

Current elements of debate, discussion, and concern are noted as including, *inter alia*: the electoral process, culminating in June 1998 with the election of a new President, and the broad debate in society on the possibility of a peaceful outcome to the present armed conflict; threats and attacks against candidates during the October 1997 elections for new departmental and municipal authorities; the citizens' initiative known as the "Mandate for Peace", involving more than 400 organizations of civil society, which secured nearly 10 million votes for a peaceful settlement of the conflict and observance of the rules of international humanitarian law; adoption of a series of measures to promote conditions for the opening of a dialogue and the fact that the great majority of presidential candidates declared that they were committed to a policy of peace; indications from the Revolutionary Armed Force of Colombia (FARC) related to the need to develop a process of reconciliation; the response of the National Liberation Army (ELN) to the "Mandate for Peace", expressing its willingness to pursue talks on the movement's aims; the declaration of the paramilitary United Self-Defence Groups of Colombia of their intention to be involved in the process; and the fact that despite promises by parties to the conflict to observe and comply with the rules of international humanitarian law, there was an intensification of the conflict in 1997.

Addressing the conduct and activities of non-state actors, the report recalls that insurgent groups in Colombia can only be responsible for breaches of international humanitarian law and that when human rights violations occur within the context of the armed conflict, the Office takes into account the fact that they also constitute breaches of international humanitarian law. The report notes that complaints about the behaviour of groups of armed insurgents were received from state institutions, non-governmental organizations, private individuals, the armed forces and the national police. The statistics in the report are based on complaints received by the Office directly from government sources, NGOs, and public information available in the country. Seventy-six per cent of violent incidents are attributed to paramilitary groups, 18.6 per cent to guerrillas, and 4.4 per cent to the armed forces and police.

Consideration of civil and political rights includes summary commentary on the right to life and notes a number of points, including that: it was estimated that more than 3,341 people died in violent circumstances, including in massacres, between January and September 1997; violations have been attributed to the armed forces, paramilitary groups and the police; some actions causing these deaths were carried out jointly by military and paramilitary personnel; and violations against members of marginalized groups were still widespread, particularly with regard to ordinary criminals, homeless persons, drug addicts and prostitutes. The report notes that: the UN Special Rapporteur on summary or arbitrary execution sent 24 urgent appeals to the government concerning death threats from members of the armed forces, the police, paramilitary groups or individuals cooperating with them and requesting protection for human rights

activists, priests, trade unionists, municipal representatives and peasants' representatives; civilians were often being threatened by the combatants in the conflict, whether to get them to cooperate with one side or the other, or to dissuade them from doing so; death threats are generally a signal that there are going to be attempts on people's lives and, as a consequence, lead to forced departure and exile; reports indicated that in many cases paramilitary raids on the peasant population were preceded by the passage of army personnel, who recommended that the inhabitants leave the region; and, according to information received, guerrillas have been responsible for the deaths of soldiers and civilians. Commentary notes that guerrilla groups in some cases describe civilians, who are protected by international humanitarian law, as "military objectives", implying that civilians are legitimate targets; and allegations were received that guerrilla groups consider it justified and legitimate to make attempts on the lives of persons accused of being informers for the armed forces or police, or collaborators with the paramilitaries and, in the areas controlled by insurgents, they are said to be responsible for the deaths of ordinary criminals and drug addicts.

Consideration of the right to personal security includes brief narrative on, *inter alia*: enforced disappearances, noting that between 1994 and 1996 there were 1,012 reported cases of enforced disappearances and cases were variously attributed to paramilitary groups, the army, persons unknown and/or paramilitaries acting jointly with the armed forces or police; hostage-taking and abduction, noting the systematic practice of abduction by guerrilla groups for extortion through which to finance their activities, the resort by paramilitary groups to the practice, and the fact that some members of the armed forces and police have also been involved in the practice; and torture and ill-treatment. The report notes the statement by the People's Advocate that: torture statistics do not reflect the actual frequency with which this crime is committed, in part because many of the persons tortured only appear in the lists of victims of enforced disappearance or extrajudicial execution; while in state custody, many victims of torture had to declare in writing that they had been well treated; and many people did not report being tortured out of fear of being executed at a later date.

With regard to the freedoms of thought, expression, association and assembly, the report states that these freedoms are protected by the Constitution but are seriously jeopardized in practice and do not enjoy real safeguards for their free exercise. Commentary is provided on a number of concerns and aspects related to these freedoms, including, *inter alia*: the climate of terror resulting from death threats to trade unionists and associated interference with the conduct of trade-union activities; the fact that there is freedom of expression in the media, including strong criticism of the government, but also that journalists are exposed to all types of attacks in the course of their work, leading to a feeling of insecurity among journalists that results in "self-censorship"; abductions, murders, terrorist acts, attacks and disap-