

- ▶ take stringent measures to ensure protection of the rights of victims of "social cleansing";
- ▶ take the necessary steps to ensure that members of the armed forces and police accused of human rights violations are tried in civilian courts;
- ▶ transfer jurisdiction over human rights violations from military to civilian courts;
- ▶ withdraw proposed constitutional reforms aimed at suppressing time-limits on states of emergency and introducing a number of elements that reduces the ability of the civilian authorities to exercise their responsibilities under a state of emergency;
- ▶ take measures to ensure full legal and de facto equality for women, including with respect to their status within the family, and give priority to protecting women's right to life by taking effective measures against violence and ensuring access to safe contraception;
- ▶ to address the problem of overcrowding in the prisons, adopt alternative sentencing measures to allow some convicted persons to serve their sentences in the community;
- ▶ abolish the regional judicial system, including "faceless judges";
- ▶ adopt preventive and punitive measures to deal with all acts of child murder and assault and children caught up in the activities of guerrilla and paramilitary groups;
- ▶ establish inspection mechanisms aimed at the elimination of child labour;
- ▶ consider conferring Colombian nationality on stateless children born in Colombia; and,
- ▶ adopt further measures to ensure the rights of members of indigenous populations and the black minorities.

Optional Protocol: Signed: 21 December 1966; ratified: 29 October 1969.

Racial Discrimination

Signed: 23 March 1967; ratified: 2 September 1981.
Colombia's eighth periodic report was due 2 October 1996.

Discrimination against Women

Signed: 17 July 1980; ratified: 19 January 1982.
Colombia's fourth periodic report was due 18 February 1995.

Torture

Signed: 10 April 1985; ratified: 8 December 1987.
Colombia's third periodic report was due 6 January 1997.

Rights of the Child

Signed: 26 January 1990; ratified: 28 January 1991.
Colombia's second periodic report was due 26 February 1998.

Reservations and Declarations: Paragraphs 2 and 3 of article 38.

COMMISSION ON HUMAN RIGHTS

Report of the High Commissioner for Human Rights: (E/CN.4/1997/11)

The report concerns the negotiations with the government to establish an office of the High Commissioner for Human Rights in Colombia. The Annex to the report contains the text

of the agreement for the establishment of the office. This provides that the office will, *inter alia*: advise the executive branch of government on the overall formulation and implementation of human rights policies and may, in this context, advise the security forces; advise the legislative branch and ensure that all draft human rights legislation is consistent with international human rights instruments; advise representatives of civil society and individuals on matters related to the promotion and protection of human rights, including the use of international protection mechanisms; advise existing and future national institutions concerned with human rights, in particular the Office of the Procurator-General and the Office of the People's Advocate as well as the Office of the Public Prosecutor and members of the judiciary; advise state and non-governmental bodies on public education programmes and programmes for the training of law enforcement officials, lawyers and members of the judiciary; ensure that the recommendations and decisions of UN bodies are taken into account by government agencies with related duties and responsibilities and advise them of specific implementation measures; receive complaints on human rights violations and other abuses, including violations of humanitarian law applicable in armed conflict; promptly transmit complaints received to the competent national authorities to expedite action on them in accordance with domestic legal procedures; notify competent authorities when domestic legal procedures are not compatible with provisions of international instruments; keep confidential, when required, the identity of the person or persons making a complaint; recommend when necessary measures to protect authors of complaints as well as victims and witnesses to the act in question; not assume functions of inspection, investigation and judgement when considering complaints; refrain from issuing categorical statements identifying individuals or organizations as legally responsible for having committed the act of which they are accused; observe and maintain independent and impartial surveillance of the human rights situation; report to the government regularly on its concerns and assessments; confine public announcements to the form of reports and statements by the High Commissioner and the Director of the Office; and report exclusively to the High Commissioner for Human Rights on activities carried out within its mandate. Under the agreement, the High Commissioner will present public detailed analytical reports to the Commission on Human Rights on the activities of the Office and the human rights situation in Colombia.

Chairman's Statement: (E/CN.4/1997/L.10/Add.3, para. 18)

At the 1997 session, the CHR agreed to a Chairman's statement in which the Commission welcomed the opening of the permanent Office of the High Commissioner for Human Rights in Santa Fe de Bogota; expressed the hope that the office would begin its operational activities immediately; acknowledged the efforts of the government in the field of human rights and its willingness to cooperate with the Commission's special rapporteurs and working groups; expressed deep concern that the situation of endemic violence and the situation of internal armed conflict affecting many parts of the country had resulted in serious consequences for human