

COLOMBIA'S WAR ON CHILDREN



February 2004

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Watchlist on Children and Armed Conflict

122 East 42nd Street, 12th floor

New York, NY 10168-1289

Phone: 212.551.3111 - Fax: 212.551.3180

Email: watchlist@womenscommission.org

www.watchlist.org

| INDICATORS | COLOMBIA |
|---|---|
| Population | 43,700,000 total; 16,407,000 under age 18 (World Bank and UNICEF, 2002) |
| Voting Age | Age 18 |
| Gross National Income (GNI) per Capita | US\$1,830 (World Bank, 2003) Over 60% of population lives below the poverty line (Colombian National Department of Statistics) |
| Refugees and Internally Displaced Persons (IDPs) | Estimated 175,000 to 220,000 refugees Estimated 2.5 million IDPs, 48% to 55% under age 18 (USCR, UNHCR, CODHES, 2003) |
| Infant Mortality | 25/1,000 (UNICEF, 2003) |
| HIV/AIDS | Total: 140,000; women: 20,000; children: 4,000 .4% adult prevalence rate (UNAIDS, 2002) |
| Education | Net primary school enrollment ¹ : Male 88%, Female 88% (UNICEF, 1995–1999) |
| Gender-based Violence (GBV)² | Widespread and systematic GBV, including rape, in the context of the armed conflict and in domestic life |
| Landmines and Unexploded Ordnance (UXO) | At least 100,000 mines At least 96 mine-related child deaths in 2002 (Landmine Monitor Report, 2003) |
| Small Arms | Supply is plentiful; quantity estimates not available |
| Child Soldiers | Between 11,000 and 14,000 child soldiers. Guerrilla and paramilitary forces recruit, sometimes forcibly, and use children; government armed forces are known to use children as informants and for counterinsurgency propaganda activities. (Ombudsman’s Office, Human Rights Watch, Coalition to Stop the Use of Child Soldiers, 2003) |

| INTERNATIONAL STANDARDS | COLOMBIA |
|---|---|
| <p>Convention on the Rights of the Child (CRC)</p> <ul style="list-style-type: none"> • Optional Protocol on the Involvement of Children in Armed Conflict • Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | <p>Ratified, January 28, 1991</p> <p>Signed, September 6, 2000³</p> <p>Signed, September 6, 2000</p> |
| <p>Other Treaties Ratified</p> | <p>Geneva Conventions; International Covenant on Civil and Political Rights; International Covenant on Economic, Social, and Cultural Rights; International Convention on the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination against Women; Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; Refugee Convention and 1967 Protocol, Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction; Rome Statute of the International Criminal Court⁴</p> |

SUMMARY

Guerrilla groups, paramilitaries, government armed forces and national police all perpetrate violence and abuses against civilians, including children and adolescents. These are infractions of international humanitarian law and human rights, yet these crimes are often committed with a high level of impunity. Young people have been killed and maimed, victimized by sexual violence, lured and forced into the ranks of combatants, used as informants, marked as targets and driven from their homes. Young people have been devastated by the culture of crime and violence that has evolved in Colombia due to the nexus of armed conflict, illegal drug trafficking and proliferation of small arms.

- From October 1996 to September 1999, 49 children were extrajudicially **executed**, with four cases attributed to government employees, 24 to paramilitaries and 21 to guerrillas.

- During the same period, 14 young people were reported **tortured** and left alive and 38 children were **killed** in 11 massacres, along with adults. Paramilitaries were the reported killers of 15 of the child victims, and guerrillas of the remaining 23.

Violations of Children's Security and Rights:

(Sources cited below for this information are included in text and at end of report.)

- Estimated 175,000 to 220,000 **refugees** and 2.5 million **IDPs**, 48 to 55 percent are under 18 years old;
- At least 100,000 **landmines** in Colombia, causing at least 96 mine-related child deaths in 2002;
- Between 11,000 and 14,000 **child soldiers**; indigenous and Afro-Colombian children are often targeted for recruitment;
- Government armed forces, paramilitary and guerrilla groups have **blocked humanitarian supply shipments**, cutting children and their families off from healthcare, medicine, food and other necessary supplies;
- Estimated 3 million children aged 11 to 17 are **not in school**. Schools are used for military operations and as recruiting grounds;
- Rate of **rape** of adolescent girls is estimated as 2.5 per every 1,000 young women. Rape, sexual torture and other forms of sexual violence against women and girls are used as tactics to destabilize the population;
- Estimates range from 20,000 to 35,000 children forced into **commercial sexual work**;
- Average of 27.5 children **kidnapped** each month;
- Estimated 15,000 to 30,000 **street children** in Colombia in desperate and dangerous conditions, such as being targeted for "social cleansing";
- Approximately 4,000 children killed with **small arms** every year.

Selected Recommendations:

- **Guerrilla and Paramilitary** groups must end killings and maiming of children and all civilians, torture, mutilation of cadavers, sexual violence, death threats and intimidation and indiscriminate use of weapons.
- The **government of Colombia** must immediately halt all support or tolerance for paramilitary units, police and security forces carrying out atrocities against civilians, including cessation of all logistical and technical support.
- The **United Nations Security Council** should include the conflict in Colombia on the agenda of the Security Council as an urgent matter of international peace and security, based on its regional implications and its severe, life-threatening impact on children.
- **Donors** should fully fund the UN's Consolidated Appeal for Humanitarian Assistance in Colombia, with special attention to programs supporting children's security and rights.
- The **U.S. government** should redirect military funding related to the wars on drugs and terrorism in Colombia to programs that protect children, including those related to health, education, HIV/AIDS awareness and testing, landmine

awareness; and those for particularly vulnerable children, including street children and children forced into sex work.

CONTEXT⁵

Colombia's armed conflict is the longest-running conflict in the Americas and has grown increasingly savage. In 2002 alone, an estimated 5,000 to 6,000 civilians were killed in fighting, were targeted in political assassinations or "disappeared."⁶ By comparison, the death toll was 3,000 to 3,500 in the previous year. In 2001, 4,077 children suffered violent deaths, including political violence and common crime, according to the Colombian Ombudsman's Office (Ombudsman, Defensoría del Pueblo).⁷ Only 12 cases pertaining to the 4,077 deaths went to court, indicating an extremely high level of impunity. Most recently, the government has announced that the numbers of kidnappings, homicides and other politically motivated attacks between June 2002 and June 2003 have diminished, yet human rights groups have repudiated these figures.⁸

Guerrilla groups, paramilitaries, government armed forces and national police all perpetrate violence and abuses against civilians, including children and adolescents. Despite being infractions of international humanitarian law and human rights, these crimes are often committed with a high level of impunity.

History of Conflict

A period of fighting between the rival Liberal and Conservative parties in Colombia from 1948 to 1958, known as *La Violencia*, killed an estimated 200,000 to 300,000 people and displaced over 2 million people, mainly from rural to urban areas. This displacement and the related shift in landownership led to increased socioeconomic disparities. This time also saw the growth of the leftist rural movement, described by its leaders as a movement dedicated to fighting for the rights of downtrodden Colombians.

The current war began in 1964, when government forces launched a campaign to crush the leftist guerrilla movement, which later formalized itself as the Revolutionary Armed Forces of Colombia (FARC-EP, *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo*). By the time of FARC-EP's founding, armed conflict had become a fixture in Colombia's political culture.

The renewal of warfare in the 1960s opened a period that continues to the present day, marked by fighting in the countryside, several rounds of peace talks, the appearance and disappearance of guerrilla organizations and the rise of pro-government "paramilitary" organizations. The growth of the illegal drug industry in the 1980s provided a new source of income for the warring parties, allowing them to expand the intensity of combat.

The FARC-EP is now the largest armed group in the country, with approximately 18,000 members, according to the Council on Foreign Relations. FARC-EP operates in approximately half of the country, primarily in the plains at the base of the Andes and the jungles of the Southeast.⁹ A portion of FARC-EP's income is generated through "taxes" on drug operations in FARC-EP-controlled areas, drug production, drug trafficking and

through the use of extortion and kidnapping. Estimates of FARC-EP's drug-related income range from US\$100 million to US\$1 billion per year.

The second largest guerrilla group is the National Liberation Army (UC-ELN, *Union Camilista-Ejército de Liberación Nacional*). In recent years, UC-ELN has focused on disrupting Colombia's vast oil industry; relying heavily on extortion from kidnappings and oil companies for financing.

The growth of paramilitary groups has also increased violence levels. For decades, landowners had used private self-defense armies to protect themselves and their resources. In the 1980s, with increasing support from drug traffickers and the government, these private armies gained strength and became paramilitary groups used for combating the guerrillas. In 1997, many of these paramilitary groups became loosely affiliated under the umbrella organization United Self-Defense Forces of Colombia (AUC, *Autodefensas Unidas de Colombia*). Experts believe that more than 70 percent of the AUC is comprised of the group *Autodefensas Campesinas de Córdoba y Urabá* (ACCU). Other prominent paramilitary groups include the *Autodefensas Unidas del Sur del Casanare* (AUSC).

The size of the AUC has dramatically increased in the past four years, with estimates of its membership ranging from 8,000 to 15,000. This is mainly attributed to its deepening involvement in narco-trafficking. According to news reports, a review of AUC's activities commissioned by Colombian President Alvaro Uribe Vélez found that the AUC controls approximately 40 percent of Colombia's narco-trafficking industry and as much as 80 percent of AUC activities are supported by drug-related activities.

Since 1995, the paramilitaries have been responsible for the majority of violence and abuses against civilians. The UN Development Programme (UNDP) estimates that paramilitary groups are responsible for over 70 percent of all noncombat homicides, 84 percent of all forced disappearances and over 62 percent of all acts of torture (2003 National Development Report for Colombia).

