

structure of the state. Title II of the Constitution contains five chapters and 85 articles relating to the protection, promotion and defence of human rights. These are: fundamental rights, social, economic and cultural rights, collective rights and the environment, the protection and application of rights, and duties and obligations. The Constitution contains a series of special guarantees for indigenous peoples and Afrocolombian and island communities. The competent authorities for the protection of rights include the Office of the Attorney-General and the Office of the People's Advocate.

The National Human Rights Commission was established in 1994 and is chaired by the Minister of the Interior. Since its creation the Commission has been concerned, in particular, with four main questions: peace, international humanitarian law, impunity and protection of human rights. The proposals put forward in the Commission have received a formal governmental response and progress has been made in the search for agreed formulas to build upon the consensus achieved, overcome disagreements and conclude the Commission's work.

Economic, Social and Cultural Rights

Signed: 21 December 1966; ratified: 29 October 1969.
Colombia's fourth periodic report is due 30 June 1999.

Civil and Political Rights

Signed: 21 December 1966; ratified: 29 October 1969.
Colombia's fifth periodic report is due 12 August 2000.

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

Second Optional Protocol: Acceded: 5 August 1997.

Racial Discrimination

Signed: 23 March 1967; ratified: 2 September 1981.
Colombia's eighth and ninth periodic reports (CERD/C/332/Add.1) were submitted as one document, which has not yet been scheduled for consideration by the Committee; the 10th periodic report is due 2 October 2000.

Discrimination against Women

Signed: 17 July 1980; ratified: 19 January 1982.
Colombia's fourth periodic report (CEDAW/C/COL/4) has been submitted and is scheduled for consideration at the Committee's January 1999 session; the fifth periodic report is due 18 February 1999.

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 (CRC/C/70/Add.5) has been submitted and is pending for consideration at the Committee's January 2001 session; the third periodic report is due 26 February 2003.
Reservations and Declarations: Paragraphs 2 and 3 of article 38.

COMMISSION ON HUMAN RIGHTS

Office of the High Commissioner for Human Rights

In the Chairman's statement adopted at its 1996 session, the Commission requested the High Commissioner for Human Rights to establish at the earliest possible date a permanent office in Colombia with a mandate to assist the authorities in the promotion and protection of human rights, to observe human rights violations in the country and to provide analytical reports to the High Commissioner be distributed as public documents at subsequent sessions of the Commission.

The report of the High Commissioner for Human Rights to the 1998 Commission (E/CN.4/1998/16) on the activities and findings of the Office in Bogota contains information on, *inter alia*: the constitutional system and international treaties ratified by Colombia; the context of violence and internal armed conflict; the situation in 1997 related to the electoral and peace processes; main violations of human rights and international humanitarian law; specific aspects of international humanitarian law; and economic, social, and cultural rights. Areas of particular concern related to human rights and international humanitarian law are outlined as well as follow-up by the government to international recommendations, and the activities of the OHCHR office in Bogota.

In setting the context, the report states that: the Office had enjoyed the cooperation of state and government institutions and had been able to conduct its activities without any impediment; violations of human rights and breaches of international humanitarian law take place within a broad and complex arena of political and social violence with roots in such historical factors as: peasants' campaigns in response to political, economic, social, and cultural exclusion; a long period of violence between the two traditional parties, the Liberals and the Conservatives; the emergence of a system of alternation and parity between these parties, effectively depriving other political sectors of any share in power; the emergence of a guerrilla movement partly within the context of the polarization and Cold War prevailing in the 1960s; the fact that the state involved groups of armed civilians in its counterinsurgency activities against rebellious movements; and the emergence of drug trafficking in the 1970s, leading to new forms of criminality and corruption.

Referring to the scale of violence in the country, the report notes that: Colombia has one of the highest homicide rates in the world; organizations of drugs dealers are a significant source of crime, including terrorist attacks and the planting of explosives in public places; such organizations appear to support paramilitary groups which sometimes act as private armies for drug cartels; and, the violence and escalation of the armed conflict have seriously damaged the economy, causing disinvestment, unemployment, a drop in the production of basic food-stuffs, marginalization and poverty.