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**REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON
THE FIFTY-SEVENTH SESSION OF THE COMMISSION**

Draft report of the Commission

Rapporteur: Mr. Imtiaz HUSSAIN

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III. ORGANIZATION OF THE WORK OF THE SESSION

* Documents E/CN.4/2001/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/2001/L.11 and addenda.

III. Organization of the work of the session

A. Opening and duration of the session

1. The Commission on Human Rights held its fifty-seventh session at the United Nations Office at Geneva from 19 March to 27 April 2001. It held 80 meetings (see E/CN.4/2001/SR.1-80) during the session.
2. The session was opened by Mr. Shambhu Ram Simkhada, Chairperson of the Commission at its fifty-sixth session, who made a statement.
3. At the 1st meeting, on 19 March 2001, Ms. Mary Robinson, United Nations High Commissioner for Human Rights, made a statement.

B. Attendance

4. The session was attended by representatives of States members of the Commission, by observers for other States Members of the United Nations, by observers for non-member States and Palestine and by representatives of the specialized agencies, regional intergovernmental organizations, other entities, national human rights organizations and non-governmental organizations. An attendance list is given in annex II to the present report.

C. Election of officers

5. At its 1st meeting, the Commission elected the following officers by acclamation:

<i>Chairperson:</i>	Mr. Leandro Despouy (Argentina)
<i>Vice-Chairpersons:</i>	Ms. Najat Al-Hajjaji (Libyan Arab Jamahiriya)
	Ms. Anda Filip (Romania)
	Mr. Álvaro de Mendonça e Moura (Portugal)
<i>Rapporteur:</i>	Mr. Imtiaz Hussain (Pakistan)

D. Agenda

6. Also at its 1st meeting, the Commission had before it the provisional agenda of the fifty-seventh session (E/CN.4/2001/1 and Add.1 and Corr.1), drawn up, in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the provisional agenda considered by the Commission at its fifty-sixth session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII) of 1 August 1974.
7. The agenda was adopted without a vote. For the text as adopted, see annex I to the present report.

E. Organization of work

8. At its 2nd meeting, on 20 March 2001, the Commission considered the organization of its work.

9. For the documents of the fifty-seventh session issued under agenda item 3, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

10. Also at its 2nd meeting, on the recommendation of its officers, the Commission decided to invite a number of experts, special rapporteurs, special representatives, chairpersons-rapporteurs of working groups and other persons to participate in the meetings at which their reports were to be considered.

11. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/101.

12. At its 2nd meeting, on 20 March 2001, the Commission approved the timetable for the consideration of agenda items as proposed by the Bureau.

13. At its 2nd and subsequent meetings, the Commission accepted the recommendations of its officers regarding the conduct of business.

Speaking time and other arrangements

14. With regard to speaking time and arrangements, it was agreed that members of the Commission should be entitled to one statement of 10 minutes or two statements of 5 minutes per item and all observers (Governments, intergovernmental organizations, specialized agencies and non-governmental organizations) to one statement of 5 minutes per item.

15. It was also agreed that each non-governmental organization should be entitled to not more than six statements per session. With regard to joint statements by non-governmental organizations, the following timing was proposed: one or two non-governmental organizations: 5 minutes; three to five non-governmental organizations: 7 minutes; 6 to 10 non-governmental organizations: 10 minutes; more than 10 non-governmental organizations: 12 minutes.

16. It was also agreed that under the agenda items concerning economic, social and cultural rights (item 10) and civil and political rights (item 11), two additional minutes might be given, at the discretion of the Chairperson, for oral statements by States members of the Commission and all observers, including NGOs.

17. It was further agreed that non-governmental organizations making joint statements might request to speak prior to non-governmental organizations speaking individually. In view of the

limitation of six statements per non-governmental organization per session, participation by a non-governmental organization in a joint statement would count as one third of a normal statement. When a non-governmental organization which had participated in a joint statement opted, in addition, to speak individually under the same agenda item, that would count as one third of a normal statement within the limit of six to which each non-governmental organization was entitled and such a statement should not exceed 2 1/2 minutes (i.e. one half of the time normally allotted). All non-governmental organizations participating in joint statements should be duly accredited as participants at the session concerned.

