



## Public Statement Regarding President Álvaro Uribe's Proposal to Create Young Student Informants' Networks

Bogotá, January 27, 2010

The Coalition against the involvement of boys, girls and youth to the armed conflict in Colombia (Coalico in Spanish) expresses publicly its rejection of the proposal presented by President Alvaro Uribe Velez to create networks of informants made up of young students in order to improve the security situation in several regions of the country.

Since Tuesday, January 26, the President has made several statements regarding his "decision to (...) engage, through the State Security Forces, one thousand young Medellin students as informants to fight homicide. Each of these young persons will receive a monthly bonus of one hundred thousand pesos."<sup>1</sup> He has also expressed his intention to extend this measure to other regions.

The use of boys, girls, and, particularly in this case, young people in intelligence activities is a way of involving the civilian population in the armed conflict, violating the Colombian State's obligations with regard to international humanitarian law, especially the principle of distinction, as well as other human rights obligations.

Furthermore, it is regrettable that this proposal affects, once again, a population already hard hit by the conflict. Colombian youths have been victims of forced disappearances, extrajudicial executions, as well as social control of their identities as young people and of their means of political and creative expression. A population in this situation, and also affected by high levels of unemployment, is vulnerable to being drawn into a policy that puts them at additional risk and that militarizes society.

Another source of concern to Colombia Coalition is that through this action the way would be paved for the legalization of the use of boys, girls, and youths by the State Security Forces in intelligence activities, a practice that has been systematically condemned and rejected by non-governmental organizations, the United Nations System, and international cooperation<sup>2</sup>.

### Violation of the principle of distinction

This proposal comes in addition to other programs promoted by the Government in the past, such as that of Peasant Soldiers and the Informant's Network, which disregard the principle of distinction between combatants and non-combatants<sup>3</sup> established in the norms of international humanitarian law.

In addition to creating informants' networks with young people, not only in Medellin but also in various areas of the country, the proposal revives the controversy about the way in which the burdens that are the State's own and are not to be

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<sup>1</sup> Declaration by President Álvaro Uribe Vélez, January 26, 2010. See at <http://web.presidencia.gov.co/sp/2010/enero/26/13262010.html>

<sup>2</sup> This was corroborated by reports from the Office in Colombia of the United Nations High Commissioner beginning in 1998 until today, the declarations of the Secretary General in his reports for 2007 and 2008, and the First Country Report to the Security Council in application of Resolution 1612, in which he highlights his concern regarding the fact that "the Government's armed forces have used children for intelligence purposes in spite of the official Government policy against it." Report of the Secretary General to the Security Council. United Nations Document A/62/609-S/2007/757, December 21, 2007, Par. 114.

<sup>3</sup> The principle of distinction is recognized in Article 51 of Additional Protocol I of the Geneva Conventions of 1949, and is also considered a *jus cogens* norm. This article stipulates that the civilian population must be protected against all dangers involved in military operations and establishes the obligation to distinguish combatants from all civilians who are not part of any of the armed groups in contention, of persons out of combat, and of those not participating directly in the hostilities.



delegated, such as the obligation to guarantee security, are transferred to the citizens.

The Colombia Coalition insists that it is inconvenient and dangerous to use students as informants because it is a program that openly violates the principle of distinction. Also, an excessively broad approach to setting up these types of networks can lead to the adoption or strengthening of measures that promote the cooperation of the population with the authorities in tasks related to communications and intelligence. Considering the history of the Colombian armed conflict, the adoption of such measures would not only draw the civilian population into the conflict but could also lead to the creation of new forms of paramilitarism.

### **The risk of engaging minors in tasks of the State Security Forces**

The invitation to young students to participate in tasks that are part of the State Security Forces' mandate is not the only concern. It is also a source of worry that there might be minors among the students. Thus, although the government has put conditions on the matter, the Colombia Coalition highlights the importance of guaranteeing that no boy, girl, adolescent or youth will be drawn into the armed conflict through the role of informant; because in case persons who have not yet reached majority age were to become involved in such functions, it would constitute a violation of international norms that prohibit the use of persons under 18 years of age in the State Security Forces<sup>4</sup>.

