



EMBASSY of COLOMBIA

W A S H I N G T O N

ACCOMPLISHMENTS IN CREATING A SECURE, PROSPEROUS COLOMBIA

President Uribe’s administration has devoted unprecedented resources and attention to addressing paramilitary violence, hostility towards union members and judicial impunity over the last six years. As a result, Colombia is now more stable, peaceful and prosperous than ever before. This document details the remarkable progress that President Uribe has made towards transitioning this once-troubled country into the thriving democracy it is today.

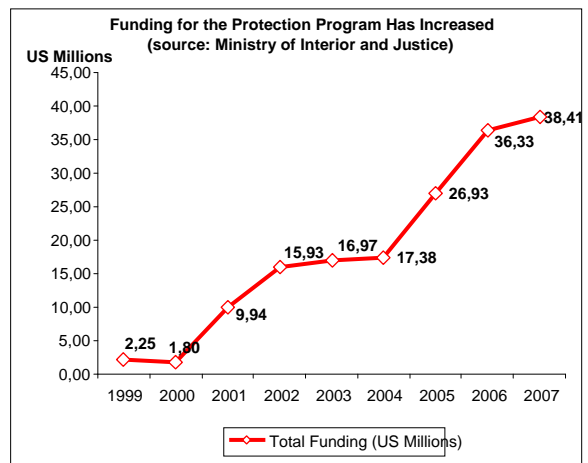
Concern: Level of violence/ Systemic, persistent violence against trade unionists

Vision

Alvaro Uribe’s 2002 Presidential Candidate Manifesto pledged “To **protect** everyone- the worker, the businessman, the peasant, the union worker, the journalist, the teacher – from all aggressors.”

Actions aimed at reducing violence

- General violence is fueled by drug money channeled to the illegally armed groups in Colombia. The **recovery of territory** by government forces and the implementation of the **Peace process** has resulted in the demobilization of over 40,000 men and women and has contributed to the reduction in violence in general. The confessions under the peace process have also provided important information relevant to the investigation of deaths of union members.
- The culture of **Social Dialogue** has been embraced and enhanced through the creation of new mechanisms and the renewal of others. An example is the Tripartite Agreement reached in the framework of the ILO where the three parties – workers, employers and government - work cooperatively for a single objective: to protect labor rights.
- **Unions participate in institutional mechanisms that address violence**, such as the Protection Program Risk Assessment Committee.
- In 1997 the government of Colombia established a “**Protection Program**,” to ensure the safety of vulnerable segments of the society. Funding for this program has increased by 141% between 2002 and 2007, and one of the largest single group of private citizens protected is union members at risk.



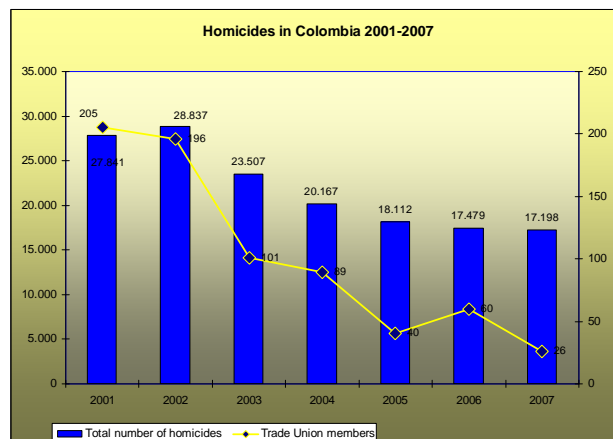


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- In addition, the government is putting significant resources toward **punishing those who commit acts of violence against union members.**
- Most importantly, there have been significant changes to Colombia's judicial system, from its inquisitorial closed-door system to an open, accusatorial system.

Concrete evidence of sustained results on the ground:

- Assassinations in Colombia have dropped by over 40% between 2002 and 2008. Due to the protection program and the creation of the special unit at the Prosecutor General's Office, the level of assassinations of union members has been reduced by over 80%.
- After 20 years, the United Nation's International Labor Organization (ILO) has removed Colombia from its labor watch list.
- The Government authorized an ILO office in Colombia in 2006 directed at implementation of the Tripartite Agreement.



