions were 62% and 37%, respectively.

Regarding the geographical distribution of victims, 57% are concentrated in five Departments: Antioquia with 151 (23%), Meta with 67 (10.2%), Caquetá with 53 and Cundinamarca with 52 (8% each), as well as North Santander with 50 (7.6%). In comparison with from the list of the five Departments with most victims in 2002, Bolívar, which had been in fifth position with 39 cases, is absent in 2003.

In addition, the dynamics of the municipalities with the largest number of victims in 2003 are directly related to the actions of the illegal armed groups, as well as to military operations. In the first place appears Urrao (Antioquia) with 26 victims, followed by Teorama (North Santander) with 23, San Vicente del Caguán (Caquetá) with 19, San Carlos (Antioquia) with 18, Tibú (North Santander) and Carmen de Bolívar (Bolívar) each with 16, and Santa Rosa (Cauca) with 15.

To finalize, it is important to take the increase in the Armed Forces and National Police actions against the use of these mines. While in 2002, 391 de-mining operations were reported, in 2003, there were 608, an increase of 55%. As to confiscations, in 2002, 172 were reported while there were 233 in 2003, that is, an increase of 35%. It is to be expected that, if the rate of offensive actions by the Armed Forces and National Police continues, more and more of these prohibited arms will be neutralized and destroyed.

VICTIMS OF ANTI-PERSONNEL MINES AND ABANDONED,
UNEXPLODED AMMUNITION IN 2002 Y 2003

Status	Condition	2002	2003	Variation
Wounded	Illegal armed group	3	0	-100%
	Civilians	243	135	-44%
	Unknown	4	9	125%
	Military	237	351	48%
	Total	487	495	2%
Dead	Illegal armed group	2	3	50%
	Civilian	49	37	-24%
	Unknown	0	2	
	Military	82	118	44%
	Total	133	160	20%
Total		620	655	6%

Source: Presidential Human Rights and IHL Anti-personnel Mines Programme Observatory of the Vice-Presidency of the Republic.

OPERATIONAL RESULTS OF THE ARMED FORCES AND POLICE

AGAINST GUERRILLAS

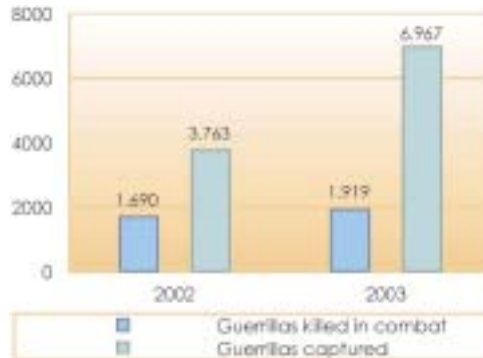
Deaths in combat

In the year 2003, there was an increase of 14% in deaths in combat of guerrillas caused by the Armed Forces and National Police, up from 1.690 guerrillas in the year 2002 to 1.919.

Captures

In the year 2003, the Armed Forces and National Police captured 6,967 members of guerrillas, 85% more than the 3,763 recorded in the year 2002.

ACTIONS AGAINST GUERRILLA GROUPS
2002-2003



Source: Ministry of National Defence.

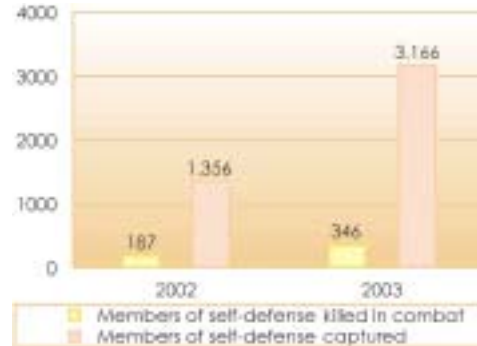
AGAINST SELF-DEFENCE GROUPS

Deaths in combat

In the year 2003, the Armed Forces and the National Police killed 346 members of the self-defence groups, 85% more than the 187 recorded in the year 2002.

It is important to note that the lower number of deaths of members of self-defence groups in comparison with those of guerrillas was because these illegal armed organizations are less willing to confront the Armed Forces and National Police.

ACTIONS AGAINST ILLEGAL SELF-DEFENCE GROUPS
2002-2003



Source: Ministry of National Defence.

Captures

In the year 2003, the Armed Forces and National Police captured a total of 3,166 members of self-defence groups, equivalent to an increase of 133% in comparison with the 1,356 recorded in the year 2002. All the months of 2003 have recorded more than in the months of 2002; likewise, the trend was upward in the course of the year 2003, rising from 104 in January to 342 in August, to 332 in September and to 376 in December.

DEMOBILIZATIONS

The Demobilization Programme was created in 1999 to permit the members of the illegal armed organizations to demobilize individually, without waiting for a formal peace process to be started. From his inauguration, President Álvaro Uribe Veléz took the decision to renew and strengthen this Programme, making it a key factor in the Democratic Security Policy. This Programme was implemented under Decree 128 of January 22, 2003, which permits members of the self-defence groups⁴⁵ to join the Programme and emphasizes training as a fundamental component of the return to civilian life.

In the year 2003, according to Ministry of Defence records, 2,538 persons demobilized individually; of these, 1,367 had belonged to the FARC, 410 to the ELN, 64 were dissidents of guerrilla groups and 697 belonged to the self-defence groups. The demobilizations of 1,841 guerrillas was recorded, an increase of 30% over the 1,412 who did so in 2002.

As the following graph shows, the largest percentage of members of illegal armed groups demobilized in the year 2003 were the FARC, with 54%. Taking into account that, according to Ministry of Defence calculations, the number of FARC combatants is 16,905, so it may be said that around 8.5% of the guerrillas belonging to this organization have demobilized.

16% of the guerrillas who demobilized belonged to the ELN, the equivalent of 11% of the organization; finally, 27% of those who demobilized had belonged to the illegal self-defence groups, that is 5.6% of the total estimated number of members of this organization. To conclude, in the year 2003, the illegal armed group proportionally most affected by desertion of its members was the ELN, followed by the FARC and, to a lesser extent, the self-defence groups.

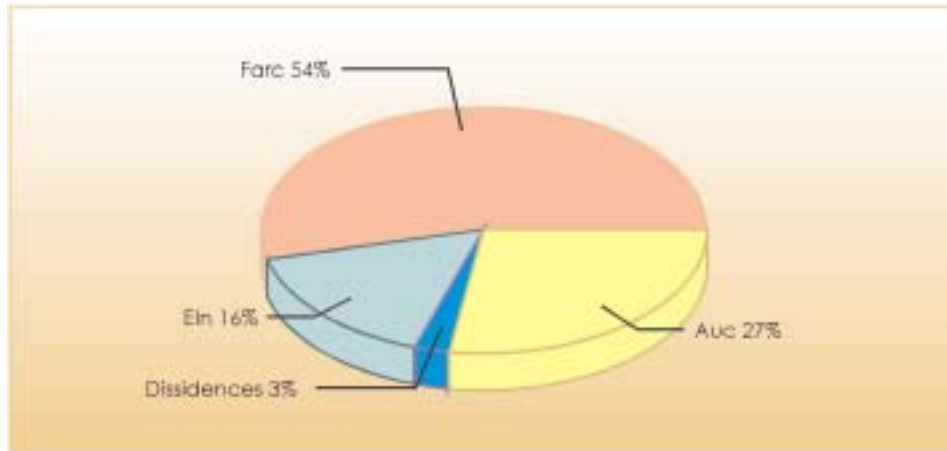
At Departmental level, Antioquia is outstanding with the largest number of demobilized, with a total of 427 persons, equivalent to 16.8%, followed by Meta, with 187 demobilized (7.4%), Santander with 143 (5.6%), Cundinamarca with 132, Caquetá with 123, Tolima with 119 and Cauca with 92 (5.2%, 4.8%, 4.7% and 3.6%, of the total, respectively). In the case of cities appear, Bogotá with 224 demobilized (8.8%), Medellín with 92 (3.6%), Villavicencio with 64 (2.5%), Popayán with 53 (2.1%), Florencia, Neiva, Barrancabermeja and Ibagué with 51 each (2%). It must be taken into account that the demobilized are registered where they gave themselves in and not where the structures of which they formed part are active.

Certain overtures between the Government and the illegal self-defence groups in 2003 have also resulted in mass demobilizations, with a total of 1,042, of whom 874 members of the Cacique Nutibara block, which operates in Antioquia

⁴⁵ Which was not possible before because they were considered as common criminals.

Department (83.9%), gave themselves in the city of Medellín and 168 (16.1%) belonging to the peasant self-defence group of Ortega demobilized in Cajibío, Cauca Department.

MEMBERS OF ILLEGAL ARMED GROUPS DEMOBILIZED DURING 2003



Source: Ministry of Defence.