The title of a 2001 Human Rights Watch (HRW) report, *The Sixth Division: Military-Paramilitary Ties and U.S. Policy in Colombia*, reiterates the degree of the government's tacit support for paramilitary organizations by using the common reference to the paramilitaries as the "sixth division" of Colombia's five-division army. HRW reports that Colombian army brigades and police work with and even profit from paramilitaries. While some government officials denounce paramilitaries and have made arrests, Colombia's government in general has not taken sufficient action to break the links between the army and paramilitaries. According to the UN High Commissioner for Human Rights (UNHCHR), the paramilitaries continue to enjoy the tolerance and complicity of public servants in various regions (E/CN.4/2003/13).

Paramilitary and guerrilla abuses against civilians are widely documented by UN agencies, nongovernmental organizations (NGOs), government bodies and others. They include killing of civilians; torture; mutilation of corpses; execution of patients in

hospitals, homes and on public buses; indiscriminate use of landmines; attacks with explosives, such as bombs rigged to dogs, mules, cars and bicycles ridden by children; forced displacement; arbitrary detention; systematic sexual violence; hostage-taking; looting; threats; harassment; intimidation; attacks on nonmilitary targets, such as ambulances; and other violations.

In another report, *War Without Quarter: Colombia and International Humanitarian Law* (1998), HRW documents continued violations by the military of the laws of war, with little willingness to investigate violations or punish those responsible. HRW concludes that the army's violations are rooted in the "consistent and profound failure or refusal to properly distinguish civilians from combatants."

Drug Trafficking, Youth Gangs and Armed Conflict

The growth of the illegal drug industry in the 1980s enriched the guerrilla and paramilitary forces, allowing them to step up the pace and scope of combat. Colombia's vast and powerful illegal drug industry supplies about 80 percent of the world's cocaine and a significant amount of heroin. Drug profits play a central role in maintaining a high level of violence in Colombia. Analysts have drawn comparisons between the role of diamonds in conflicts in Sierra Leone and Angola with that of drugs in Colombia.

In the 1980s, the drug trade spawned a corps of young men who saw their only hope for a future in working for drug lords. Other young men were pressured into linking up with drug traffickers, who were vying to consolidate power and influence. In the 1980s, these adolescents became known as *sicarios*, or hit men, and provided a pool of trained and armed manpower for drug traffickers and irregular armed groups. Today, young people involved in urban youth gangs are regularly co-opted by paramilitary groups. They are also pressured into associating with drug traffickers, guerrillas, urban militias, local police, the armed forces and others actors related to the political conflict and the drug trade. In some cases, they may be paid for their "services."

This situation is particularly stark in Medellín, which is considered the most violent city in the world with regard to the number of violent deaths per year relative to the size of its population. Medellín is home to approximately 400 gangs, involving an estimated 10,000 young people, according to Colombia Forum. In total, it is estimated that 40,000 young people between the ages of 14 and 25 have died violently in the past twenty years in Medellín. The combination of poverty, urban warfare, the armed conflict and illegal drug trafficking has devastated Medellín's young people and entire population, and caused growing "militarization" of the society.

United States Involvement

Colombia is currently the third largest recipient of military aid from the United States, according to the Washington Office on Latin America (WOLA). Since 1999, American assistance to Colombia has formally fallen under the auspices of Plan Colombia,¹⁰ which is described by government officials as dedicated to "promoting the [Colombian] peace process, combating the narcotics industry, reviving the economy and strengthening the pillars of a democratic society."

Plan Colombia has been widely criticized. Over 80 percent of U.S. aid under Plan Colombia goes directly to military and police assistance in spite of human rights abuses associated with the military and police forces and the Colombian military's well-documented ties with paramilitary groups. This is particularly relevant given that U.S. legislation prohibits U.S. military aid to any foreign military unit that has committed gross human rights abuses. In addition, Plan Colombia has been criticized for encouraging a military response to the conflict, rather than funding education, health care and other social infrastructures to support children.

In 2002, the United States shifted the goals of Plan Colombia to focus more exclusively on an integrated anti-terrorist, anti-narcotics campaign. Colombia has been a key front in the U.S. war on drugs for many years, and more recently in the war on terrorism. Continued U.S. military support for Colombia signals that the United States will continue to send aid, even to units implicated in abuses against civilians, as long as the Colombian government continues to cooperate with the U.S. anti-narcotics, anti-terror strategies.

Recent Peace Initiatives

In February 2002, a rocky four-year-long peace process between the Colombian government and the FARC-EP collapsed when the FARC-EP hijacked an airplane and kidnapped a senator aboard. In December of that year, the UC-ELN also broke off its negotiations with the government. President Uribe took office in August 2002, owing his popularity to a tough stand against the guerrilla groups. President Uribe has maintained popular support despite wide criticism for ongoing human rights abuses by the government. The FARC-EP and UC-ELN issued a joint communiqué in July 2003 rejecting any peace process with President Uribe's government. In December 2003, UC-ELN rejected a proposal by President Uribe to open peace talks.

Recently, some paramilitary groups have stated intentions to improve their public image in order to gain political legitimacy. In 2003, in the Santa Fe de Ralito agreement, the AUC agreed to demobilize up to 13,000 paramilitary fighters by 2005, along with a related amnesty provision. A current debate in Colombia's congress could expand the president's capacity to grant amnesty to encompass individuals who are already facing judicial proceedings for their alleged crimes. Another component of the amnesty provision would allow paramilitaries convicted of serious human rights abuses, including grave abuses against children, to make minimal token cash payments in lieu of serving prison sentences. Finally, under the agreement paramilitaries would remain armed, but be contained to "concentration zones" until a final peace accord is reached. With legislation pending, only small-scale disarmament has begun, including a ceremony in Medellín in November 2003 in which 856 members of AUC (Cacique Nutibara Bloc) handed in weapons.

These proposals have outraged many people, including UN bodies and prominent international human rights agencies, as well as some of President Uribe's most ardent supporters. The U.S. Office on Colombia notes that the amnesty provision does not address fundamental issues of justice, reparation and return of land. In addition, the

participating paramilitaries would not be required to turn in their weapons until 2005, which would prolong their de facto power to perpetrate abuses against children and other civilians. Additionally, these proposals stand in sharp contrast to President Uribe's proposals related to the guerrilla groups.

War on Children

The war in Colombia is a war on children. Young people have been lured and forced into the ranks of combatants, used as informants, marked as targets and driven from their homes. "In the context of the Colombian armed conflict, children and youth are constant victims of war crimes and crimes against humanity," concluded a local NGO network, the Coalition Against the Involvement of Boys, Girls and Youth to the Armed Conflict in Colombia (Coalición Colombiana, *La Coalición contra la vinculación de niños, niñas y jóvenes al conflicto armado en Colombia*) in June 2003.

The impact of the conflict on Colombian children varies among different segments of the population, such as those living in different regions, rural and indigenous, and Afro-Colombian and displaced children. For example, in large parts of rural Colombia and in many peripheral urban areas, the government does not provide healthcare, education, housing, sanitation, security or other basic services, according to the International Crisis Group's *Colombia's Humanitarian Crisis*. Moreover, in some areas under control of irregular armed groups, the government armed forces actually restrict the free circulation of medicines, foodstuffs and other basic provisions as part of a military strategy.

All parties to conflict are responsible for arbitrary killing and maiming of children. Children also suffer violent deaths as a result of the culture of crime and violence that has evolved in Colombia due to the nexus of armed conflict, illegal drug trafficking and proliferation of small arms. According to the Ombudsman, 49 children were extrajudicially executed, from October 1996 to September 1999, with four cases attributed to government employees, 24 to paramilitaries and 21 to guerrillas. During the same period, 14 young people were reported tortured and left alive and 38 children were killed in 11 massacres, along with adults. Paramilitaries were the reported killers of 15 of the child victims, and guerrillas of the remaining 23. Social cleansing operations against young people, generally aged 15 to 25, have resurfaced in 2003 (see details below).

According to UNICEF, approximately seven children are killed violently everyday. The following are examples of recent reports in 2003:

- An unnamed 8-year-old girl was killed on February 24 in Culebritas, Santander North department, by shots from an armed forces unit. The unit claimed to be targeting a guerrilla encampment, but community leaders said the target was the home of the community association's president, whose daughter was the victim (*El Tiempo*, February 25, 2003).
- In April, a 10-year-old boy was killed after being tricked into riding a bicycle loaded with explosives through a military checkpoint. The explosives may have been activated with a remote control. FARC-EP is implicated in this incident (Ombudsman's Office, No. 017, 5/12/03).

- The AUC were blamed for kidnapping and torturing three children in Medellín on August 16 to obtain information about armed organizations operating in their neighborhoods. Two of the children were killed (Global IDP Database, *Protection concerns affecting displaced children*, 2003).
- In September, FARC-EP was implicated in the killing of at least 11 people, including a 12-year-old boy, and the injuring of dozens more, with a bomb blast in the Zona Rosa district in Florencia, in southern Colombia, on a popular street lined with restaurants and nightclubs (*New York Times*, September 29, 2003).

On September 8, 2003, in a nationally televised speech, President Uribe described agencies working to prevent human rights abuses as “terrorists” and cowards who “hide their political ideas behind human rights.” These statements were widely condemned by an array of international organizations. One key concern is that these comments could be construed as government support for attacks against the organizations that are working to protect the rights of Colombian children and to alleviate Colombia’s humanitarian crisis.

Impunity

The UN’s Committee on the Rights of the Child has expressed serious concern for the widespread impunity in Colombia for violations of children’s right to life in the context of the armed conflict. The Committee has specifically highlighted extrajudicial killings, disappearances, torture and the phenomenon of “social cleansing” against street children (see below). In Colombia, few cases of abuses against children ever reach any form of judicial review, and the few that do are generally taken up by military tribunals, known to be ineffective and partial. In 1995 and again in 2000, the UN’s Committee on the Rights of the Child called for civil courts, rather than military tribunals, to investigate violations of children’s rights. In 2000, the Committee emphasized the need for special investigations for egregious violations of children’s rights, lamented the dearth of information and respect for these cases and urged the state to end impunity for these crimes.