“Concerned countries”

18. The Commission also agreed that members of the Commission and observer States that were the subject of specific Commission reports or which were considered by the Bureau to be “concerned countries” would be given an additional five minutes over and above their normal speaking time under the relevant item.

Special procedures

19. Concerning statements by special rapporteurs/representatives/independent experts/chairpersons of working groups, it was agreed that they would be entitled to an introductory (initial) statement of 10 minutes, plus 2 additional minutes for each mission undertaken by thematic rapporteurs, and 5 minutes for their concluding remarks if they so requested. All special rapporteurs/representatives/independent experts/chairpersons of working groups were requested to be present in the conference room when their reports were being discussed and, to the extent possible, to be present throughout the consideration of the relevant agenda item(s). It was also agreed that question-and-answer sessions or briefings might be organized for special rapporteurs/representatives/independent experts/chairpersons of working groups (to be held parallel to the plenary or during the lunch hour).

Guest speakers

20. It was agreed that guest speakers (dignitaries) should limit their statements to 15 minutes, with the possibility for the Chairperson to add, at his discretion, up to 5 additional minutes.

Rights of reply

21. It was agreed that rights of reply would be limited to two replies, of three minutes for the first and two minutes for the second. All rights of reply might be exercised at the end of each meeting, at the end of the day (6 p.m.) or at the end of the general debate on any particular item.

National institutions

22. Concerning national human rights commissions (institutions) or coordinating committees of such commissions, it was agreed that they might only take the floor under the relevant agenda item (item 18 (b)) and make one statement of up to 7 minutes from special seats reserved for them. It was also agreed that copies of oral statements made by representatives of national institutions might be circulated in the conference room during the consideration of agenda item 18 (b) and that, if requested, information or reports received from national institutions on their regional meetings might be circulated as documents of the Commission.

Introduction of draft resolutions

23. It was also agreed that the introduction of draft resolutions by one of the sponsors should be limited to up to 5 minutes.

List of speakers

24. It was agreed that the list of speakers should be opened at the beginning of the session for all participants for inscription under all agenda items. Speakers should be inscribed on three separate lists: for members, for observers and for non-governmental organizations, and should always speak in that order. It was also agreed that delegations which inscribed themselves on the list of speakers should take the floor when their turn came. Changing places on the list of speakers would only be possible through a mutually agreed change ("switch") with another interested delegation belonging to the same category of participants, i.e. members, observer Governments, or non-governmental organizations. Non-governmental organizations inscribed on the list of speakers whose representatives were absent when their turn came to take the floor would not be allowed to take the floor under the agenda item in question. The closure of the list of speakers on any particular item(s) should be announced by the Chairperson in good time.

Draft resolutions and decisions

25. With regard to draft resolutions and decisions, it was agreed that they should be submitted, with due respect for editorial and other requirements, at least three working days before the date on which they were scheduled to be put to a vote. It was also agreed that the deadline for submission of draft resolutions be set by the Chairperson in consultation with the Bureau and announced in good time. Only in very exceptional cases would deadlines for the submission of draft resolutions be extended.

Quorum

26. Concerning the quorum, it was agreed that the Commission would normally dispense with the requirement of a quorum, except for meetings at which a vote was taken.

Points of order

27. With regard to points of order, the Commission agreed to continue to apply the ruling made by the Chairperson of its fifty-fifth session giving the observer for Palestine the right to raise points of order “relating to Palestinian and Middle East issues”, provided that the right to raise such a point of order did not include the right to challenge a decision by the presiding officer. The right to raise points of order was also extended to representatives of States Members of the United Nations not members of the Commission on Human Rights but participating in its work in an observer capacity. The Commission also accepted the recommendation of its officers to continue to apply the ruling made by the Chairperson of its fifty-fourth session that recourse to points of order as a means of interrupting guest speakers would not be allowed.

Draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights

28. It was also agreed that all draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights should be considered under the relevant agenda items of the Commission.

Written statements submitted by non-governmental organizations

29. With regard to the written statements submitted by non-governmental organizations, it was agreed that all such statements submitted in sufficient time before the session should be circulated in the three working languages. Those statements which were not submitted on time might initially be circulated in their original language(s) only. They would be translated into the other working languages as soon as technically feasible, in accordance with Economic and Social Council resolution 1996/31.

