

crimes that have included executions, torture, homicide and disappearances.

On the issue of enforced displacement, the report notes that this continued to be one of the most serious consequences of the armed conflict, with some 180,000 people displaced every year. The report refers to the causes and effects of displacement, including that: enforced displacement is being used as a war strategy by the armed forces, police and paramilitary groups; following displacement, any land of strategic economic or military value is repopulated with supporters of the military or paramilitary forces, thereby creating security zones needed to control the land; the guerrillas provoke the displacement of inhabitants whom they consider hostile to their activities or who have infringed the rules of conduct imposed by the insurgent group in the areas under its control; and displacement has also occurred as a result of the convergence between the counter-insurgency strategy and the interests of certain economic sectors which support paramilitary groups with the aim of increasing their hold over natural resources and productive land. The report notes that: peasants have been robbed of their land by paramilitaries in the service of drug traffickers or local landowners, or have been forced to sell their land cheaply before leaving the region under death threats; the displacement of individuals continues to constitute a substantial part of the total number of displacements and, for the most part, involves peasants and social, trade-union and community leaders; these individuals have been forced to move with their families after receiving threats or being attacked or harassed; displacement does not end the persecution, with victims, including organizations of displaced persons, subsequently targeted by political violence in their new place of residence; and the displaced population also suffers from lack of access to basic health, food, housing and education services.

The report notes that a programme of voluntary return was not wholly successful since the security conditions in the areas had proven too unstable to allow a number of returnees to remain in their homes. The report notes that in light of the magnitude of the problem, the government has invited the UN High Commissioner for Refugees to study the possibility of opening a permanent office in Colombia.

With regard to members of minorities and indigenous peoples, the report notes that ethnic minorities in rural areas have been the targets of numerous attacks by all parties in the conflict and that a large number of indigenous communities have declared their neutrality and requested that none of the armed participants — including forces of state — involve them in their actions. Despite these declarations, the report notes that indigenous communities and individuals have continued to be victims of violations of human rights and international humanitarian law.

The report states that not all human rights violations take place in the context of the armed conflict. Because of the polarization of positions resulting from the conflict, per-

sons engaged in legitimate activities are seen as part of the conflict and are in a critical position precisely because of their activities. Thus, opposition political activists, social and trade-union leaders, human rights activists, state officials responsible for ensuring respect for human rights, and journalists have their fundamental rights violated.

The report notes that attacks on human rights activists increased markedly, with more than 20 members and leaders of various human rights organizations murdered in the past year. Others were victims of enforced disappearances or threats and harassment and were forced to move or go into exile. Compounding the problem is the fact that proceedings in regional courts have been initiated, on the basis of denunciations by state intelligence bodies, against human rights activists and lawyers representing individuals who were detained for political offences. Other victims have included persons from economically or socially marginalized sectors and violations have included the practice of extrajudicial executions of beggars, criminals, homosexuals, prostitutes and persons belonging to other impoverished or marginal segments of society, particularly street children. The information received related to such violations implicated members of the "Convivirs", the armed forces and police as perpetrators. The report also notes attacks on women and children that, in the case of violence against women, have included sexual assault in various forms. Women also continue to be victims of sexual discrimination, resulting in a deterioration of their basic human rights.

In commentary on the functioning of justice, the report refers to the problem of impunity, noting that the failure to investigate and try offences which constitute human rights violations and war crimes is one of the factors which has contributed the most to the continuation of many forms of behaviour violating the rights protected by the international instruments. Citing information from the October 1996 report of the Commission on Rationalization of Expenditure and Public Finance, the report notes that the level of impunity was at that time, and has generally remained, greater than 99.5 per cent. Other points noted in the commentary on impunity included that: the great majority of proceedings for human rights violations and war crimes — in which serving members of the armed forces and police appear as defendants — have to date come under the jurisdiction of the military criminal courts; an excessively broad interpretation of the sphere of military jurisdiction has meant that for many years it was assigned punishable acts which had no functional relation of any kind with the normal tasks of the armed forces; proceedings for crimes against humanity have been removed from the jurisdiction of the ordinary courts; military criminal justice in Colombia is harsh in the case of violations of police or military regulations, whereas in respect of offences against the civilian population it is affected by cover-ups, partiality and the pressuring of witnesses; active-duty officers try their own subordinates for human rights offences committed against civilians and consequently lack the necessary independence and impartiality to try