Processed by the Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

HUMAN RIGHTS SITUATION FIGURES AND OPERATIONAL RESULTS
 OF THE ARMED FORCES AND NATIONAL POLICE
Comparative years 2002 and 2003

Situation	2002	2003	Percentage Variation
Homicides	28,837	23,031	-20%
Homicides of union members	121	52	-57%
Homicides of mayors	13	9	-31%
Homicides of councillors	80	75	-6%
Homicides of indigenous people	180	164	-9%
Homicides of teachers	79	41	-48%
Victims of massacres	680	423	-37%
Cases of massacres	115	77	-33%
Homicides of Journalists	10	7	-43%
Kidnappings	2,986	2,200	-26%
Attacks on towns and villages	32	5	-84%
Forced displacement	379,289	182,076	-52%
Blasting of communications towers	62	19	-69%
Blasting of electricity pylons	483	326	-32%
Blasting of oil pipelines	74	179	141%
Blastings of bridges	100	33	-67%
Attacks on water supply systems	12	3	-84%
Members of self-defence groups killed in combat by Armed Forces and National Police	187	346	85%
Members of self-defence groups captured	1,356	3,166	133%
Guerrillas killed in combat by Armed Forces and National Police	1,690	1,919	14%
Guerrillas captured by Armed Forces and National Police	3,763	6,967	85%

Source: Presidential Human Rights and IHL Programme Observatory of the Vice-Presidency of the Republic.

CHAPTER VIII

CHRONOLOGY OF HUMAN RIGHTS VIOLATIONS AND IHL INFRINGEMENTS IN 2003⁴⁵



The illegal armed groups consistently ignore the general principles for the protection of the civilian population established in International Humanitarian Law. Their use of terror as a strategy, detonating bombs in public places and using illegal methods which do not distinguish between participants in the hostilities and the non-combatant population, perpetrating massacres in areas in dispute and mass kidnappings of ordinary citizens, show that the illegal organizations' intention is to establish a climate of insecurity which has a direct effect on democracy and society.

The following is a list of some of the violent acts carried out by these organizations, which are a demonstration of their complete disregard for all humanitarian regulations, using treacherous, terrorist methods to bring about situations which make it very difficult for the State to achieve its objective to guarantee and protect human rights.

JANUARY

- 6 FARC militia abandoned three incendiary packages in three different buses in Bogotá. In the most serious of the three cases, the package exploded at 7:45 at night in bus SIA615 at the crossroads between Avenida Caracas

⁴⁵ This chronology was built with information provided by daily bulletins of the Administrative Security Department, DAS and the Press Logbook produced by the Presidential Human Rights and IHL Programme Observatory.

and Calle (Street) 15 on the bus's service route. The explosion of the package, which had been left at the back of the bus, started a fire which the driver was unable to put out, although the passengers managed to escape through the emergency doors.

- 6 In the town of El Castillo (Meta), the FARC planted a car bomb which was detonated as a military patrol was passing by. They had forced the owner of the car, who was killed when it exploded, to transport the package.
- 9 A car bomb placed by FARC guerrillas at the place known as La Y in Fortul (Arauca) exploded, killing 4 people and wounding fourteen.
- 12 In Tame (Arauca), the explosion of a car bomb planted by FARC guerrillas left two people wounded, one of them the driver. In his first statement to the authorities, the wounded reported that guerrillas had forced him to drive the car and revealed that Jorge, a brother of his, had been killed when forced to drive another vehicle with explosives, which blew up near the town of Fortul.
- 12 In a crowded neighbourhood in Cúcuta (North Santander), the explosion of a device set by FARC militia left one house destroyed and another 20 damaged.
- 12 A member of the FARC militia detonated a car bomb behind the Public Prosecutor's Office and the El Cid Commercial Centre in Medellín (Antioquia), killing 4 people, wounding 35 and causing extensive structural damage.
- 17 In San Carlos (Antioquia), 17 people were assassinated by FARC guerrillas. In the village of Dos Quebradas, 11 farmers were assassinated, a further 6 were killed, three in Dinamarca and three in Tupiada.
- 17 8 people on a hunting trip were kidnapped by members of a self-defence group on the El Hato farm in Armero-Guayabal (Tolima).
- 19 In the jurisdiction of La Jagua del Pilar (Guajira), guerrillas of the FARC 59th front kidnapped 53 persons: 43 of the victims were rescued by mobile Army squadrons with Cascabel tanks, thanks to the support of ten aircrafts which took off from the Malambo air base.
- 19 In the Darien zone on the border with Panama, members of the self-defence groups kidnapped two Americans and one Canadian; they were released 5 days later. According to reports of the Indigenous Organisation of Antioquia, the members of the illegal group also kidnapped 18 Kuna indians, among them three children.
- 25 In a village in the municipality of Palestina (Caldas), 6 farmers were murdered by members of the self-defence groups.
- 26 In the rural area of Valencia (Córdoba), the explosion of a grenade, activated by a member of a self-defence organisation during a birthday party, ended in a street fight and left 17 people seriously injured.
- 27 In Pueblo Nuevo on the Arauquita - Tame (Arauca) road, one civilian and 6 soldiers were killed when a car bomb was detonated by FARC guerrillas, who

had lain in wait for the military patrol to pass by. The explosion wounded at least 6 soldiers and civilians, among them a child, and caused damage to several houses.

- 31 8 community leaders, the majority former officials of the Mayor's Office, were assassinated by FARC guerrillas in Piamonte (Cauca).

FEBRUARY

- 3 The bodies of 6 taxi drivers, murdered after attending a meeting with a self-defence group with 29 other taxi drivers, were found on the road from San Juan to the Los Haticos (Guajira) district.
- 6 In the La Variante sector of Granada (Antioquia), the explosion of a bomb by a guerrilla group left 4 civilians dead, among them two children.
- 7 Two car bombs were detonated by FARC guerrillas in the El Nogal Club in Bogotá, killing 32 and wounding some 150 people. This attack damaged a number of flats in the surrounding two blocks and at least 5 cars passing on Carrera (Road) Séptima were destroyed.
- 11 In Dorada (Caldas), 5 people, among them a minor, were assassinated by a self-defence group.
- 12 At Mondomo, Santander de Quilichao (Cauca), on the Panamerican highway, FARC guerrillas kidnapped 11 people, who were rescued by Army troops following combat with the insurgents.
- 12 In Saravena (Arauca), the explosion of a bicycle bomb, set off by FARC guerrillas, left one police officer dead and another, together with 5 civilians, injured; the vehicle was parked on the footpath of a busy road in the centre of the town and damaged several neighbouring shops and houses.
- 14 At Villa Magdalena, a neighbourhood alongside the Neiva (Huila) airport, an explosive device was activated by FARC guerrillas when Police was carrying out a search. 18 people were killed and 45 injured in this action; among the dead were 8 civilians, 5 of them children. The explosion caused damage in the 200 metres surrounding area and left some 70 houses totally or partially destroyed.
- 17 In the perimeter of Jamundi (Valle), members of a self-defence group gunned down 5 civilians.
- 24 In the La Danta district of Sonsón (Antioquia), FARC guerrillas set up a roadblock and killed 5 civilians.

MARCH

- 1 Members of a self-defence group drowned a 16 month old baby on Avenida Pacho Mario in the municipality of Honda (Tolima) on the bank of the River Magdalena.

- 2 At Vuelta al Torito in Aracataca (Magdalena), FARC guerrillas kidnapped 7 people travelling on a Brasilia Company bus. The driver of the vehicle was released later.
- 5 In the basement of the Alejandría Commercial Centre in Cúcuta (North Santander), members of an illegal armed group allegedly the ELN, set off an explosive device, apparently with 50 kilos of anfo, hidden inside a vehicle. 6 people died, 63 were injured and considerable structural damage was caused.
- 11 Guerrillas of the FARC 10th front set off a bomb fitted in a lorry in Arauca (Arauca) at 15:30 hours, on the road to the Antioqueñita sector of the Caño Limon oil pipeline, leaving 6 people injured, among them a 5 year old girl.
- 13 In Teorama (North Santander), alleged FARC and ELN guerrillas assaulted an ambulance and stole medicines being taken to the medical centre of the region.
- 16 In the rural zone of Macayepo, Carmen de Bolívar (Bolívar) 6 peasants were assassinated by an illegal armed group.
- 16 In Saravena (Arauca) 10 civilians were injured by the explosion of a grenade thrown by alleged FARC guerrillas at a Police patrol in the centre of the town. A two years old child was among the wounded.
- 27 In the rural area of Aracataca (Magdalena), FARC 19th front guerrillas set up an illegal roadblock and kidnapped 15 people from an Expreso Brasilia bus. 13 were later released under pressure from the authorities, but held the bus driver and his assistant.
- 28 In the Campo Yuca hamlet in Tibú (North Santander), ELN guerrillas blew up a bomb at the water uptake of the municipal water supply system, damaging two pumping systems.

