



Vice Presidency of the Republic
Inter-sectorial Commission for the Prevention of Recruitment
Ministry of Foreign Affairs

**STATEMENT BY
H.E. Mr. FRANCISCO SANTOS
VICE PRESIDENT OF THE REPUBLIC OF COLOMBIA
On the occasion of the Presentation of the United Nations Secretary
General's Report on Colombia on the question of children and armed
conflict**

**SECURITY COUNCIL WORKING GROUP ON CHILDREN AND ARMED
CONFLICT**

New York, 12 October 2009

Mr. President
Members of the Working Group
Madam Special Representative of the Secretary General for children and
armed conflicts
UNICEF Director of Emergency Operations

On behalf of the Colombian State, I would like to thank the President of the Working Group, the Ambassador of Mexico, Mr. Claude Heller for the invitation to participate in this meeting, convened within the framework of the implementation of the Monitoring and Reporting Mechanism provided for in Resolution 1612.

An objective that we all share, to which my Government attaches a fundamental priority, has brought us together in this meeting: strengthening the protection of children against the violations resulting from the violence generated by the remaining illegal armed groups in the country.

To achieve this purpose, it is essential to start with an objective diagnosis of the Colombian reality and a comprehensive understanding of the particular circumstances of violence that has swept through the country.

Colombia, as it is highlighted in the Report, is a democratic State built on the basis of a Social Rule of Law (*Estado Social de Derecho*), in which guaranteeing the respect and enjoyment of Human Rights is a main priority. Our country has the mechanisms for a wide and pluralistic participation under



which people of all political tendencies enjoy full guarantees to freely exercise their rights.

In Colombia there is no justification for violence with alleged political goals, nor there support for violence exercised under any guise. Our democracy gives us the political authority to say that the illegal armed groups FARC and ELN, funded by illegal drugs, are not insurgents fighting against oppression, but terrorists against freedom. As President Uribe said a few days ago in the General Assembly, violent groups cannot hide their criminal intent or feign ideological positions that are denied by their deeds, and that have no place in a democracy like Colombia's.

In order to confront the terrorist violence, we Colombians have supported since 2002 a series of policies implemented by the State, which have allowed to significantly reduce criminality all throughout the country, and have improved the conditions for security and protection for all persons, including children.

Among these, I want to highlight the Democratic Security Policy aimed at protecting the rights of Colombians and strengthening the rule of law and the democratic institutions that were previously under threat. The continuation of this policy, whose effectiveness is acknowledged by the international community, is a constant demand by Colombian society.

Another decisive process for the country in recent years has been the demobilization of more than 52 thousand members of illegal armed groups. In this manner, the self defense groups that used to exist have been collectively dismantled. In addition, thousands of members of the FARC and ELN have disarmed individually and have given themselves up voluntarily to the authorities. This process is taking place within the framework of a special piece of legislation for justice, peace and reparation for victims, and cannot be obstructed.

Colombia has structured institutions and makes enormous efforts to decisively advance the fulfillment of the rights of all its citizens. Furthermore, with this in mind, we do not hesitate in punishing those who from the State might commit individual acts that affect such rights.

This reality has been verified by the international community. Colombia has allowed both national and international scrutiny of all its actions. It maintains an open invitation to all international human rights representatives and mechanisms, both from the United Nations and from the Inter American



system. We voluntarily accepted the Human Rights Council Universal Periodic Review, and we welcomed most of its recommendations.

Mr. President:

Colombia expects that from the analyses conducted in this Working Group, constructive and applicable proposals and alternatives emerge that adapt to the national circumstances, which are clearly different from the other cases that have been examined here.

Taking into account this overall context, the Government values the recognition contained in the Report, regarding the actions and strategies led by the State, and the progress made in different fields that have had a positive impact on the protection of children. The Colombian State has assumed its primary responsibility for the protection of children that live in its territory, through the implementation of integral policies and the strengthening of the institutions that work in this field.

We have taken note of the challenges identified in relation to the six grave violations referred to in the Monitoring and Reporting Mechanism. The Report illustrates the difficulty posed in guaranteeing Human Rights in Colombia, by the activities of the illegal armed groups FARC and ELNm and it also includes references to other criminal gangs dedicated to drug trafficking.