The December 13, 1998 bombing of the village of Santo Domingo, near Arauca, which killed seven children and 11 adults, exemplifies the problem of impunity. After the explosion, which came at the end of a protracted battle between the military and the FARC-EP, 28 eyewitnesses told local authorities that the explosion was a result of a rocket dropped by a Colombian military helicopter. In spite of these accounts and an internal report of the Colombian Air Force, which stated that a helicopter had used bombs during the clash, the Colombian military ended its preliminary investigation by attributing the deaths to “guerrilla activity.”

In 2000, the Attorney General’s Human Rights Unit called for the investigation to be reopened after further evidence of military involvement was uncovered in inquiries undertaken by a variety of actors. Initially, the case was returned to the Air Force for investigation, but after a year without any substantive progress, civilian prosecutors asked to reopen their investigation. After an internal investigation in 2002, Colombia’s Attorney General (Procuraduria) recommended that two of the Colombian soldiers involved with the incident be lightly sanctioned, judging that they intentionally rocketed a civilian area in Santo Domingo. It was not until February 2003 that the Colombian

Supreme Court ordered that the case be transferred from a military tribunal to a public civilian court. In December of 2003, civilian prosecutors charged three air force members with involuntary manslaughter, a charge that does not necessarily lead to a jail sentence.

Youth Participation

One of the brighter notes in the lives of Colombian children has been the creation of the Children's Movement for Peace, which staged a special election, known as the Children's Mandate for Peace and Rights, on October 25, 1996. More than 2.7 million children voted in the special election, which had a ballot composed of rights taken from the Colombian constitution and the Convention on the Rights of the Child. Through their votes, children communicated their three greatest priorities: the rights "to enjoy life and good health," "to peace and protection" and "to love and family." In both 1998 and 1999, the Children's Movement for Peace was nominated for the Nobel Peace Prize. However, the impact of this movement has deteriorated in recent years, and reports from Colombia indicate that adolescents are increasingly marginalized and disenfranchised.

REFUGEES AND IDPS

Internal Displacement

Displacement in Colombia is "the other war behind the war," according to the Consultancy on Human Rights and Displacement (CODHES, *Consultaría para los Derechos Humanos y el Desplazamiento*). With at least 2.5 million internally displaced persons (IDPs), the U.S. Committee for Refugees (USCR) and other groups estimate that Colombia has the second-highest population of IDPs in the world, following only Sudan.¹¹ The UNDP estimates a total of 210,000 displaced households in the 2003 National Development Report for Colombia. Colombian government, UN and NGO sources indicate that children and youth comprise approximately 48 to 55 percent of the internally displaced population.¹²

It is extremely difficult to maintain a census of IDPs for a number of logistical reasons. Many people refrain from defining themselves as displaced for fear of further persecution and discrimination — registration as a displaced person can, among other things, reduce chances of gaining employment and access to education or health services for children. Furthermore, because many IDPs are displaced more than once, and because IDPs tend to flee individually or in small groups rather than *en masse*, it is difficult to know the exact number of IDPs.

There is, however, general agreement that 2002 saw more forced displacement than any year since 1985. An estimated 412,500 people were forced to flee in 2002, according to CODHES, marking a 20 percent increase over displacement in 2001. Between August 2002 and July 2003, CODHES concluded that 292,000 Colombians had become IDPs, while many others became refugees. The situation in certain departments, including Sucre, Antioquia, Casanare and Chocó, is particularly grave.

Colombia's internally displaced population is most affected by the country's full-fledged humanitarian crisis. Measures to aid displaced families and individuals have been inadequate. According to the United Nations High Commissioner for Refugees

(UNHCR), assistance to IDPs in 1998 to 2002 reached only 43 percent of registered IDP households; according to alternative calculations, it could be as low as 26 percent. Official aid from the government consists of food for three months, occasional one-time-only grants of kitchen utensils and other housewares and transportation assistance.

Many displaced persons never formally register, and the absence of identity documents can further exacerbate efforts to obtain assistance. Thus, displaced people are left in precarious circumstances, with few options for obtaining assistance. Another challenge is that poor host communities do not receive help to alleviate the strain of absorbing displaced populations.

IDP children regularly confront a wide range of difficulties, including poverty, lack of access to education and healthcare, psychological stress, child labor and other serious violations of their rights. Research by UNICEF, Save the Children and CODHES indicates that up to 85 percent of children who were in school prior to displacement are unable to return to school after becoming displaced. Families disintegrate or separate regularly. In some cases, children are sent to urban areas in search of safety. According to news reports, many IDP children are plagued by nightmares and other emotional disorders from experiences with severe violence, yet they often have little access to counseling or health services.

The UN's Thematic Group on Displacement in Colombia, which ceased operations in 2003, reported in 2002 that "traumatic events," such as witnessing violence and family stress, generate psychological problems for IDP children that include depression, hyperactivity, aggression, insomnia, paranoia, feelings of guilt, learning difficulties and loss of the ability to speak. The group did not provide statistics or case studies. Other observers have noted that the combination of early exposure to violence, uprooting to a difficult environment and lack of education combine in some cases to produce easy recruits for the guerrilla or paramilitary forces (see below).

Recently, the government has been encouraging IDPs to return home. However, as conflict and violence continue unabated in their home departments, the situation is not conducive to their safe, voluntary and assisted return, as specified by the UN's Guiding Principles on Internal Displacement. In one example, the government promised repairs and reconstruction for IDPs who fled Bellavista, in the municipality of Bojayá, Chocó department, following the mortar-round killing of 46 children and 73 adults in a battle between the FARC-EP and paramilitaries. While 1,200 of the 1,900 people who fled the village have returned, the promised reconstruction has not occurred, according to the International Crisis Group (ICG).

More detailed information about the impact of conflict on IDP children is included in thematic sections below.

Afro-Colombian and Indigenous Populations

The Afro-Colombian and indigenous populations are severely impacted by the violence engulfing the country. Both groups are among Colombia's poorest citizens and most

vulnerable, even apart from the ravages of war. They have been victims of extrajudicial executions, massacres, death threats, forced disappearance, displacement and forced recruitment, which endanger their cultural survival, according to UNHCHR. UNDP explains that the Afro-Colombian and indigenous communities, along with peasants and displaced people, suffer systematic intimidation and persecution. According to reports, human rights abuses against the indigenous population increased significantly from 2001 to 2002.

Approximately 18 percent of the displaced population is Afro-Colombian. Many young girls in these circumstances have testified to being raped by armed actors. The UN Special Rapporteur on Violence Against Women has documented some of these testimonies. Displaced Afro-Colombian children also suffer from discrimination. For example, many are unable to find a school to accept them and those that do find a school often stay for only a few months.

The 2002 fire bombing of a church in Chocó is one example of violence targeted against this community, including children. Ninety percent of the population in this department is of African descent. On May 2, 2002, FARC-EP forces fired an explosive charge at a church where adults and children took refuge in Bellavista, the main town in the Bojayá municipality in Chocó. The dead numbered 119, among them an estimated 45 children. Chocó is a department marked by hardship even in peacetime; 82 percent of its residents live in poverty, according to the Ombudsman. This department has a long history of conflict relating to its rich natural resources, and its Afro-Colombian population has suffered collective discrimination.

Young girls from indigenous communities are also subject to rape and other forms of sexual violence. One of the gravest crimes recently reported was perpetrated against four girls and others of the indigenous community in Betoyes, in the Tame municipality of Arauca department. The crimes were reportedly committed during an operation of the national army, between April 27 and May 1, 2003, and have been documented by Amnesty International (AMR 23/043/2003) and others. Soldiers of the XVIII Brigade of the Colombian military, wearing armbands of the AUC and ACC paramilitary groups, raped and killed a pregnant 16-year-old girl, cut her stomach open, tore out her fetus and threw her body in the nearby river after putting it in a plastic bag. Three other girls, ages 11, 12 and 15, were reportedly raped. Several other members of the community were reportedly killed, some disappeared, and homes were burnt down. Since May 2003, over 300 members of the indigenous communities in the area have sought sanctuary in nearby Saravena municipality.

Armed groups also target indigenous children for forcible recruitment, especially to serve as guides in remote areas. According to the International Coalition to Stop the Use of Child Soldiers, armed groups are known to specifically pressure indigenous people and Afro-Colombians to form urban militias, particularly in areas under paramilitary control such as Valle and Cauca departments. The International Coalition also states that an estimated 85 percent of urban militias are children under age 18. According to Coalición

Colombiana, reports from the Regional Indigenous Council of Vaupés (CRIVA) indicate that between 500 and 800 indigenous young people are part of the FARC-EP forces.

Refugees

Based on country visits, the USCR estimated in 2002 that between 175,00 and 220,000 Colombians are living as refugees or in refugee-like circumstances, including approximately 75,000 in Ecuador; 50,000 to 75,000 in Venezuela; 20,000 to 50,000 in Costa Rica; and more than 20,000 in Panama. Other NGOs have estimated dramatically different numbers of refugees (e.g., 1,500 to 2,000 in Panama). While it is difficult to assess the exact size of the Colombian refugee population, as in other refugee situations, estimates are clear that children and women comprise 75 to 80 percent of the total population.

The vast majority of displaced Colombians living outside of the country do not have formal refugee status. In fact, formally registered refugees only number 9,000 in Ecuador; 7,500 in Costa Rica; 1,000 in Panama; and 1,000 in Venezuela, according to USCR. Analysts indicate that many Colombians do not apply for refugee status for fear that they will not meet the criteria of individual persecution and could be forced to return to Colombia; fear of assassination by irregular armed Colombian groups operating inside Panama and Venezuela; and fear of other forms of discrimination and oppression such as extortion, kidnapping, rape and recruitment.

In many ways, the conflict is following Colombian children living abroad. These children often lack access to education and health care and are vulnerable to recruitment and other threats to their security and rights. A Pan-American Health Organization (PAHO) survey of the Darién region in Panama, where Colombian refugees have gathered, indicates serious health problems, including diarrhea, fever, headaches and parasitosis.

Colombian guerrilla and paramilitary operations have been reported in refugee host countries. In 2002, the UNHCR reported that Colombian armed groups were actively recruiting Colombian boys under the age of 18 in the border areas of Ecuador, Panama and Venezuela. Little information is available about other details of the lives of Colombian refugee children.