APRIL

- 2 At Palmita Hacienda in the Guaca district in the municipality of Guacari (Valle), members of an illegal armed group assassinated 5 people.
- 4 On the road from Ocaña to Cúcuta (North Santander), FARC guerrillas attacked an ambulance transporting an emergency newborn baby case.
- 5 9 people were killed by an illegal armed group in the Carpinelo neighbourhood, in the north eastern sector of Medellín (Antioquia) fought over by militia and self-defence groups.
- 7 On the road from Bosconia to Valledupar (Cesar), the singer of a *vallenato* music group, his wife and mother were kidnapped together with another 11 people, by alleged ELN guerrillas. On the following day, 11 were released, among them the singer. On Sunday, 13 April, the other three were freed.
- 10 At Calle Larga over the Andagueda river in the Ogodó district of Lloró (Chocó), subversives of the ELN Manuel Hernandez El Boche front set up an illegal

roadblock and kidnapped an assistant superintendent and a police officer, together with 20 other people. On the following day, the police officer was murdered, the assistant superintendent escaped from his captors and the other 20 were freed.

- 14 Between La Gabarra and Tibú (North Santander), two lorries with the sign of the International Committee of the Red Cross carrying humanitarian aid to the displaced in La Gabarra (North Santander), were burnt by armed men who claimed to be FARC guerrillas.
- 16 In Curumaní (Cesar), the FARC contracted a child to take a bicycle to a place known as La Ye on the road into the town, where there is a military control post. The child took the bicycle and was killed when it was detonated a few metres before reaching the control post.
- 17 At La Tejada hamlet in the Ojo Seco district in the municipality of Carmen de Bolívar (Bolívar), there were confrontations between troops of the I Marine Brigade and the FARC 35th front. A woman and two children were injured when their house was hit by a balloon bomb launched by the guerrillas.
- 19 In Múcura, one of the islands of the San Bernardo Archipelago in Morrosquillo Gulf near Tolú (Sucre), 8 people, one of them a child, were kidnapped by a self-defence group. They were freed the following day.
- 20 At Santa Lucia de Pasto in the district of El Encano (Nariño), FARC 2nd front guerrillas kidnapped 8 employees of FES insurance company.
- 20 At 06:00 hours, on the Guanábano bridge on the road to Distracción in San Juan del Cesar (Guajira), guerrillas of the FARC 59th front set up an illegal roadblock, kidnapped 7 people and stole a pickup truck and two 4 x 4 vehicles. One of the victims was later freed.
- 24 At the Edatel facilities in Peñol (Antioquia), members of the FARC activated an explosive device disguised as a package, killing 4 people, among them a two year old child.

MAY

- 3 6 farmers together in a cafeteria were assassinated by an illegal armed group at the Manuel Sur of Ricaurte hamlet (Cundinamarca).
- 3 20 men who apparently belonged to the FARC murdered 6 men in a rural zone in Sylvania (Cundinamarca).
- 5 The Governor of Antioquia, and a former Minister of Defence and Departmental peace Counsellor were killed, together with 7 soldiers, by FARC guerrillas who had kidnapped them over a year before and held them in the municipality of Urrao (Antioquia).
- 8 In Cali (Valle), explosives were detonated by members of an illegal armed group at the Puerto Mallarino water supply plant, which damaged micro-

electricity plants and suspended the service. Two guards and one civilian were killed in this action.

- 8 At 15:30 hours, in La Esperanza sector, municipality of San Carlos, Antioquia Department, guerrillas of FARC 9th front attacked the ambulance of San Vicente de Paul Hospital in which were travelling an official of Antioquia Health Division and the driver of the vehicle who was injured during the attack.
- 14 At Betoyes hamlet in the jurisdiction of Tame (Arauca), an alleged self-defence group assassinated 5 indigenous people and kidnapped 20 more.
- 23 An illegal armed group murdered 5 indigenous people, members of the same family, of the Paez community at Pitayo in the municipality of Silvia (Cauca).
- 27 A 6 year old child was killed and two other people were injured when a bomb with 100 kilos of explosives, placed by the FARC close to the mayor's office and the municipal police station in San Vicente del Caguán (Caquetá), were detonated.
- 29 At 10:30 hours, in the 8 March neighbourhood at Calle 49 B with Carrera 3 B, North Eastern Commune of Medellín (Antioquia), members of the Auc Nutibara block were in a clash with the Metro block. An explosive device was detonated, leaving three drivers and three children injured.
- 30 At the La Sierra farm in Salento (Quindío), FARC 21st and 50th front guerrillas kidnapped 8 employees of the company named Carton Colombia Z, stole two tractors, three lorries, a bus, a car and 5 communications radios. The Army responded the attack and rescued the victims; two soldiers were killed and three more were injured during the fighting.
- 31 At 17:00 hours on the road to Yuto, Puente Cabi in Quibdó (Chocó), members of the ELN Nestor Tulio Durán company set up an illegal roadblock and kidnapped a child and 8 other people, who were travelling by a Transportes de Occidente Company public service bus.

JUNE

- 2 At 18:00 hours, in the La Variante sector of Granada (Antioquia), alleged members of the FARC detonated an explosive device when a Police patrol was passing by. 4 people were killed in this act, among them two minors, and 9 more were injured, included a 12 year old child; two houses were destroyed and 10 more were damaged.
- 3 At 17:30 hours, the FARC 35th front set up an illegal roadblock and kidnapped 8 people who were travelling in three pickup trucks and two 4 x 4 vehicles, in the Chinulito district on the road from Tolviejo to San Onofre (Sucre).
- 5 At 10:00 hours, in the Montalvo Lerida hamlet (Tolima), members of the Auc entered the La Victoria farm, kidnapped the inhabitants and stole 12

- heads of cattle. Police GAULA units responded and rescued 8 adults and 5 children.
- 13 A police officer died and three more were killed by the explosion of a balloon bomb left by alleged FARC guerrillas in the rural zone of Zambrano (Bolívar).
 - 15 Members of the ELN kidnapped 11 people in the municipality of Fonseca (Guajira). On the following day, under pressure from the Colombian Army, Police and Air Force, the guerrillas freed three adults and one child.
 - 15 Members of the Calima block of the AUC assassinated 6 people and injured 4 more in the Zabaletas district of Buenaventura (Valle).
 - 23 FARC guerrillas detonated a motorcycle bomb in Arauquita (Arauca), killing two people, one of them a two year old child, and injuring another.
 - 24 At La Ceiba de Quinchía (Risaralda), members of the FARC set up an illegal roadblock and kidnapped 12 people travelling on an inter-city bus and stole 4 vehicles; under pressure from the Army, the people were freed. Later, at El Ruby hamlet, the guerrillas engaged Army units, burnt a lorry transporting furniture and other items and abandoned two other vehicles. They also freed a further 6 people. One soldier was injured in the action.
 - 24 At 2:00 hours, on the road to Bucaramanga, at Loma de Bálsamo Algarrobo hamlet (Magdalena Department), an illegal armed group kidnapped seven people who were travelling on a Coopetran bus with plates CVM-512.

JULY

- 6 FARC guerrillas detonated a bomb during feast day celebrations in the main park in El Paujil (Caquetá), leaving 20 people injured, among them a minor and three military personnel.
- 11 At 14:30 hours, on the San Pedro bridge in Montañita (Caquetá) guerrillas of the FARC 15th front set up a illegal roadblock and kidnapped 33 people, who were released hours later, with 18 vehicles, under pressure from the authorities.
- 21 Guerrillas of the FARC Aurelio Rodríguez front set up a illegal roadblock and kidnapped 23 people, who were later freed, on the road from Anserma to Riosucio (Caldas), near the town of Quinchía (Risaralda).
- 21 At 20:10 hours, Erp subversives set up a illegal roadblock and kidnapped 11 people in the district of El Piñal, Los Palmitos (Sucre). 8 of them were later released under pressure from the Army.
- 23 A combined group of FARC and ELN kidnapped at least 10 people in the rural zone of the municipality of Santa Rosa del Sur (Bolívar).
- 30 At 20:10 hours, in the Potosi neighbourhood of Bogotá, members of the FARC detonated a grenade in a public carpark, injuring three people, two of them children.

- 31 FARC guerrillas detonated a car bomb in Socha (Boyacá), injuring 13 people and causing considerable damage. This municipality has no communications or electricity services.