I must open parentheses here to clarify that the criminal gangs described in the Report as “*new illegal armed groups*” neither have a military structure organization, nor do they have the capacity to control territory. They are solely motivated by drug trafficking and organized crime. In that regard, the Secretary General of the OAS has made statements through the work of its Support Mission that has accompanied Colombia in the monitoring of the disarmament, demobilization and reintegration processes. The Secretary General stated before the OAS Permanent Council that these groups “*have a criminal profile, and are closely (linked) to drug trafficking activities*”, making it clear that these gangs “*are not related at all to paramilitary activities, which have disappeared from the Colombian scene*”.

Being outside the scope of the mechanism of Resolution 1612, the issue on these gangs is not, of course, an item that should be discussed in this Working Group. The transnational crime of drug trafficking is a global challenge for all countries including Colombia. Our State, in line with its



international commitments to combat drug trafficking, has acted decisively to confront the phenomenon of these criminal gangs with encouraging results.

As for the activities of the FARC and ELN, the Government acknowledges the way that the Report reflects how these illegal armed groups, through criminal activities, prevent children in Colombia from fully enjoying their rights.

These terrorist groups have deliberately turned their violent and criminal acts against children by committing the six grave violations monitored by the Mechanism. The Colombian State has pursued and will continue to pursue decisively those responsible for such violations. These criminals must be prosecuted with the full weight of the law, and they must be denounced and censured by the international community.

Mr. President:

Colombia understands that the work of the United Nations is inspired by a spirit of cooperation that will provide the Colombian State with opportunities to continue to consolidate its institutional capacities and efforts towards achieving the best for the welfare of children. With this understanding in mind, we voluntarily accepted the Mechanism provided for in Resolution 1612.

In this context of cooperation, we believe that the recommendations of this Working Group could make a significant contribution to consolidating a partnership between the Government and the United Nations to forcefully demand that the illegal armed groups cease their acts of violence against children, including their recruitment and use. Likewise, to strengthen the cooperation in the actions that the democratic institutions of Colombia are implementing to restore the security and protection of all Colombians, including children.

There is one issue to which I want to make a frank and direct reference. The modality of direct dialogue between United Nations representatives and non-State armed groups that have been considered elsewhere, cannot be transferred to our country without putting at risk the coherence and continuation of processes that constitutionally are under the direction of the National Government.

Therefore it is necessary that all initiatives proposed within the framework of the Mechanism contained in Resolution 1612, not only take



into account the context described above, but that they are properly channeled through the National authorities and with the prior and express consent of the Colombian Government, as provided for in the procedure agreed upon with the Special Representative of the Secretary General.

Colombia has demonstrated with verifiable fact the National Government's readiness to have a dialogue with illegal armed groups, in search for opportunities of reconciliation, but it has demanded that this dialogue takes place under a cessation of armed activities by these groups and with a genuine demonstration of their willingness to reach agreements. Unfortunately, these groups, as mentioned in the Report, persist in their violent actions and show no reliable signs of wanting reconciliation. As the Report also mentions, the illegal armed groups "*made*" commitments more than a decade ago not to recruit children but have shown no intention so far of fulfilling these commitments.

Under these conditions, the formulation of action plans that do not take into account the context of the Colombian reality could prove disappointing. It is not acceptable to the Government, or to Colombian society that has been subjected to the criminal actions of these groups, that a likely dialogue be used by the same groups, as in past opportunities, to prepare new attacks against the population and its legitimate institutions, to obtain some kind of political recognition to their actions, or to weaken the policies that are being implemented with great effectiveness.

Rather than considering procedures that seek to endorse such terrorist groups as political interlocutors, the Monitoring Mechanism must strengthen the international pressure that is already being exerted on them to cease their violent actions.

Lastly, the Colombian State wishes to reiterate its commitment to make every necessary effort to guarantee the full enjoyment of Human Rights to all the inhabitants in its territory, in particular, the rights of children.

Based on this constructive spirit, the Colombian State expects that in its conclusions, the Working Group expressly registers the need to continue working together with the Government to find, as noted by the President of the Working Group in his letter of invitation, effective solutions of cooperation that positively benefit the enjoyment and exercise of the rights of children in Colombia.

Thank you very much.