Some refugees have been forcibly repatriated back to Colombia. In one example, in April 2003, Panamanian authorities began deporting 109 Colombians, including 63 children, from the Darién jungle in Panama. At that time, UNHCR expressed concerns that families were separated during the operation and some mothers were forced to abandon their Panamanian-born children.

Causes of Displacement

Young people's vulnerability to abuses is the motivating factor for fleeing in many cases. The UNHCHR reports that threats by guerrillas and paramilitaries are the primary reasons for families to seek refuge elsewhere.

According to CODHES, in 1998, 36 percent of families fled with their children because

of direct threats; 25 percent because of fear; 22 percent because of massacres and killings; 8 percent because of battles; 4 percent because of “disappearances”; 3 percent because of armed attacks; and 2 percent because of torture. According to the ICG, armed conflict accounted for 66 percent of displacement cases in Putumayo in 2002.

Families regularly cited fear of forced recruitment of children into armed forces as a reason for fleeing from their homes. For example, 60 families fled from their homes in the municipality of Cunday, in Tolima department in August 2002, following the announcement of a recruitment order by the FARC-EP for everyone over the age of 12, according to the UNHCHR (E/CN.4/2003/13, Annex).

In 2002, fighting for territorial control between guerrillas and paramilitaries in western Urabá forced a group of 64 civilians, including 36 children, to flee to the Punusa area of the Darién jungle in Panama, near the Colombian border (UNHCR).

World Vision Colombia reports in *Victimas Civiles en Medio del Conflicto Armado, 2002*, that paramilitary forces committed six massacres during the last quarter of 2002 that provoked displacements of at least 170 people each in Antioquia, Chocó and Córdoba departments. The report also cites 11 massacres by unidentified forces committed during the same period that also forced residents to flee. No specific locations or dates of these events are provided.

Fumigation

The Colombian government’s effort to halt drug cultivation (particularly coca), which is considered a key factor in the ongoing conflict, includes a U.S.-funded program of fumigating drug crops from the air. This fumigation program is itself a cause of displacement and food and health insecurity among Colombians.

UNHCR calculates that the fumigation program caused the displacement of 39,397 people in 2002, or 15 percent of the total number of IDPs that year. People fleeing from fumigation, however, are not generally considered IDPs according to government standards. They are defined as “voluntary migrants,” which prevents them from receiving assistance provided to registered IDP households.

A commission of foreign and Colombian NGOs that visited the Rio Cimitarra Valley, Magdalena Medio department, reported that Colombian farmers say they have suffered the loss of food crops, as well as headaches, eye irritation, loss of appetite and other health effects, due to the fumigation program. Scientific evidence cited by NGOs indicates that children are especially sensitive to the effects of hazardous chemicals, because children’s dermal and epidermal layers are thinner, and because they have a higher ratio of body surface area to body volume. Children’s high rates of metabolism and oxygen consumption also facilitate inhalation of chemicals, and the kidneys and livers of children may give them a lesser ability than adults to metabolize and excrete toxins.

According to social service organizations operating in Colombia, some schools in Putumayo department, such as “La Concordia” in the Guamués Valley, have cultivated small gardens on the school grounds. These crops provide nutritional supplements for the students, many of whom are malnourished and must walk long distances to get to school, and act as an incentive for school attendance. However, the fumigations intended for drug crops have severely damaged the school gardens, thereby further aggravating child hunger and making children less likely to attend school.

The U.S. State Department maintains that the herbicide used in Colombia, glyphosate, is used in concentrations that are safe for the residents of affected areas. Despite reservations by the U.S. Environmental Protection Agency, the State Department has determined that it will not cancel the fumigation program. The Colombian government also rejects arguments that the herbicides pose health dangers and continues to support fumigation policies. A study published by the Ecuadorian newspaper *Hoy* states that the chemical Cosmo-flux 441F, a component added to glyphosate to improve its ability to stick to crops, is also highly toxic. The negative impact of fumigation is not limited to Colombia. It also affects the border area with Ecuador, endangering the local, largely indigenous population, as well as the Colombian refugees in that area.

HEALTH

In some respects, Colombia’s health system compares favorably to others in the region. Child mortality in Colombia (the probability of dying before age 5) is at 26 per 1,000 boys and 21 per 1,000 girls, according to the World Health Organization (WHO). While this is a better outcome than some nearby countries at peace, this figure hides enormous regional disparities in access to and quality of care. For example, in Chocó the child mortality rate is as high as 120 deaths per 1,000 births.

According to ICG, 49 percent of the population does not have access to basic health services. In rural areas this is 60 percent or more. The IDP population is particularly vulnerable to health-related challenges, as intensifying conflict erodes progress in health care. In 2000, the Colombian Commission of Jurists reported that children paid the biggest price for the health service deficit in Colombia, suffering dehydration, chronic malnutrition and anemia and, depending on the child’s place of origin, viral diseases, malaria, hemorrhagic dengue and respiratory problems. UNICEF reports that half of all child deaths in Colombia result from preventable or treatable diseases.

Poverty and Malnutrition

Approximately two thirds of the population lived in poverty in 1999, and poverty has been increasing since 1995, according to the World Bank. As a direct result, 13.5 percent of the population, or roughly 5.4 million people, suffer from malnutrition (UN World Food Programme (WFP), 2001). In 2002, 15 percent of Colombians aged five and under were suffering developmental disabilities, which often result from poor nutrition (UN FAO).

IDP Health

In 1999, 66 percent of displaced households had no access to health services, according to CODHES. A WFP study in 2001 concluded that the average daily food consumption of IDPs, including IDP children, was well below the recommended calories a day for people in emergency settings.

The International Organization for Migration, in a 2001 study of 2,534 IDP households in six departments with high populations of displaced people, found that 41 percent of the households reported child weight loss, though the extent of the weight loss was not reported. Among departments, the highest percentage of weight loss reports (53 percent) came from Putumayo. Only 9 percent of households had received nutritional supplements.

In the “Nelson Mandela” IDP community in Cartagena, 93 percent of the children had been ill during the two weeks prior to a study by the National Health Institute, reported by Doctors Without Borders-Spain (MSF-E, Médicos sin Fronteras-España), *Desterrados, Forced Displacement in Colombia*, 2001.

A survey conducted in 2000 by Profamilia, a Colombian NGO focusing on health, found that displaced women and girls under age 20 and without education did not know they were entitled to health services. Nearly 20 percent of those surveyed were not aware of their rights under the national health care system.

The survey also found that displaced girls and young women aged 13 to 19 had the highest rate of pregnancy and childbearing in the country for their age group (30 percent, versus 19 percent for their non-displaced counterparts). At least 30 to 40 percent of infant deaths are the result of poor care during pregnancy and delivery, according to the WHO. These deaths could be avoided with improved maternal health, adequate nutrition and health care during pregnancy, and appropriate care during childbirth. At least 85 Colombian women of every 100,000 live births, died annually of pregnancy-related causes between 1985 and 2001, according to UNICEF. Research also suggests that a child whose mother dies giving birth is 3 to 10 times more likely to die before his or her second birthday.

Humanitarian groups report that insecurity is a major factor inhibiting their ability to monitor the health of IDPs and other vulnerable groups and to minister their health needs. This is particularly true in blockaded and isolated areas.

Impeded Access to Humanitarian Assistance

Some parties to conflict apply deliberate tactics to inhibit civilians’ access to food, medicine and other forms of humanitarian assistance, exacerbating the humanitarian crisis in Colombia. In 2001, members of a settlement formed by people displaced from the village of La Balsita in Antioquia department said that paramilitaries were blockading food shipments, thereby causing the deaths of several children from malnutrition. Paramilitaries accused the villagers of harboring guerrillas.

UNHCHR reported that the government armed forces, violating international humanitarian law, have adopted the blockade tactic, using it in 2002 in Antioquia and Chocó departments to halt alleged supply shipments from communities to illegal organizations. Communities are also blockaded in Northern Santander, Cauca and Bolívar. Among other hardships, the blockades have cut off communities from medical and other support from international aid agencies. In Chocó, low-lying villages are controlled by paramilitaries, while guerrillas besiege those on higher ground. Crossing from one side to the other, to seek medical attention or other needed services, can be fatal or lead to accusations of collaborating with the enemy.

The problem of communities cut off from the rest of the country is a problem of considerable scale and is reported to be growing, according to ICG's report, *Colombia's Humanitarian Crisis*.

HIV/AIDS

In 2002, UNAIDS reported an estimated national prevalence rate for HIV/AIDS of 0.4 percent among the adult population. According to UNICEF, of the 23,447 registered cases of HIV/AIDS between 1983 and 2001 in Colombia, 51 were children between ages 10 and 14, and 785 were adolescents 15 to 19 years old. Moreover, in Colombia it is estimated that for every registered case of HIV/AIDS, seven more existing cases are not registered. UNAIDS estimated in 2001 that 4,000 children aged 15 or younger were living with HIV/AIDS.

UNAIDS also cautions that the relatively low national prevalence rates in many South American countries masks a deeply rooted presence in specific population groups. Colombia's internally displaced population is one of those groups. According to the 2001 Profamilia survey of displaced women and girls under age 20, approximately one in five, or 19 percent, did not know how to protect themselves from HIV. Only half of those surveyed knew where they could be tested for HIV.

The spread of HIV is directly connected to armed conflict. According to UNAIDS, "[c]onflicts generate and entrench many of the conditions and the human rights abuses in which the HIV/AIDS epidemic flourishes. Poverty, powerlessness and social instability, all of which can facilitate HIV transmission, are exacerbated during wars and armed conflict. Physical and sexual violence, forced displacement and sudden destitution, the collapse of social structures and the breakdown of rule of law can put people at much greater risk of HIV infection."

The disproportionately high adolescent pregnancy rate (see details above) among displaced girls is also an index of the low use of contraceptives, such as condoms, which can prevent the spread of HIV/AIDS. According to Profamilia, only 22 percent of the girls and young women surveyed used any kind of contraceptive before having their first child, and only 37 percent did so afterward.