AUGUST

- 3 An illegal armed group assassinated 5 young people, among them three minors, in the Belisario neighbourhood of the Juan Atalaya housing estate in Cúcuta (North Santander). They were in an establishment when several armed men identified them, forced them outside, tied them up and killed them.
- 8 A car bomb was detonated by the FARC, killing 5 persons, in Saravena (Arauca).
- 9 One person died and another was injured when a car bomb was blown up by an illegal armed group in the village of Une (Cundinamarca).
- 9 Members of the Auc kidnapped approximately 50 people, accusing them of collaborating with the Metro block in the La Floresta sector of Medellín (Antioquia).
- 12 In the rural area of Sincelejo (Sucre), 5 peasants who were members of a community association rural planting programme were murdered by an illegal armed group on a collective farm.
- 12 At 12:00 hours, in the small Las Iglesias district of San José de Fragua (Caquetá), FARC 49th front guerrillas set up an illegal roadblock, kidnapped 61 people and stole 9 vehicles. The people were later released under pressure from the Army. A non-commissioned officer was killed and a soldier was wounded in combat.
- 19 Alleged members of the Auc kidnapped three minors in Titiribi (Antioquia). They also assassinated a child, who was presumed to be one of the hostages.
- 22 A self-defence group forced 5 people off a bus and gunned them down in the Los Achotes sector of the district of Guachaca in Santa Marta (Magdalena).
- 23 At 08:00 hours, ELN guerrillas stopped a San Benito Ovalle hospital ambulance and kidnapped 4 nurses and the driver in the Honduras hamlet in Convención (North Santander).
- 24 On the River Ariari dock in Puerto Rico (Meta), 5 people, among them a child, were killed by the explosion of a package bomb placed in a boat and detonated by FARC guerrillas.
- 25 At 06:50 hours, in the El Vergel valley at kilometre 36 on the road to Suazá in Florencia (Caquetá), members of the 3rd and 61st fronts set up an illegal roadblock and kidnapped 42 people; later, at kilometre 29, during the Army response, the guerrillas detonated a house bomb. A second lieutenant and a soldier were killed. At kilometre 24, the FARC blew up another bomb against a patrol and one non-commissioned officer and 4 soldiers were killed and the vehicle damaged. All the kidnap victims were rescued.

SEPTEMBER

- 5 Members of an illegal armed group launched a grenade against a house, killing one woman and two children in the Ricardo Balcazar neighbourhood of Cali (Valle). A young man and another child were injured.
- 8 Near the municipality of Supía (Caldas), FARC guerrillas kidnapped 9 people, who were rescued some hours later.
- 8 At 09:00 hours, on the road to Rio de Oro de Aguachica (Cesar), guerrillas of the ELN Camilo Torres front set up an illegal roadblock and kidnapped the driver of a Cotaxi company public service bus with plates XVM 150, and 15 other people. 8 of them were freed later.
- 10 At 13:40 hours, in Chita (Boyacá), alleged FARC 45th front subversives detonated an explosive device tied to a horse close to a restaurant frequented by Army units, killing 8 people, 6 men, one woman and one child. 35 more were injured.
- 13 At 05:30 hours, in the Tayrona Natural Park of the Sierra Nevada of Santa Marta (Magdalena), members of the FARC 19th front kidnapped 17 people, 13 foreigners and 4 Colombians, among them Edwin Rey and Manuel Carabali, who were later freed in the forest area of the Sierra Nevada.
- 20 Alleged members of the FARC Jacobo Arenas column set up an illegal roadblock in the La Rayuela hamlet of Cajibío (Cauca), and kidnapped 13 persons, among them a minor, when they were returning home in a public service vehicle after collecting their Families in Action programme subsidy.
- 28 A motorcycle loaded with explosives exploded in Florencia (Caquetá), leaving 12 dead, among them two police officers and two children, and injured 54 more. The attack was apparently committed by a front of the FARC.
- 29 In the municipality of Bojayá (Chocó), the Elmer Cárdenas block of the self-defence groups took hostage 20 indigenous people of the Opogadó and Dubadó communities and prevented mobilization of the indigenous people of the zone.

OCTOBER

- 2 At 05:30 hours, alleged members of the ELN Carlos Alirio Buitrago front kidnapped three commercial salesmen and one minor travelling in the vehicle with plates TKA 100 at the Cañaverel hamlet of La Nubia de Sonsón (Antioquia).
- 6 Alleged FARC guerrillas attempted to assassinate a non-commissioned officer and three soldiers when they were receiving treatment at the health centre after being injured by a bomb explosion in one of the streets of Puerto Lleras (Meta).
- 8 At 07:50 hours, on Carrera 38 with Calle 9 in the San Andresito sector in Bogotá, a car bomb placed by an illegal armed group went off, killing 6

people, among them an assistant superintendent and a patrolman. 21 more people were injured by the blast, which also caused serious damage to shops in the sector.

- 18 At 21:00 hours, at the El Tambillo de Linares (Nariño) hamlet, members of the ELN Comuneros del Sur front kidnapped candidates for mayor of the Independent Democratic Pole Party, the People's Civic Convergence Party and for councillor of the National Movement. The two people accompanying them and an outsider were also kidnapped.
- 25 FARC guerrillas kidnapped 16 sworn election table attendants and burned 4 voting tables in San Juan (Guajira).
- 25 FARC Victor Saavedra company guerrillas kidnapped 6 sworn election table attendants and one Registrar's Office delegate. They also burnt 150 voting papers for the referendum in the districts of Dosquebradas and Cristales in Trujillo (Valle).
- 25 At 00:20 hours in La Mañosa de Cocorná (Antioquia), members of an illegal armed group detonated an explosive device as an ambulance was passing on its way to the La Danta district of Sonsón (Antioquia), wounding a doctor and a nurse.
- 25 In Yarumal (Antioquia) an illegal armed group blew up a bomb inside the Antioquia Milk Cooperative (Colanta) facilities. The explosion left 5 dead and 11 wounded, as well as one child missing. The bomb was transported in a milk churn on a lorry and was detonated at the Colanta main premises.

NOVEMBER

- 1 In the Brisas Bajas neighbourhood of Florencia (Caquetá), FARC insurgents detonated a bomb planted inside a house just when the Chamber of Commerce Executive Director's security detachment was passing by; three people were killed and 13 more injured, among them three minors.
- 3 Guerrillas of the FARC 44th front gunned down 7 people at the Lindosa hamlet, Puerto Rico (Meta).
- 11 In the Santa Clara, Fundación (Magdalena), members of an insurgent group kidnapped 6 people at an illegal roadblock and later murdered three men on the road to Pivijay.
- 15 Members of the FARC militia launched two grenades against two establishments in the fashionable area in front of the Andino Commercial Centre in Bogotá, leaving one dead and 72 injured.
- 21 FARC 37th front guerrillas killed 7 people in the districts of La Sierra and Arenas in Carmen de Bolívar (Bolívar).
- 24 In the Santa Ana district of Granada (Antioquia), a peasant family on their way to Sunday Mass were the victims of a house bomb, which an illegal

armed group had planted in an abandoned house. The explosion killed a 7 year old child, her father of 23 and injured her mother.

- 26 A bomb planted by FARC guerrillas left 6 people wounded, among them three children, on the road between hamlets Alto Cauca and Pueblo Seco in Tame (Arauca).
- 28 FARC guerrillas kidnapped 20 workers who were trying to repair the oil pipeline in San Miguel (Putumayo).

DECEMBER

- 1 Members of the self-defence groups assassinated 10 inhabitants of the district of Llorente in Tumaco (Nariño) and buried them in a mass grave.
- 4 In the Alto Baudó (Chocó) region, ELN guerrillas kidnapped 6 national Government officials who were making an environmental impact study for a road project. 5 of the hostages are employees of the Ministry of the Environment, Development and Housing and the other of the National Roads Institute (INVIAS).
- 23 In the El Guaimaro district, 30 kilometres from the town of Tarazá (Antioquia), a bomb planted by members of an insurgent group exploded when a public service bus belonging to the Multi-active Workers' Cooperative, Comtrata, was passing by, leaving 4 people dead and 35 more injured.
- 25 FARC guerrillas obliged a man to transport an explosive package, which blew up at an Army control post in Granada (Meta). One soldier was killed and 7 civilians were injured.
- 27 FARC 34th front subversives assassinated 6 people in the El Salado hamlet of Urrao (Antioquia).
- 29 Members of an illegal armed group placed two belts with 280 grams of C-4 explosive round two Banco Agrario officials in Guática (Risaralda). Police units deactivated the explosive devices.

CHAPTER IX

PROGRESS MADE REGARDING THE APPLICATION OF RECOMMENDATIONS BY THE UNITED NATIONS HIGH COMMISSIONNER FOR HUMAN RIGHTS (2002)

The table regarding the application of UNHCHR recommendations presented below has two objectives: in the one hand to reiterate the greatest possible willingness of the Government and Colombian State to implement them progressively, in permanent communication with the Office in Colombia of the United Nations High Commissioner for Human Rights; on the other to show how the development of Governmental policies coincide with the majority of them. Finally, it illustrates the progress made by the State through specified actions in compliance with concrete recommendations.

