



Colombia: The eyes of the international bodies are set on Colombia because of the use and recruitment of boys and girls

Bogotá, February 12, 2009

A year ago, the United Nations Security Council carried out its yearly debate on children and armed conflict, during which the United Nations Secretary General, Mr. Ban Ki-Moon, revealed to the world the continuation of the recruitment of children in different conflict settings, Colombia among them.

In that report, the Secretary General expressed his concern regarding the high number of boys, girls, and youths who are systematically used and recruited by the guerrilla and the paramilitary groups in Colombia, the gravity of failing to return the boys and girls in the ranks of the paramilitaries during the collective demobilization, and the risks generated by the Colombian security forces through their use of schools as camps, the use of boys and girls as informants, and the promotion of civic-military campaigns in conflict zones.

A year after the report was issued, the situation persists and tends to worsen, and no significant progress has been observed in order to guarantee that boys, girls, and youths are not integrated into the Colombian armed conflict and that their right not to go to war is respected.

In the course of 2008, the Colombian Constitutional Court, in its Judicial Decree 251, pointed out that *“forced recruitment is one of the main causes of displacement in the country,”* and that *“the dimensions, the magnitude, and the territorial coverage of the criminal phenomenon of forced recruitment of minors have yet to be fully appreciated by the Colombian authorities or civil society.”*

This situation worsened when complaints became known about extrajudicial executions of boys and youths by members of the State security forces, carried out on the basis of “false recruitments” in the municipalities of Soacha, Department of Cundinamarca, and of Tolúviejo, Department of Sucre, with the aim of showing positive results in the counterinsurgency struggle.

The Colombian State faces a great challenge in confronting this situation. It has not yet finished assimilating the various conclusions of the Universal Periodic Review, in which the Human Rights Council recommended it adopt measures to prevent and punish all forms of recruitment of children into armed groups, and when it is facing two other evaluations of its compliance with international obligations on this subject before the Committee on the Rights of the Child and the United Nations Security Council in the framework of Resolution 1612.

Furthermore, the eyes of the International Criminal Court (ICC) are set on Colombia for its high rates of recruitment of children and the impunity surrounding this war crime. According to official figures, in October 2008 the General Prosecutor’s Office had registered 665 active cases and only two sentences; a figure which, when compared with the number of boys and girls involved in the ICBF program of separation from the conflict, a total of 3,199, is minimal. This topic becomes especially relevant if one takes into consideration the fact that in November of this year the seven-year reserve clause formulated by Colombia to the International Criminal Court Statute will cease to be effective. This opens the door for the ICC to make pronouncements regarding war crimes in Colombia, among them the recruitment of children.

In the same sense, the United Nations Security Council has sent a very clear message to countries like Colombia that have not complied with their obligation to punish and repair acts committed against boys and girls separated from the conflict, *“to put an end to the impunity surrounding the violations and abuses perpetrated against children in the armed conflict,”* otherwise international criminal bodies or mixed organs such as the ad-hoc tribunals could intervene.

The pressure on Colombia from international bodies to comply with international treaties and recommendations with regard to children and armed conflict seems to be bearing fruit, but not sufficiently.

- In December 2007 the inter-sector commission, made up of government agencies, was created to prevent the recruitment of children.
- At the beginning of 2008, the Human Rights Unit of the General Prosecutor’s Office named a special prosecutor for the crime of recruitment of boys and girls.
- In November 2008, the Colombian Constitutional Court - in the framework of monitoring its declaration, in Judicial Decree 251, of the unconstitutional state of affairs regarding displaced persons - ordered the creation of a special program for boys and girls at risk of displacement and recruitment, and the design of a pilot program in the Department of Putumayo for the prevention of recruitment of children into armed groups within six months.
- In January 2009, ICBF made public a campaign against impunity of the crime of illicit recruitment in the country.

In spite of the above, Colombia lacks a comprehensive policy regarding the prevention of recruitment of boys and girls. State authorities at the local and national level do not have the capacity to act in a rapid and appropriate manner in the face of risks of recruitment of boys and girls throughout the country’s territory, and the judicial authorities face serious structural and evidentiary difficulties in investigating the illicit recruitment of boys and girls.

This year the eyes of the world will be on Colombia, and especially on the boys, girls, and youths affected by the armed conflict, who expect answers to the situations they face as a result of the confrontation of the armed groups in the country.

Coalition against the recruitment of boys, girls, and youths in the Colombian armed conflict:

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