EDUCATION

Nearly 500,000 school-age children do not enroll in elementary school each year, and about 3 million children aged 14 to 17, or over 10 percent of the population under age 18, are not in school, according to the Ministry of Education, UNICEF and Save the Children-UK. The attendance rate of children aged 12 to 17 dropped by two percentage points between 1997 and 1999, compared with the period from 1993 to 1997, according to UNDP. There is little difference in levels of enrollment and attendance between boys and girls.

UNICEF, Save the Children-UK and others attribute the growing dropout rate and expanding presence of students too old for their grade levels to poor quality education and the disruptive effects of armed conflict, forced displacement and economic hardship. Those children who are able to attend school may suffer from stress, depression and inability to concentrate due to the impact of armed conflict, according to Coalición Colombiana.

In addition, students, teachers and schools are targets of violent attacks. The Norwegian Refugee Council reported that armed groups attacked over 100 schools in Colombia during 2002. Coalición Colombiana compiled documentation by various groups of specific cases of attacks on schools, violent situations forcing school closings and use of schools by armed groups for military operations and for recruiting grounds in its October 2003 report, *Children, School and Armed Conflict in Colombia*. The following are a few examples:

- In 2002, in Medellín, in the neighborhood Popular No. 1, five schools were forced to close because of violence in the area, forcing 1,900 students out of classes. Classes have resumed in 2003, though with fewer teachers and resources (documented by community organizations between June 2002 and September 2003).
- In 2002, in César department, the UC-ELN was accused of assassinating two students of the San Isidro Labrador School, who were members of the indigenous Kankuamos community, for refusing to join with the UC-ELN. The community later reported that only 300 of 500 total students continued to attend the school the following year (reported in *El Tiempo*, February 28, 2003).
- In 2002, government armed forces and police used the school building in the Independence neighborhood of Bogotá as a fortress during its “Mariscal Operation,” such that the school became the center of an eight-hour military confrontation (reported in *El Tiempo*, May 23, 2003).

Children, School and Armed Conflict in Colombia also explains that school closings and the high levels of school dropouts due to armed conflict increase young people’s vulnerability to violations of their security and rights, including sexual exploitation, forced prostitution and recruitment into armed groups.

Teachers are targets of murders, threats and displacement. Colombia’s teachers union, the Federation of Colombian Educators (FECODE, *Federación de Educadores Colombianos*) documents a nearly unbroken year-to-year increase in the number of teachers and school employees assassinated over the past four years: 27 teachers

(including one university professor) in 1999; 42 in 2000; 32 in 2001; and 83 in 2002. In the first four months of 2003, 16 teachers were killed. From 1999 to 2001, an additional 13 teachers and school employees were kidnapped or “disappeared.” Even in the absence of a detailed study on the educational effects of the campaign to kill teachers, the climate of fear in which teachers work inevitably extends to the classroom.

A FECODE official notes that reports filed by members in the field attribute most of the killings to members of paramilitary organizations, often occurring in the wake of guerrilla warnings to teachers and students not to cooperate with paramilitaries. Teachers and students are then threatened as guerrilla supporters. Guerrilla groups are also responsible for such incidents. For example, UC-ELN is known to be responsible for killing a teacher, Ana Cecilia Duque, in Antioquia on April 23, 2003, after her father refused orders from the UC-ELN to kill a paramilitary member. In the wake of her murder, President Uribe declared that he would initiate a program to protect teachers. No further information about this program is available.

Those suffering the greatest absence of educational opportunities are displaced children, the UNHCHR reported in 2001. Statistics about IDP children’s access to education vary widely: between 70 (UNICEF) and 85 (Ombudsman) percent of IDP children do not attend school.

GENDER-BASED VIOLENCE

Guerrilla and paramilitary forces have systematically used rape, sexual torture and other forms of sexual violence against women and girls as a tactic to destabilize the population. Soldiers in government armed forces have also used sexual violence. Statistics from the Colombian Institute of Legal Medicine cited by the UN Special Rapporteur on Violence Against Women indicate that the rate of rape of adolescent girls was about 2.5 per 1,000 young women. Estimates indicate that only 17 percent of cases of sexual violence are reported. Armed groups have reportedly kidnapped and raped girls as young as five years old.

In 2001, the UN Special Rapporteur concluded that gender-based violence (GBV) was a growing threat in Colombia. Following a visit to the country, the Rapporteur concluded that “[v]iolence against women, particularly sexual violence by armed groups, has become a common practice in the context of a slowly degrading conflict and lack of respect for international humanitarian law.” This presumably also includes adolescent girls and young women.

Testimony taken by the Rapporteur included accounts of raids by paramilitary forces involving multiple rapes. One interviewee, who described how paramilitaries controlled the entrance and exit to her neighborhood, reported that one girl was raped before being killed. Her eyes and nails were then removed, and her breasts cut off. Six women had been killed for alleged ties to guerrillas or for refusing to have sex with paramilitaries. Paramilitary control of regions often involves rape and murder of women, presumably including adolescent girls, who break curfews, as well as the nude display of women accused of being prostitutes or adulterers.

Coalición Colombiana cited documentation by a local women's organization, *Organización Femenina Popular*, that several young women in Barrancabermeja were raped after refusing to be the soldiers' "girlfriends" in 2003. Fifteen adolescent girls reportedly fled the town because paramilitaries demanded they prostitute themselves. In 2003, Coalición Colombiana cited police reports in Corinto, Cauca, that the FARC-EP killed three girls, ages unspecified, for refusing to seduce police officers in order to obtain information.

Much of the GBV by guerrilla organizations occurs in relation to forced recruitment of girls into the armed groups (see details below). For example, the UN Special Rapporteur reported a case of a young woman who had "joined" the FARC-EP at age 13, was raped by her commander and then ordered to seduce a member of the government army to get information. She obeyed, only to be threatened again because the officer she had seduced was too low in rank. Her father complained on her behalf and was killed as a result.

According to the Women's Commission for Refugee Women and Children's report *Unseen Millions: The Catastrophe of Internal Displacement in Colombia: Children and Adolescents at Risk* (2002) women and girls displaced by armed conflict are raped more frequently than are other females from poor areas, or in the country as a whole.

Conflict-related violence against women and girls takes place against a backdrop of high GBV prevalence rates and underreporting throughout Colombia, according to the Reproductive Health for Refugees Consortium (RHRC), *If Not Now, When? Addressing Gender-based Violence in Refugee and Internally Displaced, and Post-Conflict Settings*. Colombia suffers a social climate of widespread aggression against females, including widespread mistreatment and sexual abuse against children. A 1998 study of the Colombian Health Ministry concluded that 36 percent of Colombian children suffered mistreatment of some sort. In 2001, authorities registered 11,258 cases of sexual abuse against children under age 17.

The RHRC explains that indiscriminate or methodological violence is only one variation of GBV that is exacerbated during periods of conflict and social disruption. Disproportionate domestic violence and other forms of sexual violence also frequently ensue from the "culture of violence" caused by war. This may be the case in Colombia, where forced or coerced prostitution, domestic violence, trafficking for sexual purposes and other forms of sexual exploitation occur in part due to the disproportionate war-related poverty that affects women and girls (see below).

TRAFFICKING AND EXPLOITATION

Trafficking

Colombia's Department of Security (DAS, *Departamento Administrativo de Seguridad*), the main law-enforcement investigative agency, reported in 2000 that the country is one of the three biggest sources of trafficking victims in the Western Hemisphere, with 35,000 to 50,000 women and girls trafficked abroad that year. Both the U.S. State Department and the Organization for Security and Cooperation in Europe (OSCE) have

stated that Colombia is a major source country for trafficking to Asia (Japan, Singapore and Hong Kong), Western Europe (the Netherlands and Spain) and the United States.

The Hope Foundation, an NGO working on the issue of trafficking in Colombia, has attributed the rise in trafficking to the ongoing conflict and massive displacement, as well as the lack of laws that specifically address trafficking. According to the organization's founder, increasing numbers of Colombian women and girls are arriving over the border in Ecuador, where international crime rings recruit them into prostitution in third countries. Upon their arrival abroad, many trafficking victims are stripped of their identification documents and used for sexual exploitation purposes.

Child Labor

There are clear links between the conflict and child labor. In Colombia, much of the child labor falls within the framework of the worst forms of child labor according to the International Labor Organization Convention 182.¹³ Approximately 2.5 million to 2.7 million Colombian children are involved in child labor, according to research conducted by UNICEF, Save the Children-UK, International Labor Organization (ILO), the National Department of Statistics and the Roman Catholic Church between 1998 and 2002. Reflecting the fact that over half of the population of Colombia lives in poverty, in large part due to armed conflict, Colombia has the largest estimated population of child laborers in South America. According to the Ministry of Labor, this includes approximately 800,000 children aged 6 to 11. The ILO has reported that children's wages amount to as much as one third of a family's income in some cases.

The use of child labor on coca (the raw material of cocaine) farms is also connected to the conflict through the central role that drug profits play in fueling the violence (see above). In addition, reports from Colombia indicate that in many cases, the first contact that young people may have with armed groups is through their work harvesting coca leaves. Estimates of the number of child workers exploited as harvesters of coca leaf vary widely. The Ombudsman reports an estimate of 200,000, versus a 700,000 figure cited by the U.S. State Department from a Catholic Church study. According to a 2001 study by UNICEF in Putamayo, 41,000 children under age 15 were working in coca leaf processing plants. Parish priests reported that up to 85 percent of the children in local schools in the area had chemical burns, which they most likely suffered during the processing of coca leaves, which requires the use of caustic soda and sulfuric acid.

Young people become involved with the armed conflict through their connections and forced labor with groups involved with illegal trade in gasoline, commonly called "gasoline cartels," in Colombia. These cartels operate principally in Barrancabermeja and along the Pacific gasoline pipeline. Sources in Barrancabermeja reported in August 2003 that residents are forced to store combustible gas in their homes or to regularly feed members of certain armed groups. Young people are commonly used as vigilantes and may be provided with financial compensation in return. These practices prey on youth who are already living in impoverished conditions in a city with a high unemployment rate. Peasant girls in particular are used to guard street corners and gasoline lines. Few details of this phenomenon have been researched and documented.