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>Recommendations are addressed to the national authorities of the three arms of the State and supervisory bodies responsible for the protection and advancement of human rights</p>	<p>The Government has expressed «...its greatest possible willingness to implement them progressively...». Mention is made of the intervention of the Human Rights and IHL Presidential programme director in Geneva, «the Government of Colombia has made a joint study of the recommendations of the Report with the High Commissioner's Office, and we are adopting a plan to implement most of them».</p> <p>18 November 2002, creation of the Inter-institutional Early Warning Committee CIAT to centralise Government response and make SAT work effectively.</p> <p>Both CIAT and the Office of the Ombudsman trained civil and military authorities in the regions on aspects of the scheme.</p> <p>A follow-up mechanism was implemented as a result of a joint evaluation made with the Office of the Ombudsman.</p> <p>A scheme to complement information for risk reports was designed and applied in order to make an accurate estimate of the imminence of the risk in question.</p> <p>A decision was taken to process all risk reports through regional authorities, regardless of whether a given report was considered to be an early warning.</p> <p>The Human Rights Observatory compares risk reports with human rights violations reported in the regions.</p> <p>CIAT has received, processed and attended to 106 risk reports covering some 150 municipalities, of which 56 were considered to be early warnings. Mass violations occurred only in one place (Sabaletas, Buenaventura).</p> <p>The new Governors and mayors elected and the Vice-President signed a commitment that included attention to early warnings and risk reports.</p> <p>Consolidation of CIAT with the engagement of 2 full-time employees for Committee functions, through the cooperation agency USAID-MSD.</p> <p>In February 2004 working meetings were held in four army division headquarters to reinforce the new military and civilian authorities in the regions. A presentation of the CIAT was made and an explanation given of the role of the authorities in the follow-up of the actions developed.</p>	<p>Continue with development of schemes of follow-up and advancement in the implementation of the recommendations.</p> <p>Strengthen the warning follow-up system.</p> <p>Make risk reports of human rights violations at regional levels which results will make it more likely that national, departmental (political divisions) and municipal public policy will be implemented in the field of prevention. Regional risk studies will allow the adoption of more general and strategic measures which should have a positive effect on the situation of a given region.</p> <p>A regional study is being made of the Sierra Nevada de Santa Marta with the cooperation of the NGO Observatorio para la Paz.</p> <p>Reinforce the training of the new military and civil authorities in the regions.</p>
<p>2. Urges the Government to ensure that the programme for the protection of human rights defenders, for which the Human</p>	<p>Resources of National Budget allocated for 2003 were \$29,000 million; and USAID also allocated \$4,955 million, thus giving a total of \$33,955 million, the largest appropriation ever to the programme. \$ 2,693 million more from the precedent fiscal year were allocated, for a total of \$36,648 million.</p>	<p>Define the institutional engagement of bodyguards; contracts will be extended to 30 of April 2004.</p>

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>Rights Department in the Ministry of the Interior is responsible, operates effectively, providing it with sufficient funds and with clear and uniform parameters for assessing risks. The Government should always opt for mechanisms that act preventively against risk factors.</p>	<p>The mobile protection schemes have received \$24,768 million, the Communications Network \$3,439 million, and in temporary relocation support \$2.823 million, has been spent in national and international air-tickets \$971 million. Additionally, \$2,268 million were spent on architectural armour premises and bullet-proof vests.</p> <p>In 2004 there is a protection budget of \$30,740 million; and it is hoped that international cooperation will provide \$6,426 million more.</p> <p>5,221 individuals received direct assistance in 2003, and 3,897 indirect assistance, giving a total of 9,208 people assisted.</p> <p>\$29,098 million was spent on the protection of union leaders and human rights defenders. UP and PCC leaders, \$4,800 million; \$510 million on the protection of journalists; mayors, town and departmental Councillors and municipal attorneys, \$2,239 million.</p> <p>64 new «hard protection» schemes have been mounted</p> <p>52 vehicles have been armoured</p> <p>temporary relocation assistance was given to 2,236 individuals</p> <p>1,200 air tickets have been provided,</p> <p>and there are 2,782 units in the communications network.</p> <p>Many schemes have not been able to be implemented because programme beneficiaries did not accept official bodyguard services. Within the framework of the Government's Social Distension policy, the Vice President has headed regional meetings in Pereira, Valledupar, Barranquilla and Barrancabermeja to obtain a commitment from the local authorities to protect vulnerable people and to afford legitimacy to the actions of opposition groups, NGOs and labour unions. Although the situation is of concern, the number of murders of union leaders has dropped by 57%.</p> <p>In order to advance the commitment of local authorities to the protection and guarantees of work for the benefited population of the Protection Programme, two CRER meetings have been held in January and February, in Popayan and Valledupar, with related meetings for local authorities.</p> <p>In 2004 the agreement on the protection of threatened former mayors was implemented between the Mayors' Protection Programme and the Federation of Municipalities, with the support of Usaid. A commitment was also made to set up a similar mechanism to protect former councillors.</p>	<p>Encourage local and regional authorities to comply with their commitments in protecting the population to whom the programmes are addressed, and to ensure that they are able to work.</p> <p>Continue holding dialogue and sessions to relieve social tensions, with union leaders and members in Cúcuta (29 May), Riohacha (20 May), Montería (June), Sincelejo (June) and Bogotá (July).</p>

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>3. Urges the Attorney-General of the Nation to introduce into the programme for the protection of witnesses and victims under his responsibility changes that allow the rapid identification of risks and swift action to respond to them.</p>	<p>The component of prevention acquired a central role through the start-up of the decentralization project for human rights and International Humanitarian Law in 16 Departments, in the hands of the Home Ministry and the Presidential human rights and IHL Programme.</p> <p>In the context of this component, joint work is being done with the Ministry of Education, the General Attorney's Office and Fedcoe to encourage the work of the Departmental Committees of threatened teachers in several Departments. The Committees were created by Presidential Decree in November 2003.</p> <p>Also in the interests of prevention, the Minister of Defence issued its Directive 09 on the attention and protection to be afforded to human rights defenders and union leaders. The Military High Command issued a permanent guideline on the matter in December, and the National Police Director issued related orders.</p> <p>Led by the Vice-President and the Minister of Social Protection, the Government has set up sessions for dialogue and the relief of social tensions with union leaders and members in Cali (23 January), Arauca (5 February), Bucaramanga (6 February), Pereira (19 February) and Medellín (20 February).</p>	<p>The Prosecutor General of the Nation (Attorney General in UN terms) and the Office in Colombia of the UN High Commissioner for Human Rights signed a memorandum of understanding on 7 November 2003, in which the latter is to advise the former in order to strengthen its Office with a technical cooperation project. The cooperation project includes- amongst other things- the adoption and implementation of the recommendations of the Office in Colombia of the UN High Commissioner for human rights in prevention and protection matters, including the recommendation on the Witness and Victim Protection Programme.</p> <p>To strengthen this Programme, consultants were appointed in January 2004 to identify strengths and weaknesses in terms of the coordination of operations, administration and security, and in terms of budget. A previous report of consultants of the Colombian Office of the High Commissioner presented in June 2001 has been valuable. The consultants' report was presented to the consideration of the High Commissioner and the Prosecutor General of the Nation on 24 February 2004, in order to reinforce some of the recommendations and reformulate others.</p> <p>The current administration of the Programme has made efforts to advance a number of matters of interest related to the decision to review the evaluations of threats and risks and basic requirements for an appropriate and prompt service.</p>



RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>At the same time the possibility of drawing up plans of action for the new legal regulations is being explored in order to define the role of protection of victims and witnesses in the new accusatory system.</p> <p>Initiatives are being designed to strengthen the training of officials for the programme and the Prosecutors of the user units.</p> <p>Finally, the program has started to encourage the relocation of witnesses and those who take part in the <i>SENA</i> production projects, depending on the level of risk, so that under an inter-institutional agreement they will be able to develop their skills and attain technical achievements.</p>	<p>In furtherance of the precautionary and preventive measures ordered by the Interamerican Commission on Human Rights and the Court, respectively, there is monthly joint follow-up by the applicants, the Government, State agencies and the communities in the cases of San José de Apartadó, Cacarcia, Embera Katíos and Kankuamos.</p> <p>Every two months government officials visit these communities, which count with a Community Ombudsman.</p> <p>The Foreign Ministry, the Social Solidarity Network (Rss) and the Vice-President have been working with the UN to identify strategies for protection, and have made visits to Chocó and Catatumbo regions.</p> <p>The Minister of Defence called security meetings in the Sierra Nevada de Santa Marta and Tierralta, which produced a series of action plans to protect the various indigenous communities.</p> <p>The President headed an indigenous security meeting in Popayán on 15 December. It was agreed that an indigenous Community Council would be held in Popayán in the second half of April, and measures were taken for Cauca Department.</p> <p>The departments where the policy decentralization project operates are taking special care to protect communities at risk.</p>	<p>The Government designed a mechanism for permanent accompaniment for the Kankuano Community in the Sierra Nevada and the communities in the massif and the Middle and Lower Atrato.</p> <p>The project will need financing by the international community.</p> <p>Continue with indigenous community councils.</p>
<p>4. Exhorts the Government to identify, in conjunction with the Office of the Ombudsman and the United Nations system, communities placed at risk by the internal armed conflict and, in consultation with those communities, to develop and put into practice, as soon as possible, preventive and protective actions and programmes.</p> <p>With respect to displaced populations, the Guiding Principles on Internal Displacement should be strictly applied.</p>	<p>The Vice-President held coordination meetings with those responsible for human rights issues in those institutions. In the case of the Ombudsman's Office, this was done with the Director of SAT and in the Attorney General's Office (Procurator in UN terms), with the Prevention Director. It was agreed that the Office of the Ombudsman</p>	<p>The Office of the Ombudsman and the Attorney General's Office undertook to deliver a detailed program of their presence in regions</p>
<p>5. Urges the Government and Congress to provide the Procurator-General's Office and the Office of the Ombudsman with the necessary</p>		