Agenda items 3 and 4

30. With regard to agenda items 3 entitled “Organization of the work of the session” and 4, entitled “Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights”, it was agreed that those items should remain open throughout the session.

31. The Commission accepted the recommendation of its officers that the Chairperson might, in cases where he deemed it appropriate, call on the members of the Commission and all participants in its work to ensure that the work was carried out in an orderly manner and in conditions of mutual respect.

Accreditation

32. With regard to national institutions for the promotion and protection of human rights, the practice of the Commission was confirmed according to which the representatives of such institutions were accredited by the secretariat as observers for the entire session of the Commission or less, on the basis of letters received from their respective institutions. The representatives of such institutions would be given the floor under agenda item 18 (b) irrespective of whether their particular institutions had been accredited by the Credentials Committee of the International Coordinating Committee on National Institutions as having fulfilled the elements spelled out in the Paris Principles, welcomed by General Assembly resolution 48/134.

33. With regard to the accreditation of non-governmental organizations, the practice has been confirmed that, pursuant to the Economic and Social Council resolution 1996/31, it is up to the non-governmental organizations themselves to designate authorized representatives to participate as observers in public meetings of the Commission on Human Rights.

34. The practice of so-called "multiple representation", when several non-governmental organizations are represented in the Commission by the same person has also been confirmed.

35. It was confirmed that non-governmental organizations were not permitted to distribute documents, pamphlets or any other material in the conference room. All serious violations of that rule should be brought to the attention of the Bureau of the Commission.

36. In the general debate on agenda item 3, statements were made by members of the Commission and observers. For a list of speakers, see annex III.

Situation of human rights in Colombia

37. At the 59th meeting, on 17 April 2001, Ms. Mary Robinson, United Nations High Commissioner for Human Rights, introduced her report on the situation of human rights in Colombia (E/CN.4/2001/15).

38. At the same meeting, statements were made by members of the Commission and non-governmental organizations. The list of speakers appears in annex III to the present report.

39. At the 79th meeting, on 25 April 2001, the Chairperson, on behalf of the Commission, made a statement concerning the situation of human rights in Colombia. For the text, see paragraph ... below.

F. Meetings, resolutions and documentation

40. As indicated in paragraph 1 above, the Commission held ... fully serviced meetings, including ... additional meetings, authorized by Economic and Social Council decision 1996/295 of 24 July 1996.

41. The resolutions and decisions adopted by the Commission at its fifty-seventh session are contained in chapter II of the present report. Draft resolutions and decisions for action by the Economic and Social Council are set out in chapter I. For a list of resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

42. Annex III contains a list of speakers in the general debate on agenda items 3 to 20.

43. Annex IV contains a statement regarding the administrative and programme budget implications of resolutions and decisions adopted by the Commission at its fifty-seventh session.

44. Annex VI contains a list of documents issued for the fifty-seventh session of the Commission.

G. Visits

45. During its fifty-seventh session, the Commission heard statements by the following guest speakers:

(a) At the 2nd meeting, on 20 March 2001: Ms. Zeljka Antunovic, Deputy Prime Minister of Croatia; Mr. Paskal Milo, Minister for Foreign Affairs of Albania; Mr. Mohamed Aujjar, Minister for Human Rights of Morocco, in connection with whose statement a statement in exercise of the right of reply was made by the representative of Algeria, followed by a statement in exercise of the equivalent of the right of reply made by the observer for Morocco; Mr. Jorge Castañeda, Secretary of Foreign Relations of Mexico; Mr. Datuk Seri Syed Hamid Albar, Minister for Foreign Affairs of Malaysia; Ms. Anna Lindh, Minister for Foreign Affairs of Sweden (on behalf of the European Union; Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement); Mr. Oulai Siene, Minister of Justice and Public Liberty of Côte d'Ivoire;

(b) At the 3rd meeting, on 20 March 2001: Mr. Jaime Gama, Minister of State and for Foreign Affairs of Portugal;