An estimated 70 percent of the overall child work force is engaged in farm work; others labor for Colombia's large flower export industry and as domestic laborers in urban areas. Children are also involved in forced labor related to the illegal mining and trafficking of emeralds and gold. They are subject to unhealthy conditions in mines, which can involve use of mercury and other dangerous chemicals. Child laborers often work six or seven days a week, without employment protection of any kind. Only 30 percent of child workers attend school, according to the Ombudsman.

Children Forced into Commercial Sex Work

As RHRC explains, an increase in the number of children forced or coerced into commercial sexual work is directly linked to the culture of violence and poverty resulting from armed conflict (see above). Estimates range from 20,000 to 35,000 children forced into sexual work across Colombia, with between 5,000 and 10,000 girls and 1,000 boys working as prostitutes in Bogotá alone, according to the U.S. State Department. Economic hardship forces many children into sexual work as a means to support themselves or to help their families. Some reports show that these sexually exploited children can earn twice as much for having sex without a condom, increasing exposure to HIV/AIDS and other sexually transmitted infections.

In October 2003, the Colombian Institute for Family Welfare (ICBF, *Instituto Colombiano de Bienestar Familiar*) announced the elimination of approximately US\$60,000 a year in funds for the Renacer Foundation, the primary organization working to locate, assess and refer for assistance child victims of sexual violence and exploitation in Colombia.

Kidnapping, Disappearances and Arbitrary Detentions

In 2000, 335 children were kidnapped, according to Fundación País Libre, a local NGO that serves as a national resource center for information on abductions, an average of 27.5 children each month (in 2001, 303 children were kidnapped). Children accounted for 86 of the 676 abduction victims reported during the first four months of 2003, according to País Libre. As of April 2003, approximately 60 children were being held hostage, some of who had been in captivity for years, according País Libre.

FARC-EP, UC-ELN and other guerrilla groups carry out most kidnappings, but paramilitaries also use abductions as a tactic of war. Common criminals also regularly use kidnapping as a means of extorting large sums of money. In one case, paramilitaries were blamed for the abduction of a 3-year-old boy in April 2003 in the city of Villavicencio. Though he was rescued six days later, paramilitaries denied involvement and police reported that the kidnappers were common criminals.

Between October 1996 and September 1999, 20 boys and girls were forcibly disappeared, according to information from the Colombian Commission of Jurists, cited by Coalición Colombiana in its June 2003 report. In a recent example, paramilitary groups were implicated in the March 2003 disappearance of four children, including a 14-year-old girl from Viotá, a municipality 90 minutes from Bogotá, according to the Permanent

Committee for the Defense of Human Rights, *Report on the Real Situation of Human Rights in the Municipality of Viotá and Aledañas Zones*, June 2003.

Government forces are also implicated in other arbitrary detentions of children. Local NGOs, including CINEP and Justicia y Paz, reported arbitrary detentions by the police and marines of 156 civilians, including many boys and girls, on August 17, 2003, in Chalán, Colosó y Ovejas municipalities of Sucre department. On September 22, 2003, after an attack presumably perpetrated by FARC-EP, the police and military detained over 100 young people, including many under age 18, who had been participating in the third annual congress of Asojer, a youth association and student council. Upon their release, many of the young people reported that they had been beaten and mistreated during their detention. This incident was documented by several local NGOs, including Humanidad Vigente Corporación Jurídica, Fundación Comité Regional de Derechos Humanos “Joel Sierra” and Red Europea de Hermandad y Solidaridad con Colombia.

Street Children and Social Cleansing

An estimated 15,000 to 30,000 children are living on the streets in Colombia, according to various sources. Government sources indicate that 40 percent of the 12,000 to 13,000 people living on the streets in Bogotá are children. The Inter-American Commission on Human Rights concludes that violence is a primary cause for children ending up on the streets in Colombia, particularly in the countryside and in poorer city neighborhoods. Poverty also forces children onto the streets, in an attempt to aid their families.

Once on the streets, children face desperate and dangerous conditions. Anecdotal information suggests that many street children regularly take drugs. Furthermore, street children are targets of a practice commonly known in Colombia as “social cleansing.” This is the murder of individuals who are considered “disposable” by vigilantes, police and merchants. In the first months of 2003, social cleansing surged in poor urban areas with concentrations of displaced people. Fear of retribution has prevented many people from speaking out about this problem. A reliable source in Altos de Cazuca, a district in southern Bogotá, reported over 150 deaths of children and young people in the first nine months of 2003. Similar reports have been submitted to international organizations of killings in other districts of Bogotá, including Soacha and in Cartagena, Medellín and Sincelejo. Further information about street children is limited.

LANDMINES AND UXO

Landmines and unexploded ordnance (UXO) are sown throughout Colombia. They have brought death and injury to thousands over the past 12 years of intensified conflict, including hundreds of civilian adults and children. The numbers of deaths and injuries from landmines has been steadily increasing for several years. In 2002, the Colombian government’s Antipersonnel Mine Observatory reported 530 landmine and UXO incidents, with 122 people killed, including at least 96 children. This marked a 145 percent increase from 2001. The Observatory recorded 1,920 mine or UXO deaths between 1990 and April 2003, including 293 children or 38 percent. All experts agree that there is significant underreporting of landmine and UXO incidents.

According to the International Campaign to Ban Landmines' *Landmine Monitor Report 2003*, in 2002 at least 422 of 1,097 municipalities in 28 of 32 departments reported landmine or UXO explosions. According to UNICEF, this number may now be as high as 508 mine-affected municipalities in 30 departments.

FARC-EP, UC-ELN and paramilitaries are all known to use and manufacture mines. According to the *Landmine Monitor Report 2003* (based on government figures) of 638 mine-related incidents reported in 2002, the user responsible for the landmine that caused the incident is not known in approximately half of the incidents (283 or 44.5 percent). FARC-EP is listed as probably being responsible for 237 incidents (37 percent), UC-ELN for 85 incidents (13.5 percent), and a "non-identified" user for 11 incidents (1.7 percent), and AUC for seven events (1.2 percent). The government's Observatory has cautioned that the number of incidents caused by paramilitary forces did not mean that they use mines less frequently, as it is difficult to know who is responsible.

In the heavy conflict area of Arauca department, the International Campaign to Ban Landmines (ICBL) noted that the number of mine explosions attributed to "unknown" organizations nearly doubled in recent years. This coincided with the entry of paramilitary forces into Arauca. According to the UN, guerrilla forces have deployed mines in "massive" fashion in eastern Antioquia, North Santander and the region of San Vicente del Caguán.

Prior to Colombia's ratification of the Mine Ban Treaty in 2000, the military had placed more than 20,000 mines in 54 minefields, according to the *Landmine Monitor Report 2003*. The Colombian government has renounced the use of mines prohibited by the treaty and began destroying stockpiled mines in June 2003. Stockpile destruction will be completed in 2005.

UNHCHR received information that one army battalion laid mines in the area of Munchique hill in 2002. In response to an inquiry from the ICBL, Colombia's foreign minister stated that the mines in question are not victim-activated and hence do not fall under the prohibitions of the Mine Ban Treaty and that the minefield had been marked to avoid danger.

No humanitarian mine clearance programs are underway in Colombia; only military tactical clearance programs are reported. Government officials have stated that mine clearance is impossible as long as the armed conflict continues, despite the government's obligation under the Mine Ban Treaty to remove mines as soon as possible but no later than ten years after the Treaty enters into force.

Mine and UXO contamination also causes displacement, forcing families to flee their homes and communities, which in turn may prohibit children from attending school. IDPs are particularly vulnerable to death or injury from mines as they may flee to or return to mine-affected areas. Also, frequent rains and flooding in some areas cause displacement of mines, making even mine location maps unreliable. Children are particularly vulnerable to stepping on unmarked mines while walking to school or agricultural areas,

playing in contaminated areas, or working in fields. Experts estimate that as much as 15 percent of all fired munitions fail to explode; in the Colombian context, this leaves a vast litter of UXO for children to stumble upon. According to sources in Colombia, landmines are found with growing frequency in schoolyards, on rural access roads and around other civilian infrastructure.

UNICEF, NGOs and the government are running mine-risk education programs aimed at educating young people about the risks of mines and how to “stay safe” in mine-affected communities.

Assistance to landmine survivors is limited. The *Landmine Monitor Report 2003* states that emergency care at the scene of a mine incident is deficient, medical treatment and surgery in regional hospitals is slow and transport to medical facilities is inadequate. In rural areas, it is difficult to get immediate medical help, and it can sometimes take hours or even days to reach the nearest hospital. In addition, medical and rehabilitation services for mine survivors in Colombia are for the most part located in the main urban centers, whereas most survivors live in rural areas.

Injuries suffered by children due to landmines and UXO tend to be very serious and often result in double amputations, either both legs, or one leg and one arm. Children generally require frequent medical attention, operations and adjustments and re-fitting with new prostheses throughout their growing period. In many cases, this results in tremendous economic strain for families and in some cases may cause families to break up.

Colombia has legislation to protect the rights of persons with disabilities, including landmine survivors. However, the effectiveness of the legislation is extremely limited. Those working with child survivors in Colombia report that benefits officially should include transport to a health center; unlimited immediate medical, surgical and hospital assistance, including orthopedic devices and medicines; and physical and psychological rehabilitation.

The Colombian government considers full implementation of these rights as seriously impeded by the ongoing war and at the most will cover the cost of a first-time prosthesis and treatment within the first year of injury. Those working with mine survivors also note a general lack of knowledge, particularly by rural residents, about this legislation, their rights and available services; and that services and programs are generally under-funded, causing long delays for receiving assistance guaranteed by the law.

SMALL ARMS

Small arms are widespread throughout Colombia. The armed conflict is fought using modern small arms and light weapons (SALW), including assault rifles, grenades and shoulder-fired rockets. While the exact numbers of SALW in circulation are uncalculated, the widespread availability and use of these weapons is clear, according to an interagency report, *Putting Children First*. Armed conflict and common crime, fueled by the proceeds of drug trafficking, provide a permanent market for small arms in Colombia. In fact, *Small Arms Survey 2001* reports a trend of civilian guns outnumbering

military and police weapons. One result is a homicide count of about 20,000 a year, including approximately 4,000 children, according to UNICEF.

