

- ♦ transfer the jurisdiction of the military courts with respect to human rights violations to civilian courts and ensure that investigations of such cases are carried out by the Office of the Attorney General and the Public Prosecutor;
- ♦ abolish the regional judicial system and ensure that all trials are conducted with full respect for the safeguards for a fair trial;
- ♦ allocate to the ordinary justice system the necessary human and material resources, ensure that judicial police functions are carried out exclusively by a civilian entity; ensure sufficient autonomy and resources to the provincial and departmental offices Office of the Attorney General to carry out prompt and effective investigations into alleged human rights violations; ensure that crimes falling under the jurisdiction of the Regional Justice System are clearly defined so as to avoid labelling acts which constitute a legitimate exercise of political dissent and social protest as "terrorism" or "rebellion"; ensure that defendants before regional courts enjoy full respect for their right to a fair trial; eliminate the severe restrictions in place in the regional system, including those affecting the right to habeas corpus; provide effective protection for all members of the judiciary and the Public Ministry from threats and attempts on their lives and physical integrity; carry out investigations into such threats and attempt to determine their origin, and open criminal and/or disciplinary proceedings as appropriate; and provide effective protection to persons giving testimony in proceedings involving human rights violations;
- ♦ take measures to ensure that the military justice system conforms with standards of independence, impartiality and competence as required by relevant international instruments; draw a clear distinction between those carrying out operational activities and personnel involved in the military judiciary who should not be part of the normal chain of command; ensure that military tribunals are composed of a corps of legally trained judges; remove the defence of obedience to superior orders in respect of crimes under international law; ensure involvement of the parte civil (claimant for criminal indemnification); and explicitly exclude the crimes of extrajudicial, summary or arbitrary execution, torture and enforced disappearance from military jurisdiction; and
- ♦ take stronger and more effective measures to protect the legitimate activities of lawyers and public officials who have dedicated themselves to defending human rights.

**Racism and racial discrimination, Special Rapporteur on:** ( E/CN.4/1998/79, para. 108)

The report recalls that the Special Rapporteur conducted a mission to Colombia in 1996 and notes that the govern-

ment had not yet indicated what actions it has taken to follow up on the observations and recommendations of the visit.

The Special Rapporteur's (SR) interim report to the 1998 General Assembly (A/53/269, paras. 34–35) notes that in December 1997 the government granted 700,000 hectares of land to 110 Afro-Colombian communities in the Antioquia and Choco regions. The SR welcomed this measure and urged the government to contribute to the implementation of projects initiated by such communities as the National Plan for the Development of Black Communities and the Project on Health Policies for Afro-Colombian Communities.

**Torture, Special Rapporteur on:** (E/CN.4/1998/38, paras. 51–82; E/CN.4/1998/38/Add.1, para. 79)

The main report provides narrative on the follow-up to the recommendations made by the Special Rapporteurs on torture and extrajudicial, summary or arbitrary executions subsequent to their visit to Colombia in 1994 (see summary under "Extrajudicial, summary or arbitrary execution").

The addendum refers to a 1995 case that was transmitted to the government in 1996 involving alleged torture by members of a paramilitary group. The government indicated that an investigation into this case had been opened and that the competent prosecutor had ordered the submission of evidence.

**Violence against women, Special Rapporteur on:** (E/CN.4/1998/54, Section II.D)

In the section dealing with custodial violence against women, the report refers to the case of two sisters who were arrested in November 1995 on charges of "conspiring to commit a crime" and of belonging to the Colombian Armed Revolutionary Forces. In February 1996, a human rights lawyer received an invitation from the paramilitary group, Colombia sin Guerilla, to the funeral of one of women. The report notes that the death threat was sent just before the appeals court ordered the release of the two sisters. It also states that there were numerous other instances of acquitted political prisoners being targeted by security or paramilitary forces.

## FIELD OPERATIONS

The headquarters of the OHCHR is located in Bogota. Ms. Almudena Mazarrasa, Directora, Edificio Corficaldas, Carrera 7, No. 74-56, Piso 11, Santafé de Bogotá, Colombia; Phone: (57-1) 313-4040/41-47; Fax: (57-1) 313-4050; e-mail: oacnudh@colnodo.apc.org. (There is an extended summary of the Office's activities above, in the section on the Commission on Human Rights.)