Thus, the measure proposed by the President of the Republic not only violates the principle of distinction but ignores the recommendations made by the Secretary General of the United Nations, who in his first report on the situation of girls, boys, and adolescents in the framework of the Colombian armed conflict, issued in August 2009, "urges the Government to guarantee that the State Security Forces of Colombia respect fully the prohibition to use children for purposes of military intelligence and to interrogate children disengaged from the armed illegal groups."<sup>5</sup>

In view of the above, the Colombia Coalition

1. Calls on the National Government, headed by the President of the Republic, to reconsider the measure announced to counter violence due to the need to improve security in the city of Medellín, which undermines constitutional, legal, national, and international guarantees for the civilian population in the midst of an armed conflict such as the one affecting the country and of which Medellín is one of the areas most seriously impacted and at risk.
2. Exhorts the National Government, headed by the President of the Republic, to take into account the direct or collateral effects produced by decisions such as that of forming student informants' groups when taking measures to counter the effects of a phenomenon such as the rise of homicides that took place in Medellín in 2009.
3. Reminds the Colombian State of its obligation regarding the rights of boys, girls, and young people in Medellín and in the

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<sup>4</sup> In case of involvement of any person under 18 years of age, we would be witnessing a measure that disregards also the Colombian legal system, particularly Law 1098 of 2006, through which was issued the Code of Childhood and Adolescence, whose Article 41, Number 29 establishes that the State shall "ensure that children (girls and boys) are not exposed to any kind of economic exploitation or mendicity, and to abstain from using them in military activities, psychological operations, civilian-military campaigns, and such." In the same sense, Permanent Directive No. 048 of February 28, 2008, issued by the Ministry of National Defense, General Headquarters of the Armed Forces of Colombia, orders to "ensure compliance of the norms relative to the prohibition of using boys, girls, and adolescents, including those disengaged or captured from the illegal armed groups, in intelligence, operational, or other activities such as patrolling carried out by the Armed Forces, and considering that non-compliance will be sanctioned with removal from office without restriction of appropriate legal actions."

<sup>5</sup> The report is available at: <http://www.coalico.org/archivo/ILR1612es.pdf>. See Paragraph 82



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Coalición contra la vinculación de niños, niñas  
y jóvenes al conflicto armado en Colombia

rest of the country, based on the prevalence of the Overriding Interest of the Child.

4. Calls on the Special Country Taskforce, constituted in the framework of the implementation of Resolution 1612 of 2005, issued by the United Nations Security Council in Colombia, to carry out permanent monitoring of this situation, in particular to ensure that no boy, girl, or adolescent is affected by this measure.

5. Finally, and once again, we remind the Colombian State of its obligation to protect, guarantee, and promote the rights of children and young people, with special emphasis on the obligation to take the necessary steps to prevent and not promote the involvement of boys, girls, and youths, as well as civil society in general, in the armed conflict, in accordance with the fundamental norms of International Humanitarian Law and human rights.

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The Coalition Against the Use of Boys, Girls, and Young People in the Armed Conflict in Colombia (Coalico) is a platform made up of 12 national and foreign organizations:

- Acción colectiva de objetores y objetoras de conciencia, Acooc.
- Benposta Nación de Muchachos.
- Corporación Paz y Democracia.
- Corporación Vínculos.
- Defensa de los niños internacional –DNI–, Colombia.
- Fundación Creciendo Unidos.
- Fundación para la Educación y el Desarrollo, Fedes.
- Justapaz.
- Jesuit Refugee Service
- Taller de Vida.
- Terre des Hommes, Holland
- War Child, Holanda.

For further information, visit: [www.coalico.org](http://www.coalico.org)