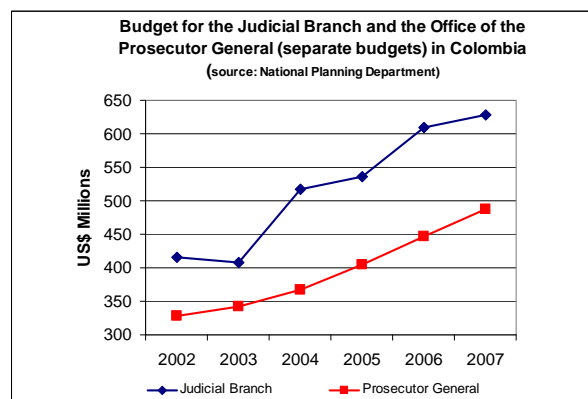
Concern: Impunity, including lack of investigations and prosecutions

Vision

*Alvaro Uribe's 2002 Presidential Candidate Manifesto outlined a strategy for "Reforming the judicial system to increase transparency and efficiency and to **combat impunity.**"*

Actions to fight impunity

- **Justice reform:** A Constitutional Reform that completely transformed the judicial system was proposed and approved in 2004. A new accusatory system is replacing the old inquisitory one. Full implementation will be completed in 2008, after over 4 years of training, preparation, and construction of infrastructure such as court rooms. This effort is being supported by the United States Department of Justice.



- Additional **resources for the judicial system**, including the Office of the Prosecutor General, have been assigned. The budget for the Judiciary has been increased by almost 50% since 2002. By the end of 2010 the increase will be 76%.





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- The Office of the Prosecutor General – which is independent from the executive branch – has created a **special subunit** within the Unit of Human Rights, to investigate and prosecute cases of violence against union members including 187 priority cases, as determined by the unions themselves.
- **Specialized judges have been assigned to hear cases of violence against union members exclusively.**

Accelerated Processing of Cases Involving Violence Towards Labor Unions:

- The judicial new system has drastically reduced processing time for cases. Processing time for homicides has dropped by 75%, and 90% for drug trafficking.

- In the cases that form part of ILO case 1787, 88 sentences have been issued between 2001 and February 20th, 2008. One hundred and fifty six individuals have been convicted, This represents an increase of over 500% compared with 2002, and an increase of 227% since the creation of the Subunit only 10 months ago.

Year	Sentences
2001	1
2002	6
2003	9
2004	8
2005	11
2006	11
2007	38
2008	4
Total	88

- The work-load of the new judges dedicated to cases of violence against union members depends on the speed at which the Office of the Prosecutor General makes the indictments. Since their creation in July of 2007, the judges have received 43 indictments, and have already processed 36 of them.
- With regard to the 187 prioritized cases in particular, the Office of the Prosecutor General reports that as of February 20th, 14 of these cases had been prosecuted, with 27 individuals sentenced for their crimes. 11 of these convictions were issued after the creation of the ILO Subunit, which indicates its positive impact.
- Information received from the demobilization process in the framework of the Justice and Peace Law has been crucial in solving some of these cases.

Concern: Paramilitary Violence

Vision

Alvaro Uribe's 2002 Presidential Candidate Manifesto stated the following objectives:

- Achieving **political and economic democracy** and establishing legitimate authority throughout the country.
- **Eliminating the power of violent groups**, so that Colombians could live peacefully and “enjoy with our families our highways, landscapes, and rivers.”





Actions

- Approval by the Congress of the **Justice and Peace Law**, after 2 years of discussion and consultation with civil society and the international community.
- Two and a half years of **implementation of a peace process** with the demobilization of 31,000 paramilitary combatants collectively, and 10,000 guerrilla members individually.
- The **OAS** established the **Mission to Support the Peace Process in Colombia** (MAPP/OEA) in February 2004.
- The Office of the **Prosecutor General** formed a specific **Justice and Peace Unit** in charge of investigating and processing the cases related to the Justice and Peace Law.
- **Recovery of state presence and control of the territory**, thereby controlling the actions of illegally armed groups that formerly committed acts of violence without control. By 2002, 168 Municipalities did not have permanent presence of the Police. Today every municipality across the country does.
- **Acting on the depositions** of the paramilitaries to identify mass graves and recover the victims.

Concrete evidence of sustained results on the ground:

GROUP	NUMBER OF CONVCTIONS
OFFICIAL FORCES	13
PARAMILITARIES	43
SUBVERSIVE GROUPS	6
UNION MEMBERS	1
CIVILIANS	1
COMMON CRIMINALS	15
UNDETERMINED	55

- There were 126,042 victims of paramilitary violence registered as of January 18th, 2008. They have come forward with additional information on the crimes committed, which reflects the confidence in the new system and in the Justice and Peace Law.
- As of January 23rd, 2008, 1,145 “free versions” or confessions have been made within the framework of the Justice and Peace Law. With these confessions, 1,022

mass graves have been identified, and 1,213 bodies have been recovered. Positive identification has been achieved for 454 persons, and 123 remains have been returned to their families.