(c) At the 4th meeting, on 21 March 2001: Mr. Serguei A. Ordzhonikidze, Deputy Minister for Foreign Affairs of the Russian Federation; Mr. Ruud Lubbers, United Nations High Commissioner for Refugees; Mr. Ignac Golob, State Secretary at the Ministry of Foreign Affairs of Slovenia; Mr. Michael Melchior, Deputy Minister for Foreign Affairs of Israel, in connection with whose statement statements in exercise of the equivalent of the right of reply were made by the observers for Lebanon and Palestine, followed by a statement in exercise of the equivalent of the right of reply by the observer for Israel; Ms. Kaori Maruya, Parliamentary Secretary for Foreign Affairs of Japan;

(d) At the 5th meeting, on 21 March 2001: Ms. N.C. Dlamini-Zuma, Minister for Foreign Affairs of South Africa; Mr. Louis Michel, Deputy Prime Minister and Minister for Foreign Affairs of Belgium; Mr. Bonaventure Chibamba Mutale, Attorney-General of Zambia; Mr. Amos Wako, Attorney-General of Kenya;

(e) At the 6th meeting, on 22 March 2001: Mr. Martin Palous, Deputy Minister for Foreign Affairs of the Czech Republic; Mr. Oskaras Jusys, Vice-Minister for Foreign Affairs of Lithuania; Mr. Igor Rogov, Minister of Justice of Kazakhstan; Mr. Josep Piqué, Minister for Foreign Affairs of Spain; Mr. John Battle, Minister of State at the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland. At the 7th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of China, and a statement in exercise of the equivalent of the right of reply was made by the observer for Zimbabwe in connection with the statement made by Mr. John Battle; Ms. Grazyna Bernatowicz, Vice-Minister for Foreign Affairs of Poland; Mr. Lubomír Fogas, Vice-Prime Minister of Slovakia;

(f) At the 7th meeting, on 22 March 2001: Mr. Sule Lamido, Minister for Foreign Affairs of Nigeria;

(g) At the 9th meeting, on 23 March 2001: Mr. Nguyen Tam Chien, Deputy Minister for Foreign Affairs of Viet Nam; Mr. Guillermo Valles, Vice-Minister for Foreign Affairs of Uruguay;

(h) At the 10th meeting, on 23 March 2001: Ms. Shahida Jamil, Minister of Law, Justice and Human Rights of Pakistan, in connection with whose statement a statement in exercise of the right of reply was made by the representative of India, followed by a statement in exercise of the right of reply by the representative of Pakistan;

(i) At the 14th meeting, on 27 March 2001: Mr. Agbéyomé Messan Kodjo, Prime Minister of Togo; Ms. Benita Ferrero-Waldner, Minister for Foreign Affairs of Austria; Mr. Joschka Fischer, Minister for Foreign Affairs of Germany, in connection with whose statement a statement in exercise of the right of reply was made by the representative of China; Mr. Felipe Pérez Roque, Minister for Foreign Affairs of Cuba. At the 15th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of the United States of America in connection with the statement made by Mr. Pérez Roque, followed by a statement in exercise of the right of reply by the representative of Cuba; Mr. Diego Garcia-Sayan Larrabure, Minister of Justice of Peru; Mr. Gustavo Bell Lemus, Vice-President of Colombia;

(j) At the 15th meeting, on 27 March 2001: Mr. A. Abdullah, Minister for Foreign Affairs of Afghanistan;

(k) At the 19th meeting, on 28 March 2001: Mr. George Chicoti, Vice-Minister for Foreign Affairs of Angola; Mr. Michalis Attalides, Permanent Secretary of the Ministry of Foreign Affairs of Cyprus, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Turkey, followed by a statement in exercise of the equivalent of the right of reply by the observer for Cyprus;

(l) At the 21st meeting, on 29 March 2001: Mr. Thorbjörn Jagland, Minister for Foreign Affairs of Norway; Mr. Milovan Blagojevic, Deputy Minister for Foreign Affairs of Bosnia and Herzegovina; Mr. Abdurrahman Shalgam, Secretary of the General People's Committee for Foreign Liaisons and International Cooperation of the Libyan Arab Jamahiriya, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Israel; Ms. Lydie Polfer, Vice-Prime Minister and Minister for Foreign Affairs of Luxembourg;