In 2001, Colombia offered the 12th best price worldwide for a used AK-47 assault rifle at US\$800, according to *Small Arms Survey 2002*. The ready availability of small arms facilitates employment of children as soldiers, assassins, spies and as targets of violence and other human rights abuses.

Years of violence and armed conflict have contributed to a general culture of violence in many areas of Colombia. In this context, some young people express a desire to own or use a gun, because of the power and protection it represents or provides. The chance to carry and use a weapon attracts girls as well as boys to armed organizations. In some cases, girls, especially those who have suffered sexual or domestic violence, have chosen to join armed groups for the chance to carry a gun.

Effective government controls on the proliferation and use of SALW are not in place in Colombia. In fact, the government is engaged in initiatives to fortify the armed forces and police by arming civilians through the peasant soldiers program and a network of state-paid cooperators and informants (*Red de Cooperantes y Informantes*). The Uribe administration has declared its intentions to enroll up to one million civilians in the network. No information is available about regulations that may exist on age limits for participation in these programs.

Small arms used by members of these networks facilitate violence and abuses against civilians, including children and adolescents, who may be direct targets. Many groups have also expressed concerns about risks for children who could become victims of false accusations by the network of cooperators and informants. The peasant soldiers program facilitates weapons being brought into farmers' homes, placing their families at risk and providing children with easier access to these weapons. At the time of writing, the government had expressed no intention to provide training or controls to protect children in relation to the network or the peasant soldiers program.

CHILD SOLDIERS¹⁴

Child Recruitment and Deployment

Estimates range from 11,000 to 14,000 child soldiers associated with armed groups throughout Colombia, placing Colombia fourth in the world for the highest use of child soldiers, following Myanmar, Liberia and the Democratic Republic of Congo. In the comprehensive account of child soldiers in Colombia *You'll Learn Not to Cry: Child Combatants in Colombia* (September 2003),¹⁵ Human Rights Watch (HRW) reported that some child soldiers in Colombia are as young as seven years old. All parties use both boys and girls. It is extremely difficult to obtain precise estimates of the number of children involved with armed groups.

The UN Secretary-General (S/2003/1053) approximates that 7,000 children are associated with illegal armed groups and an additional 7,000 are associated with urban militias. HRW estimates that over 7,400 children are in the FARC-EP forces, including

those in associated urban militias. At least 1,480 — or at minimum one third — of all UC-ELN's fighters are children. Approximately 2,200 children under age 18 are in the AUC ranks. All of these are considered to be conservative estimates.

The government no longer recruits or uses children as soldiers; however, the armed forces continue to use children as informants. The now-defunct UN Thematic Group on Displacement concluded that the reported 30 percent growth in strength of the illegal armed organizations in 2001 and 2002 was due primarily to child recruitment.

Training and daily life for children associated with armed groups varies from group to group. Child soldiers typically receive comprehensive, rapid military training, including weapons use, bomb-making and military strategy. They are also used for kitchen work, guard duty and manual labor. They are subject to severe forms of punishment and cruelty and summary executions, and they themselves are forced to carry out torture and executions and to participate in active combat. In addition to these hardships, girls are also subject to sexual harassment, sexual abuse, forced use of contraceptive implants or contraceptive injections, forced abortion and rape. The Ombudsman has reported that approximately 70 percent of young women who are former members of guerrilla groups in Santander department had sexually transmitted infections.

Guerrilla and paramilitary groups are known for forcible recruitment and broad recruitment drives, including rare accounts of children being pressed at gunpoint into their ranks. Children are often viewed as malleable recruits, according to HRW. However, most child soldiers in Colombia join “voluntarily,” citing domestic violence, poverty, lack of alternatives such as education or work, desperation and increased status among their peers as motivating factors. Analysis by the Quaker United Nations Office quoted lengthy interviews with five girls who had served with guerrilla organizations who said they had been mistreated at home before joining the guerrillas.

All irregular armed groups in Colombia kill, maim and torture prisoners; some also abduct and murder civilians. Former child soldiers have told of being forced to kill people and dismember their bodies. More than one third of the children HRW interviewed for *You'll Learn Not to Cry* said that they had participated directly in out-of-combat killings. Over half of the children who did not admit direct participation witnessed or learned about killings. Some former child soldiers have told of being forced to drink human blood, in some cases mixed with gunpowder, to “conquer fear.”

FARC-EP

FARC-EP has a long history of recruiting children and youth. Acknowledging the practice, in June 1999, FARC-EP pledged to the UN Special Representative of the Secretary-General for Children and Armed Conflict not to recruit children below the age of 15. In 2000, the FARC-EP returned approximately 1,000 children to their families in what was then the demilitarized zone (DMZ). However, all accounts indicate that the FARC-EP continues to recruit and use children under age 15, including a 2000 statement by the organization's top commander saying children would remain in the ranks.

The International Coalition to Stop the Use of Child Soldiers (International Coalition) reported that in January 2000, eight FARC-EP members estimated to be between the ages of 13 and 15 were killed during an attack on the town of El Castillo, Meta department. Following that, families fleeing the zone said the FARC-EP had announced that everyone between the ages of 13 and 60 was liable for military service with the guerrillas. Confirming these reports, the Roman Catholic Church reported that the FARC-EP lured or forced hundreds of children into its ranks. Reports also surfaced of FARC-EP recruitment of children in Meta and Putumayo departments.

In May 2001, Colombian television aired an apparent training video that shows FARC-EP soldiers as young as age 11 making missiles and digging mass graves. On April 20, 2002, the 61st front of the FARC-EP reportedly forced two boys (14 and 15 years old) to take two horses, one charged with explosives, to a military unit in the village of Acevedo, Huila department; the horse exploded 200 meters before the military objective, killing the 14-year-old boy. In early May, the FARC-EP murdered a 14-year-old boy, placed explosives inside the corpse and sent it to the Mobile Brigade No. 4 in Vistahermosa (Meta department); the explosives were discovered and deactivated. The International Coalition has documented all these events.

The Ombudsman reported a similar use of a child as an unknowing weapon of war. On April 17, 2003, 10-year-old Erwin Orlando Roperero Serrano of the municipality of Fortul in Arauca department was approached in a bakery and offered a bicycle with which to run an errand. Half an hour later, the bicycle exploded in front of a military roadblock, killing Erwin.

Girls in FARC-EP ranks are often subject to sexual abuse and sexual slavery. FARC-EP operates a “sexual freedom” policy, which includes fitting girls as young as age 12 with intra-uterine devices or providing contraceptive injections. Girls are solely responsible for any pregnancies that may occur and are subsequently forced to have abortions, according to interviews conducted by HRW. Adolescent girls may be recruited for special missions that require them to have sex with government soldiers in order to get information from them. At the same time, girls reported to HRW that the combination of protection and privilege they may receive from older commanders encourages them, in some instances, to seek out sexual relationships.

Disciplinary rules regulate almost every aspect of children’s daily lives. A commander’s permission is required to have sex or establish a more permanent relationship with a fellow member, according to HRW. Children are regularly killed for acts of disobedience. “War Councils,” in which members of the company question an accused child in front of other children, are used to deal with the most serious infractions. Children tried by a war council are usually bound with a nylon cord and tied to a tree or a pole. HRW documents cases of children being tied to a tree for a month, without being allowed to speak or be spoken to. It is not unusual for children to be ordered to participate in executions of other children. Children who abandon or attempt to abandon the FARC-EP may be re-recruited or severely punished or killed.

UC-ELN

Children's accounts recorded by HRW indicate that some UC-ELN units are predominantly made up of children, while others may include few young people. The UC-ELN is known to forcibly recruit children, although not on a broad scale. In 1997, the UC-ELN used a 9-year-old to deliver a bomb to a polling station in the municipality of Cúcuta, North Santander department. One year later, the organization committed itself to stop recruiting children under age 16. However, this practice has continued.

The UC-ELN showed some willingness in the 1990s to discuss humanitarian law and the end of its use of children in the context of broader peace proposals. Various proposals to negotiate demobilization and an end to the UC-ELN's use of child soldiers have failed.

Political education appears to be particularly important in UC-ELN ranks, while military discipline does not appear to be as strict as with FARC-EP. HRW reports at least one case of a 16-year-old girl being raped by an older commander. Pregnant UC-ELN members are also subject to forced abortions. In some cases, a girl who becomes pregnant may be sent home to give birth.

The UC-ELN is also known to hold war councils for discipline and execute child soldiers who break the rules, although the extent of this practice is unknown.

Paramilitaries

Estimates indicate that 15 to 50 percent of paramilitary forces are child soldiers. HRW calculates up to 20 percent. In many areas, paramilitaries take children as part or in lieu of taxes families must pay. Families that refuse may be considered sympathetic to guerrilla groups and attacked. In May 2000, the *Autodefensas Unidas del Sur del Casanare* (AUSC) circulated leaflets in the rural area of Monterrey, Casanare department, calling young people in the region for "compulsory military service." In October 2000, paramilitaries forcibly recruited several youths in Puerto Gaitán, Meta department, for military training, according to the International Coalition.

Children are lured into the AUC (*Autodefensas Unidas de Colombia*) by salaries ranging between 900,000 and 1,200,000 Colombia pesos (approximately US\$366 to US\$488) reportedly paid every three months, with bonuses for special missions. Most of the child soldiers interviewed by HRW said that money was their primary motivation for joining the AUC.

HRW explains that training is often extremely difficult and brutal, once a child is in the paramilitary ranks. Several former child paramilitaries reported in their interviews that paramilitaries captured and killed guerrillas with machetes in front of the children during training sessions and ordered children to participate in the killings.