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>ssary means to establish themselves in localities where they are not yet represented, especially in rehabilitation and consolidation zones and in areas with a high proportion of indigenous, Afro-Colombian and displaced inhabitants.</p>	<p>man would send a proposal for the allocation of funds from the national budget, but this has not yet been received. The Attorney General's Office said at the meetings that it did not need additional funds for 2003-2004. The Attorney's office with the support of the Swedish Government, will develop the Project «Legal control and improved surveillance of public order measures in the framework of the policy of Democratic Security». On 9 December there will be a meeting between the Vice-President, the Ombudsman and the Attorney General's Office to arrange for the practical application of this recommendation and its relationship with the presence of these institutions in the areas at risk.</p>	<p>of conflict. The program will require financial support from the international community. Implement the pilot programs for establishing the presence of the Ombudsman's and Attorney General's Offices in the first half of the year in high risk areas.</p>
<p>6. Calls on the Procurator-General and senior public service officials to take disciplinary action against any State employees who through their actions or omissions in any way jeopardize the work of human rights defenders.</p>	<p>Ministry of National Defence Guideline N° 9 of 8 July 2003 gives instructions with regard to the protection, support and interlocution with union leaders and Nco's. When required, and on a case to case basis, the necessary disciplinary measures will be taken. On 7 of November 2003, the Attorney General's Office communicate to the Office in Colombia of the UN High Commissioner for Human Rights the information which is available and public for consultation on this matter.</p>	<p>A review of existing denunciations will be conducted jointly with the Attorney's General's Office.</p>
<p>7. Exhorts the Procurator-General to verify, quarterly, the accuracy and objectiveness of the data contained in military intelligence records concerning human rights defenders, and to publish the results of his enquiries.</p>	<p>The Vice-President met ten representatives from Nco's with Mr. Michael Frühling and it was agreed that the legislation, organisation and doctrine of intelligence services would be reviewed. The Attorney General Procurator considers that the recommendation should not be applied since it involves the publication of restricted information. On 23 January 2004 he sent a letter to the High Commissioner explaining that the information in military intelligence files could not be made public, in accordance with provisions of the Constitution and Constitutional Court jurisprudence. It is obvious that intelligence activities are not addressed to the work of members of human rights defender organizations per se.</p>	<p>The Ministry of Defence is preparing an internal guideline on this matter.</p>
<p>8. Encourages the Minister of Defence to include, as of the next training courses for members of</p>	<p>Through Permanent Directive 800-4 of February 2003, Ministry of Defence sets out the plan to integrate Human Rights and International Humanitarian Law into Military and Police Doctrine.</p>	<p>The Minister of Defence is assessing the proposal of the UN High Commissioner to evaluate its hu-</p>

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>the security forces, the systematic study of international law on human rights and international humanitarian law. For this purpose, it recommends that the Ministry should establish a continuous training arrangement with the Office of the Ombudsman.</p>	<p>All formation courses, promotion courses and special studies will have the two subjects incorporated into the content.</p> <p>The Ministry of Defence has agreements with the InterAmerican Institute of Human Rights of San José, Costa Rica, International Humanitarian Law Institute in San Remo, Italy, Universidad Javeriana, Bogotá and Universidad Externado de Colombia, Bogotá. These institutions have supported education for instructors/lecturers in these disciplines and in non-formal training activities.</p> <p>The Police have implemented a process of formation in human rights and International Humanitarian Law addressed to all police academies, running across all other disciplines. A «teacher's manual for international humanitarian law instruction» has been produced.</p>	<p>man rights and International Humanitarian Law formation and training programmes.</p>
<p>9. Illegal armed groups</p>		
<p>10. Illegal armed groups</p>		
<p>11. Illegal armed groups</p>		
<p>12. Urges the security forces fully to observe the obligations imposed upon them by international humanitarian law, especially those related to the observance of the principles of limitation, distinction, proportionality and the general protection of the civilian population.</p>	<p>Controls: All air operations must be approved by the air-force high command.</p> <p>The presence of the police has been restored in municipalities where there had been none. Permanent formation in International Humanitarian Law is carried out.</p> <p>Permanent training and preparation is being carried out with the International Committee of Red Cross Committee (ICRC), to apply the principles of International Humanitarian law in the planning and execution of operations.</p> <p>The latest annual report of the Ombudsman Year 2002 shows that only 261 of the 9000 denunciations of International Humanitarian Law violations attributable to an identifiable individual, were attributable to members of the Military Forces and National Police.</p>	<p>Permanent presence of the Attorney General's Office and the Ombudsman's Office, as provided in Recommendation 5, should help to control the application of International Humanitarian Law by the Military Forces and the National Police.</p>
<p>13. Calls on all parties to the armed conflict to fulfil the obligations imposed on them by international rules that prohibit the employment, storage, production</p>	<p>Action of Anti-Personnel mines in the components of prevention, assistance for victims, information management and humanitarian clearance of mines.</p> <p>Incorporation of the issue in the National Development Plan.</p> <p>Definitive shutdown of the armed forces' anti-personnel mine factory.</p>	<p>160 studies to be made of risk assessment and potential social, economic and environmental impact.</p>

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>and transfer of anti-personnel mines.</p>	<p>Compliance with the timetable for the destruction of stockpiled mines by the Military Forces (1,291 mines already destroyed). Decentralization of the process of formation of regional anti-personnel mine action committees. Inter-institutional coordination of care for victims. Training of more than 900 members of the public. Distribution of 20,000 prevention leaflets. Design of mass media campaign. 20,000 bulletins with an analysis of ten prioritised Departments have been distributed. \$2,500 million allocated in the 2004 budget for the anti-personnel mine campaign. Work is being done to harmonize the National Action Plan with departmental plans (Antioquia and Meta). A system of monitoring and evaluation of attention to victims is being designed.</p>	<p>Continue with the implementation of the National anti-personnel mines action Plan. In particular, for the first half of 2004, design a national signposting plan and a national communications strategy for the prevention of accidents with anti-personnel mines.</p>
<p>14. Recommends the Government, the illegal armed groups and representative sectors of civil society to spare no efforts in establishing, as soon as possible, contacts for dialogue and negotiation so as to overcome the internal armed conflict and achieve lasting peace. Such dialogue and negotiations should from the outset take into account human rights and international humanitarian law, and should include in their agenda the issue of the right to truth, justice and reparation.</p>	<p>The President requested the good offices of the UN Secretary General in restoring dialogue with the illegal armed groups. In response, the latter appointed a special representative for Colombia. The Government has had contact with the ELN in Cuba and Itagui (Colombia). The Government requested the support of the Catholic Church in approaches designed to secure the release of hostages held by the illegal armed groups. A dialogue has taken place with the illegal self-defence groups with regard to possible demobilization. Some 140 minors have disengaged themselves from their ranks, and members of the Cacique Nutibara group, who used to operate in urban Medellin, have demobilized. The Government proposed a law to facilitate demobilization and peace, taken into account the rights of victims. The law is subject to approval by democratic debate. The President has invited the international community to make suggestions in order to improve the bill.</p>	<p>The Government will realize permanent follow-up of the controls set forth in the bill and endeavour</p>
<p>15. Calls upon the Government and Congress of the Republic, when adopting policies or draft-</p>	<p>Following the presentation of the High Commissioner's Report, the Government has made some comments on this recommendation. It says that it shares the spirit of the recommendation entirely, but, in relation to the point regarding judicial police</p>	<p>The Government will realize permanent follow-up of the controls set forth in the bill and endeavour</p>



RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>ing legislation, to pay due attention to the obligations assumed by Colombia as a State party to international human rights and international humanitarian law instruments. He urges them to take into account the international principles of legality, necessity, proportionality, timeliness and non-discrimination when adopting or applying policies and measures related to security and public order. He calls on them in particular not to introduce any rules in the Colombian legal system that would enable members of the military forces to exercise judicial police or other functions incompatible with the independence of the justice system.</p>	<p>functions for the Military Forces, it does not agree with the interpretation made that the measures are per se in violation of international treaties. The Government stated that the measures to be adopted should conform to both treaty stipulations as to the needs imposed by the circumstances of the country, so strongly affected by terrorist actions.</p> <p>The Government has sent a constitutional reform bill to Congress, so that the institutions will have the appropriate tools to combat terrorism. Among them is the possibility to create Special Judicial Police Units with members of the Military Forces, but under the direction of the Prosecutor General of the Nation, to perform these functions in zones of intense conflict or of difficult access. It should also be noted that:</p> <ul style="list-style-type: none"> • In many zones of the country there is no presence of the judicial authorities, access is difficult and many acts have been committed against the civil rights of civilians by illegal armed groups. • Therefore the investigative activities of the State in such situations are severely curtailed. • Members of the judiciary shall value the objects (evidence) and information collected by these Units. • The Units shall be under the management and coordination of the Prosecutor General of the Nation. • The scope of application of these powers is geographically limited to areas where such work is strictly necessary. • Action is limited to the fight against terrorism and crimes against public safety. • The members of the Units will be subject to the same regime of duties and will not be covered by military immunity. • The powers are temporary (for 4 years). • As with all the other measures these powers are subject to judicial, disciplinary and political control. • The measure does not affect the impartiality of a court, the presumption of innocence, the right to dispute evidence, the rapidity of judgment, the right not to incriminate oneself, the existence of a second instance or the principle of <i>non bis in idem</i>. • An accusation made on the basis of information or evidence collected is not a definitive determination of the guilt of the accused. • The members of the Units will receive technical training. 	<p>to ensure that they are effectively developed in the statutory law.</p>

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>16. Urges the Attorney-General to submit a bill to Congress establishing a career structure for officials and employees of his Office, with a view to strengthening the independence and impartiality of that institution.</p>	<p>In conclusion, this legislation is necessary in the recent circumstances of Colombia, and it is in harmony with international treaties binding on Colombia.</p> <p>It should be noted that a draft statutory law has been sent to Congress. It seeks efficiency and excellence in the rendering of the service and equality of conditions for entry, work and severance, based on merit.</p> <p>The guiding principles of the project are the classification of jobs, the selection process, contests, provision of posts, performance appraisal and withdrawal from the Prosecutor General's Office.</p> <p>The expectations of the Prosecutor General's Office in terms of cooperation from the Office of the UN High Commissioner are in the area of the definition of employee profiles to meet the qualifications which should ensure that employees remain in the Attorney General's office and specialize in different areas. There was recently an agreement between the Attorney's Office and the Office of the High Commissioner to open a tender for consultancy work in this area.</p> <p>Finally, the intention is that prosecutors will have the professional qualifications to perform their work through improved methods of contracting and professional legal training.</p>	
<p>17. Calls upon the Attorney-General to ensure and to strengthen the independence of the Human Rights and International Humanitarian Law Unit in his Office, to guarantee the protection of its staff and to provide it with the means necessary to carry out its investigations.</p>	<p>The High Commissioner will support the preparation of a diagnosis of Human Rights and International Humanitarian Law Unit and the creation of a specialized group to investigate alleged links between public servants and illegal armed groups. The Office of the UN High Commissioner announced the immediate opening of a tender to contract consultants.</p> <p>In general terms, there is agreement as to the terms of reference presented by the Office of the UN High Commissioner for human rights.</p> <p>During the meeting of 24 February was discussed the matter of the diagnosis of the Unit, since the Inter-institutional Committee chaired by the Vice-President, with the support of the Embassy of the Netherlands, has started on a diagnosis of the Unit and this could be an input for feedback for the work of the High Commissioner's consultant.</p> <p>See the previous point (17) for progress in this area.</p>	
<p>18. Urges the Attorney-General, within his Office's Human Rights and International Humanitarian</p>		

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>Law Unit, to establish a group specializing in the investigation of possible links between members of the military and the police and paramilitary groups. He also calls on international cooperation agencies to back this initiative.</p> <p>19. Calls on the Minister of Defense to suspend from duty with immediate effect any members of the military and the police involved in serious human rights violations or war crimes, and to inform the judicial and investigative authorities accordingly.</p>	<p>44 members of the National Police and Military Forces have been suspended in 2003 (25 army, 18 police and 1 marine infantry member) after decisions on investigations made by the Prosecutor General of the Nation human rights Unit.</p> <p>The Ministry of Defense will continue to comply with decisions regarding suspensions produced in criminal or disciplinary proceedings.</p> <p>On 4 December 2002 the Special Committee met to approve the project for the Fight Against Impunity to be presented to the Government of the Netherlands. The meeting also approved a preliminary selection of 150 cases and the Office of the UN High Commissioner for human rights was invited to be a member of the Committee and its working group.</p>	
<p>20. Calls on the Special Committee on the conduct of investigations into human rights violations and breaches of international humanitarian law, chaired by the Vice-President of the Republic, to work actively on a selection of representative cases of such violations, and to submit a quarterly report to the President of the Republic, the Attorney-General, the Procurator-General and the Ombudsman on the progress of its investigations.</p>	<p>The Dutch government is providing economic support for this initiative under an agreement formalized in June 2003.</p> <p>A working group of the Committee approved a firm list of 115 cases of serious human rights violations on 25 July.</p> <p>On 2 October the working Group approved the selection of 10 cases for priority treatment, at the suggestion of the Office of the UN High Commissioner.</p> <p>In November and December 8 commissions were sent from the Prosecutor General's Office and the Attorney General's Office to take up the priority cases.</p> <p>In January and February 2004, 8 further commissions have been dispatched. It is hoped that the number of commissions from the Prosecutor General's Office and the Attorney General's Office will be tripled for the cases selected, especially for the priority cases.</p> <p>The results for November and December 2003 were:</p> <ul style="list-style-type: none"> • 126 searches • 54 arrests • 54 preliminary interrogations • 1 extended interrogation 	<p>Continue to execute the project as described in the agreement with the Dutch government. Design of a public policy against impunity for human rights violations.</p>



RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>21. Calls on the President of the Republic, in his capacity as Head of State and Commander-in-Chief of the security forces, to take all necessary steps to ensure that,</p>	<ul style="list-style-type: none"> • 36 statements • 14 interviews with informers • 45 judicial inspections • 6 exhumations • 12 identity parades • Seizure of material, light and heavy weapons, ammunition, communications equipment, transport equipment, computers, documents, cash, illegal drugs. • Decision by the Attorney General requesting the dismissal of an Army colonel for taking part in the La Cabuya massacre; this was subsequently confirmed by the Vice-Attorney's Office. • The men captured included current and former officers of Crt, finance executives and operators of the illegal self-defence groups, police officers, army officers and policemen. <p>For January and February 2004 the record is as follows:</p> <ul style="list-style-type: none"> • 56 searches • 25 arrests • 25 preliminary interrogations • 4 interviews with informers • Checks • Seizure of material, weapons, ammunition, communications equipment, videos and documents <p>Those captured included a block commander of an illegal self-defence group, finance executives and material authors of criminal offenses.</p> <p>On 16 January 2004 the Fight against Impunity Project and the Prosecutor General human rights/IHL Unit agreed on a matrix for the follow-up of cases being pursued by the Special Committee. Performance indicators are being designed to measure the results of the project.</p> <p>Ministry of Defence Permanent Guideline N° 15 of 23 September 2003 sets out a policy for the fight against the self-defence groups and gives instructions to the Army High Command and the Police.</p> <p>Instruction 051 of 8 October 2003 contains the practical means of implementation of this guideline.</p>	