(m) At the 22nd meeting, on 29 March 2001: Mr. Pierre-Henri Imbert, Director-General of Human Rights of the Council of Europe; Mr. Eugène Nindorera, Minister of Human Rights, Institutional Reforms and Relations with the National Assembly of Burundi;

(n) At the 25th meeting, on 30 March 2001: Mr. Moritz Leuenberger, President of the Swiss Confederation; Mr. Kofi Annan, Secretary-General of the United Nations; Mr. Jacques Chirac, President of the French Republic; Mr. Vojislav Kostunica, President of the Federal Republic of Yugoslavia; Mr. Joseph Kabila, President of the Democratic Republic of the Congo; Mr. Mircea Geoana, Minister for Foreign Affairs of Romania; Mr. Nabeel Shaath, Minister of Planning and International Cooperation in the Palestinian National Authority; Mr. János Martonyi, Minister for Foreign Affairs of Hungary; Mr. Mucyo Jean de Dieu, Minister of Justice and Institutional Relations of Rwanda;

(o) At the 28th meeting, on 2 April 2001: Mr. Surakiart Sathirathai, Minister for Foreign Affairs of Thailand; Mr. Ali Mohamed Al-Anisi, Chairperson of the Presidential Office, Vice-President of the Supreme National Committee for Human Rights of Yemen; Mr. Ali Mohamed Yassin Osman, Minister of Justice of the Sudan; Mr. Abdelouahed Belkeziz, Secretary-General of the Organization of the Islamic Conference, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Israel;

(p) At the 32nd meeting, on 3 April 2001: Mr. Friis A. Petersen, Permanent Secretary, Ministry of Foreign Affairs of Denmark;

(q) At the 36th meeting, on 4 April 2001: Mr. Rodolphe Adada, Minister for Foreign Affairs of the Republic of the Congo;

(r) At the 39th meeting, on 5 April 2001: Mr. Vladimir Kalamenov, Special Representative of the President of the Russian Federation on the Protection of Human and Civil Rights in the Chechen Republic;

(s) At the 40th meeting, on 5 April 2001: Mr. Ugo Intini, Deputy Minister for Foreign Affairs of Italy; Mr. Jozias van Aartsen, Minister for Foreign Affairs of the Netherlands;

(t) At the 42nd meeting, on 6 April 2001: Mr. Cándido Muatetema Rivas, Prime Minister of Equatorial Guinea;

(u) At the 44th meeting, on 9 April 2001: Mr. Joseph Philippe Antonio, Minister for Foreign Affairs of Haiti;

(v) At the 47th meeting, on 10 April 2001: Mr. Boris Trajkovski, President of the former Yugoslav Republic of Macedonia. At the 48th meeting, on the same day, a statement in

exercise of the equivalent of the right of reply was made by the observer for Albania in connection with the statement made by Mr. Trajkovski; Mr. Víctor Hugo Godoy, Secretary of State for Human Rights of Guatemala;

(w) At the 50th meeting, on 11 April 2001: Mr. Peter Piot, Executive Director of the Joint United Nations Programme on HIV/AIDS (UNAIDS);

(x) At the 54th meeting, on 12 April 2001: Mr. Said Al-Sahaf, Minister for Foreign Affairs of Iraq. At the 55th meeting, on the same day, statements in exercise of the right of reply were made by the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America in connection with the statement made by Mr. Al-Sahaf, followed by a statement in exercise of the equivalent of the right of reply was made by the observer for Iraq;

(y) At the 59th meeting, on 17 April 2001: Mr. Tatoul Margarian, Deputy Minister for Foreign Affairs of Armenia, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Azerbaijan, followed by a statement in exercise of the equivalent of the right of reply by the observer for Armenia;

(z) At the 64th meeting, on 19 April 2001: Ms. Jeannette Dethoua, High Commissioner for Human Rights of the Central African Republic.

