

PRESS RELEASE

UN expert finds progress but also a pattern of unlawful killings and ongoing “serious problems” with Colombia’s security policies

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“Colombia has made important security gains after decades of armed conflict and gross human rights violations, but serious problems with its security policies have undermined the very goals the Government seeks to achieve,” said Professor Philip Alston, the UN Special Rapporteur on extrajudicial executions. Alston’s report on his June 2009 fact-finding mission to Colombia was released by the United Nations today.

“My investigations found that members of Colombia’s security forces committed a significant number of unlawful killings in a pattern that was repeated around the country. Although these killings were not committed as part of an official policy, I found that many military units engaged in so-called “false positives” or *falsos positivos* in which victims were murdered by the military, often for soldiers’ personal benefit or profit. Victims were generally lured under false pretenses by a “recruiter” to a remote location and then killed by soldiers who report that there was a “death in combat”, and takes steps to manipulate and cover-up the crime scene.” Alston reported. “Within the military, success was equated with “kill counts” of guerillas, and promoted by an environment in which there was little or no accountability. Soldiers simply knew that they could get away with murder.”

Alston noted steps Colombia has taken to reduce the killings, including dismissing senior military officers and permitting UN and International Committee of the Red Cross monitoring, but expressed concern about continuing impunity. “The current rate of impunity for alleged killings by the security forces, up to 98.5 per cent by some credible estimates, is way too high,” the expert said. “Unless the Government ensures effective investigation and prosecution of killings by security forces, it will not be able to turn the page on the *falsos positivos* scandal. Victims and family members deserve justice. Colombian society and the international community need to know that security operations are lawful, or they will not be considered legitimate.”

The Special Rapporteur also found “an alarming level of impunity for former paramilitaries.” According to Alston, “Colombia’s effort to end and provide accountability for paramilitary violence is floundering. The vast majority of paramilitaries responsible for human rights violations were demobilized without investigation, and many were effectively granted amnesties. Today, the failure in accountability is clear from the dramatic rise in killings by illegal armed groups composed largely of former paramilitaries.”

Alston added that, “The Justice and Peace Law that was intended to provide accountability for paramilitary crimes has not been an effective tool for justice or truth. In order for the Government to provide accountability, there must be significant substantive and procedural changes to the law. But given Colombia’s record so far, a focus on this law alone is not enough. There is no substitute for prosecution of human rights abuses, but the Government should also consider establishing an independent truth commission to conduct a systematic investigation into the abuses committed by all sides during Colombia’s armed conflict.”

Alston emphasized that “The FARC and ELN both carry out unlawful killings and often target or victimize the very populations on whose behalf they claim to fight. Guerilla groups cause instability in many parts of the country. The Government’s strategy has focused on military defeat of the guerillas, but it should also consider humanitarian accords and negotiation to end the conflict once and for all.”

The expert called attention to groups that are especially vulnerable to violence in Colombia. “Historically and continuing through today, all parties to Colombia’s conflict have targeted indigenous and Afro-Colombian communities, human rights defenders, trade unionists, and other rights activists. Colombia must vigorously investigate and prosecute violence and threats against these groups.” Alston also emphasized that, “Indigenous and Afro-Colombian communities in conflict zones are especially vulnerable to massacres and other abuses, and Colombia must ensure its security policies and military operations prioritize their protection.”

Alston commended the Colombia Government for the high level of cooperation he received during his mission, “The Colombian Government’s willingness to open itself to international scrutiny of its security policies sets an example for other states. Government officials repeatedly told me they welcomed suggestions for reform. As Colombia addresses its security challenges, continued transparency about the content and effect of its policies and a focus on accountability for wrongdoing will benefit victims, family members and society at large, and will also have a strongly positive effect on the legitimacy of the Government and its policies.”

Professor Alston was appointed UN Special Rapporteur on extrajudicial executions in 2004 and reports to the United Nations Human Rights Council and the General Assembly. He has had extensive experience in the human rights field, including eight years as Chairperson of the UN Committee on Economic, Social and Cultural Rights, principal legal adviser to UNICEF in the drafting of the Convention on the Rights of the Child, and Special Adviser to the UN High Commissioner for Human Rights. He is Professor of Law and Faculty Director of the Center for Human Rights and Global Justice at New York University School of Law.

The Special Rapporteur’s full report on Colombia is available at www.extrajudicialexecutions.org. For further information or press inquiries, please contact Ms. Sarah Knuckey at sarah.knuckey@nyu.edu or +1.917.685.9098.