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>independently of any dialogue conducted between the Government and paramilitary groups, any links between public officials and members of such groups are severed. It also calls on him to inform the Procurator-General of the Nation and the Ombudsman about the implementation and results of such measures in half-yearly reports.</p> <p>22. Exhorts the Government to develop a consistent policy to reduce the inequality gap that prevails in the country and to ensure that all necessary steps are taken to lower illiteracy and unemployment rates and to improve access to health, education and housing.</p>	<p>The Centre for the Struggle against Self-defence groups was reopened. Casualties among the self-defence groups members have increased 85%, captures have increased 133% compared to 2002. From 1 January to February 23 of 2004, 626 have been captured and 105 have been killed in combat.</p> <p>477,598 new school places have been created in 2003 and it is expected that this will be further increased by 1,500,000 places by 2006.</p> <p>Of the 50,000 places in high education which was the Government's objective for 2003, 34,858 (70% compliance) were made available; 19,494 of them (56%) are in private institutions and 15,364 (44%) in public institutions.</p> <p>Unemployment at the end of 2003 was 12.3% at national level, and 14.7% in the 13 largest cities (reported by the Statistical Bureau DANE).</p> <p>The Government has created 327,000 new jobs in the agricultural sector, a growth of 9.7% in comparison to the rural jobs created in 2002.</p> <p>Agriculture accounted for 3,367,045 jobs in the third quarter of 2002, 3,693,717 in the same quarter of 2003 - 326,672 more. This in turn accounts for almost a quarter of all of the 1.2 million new jobs generated in the economy as a whole between October 2002 and October 2003.</p> <p>In November 2003 the Government's Employment in Action program found 172,329 new jobs.</p> <p>Between August 2002 and March 2003 construction GDP grew approximately 17%.</p> <p>At December 31, 2003 FINDER had disbursed \$2,769 million, 222.6% of budget (\$1,224 million) for housing loans.</p> <p>Of the 29,417 urban housing subsidies allocated through FONOVIVIENDA which the Government had committed as an objective for 2003, 20,289 subsidies (69% execution) were delivered.</p>	<p>Apply the National Development Plan.</p>



RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
	<p>Banco Agrario have also benefited 7,000 farming families and delivered 9,730 rural social interest housing subsidies.</p> <p>The Government objective for micro loans for social interest housing in 2003 was 8,000. At the end of the year, 12,152 (152% execution) were allocated.</p> <p>The Government objective for new affiliates to the health subsidized regime was 300,000. In the event, 1,061,651 were affiliated, for the benefit of 11,782,431 people and with a total investment of \$2.1 billion.</p> <p>The target for new affiliates to the contributory regime was 300,000. In the event, 293,722 new affiliates joined for a total of 13,455,963 beneficiaries at the end of 2003.</p> <p>The target for triple-virus vaccination for 2003 was 95% of eligible children. The actual figure was a coverage of 93.9% (99% execution); and 300,000 children are receiving breakfasts.</p>	
<p>23. Recommends the Government, through the Standing Intersectorial Commission on Human Rights and International Humanitarian Law, to prepare a plan of action on human rights that ensures the mainstreaming of an integral gender policy, and to submit, during the first half of 2003, a timetable for its implementation.</p>	<p>A methodological proposal has been made, with suggestions of content to be incorporated into the Plan. According to the timetable set, the Plan should be agreed and produced at the end of the first half of 2004. The proposal was sent to the UN High Commissioner for Human Rights' Office in September 2003. The Office stated that it was willing to support the work based on the proposal. International recommendations are identified and organized into themes for concertation processes, and progress has been made in compiling the related institutional offer.</p>	<p>Implement the timetable proposed.</p>
<p>24. Recommends the Minister of Education, beginning with the next academic year, to incorporate the teaching of human rights in primary and secondary school curricula. For this purpose it recommends that the Ministry establish a continuous training arrangement with the Office of the Ombudsman.</p>	<p>In September 2003, the Ministry signed an inter-institutional commitment with the Ombudsman's Office in order to «encourage the formation in, respect for and practice of human rights in the Colombian education system», where it was agreed:</p> <ul style="list-style-type: none"> • to promote coordination activities and institutional support for the production of a National Teaching Plan for the training in, the respect for and practice of human rights in the Colombian education system, • to develop the mandate of the National Development Plan to implement human rights in the Colombian education system. 	<p>Develop commitments acquired between Ministry of Education and the Ombudsman's Office.</p>



RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
	<ul style="list-style-type: none"> • to establish a team of officials who would be professionals working in the entities, with the following tasks: <ol style="list-style-type: none"> a) To make an inventory of the <i>state of the art</i> of human rights education in Colombia and abroad (with an emphasis on Latin America and the Caribbean); b) To evaluate the proposals made on this topic by universities and teaching centres in Colombia; c) To identify and secure possible allies in government and elsewhere, abroad, and in Colombia at national, departmental and local levels, to form part of the process of formulation and implementation of the National Teaching Plan for the training in, respect for and practice of human rights in the Colombian education system; d) To design, validate and implement a pilot scheme for the formation of teachers who will be responsible for the National Plan for the formation in, respect for and practice of human rights in the Colombian education system. <p>Project work began in October 2003. So far, the following activities have been completed: a permanent inter-institutional working group has been set up and there is a project consultative committee of which UNDP and ACCI are members. Progress has been made in obtaining knowledge of the programs and projects of each institution, and their conceptual guidelines and policy. The contributions of each institution have been identified, and a communications strategy designed for the Plan. A process for the formation and updating in human rights for the group has been defined, and a support group has been formed in each of the institutions. The minimum criteria for the systematization of national experiences have been defined; it was decided to contract a consultant for components in the project, and this should be defined by mid-March. The product of the consultancy is to have a Plan ready by the end of August 2004.</p> <p>The Education Ministry has drawn up some curricular guidelines for Constitution, Politics and Democracy, Ethics and Human Values and Social Sciences. In those guidelines human rights are reference points to guide the design of curriculum educational institutions.</p> <p>In addition, the Education Ministry is developing a programme of Civic Skills as a policy to present the legitimacy of human rights for the education system.</p>	

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>25. Calls on the Supreme Council of the Judicature, the Attorney-General's Office and the Procurator-General's Office to make similar arrangements with the Office of the Ombudsman for the continuous training of their officials and employees in human rights and international humanitarian law.</p>	<p>The Ministry is also committed to the development of an innovative proposal with the Civic Skills programme, which contains four basic lines of work: Respect for, and Promotion and Defence of human rights; the Building for Peace and Coexistence; Participation and Democratic Responsibility; and Plurality, Identity and the Appreciation of Differences. All of these are couched in a context of the wider framework of respect for and promotion and defence of human rights, which articulate the three basic lines of work explicitly and transversally. The four working lines are being developed in a document of quality standards which will guide the evolution of the subject in the education system.</p> <p>In March 2001 the Office of the Attorney General's Office signed an agreement with the Ombudsman and the Colombian Office of the UN High Commissioner for Human Rights, which has been in continuous execution since then, to provide training in international human rights law and IHL and disciplinary law, addressed to municipal attorneys (1,098), so far covering about 90% of them.</p> <p>The Supreme Council of the Judicature has designed a national plan for formation and training for high court and lower court judges. Each project (formed by 3-4 areas of training) lasts for about one year. The comprehensive formation and training cycle now offered by the Rodrigo Lara-Bonilla Judicial School to each of the 3,600 Judges is a 4-year continuous programme.</p> <p>The Office of the High Commissioner has agreed with the Prosecutor General's Office that it will strengthen the application of international instruments in human rights and international humanitarian law.</p> <p>The Prosecutor General's Office therefore seeks to coordinate with the support of a consultant and make an evaluation of the applicability of human rights concepts acquired by officials in training courses held across the country in 2002, and the implementation of a second phase of training, also nationwide, to provide an opportunity to increase the number of instructors in the network through a new invitation.</p> <p>The meeting held on 24 February confirmed the need to develop this phase in the terms proposed by the UN High Commissioner for Human Rights' Office.</p> <p>The Office also explained that the consultancy phase would be conducted more slowly, given the urgency of starting the other activities planned for other issues.</p>	

RECOMMENDATIONS	ACTIONS TAKEN	ACTIONS TO BE TAKEN
<p>26. Urges the Government to act on the international recommendations, including those made in this report, and calls on the Vice-President of the Republic, with the Office's assistance and advice, to coordinate the preparation of a timetable for implementing the distinct recommendations of the appropriate international bodies.</p>	<p>It was repeated that there was a need to reinforce the work of the School as a training centre for the Prosecutor General's Office and as a focal point to develop the admission and preparation courses for a career in the justice system.</p> <ul style="list-style-type: none"> • Precise instructions from the Vice-President were issued to all Government agencies with responsibilities in this field, to study and perform actions considered necessary to comply with the recommendations accepted. • An inter-institutional team was set up, coordinated by the Director of the human rights and International Humanitarian Law Presidential Programme of the Office of the Vice-President to make regular evaluations of progress in the implementation of the recommendations. • Regular meetings have been held with officials of the UN High Commissioner's Office to comment on the progress made in implementation of the recommendations and to hear and embrace suggestions resulting from such meetings. • Action to facilitate working meetings between the UN High Commissioner's Office and the various agencies of the Government and the State. 	<p>Continue with schemes for follow-up of implementation of recommendations.</p>
<p>27. Invites the Government, Congress, the Attorney-General's Office, the Procurator-General's Office, and the Office of the Ombudsman to enhance their dialogue with the Office and to take full advantage of its mandate of advisory services and technical cooperation.</p>	<p>Several ministries and other agencies of the Government and the State maintain regular dialogue with the Colombian Office of the UN High Commissioner for Human Rights.</p>	



Republic of Colombia



Libertad y Orden