H. Organization of the work of the fifty-seventh session of the Commission

[To be finalized upon completion of the session]

I. Concluding remarks

[To be finalized upon completion of the session]

Chairperson's statement

... During the consideration of agenda item 3, the Chairperson made a statement, the text of which reads as follows:

“Situation of human rights in Colombia

“1. The Commission on Human Rights takes note of the willingness of the Government of Colombia to allow the Office of the High Commissioner for Human Rights in Colombia to carry out its mandate and conduct its activities without any

impediments. It also notes the obstacles which the Office has experienced in maintaining a fluid and effective dialogue with the Government on a constant and uniform basis, as well as the commitment of the Government to intensify this dialogue and work together with the Office, granting it all the necessary security guarantees. The Commission urges the Government to further strengthen its efforts actively to cooperate with the Office to realize the full potential of its mandate. It welcomes the analytical report of the High Commissioner for Human Rights on the situation of human rights in Colombia (E/CN.4/2001/15) and takes note of a document containing the observations of the Government of Colombia on that report (E/CN.4/2001/139).

“2. The Commission firmly supports the agreement between the Government of Colombia and the High Commissioner for Human Rights to extend the mandate of the permanent Office in Bogotá until April 2002. The Commission continues to consider that the Office, which is mandated to promote and protect human rights and observe violations of human rights in the country, as well as to assist the Colombian authorities in developing policies and programmes, plays a vital role in the work against ongoing violations of human rights and international humanitarian law in Colombia. It reaffirms its belief that a wider presence of the Office is of utmost importance in this work and encourages the opening of field offices in Colombia.

“3. Though progress in certain areas is to be acknowledged, the Commission strongly believes that the Government of Colombia has to take further and more effective measures to follow up and fully implement the recommendations of the Office. The Commission urges the Government to undertake decisive steps to ensure the fulfilment of these recommendations. The Commission believes that further cooperation with United Nations human rights mechanisms continues to be a valuable support in the Government’s efforts to promote and protect human rights in the country.

“4. The Commission expresses its strong support for the peace process in Colombia and notes progress in the negotiations with the Revolutionary Armed Forces of Columbia (FARC) and the National Liberation Army (ELN). The Commission further expresses its support for the efforts made to turn the peace process into a State policy. The Commission welcomes the parties’ decision to involve the international community more directly in the negotiations and greatly encourages further efforts to ensure the active involvement of the civil society in the peace process. The Commission reiterates

its deep concern about the lack of a permanent ceasefire and about the grave and persistent abuses of international humanitarian law, mainly by “paramilitaries” (also known as “self-defence groups” or *autodefensas*) and guerrillas, which obstruct progress in the peace process. It calls upon all parties to respect international humanitarian law and, in particular, to protect the civilian population.

“5. Considering that respect for human rights and the observance of international humanitarian law plays a key role in the process towards a sustainable peace, the Commission calls on the parties to the conflict to reach, as a priority, a comprehensive human rights and humanitarian agreement, faithfully reflecting all provisions of applicable law, including an independent mechanism of verification, as well as to address the question of how victims of the violations of human rights and international humanitarian law can be acknowledged. The Commission notes that the Government of Colombia, through its Office of the High Commissioner for Peace, has stated that it is willing to discuss specific terms of the proposal for such an agreement with the Office of the High Commissioner for Human Rights in Colombia in order to make an independent evaluation of its relevance, timing and effectiveness, in the context of the dialogue with the insurgent groups.

“6. The Commission strongly deplores the persistence of serious and frequent violations of human rights and of international humanitarian law. In particular, it condemns in unequivocal terms the serious, massive and systematic abuses and grave breaches of international humanitarian law perpetrated by paramilitary and guerrilla groups. The Commission is deeply concerned that these violations and abuses have led to a further deterioration of the human rights and humanitarian situation in Colombia. It further condemns all attacks on objects serving a medical purpose, including threats directed at medical personnel, control of health facilities and attacks on ambulance vehicles.

“7. The Commission also strongly deplores the persistence of impunity in Colombia, especially in regard to human rights violations, and the alleged links between military and paramilitaries, which are a fundamental obstacle to the observance and implementation of human rights and international humanitarian law in the country. In this context, it notes the Standing Inter-sectoral Commission for the Coordination and Follow-up of National Human Rights and International Humanitarian Law Policy as well

as the Presidential Programme for the Promotion, Respect and Guarantee of Human Rights and of the Application of International Humanitarian Law. The Commission calls upon the Government of Colombia to effectively follow up these initiatives in order to define and implement actions aimed at resolving the serious situation of impunity.

