
Report of Colombia on the status of the Protocols relating to the protection of victims of armed conflicts

I. Action taken by the State to comply with resolution 63/125

Paragraphs 2 and 3

Colombia is already a party to the Protocols (see A/63/118, annex) and has made the declaration provided for under article 90 of Protocol I.

Paragraph 4

Colombia is a party to Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two Protocols thereto. It has enacted legislation establishing Colombia's adherence to a wide range of treaties on international humanitarian law and human rights. The subjects dealt with in these treaties include: protection of artistic and scientific institutions and historical monuments, ban on the illicit import, export and transfer of cultural property, involvement of children in armed conflict, ban on anti-personnel mines, conventional weapons deemed to be excessively injurious, genocide, enforced disappearance, torture or other cruel, inhuman or degrading punishment, the death penalty, discrimination against women, violence against women, racial discrimination and apartheid.

Paragraph 5

As regards the wide dissemination and full implementation of the Protocols relating to the protection of victims of armed conflicts, in January 2008 the Ministry of Defence issued a comprehensive policy paper on human rights and international humanitarian law. This added political weight to the process of integrating international humanitarian law into the training of personnel and conduct of operations.

Paragraphs 6 and 7

To strengthen the implementation of international humanitarian law, in 2009 Colombia adopted an instrument that regulates the use of force by the military. In addition, the Commander-in-Chief of the Military Forces issued a manual of law governing operations which provides general guidance on the authorized use of force in different operational contexts and describes the legal tools available to check on the legality of operations. The manual is intended for use not only by military commanders but also by legal advisers, judicial authorities and the general public.

Paragraph 8

Colombia enlisted the support of the International Committee of the Red Cross for the organization of two workshops concerned with the improved implementation of international humanitarian law in military operations. Twelve workshops in international humanitarian law for advisers, instructors and other staff at military training colleges were also held.

Paragraph 9

Decree No. 321 (2000) established a Standing Intersectoral Committee to Coordinate and Monitor National Policy in the Areas of Human Rights and International Humanitarian Law, headed by the Vice-President, whose functions include the following: to coordinate the national plan of action designed to promote respect for human rights and the implementation of international humanitarian law; to ensure the adoption of national measures; to strengthen institutional machinery and promote dissemination to the public; and to encourage

the adaptation of national measures to the obligations contained in treaties to which Colombia is a party and to the recommendations of international organizations.

Paragraph 10

By Act 833 (2003), Colombia adhered to the Optional Protocol on the involvement of children in armed conflict.

Thirteenth preambular paragraph

Colombia has been a leader in international efforts to eliminate cluster munitions. In addition, besides ratifying the 1997 Ottawa Convention, it has adhered to the 1998 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the four Protocols thereto.

II. Rights of victims in the context of justice and peace

Under the terms of Act 975 (2005) and its implementing decrees, victims have the following rights: to be heard; to be granted prompt and full reparation; to receive assistance from the Office of the Ombudsman in exercising their rights; to obtain guidance from the National Reparation Commission; to be treated humanely; to receive legal aid; and to have the services of an interpreter.

III. State services that provide relief to victims

The State provides a number of services for victims, ranging from emergency care and psychological support to administrative remedies and compensation.

IV. Action by the military and law enforcement personnel

Various measures have been adopted with an eye to the state of violence in Colombia. They deal primarily with prevention, dissemination of information, promotion of human rights and international humanitarian law, and discipline.