“8. The Commission notes Law 589 criminalizing forced disappearances, genocide, forced displacement and torture, as well as the Presidential Order of August 2000 instructing all the military tribunals to comply fully with the Constitutional Court ruling regarding the exclusion of their jurisdiction over conduct related to genocide, torture and enforced disappearances and other related violations of human rights. In this context, the Commission underlines that it is important that cases of violation of human rights or infringements of international humanitarian law are tried by civilian courts and that the provisions of the new Military Code and the new Ordinary Criminal Code are interpreted and applied in conformity with the relevant international standards and with the clear criteria established by the decisions of the Colombian Constitutional Court. The Commission urges the Government of Colombia to take further effective measures to address the problem of impunity and takes note of the expressed will of the Government of Colombia to ratify the Rome Statute of the International Criminal Court.

“9. The Commission takes note of improvements in the human rights performance of the armed forces but remains concerned at continued reports of human rights violations attributed to the armed and security forces. While the Commission notes the legal mechanisms which have led to the dismissal of military personnel in a discretionary manner, it urges the Government of Colombia to further ensure that the members of State forces against whom credible allegations exist are suspended, whilst speedy investigations are undertaken in order to bring those responsible to civilian justice.

“10. The Commission strongly condemns all acts of terrorism and all breaches of international humanitarian law committed by the guerrilla groups, particularly killings and attacks on the civilian population. In this context the Commission also strongly condemns continued systematic kidnapping, especially abhorrent when directed at children. It remains deeply concerned at the continued use of child soldiers and anti-personnel landmines, as well as other non-conventional explosive devices, by the guerrillas. The Commission condemns the continued mass abductions and destruction of power lines by the ELN. It also condemns the killing of civilians, even in the

demilitarized zone created as the legitimate scene for the negotiations, as well as the continuing kidnapping by the FARC. It calls upon the guerrilla groups to respect international humanitarian law and to engage effectively in serious and concrete peace talks with the Government of Colombia and to agree upon a comprehensive human rights and humanitarian agreement in order to pave the way to a complete ceasefire and as a first step towards a peace agreement.

“11. The Commission remains deeply concerned about the continuing grave abuses of human rights and breaches of international humanitarian law committed by the paramilitary groups, including murder and massacres. The Commission is also deeply concerned at reports involving members of State forces who collaborate with paramilitary groups and consent to or acquiesce in criminal acts such as killings of civilians. The Commission urges the Government of Colombia to take more effective steps to combat and suppress paramilitary groups and to step up actions against the economic networks which support them, as well as to intensify political, administrative, judicial and other appropriate measures with respect to official bodies, members of the armed forces and individuals suspected of supporting paramilitary groups. In this context, the Commission in particular urges the Government of Colombia to take prompt and effective measures after receiving “early warnings” in order to save lives and prevent crimes from being committed. The Commission is encouraged by the creation of a National Coordination Centre set up to coordinate all State activities to combat the paramilitaries in all their forms and calls upon the Government of Colombia to make sure that these and other related measures are effectively implemented and to ensure that those responsible are brought to civilian justice.

“12. The Commission takes note of the announcement of the Six-Point Plan put forward by the Government of Colombia in January 2001 to tackle paramilitary groups. Concrete action is now required. The Commission will closely monitor the Plan’s implementation by the Colombian authorities.

“13. The Commission welcomes the signature by the Government of Colombia of the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography, as well as the ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their

Destruction (2000), and encourages the Government to ratify the two Optional Protocols and implement them as soon as possible. The Commission also encourages the Government of Colombia to recognize the competence of the committees established under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, as well as to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

“14. The Commission welcomes the invitation by the Government of Colombia to the Special Rapporteur on extrajudicial, summary and arbitrary executions and the Working Group on Enforced or Involuntary Disappearances and that it will invite the Special Rapporteur on freedom of opinion and expression and the Special Representative of the Secretary-General on human rights defenders to visit the country this year. The Commission looks forward to their reports.

“15. The Commission strongly condemns the persistent and dramatically increasing attacks against human rights defenders, as well as trade unionists, persons working within the justice system, journalists, academics, students, professors and others exercising their freedom of expression, thus closing legitimate channels for democratic participation. The Commission acknowledges that the Government of Colombia has taken measures to address the problem, such as the Special Protection Programme for Witnesses and Threatened Persons under the Ministry of the Interior. However, the Commission remains seriously concerned about the slow pace of judicial investigations into crimes against human rights defenders and about the limitations of administrative, security and financial resources to protect those social and human rights defenders who find themselves at risk. In this context, the Commission welcomes the Government’s determination to continue its close cooperation with the Special Representative of the Director-General of the International Labour Organization for cooperation with Colombia.

“16. The Commission urges the Government of Colombia promptly to take all the necessary measures to implement effectively programme and policies, with the support of the Office of the High Commissioner for Human Rights, including to make further progress in the implementation of a National Action Plan, to tackle impunity and, in

particular, to address concerns related to the safety of groups in need of special protection, such as human rights defenders and trade unionists.

“17. The Commission strongly condemns all threats, attacks and killings of candidates in local elections and others involved in peaceful political activities by guerrillas and paramilitary groups. It calls upon all parties to respect those exercising their political rights. The Commission notes with appreciation the significant institutional effort of the Colombian State and Government in successfully holding local elections in October 2000, which proves once again the unfailing commitment to adhere to democratic rule.

“18. The Commission notes with concern the concluding observations (CRC/C/15/Add.137) of the Committee on the Rights of the Child stating, *inter alia*, that the general climate of violence in Colombia is not only negatively affecting the implementation of the Convention but has also led to systematic violations of the rights of the child. It welcomes the prohibition of recruitment of children under the age of 18 into the armed forces. The Commission firmly condemns the forcible recruitment of a large number of children into paramilitary and guerrilla groups. The Commission encourages the Government of Colombia to follow up on the recommendations made by the Committee.

“19. The Commission deplores attacks against indigenous and Afro-Colombian communities and exhorts all actors to respect the special cultural status of minorities. It calls upon the Government of Colombia to take urgent effective steps for the improvement of the legal and physical protection of the affected groups and to develop and implement programmes that effectively address the specific needs of these exposed communities in accordance with the recommendations of the Committee on the Elimination of Racial Discrimination.

“20. The Commission takes note of the acknowledgement by the Government of Colombia of its responsibility to address the situation of the internally displaced and of the progress made in creating the relevant legal and institutional frameworks. The Commission, however, remains deeply concerned about the deterioration of the situation of internally displaced persons in Colombia and the increase in their numbers. The Commission calls upon the Government of Colombia to urgently and effectively implement additional strategies, based on the recommendations made by the

Representative of the Secretary-General on internally displaced persons after the follow-up mission to Colombia in 1999, designed to protect internally displaced persons, in particular children, and to ensure their safe return. In this regard it encourages further cooperation and coordination between the Colombian authorities, international bodies, especially UNHCR and ICRC, and NGOs. It encourages the Government of Colombia to continue to seek effective means to eradicate the causes of displacement, assuring further concrete results, including bringing those responsible for causing displacement to justice. The Commission calls upon the Government of Colombia to implement preventive measures, including an effective system of early warning.

“21. The Commission is also concerned over the poor prison conditions and at reports of abuses of the detainees’ human rights and requests the Office of the High Commissioner for Human Rights in Colombia to follow this situation with a view to providing advice and cooperation to the Colombian authorities. It welcomes the visits carried out by international humanitarian organizations and emphasizes the importance of allowing them access to all detainees. It encourages the Government of Colombia to proceed with the reform of the *Código penitenciario y carcelario*. It calls upon the Government to adopt measures to fulfil international standards regarding prisoners and to protect the human rights of all detainees.

“22. The Commission requests the High Commissioner for Human Rights to submit to it at its next session a detailed report containing an analysis by her Office of the situation of human rights in Colombia in accordance with the agreement between the Government of Colombia and the Office of the United Nations High Commissioner for Human Rights on the operation of the permanent Office in Bogotá.”