In contrast to the guerrillas, AUC commanders are permitted to make disciplinary decisions without even the pretense of a group consultation, even for the most serious punishments. HRW explain that serious breaches of discipline are often punished with summary execution. Like the documented FARC-EP practice, children who commit

minor infractions may be tied to a pole by their hands and neck with nylon cord and held for several days, being untied only to wash, eat and perform bodily functions. One boy described being locked in a cell and covered with sweetened water to attract bug bites. Documented evidence by various groups also indicates a high level of sexual abuse against paramilitary children by adults in the ranks.

In 2002, the AUC offered to release child soldiers in its ranks to UNICEF, claiming that the children had been “liberated” from guerrilla forces. Since that time, the AUC has released approximately 50 children between the ages of 14 and 17 to UNICEF, ICBF and other organizations. However, it appears that this was no more than an attempt by AUC to bolster its public image. Thousands more children remain in service for the paramilitary groups, and new reports from the field suggest that the children’s commanders had bribed them to surrender with money and houses, a testament to the desperation that drives many children into armed groups.

Ministry of Defense

The Colombian army stopped admitting youths under age 18 into the ranks in 2000. Before that, some 16,000 youngsters under age 18 had served in the Colombian armed forces. In the wake of the policy change, there have been no reports of the army recruiting children. But there are reports of army units in conflictive regions using teenagers for intelligence work, sometimes paying them in cash or goods, sometimes simply threatening them.

UNHCHR reported information in 2003 (E/CN.4/2003/13) about children used by the government armed forces as informants in Meta and Putumayo, sometimes under the promise of a reward. In this report, UNHCHR noted an incident in Medellín of a boy forced to be an informant to support the detention of three community leaders associated with the Women’s Association of the Independence (AMI, *Asociación de Mujeres de las Independencias*).

Reports from human rights organizations included these accounts:

On January 13, 2003, army troops reported to be from “Unit 23” threatened two minor sons of a man accused of being a FARC-EP member in Uchuvita, Boyacá department, to make them inform on their father. On May 19, members of the 17th Brigade and the 20th River Battalion offered an 11-year-old boy the equivalent of US\$5.50 if he would provide information on his community, including its leaders.

In January 2001, one teenager reported that he had worked for the information services of the Third Brigade of the Colombian army (Valle and Cauca departments) from the age of 14. He was paid to gather information on armed groups, and to accompany units of the army in some operations. He reportedly participated in a meeting between the armed forces and paramilitaries in March 1999, meeting a representative of the AUC in the region. When later asked by the same representative to work with the paramilitaries, he joined. Similarly, accounts of ties between Colombia’s military field units and paramilitaries are ongoing. HRW reports receiving “numerous and credible reports of joint military-paramilitary operations and the sharing of intelligence and propaganda.”

Children who have deserted guerrilla or paramilitary forces may be required to provide information about the armed groups they have left. The Inter-American Commission on Human Rights reported in 1999 that child soldiers who had surrendered or been captured were detained at military installations or incorporated into the military. In November 2003, Coalición Colombiana reported that some children are held for interrogations by the armed forces in violation of Colombian national legislation (Article 22, Decree 128) that they must be transferred to ICBF within 36 hours.

In 1999, the government began a social reintegration program for former child soldiers, which is run by ICBF. This program has assisted 1,227 young people during its four years of operation, including 527 in the first nine months of 2003. UNDP reports that about 90 percent of demobilized children were originally from rural areas of the country.

Most former combatants escape or are captured by army forces, rather than being officially released by the armed groups they serve. The ICBF program is divided into three stages: moving the children from an entry home, to care centers and then either to a supervised “youth house” or back to his or her family. Family reunification is rare, however, often because the child or family does not express interest, because parents may remain in an armed group or because of fear of reprisals or re-recruitment. It is worth noting that 90 percent of demobilized adult soldiers are between the ages of 18 and 22. Most of these young people joined the armed ranks while still under 18 years of age.

“Soldiers for a Day”

The Ministry of Defense operates a program called “Soldiers for a Day” to expose children to the army through recreational activities such as visits to military facilities where they may be invited to play in a swimming pool or get a tour of a military tank and soldiers may distribute candy or dress as clowns. This program has occurred in several regions, including Santander, Antioquia, Nariño, Santander North and Arauca. In some areas this program is intended to use children to encourage members of their families to desert irregular armed groups.

In Arauca, “Soldiers for a Day” was put into practice as part of a campaign to reclaim a region effectively long abandoned by the government and considered an area supportive of guerrillas. There, the program was part of a strategy in which Arauca was declared a “Rehabilitation and Consolidation Zone,” where civil liberties were suspended. According to the International Coalition, in Arauca children were allegedly given 20,000 Colombian pesos with a message on the back inviting people to abandon armed groups.

On May 19, 2003, the Attorney General’s office requested that the program in Arauca be suspended and cited the following reasons: I) it encourages children to distrust their social surroundings, which can be detrimental to their mental development; II) children’s presence at military bases could make them potential targets of attack and put their lives at great risk; and III) it is not the role of the military to educate children, but of other government institutions.

UN SECURITY COUNCIL ACTION

Despite the magnitude and intractability of the conflict in Colombia, as well as its regional implications, the UN Security Council has not included the armed conflict in Colombia on its agenda for addressing matters of international peace and security. In less direct ways, the Security Council has addressed the situation as detailed below:

Action on Children and Armed Conflict

Children of Colombia are severely impacted by the armed conflict. Therefore, the UN Security Council's repeated calls for the protection of children in situations of armed conflict relate directly to Colombia. The Security Council has made specific commitments to protect children in these situations in four **Security Council Resolutions: 1261, 1314, 1379 and 1460.**

Secretary-General's Report on Children and Armed Conflict

In his third report on Children and Armed Conflict to the Security Council (S/2002/1299), the Secretary-General raised the situation in Colombia as an area of concern for Security Council attention. The report states that Colombia is a situation of concern because armed groups like the FARC, UC-ELN, AUC, AUSC and ACCU (*Autodefensas Campesinas de Córdoba y Uraba*) continue their decades-long practice of recruiting boys and girls for use in combat.

URGENT RECOMMENDATIONS FOR ACTION

To Guerrilla and Paramilitary Groups:

End Atrocities Against Children

- End killings and maiming of children and all civilians; and end torture, mutilation of cadavers, sexual violence, death threats and intimidation and indiscriminate use of weapons;
- Cease attacks against health workers, humanitarian workers and teachers, as well as on civilian institutions such as schools and hospitals, and on ambulances;
- Unconditionally respect all social infrastructures supporting children, such as schools, health clinics, hospitals and cultural and recreational centers, by ceasing any use of these structures as military bases or supply centers;
- Stop the practice of taking hostages, and release all child and civilian hostages and ensure safe return to their families;
- Stop recruitment and use of child soldiers, and take all appropriate measures to demobilize those already in armed ranks. This should include children engaged in support services, as well as those directly participating in hostilities;
- Cease all gender and sexual violations against girls, including those associated with fighting forces, such as rape, forced sexual relations, forced abortion and forced use of intrauterine or other contraceptive devices;

- Stop all activities leading to forced displacement;
- Cease mine production and stockpiling immediately, halt all mine use, include antipersonnel mines in demobilization and disarmament plans and allow all communities full access to available mine risk education and survivor assistance programs;
- Uphold all applicable international humanitarian and human rights standards regarding protection of children in armed conflict.

To the Government of Colombia:

- Immediately halt all support or tolerance for paramilitary units, police and security forces carrying out atrocities against civilians, including cessation of all logistical and technical support. These steps should be taken in addition to any demobilization efforts;
- End impunity for abuses against children by aggressively investigating and prosecuting murders, disappearances, recruitment and kidnappings of children, with meaningful penalty for all crimes;
- Stop any use of children in intelligence and propaganda activities for the government armed forces and take all appropriate measures to firmly uphold national law prohibiting voluntary recruitment of children under age 18;
- Harmonize national legislation with the rights prescribed in the Convention on the Rights of the Child and establish national public policies for young people, which would provide educational and vocational opportunities as preventive measures against joining armed groups;
- Effectively facilitate return home for IDP and refugee children and families wishing to do so, including ensuring safe passage, return of land and homes and continuing protection upon return. Adequately provide for children and families that do not wish to return home by facilitating their registration as IDPs and their protection according to the Guiding Principles on Internal Displacement;
- Ratify the Optional Protocol on the Convention of the Rights of the Child on involvement in armed conflict, and deposit a binding declaration confirming 18 as the minimum age for voluntary recruitment. Ratify International Labor Organization Convention 182 on the worst forms of child labor;
- Immediately terminate the “Soldiers for a Day” program and other programs encouraging children to participate in military activities;
- Uphold all applicable international humanitarian and human rights standards regarding protection of children in armed conflict, including full and unhindered access to humanitarian assistance;

- Guarantee that children demobilized from armed groups are not subject to state military service after reaching 18 years of age or otherwise encouraged to associate with the armed forces;
- Destroy all stockpiled mines in a timely manner consistent with other countries in the region, begin humanitarian mine clearance immediately, increase the scope and capacity of mine risk education programs in all mine-affected communities, include antipersonnel mines in all peace and disarmament negotiations and action plans, ensure that all survivors have access to government health coverage and ensure that all Colombian military forces are adhering fully to the Mine Ban Treaty in their field operations;
- Actively engage the international community and UN country team in improving the human rights situation for children and adolescents;
- Adequately allot social spending programs for young people and unconditionally respect all social infrastructures supporting children, such as schools, health clinics, hospitals and cultural and recreational centers, by ceasing any use of these structures by the police or military;
- Implement the recommendations of the UNHCHR, such as:
 - Identifying, together with the Office of the Ombudsman and UN system, communities placed at risk by the internal armed conflict and, in consultation with those communities and children and adolescents within them, developing and putting into practice, as soon as possible, preventive and protective actions and programs;
 - Calling on the Council of the Judicature, the Attorney General's Office and the Procurator-General's Office to continuously train their employees in human rights and international humanitarian law, also in collaboration with the Office of the Ombudsman.

To the United Nations System:

To the Security Council:

Regarding the Security Council Agenda

- Implement Security Council Commitments to Protect Children Impacted by Armed Conflict, as per Resolutions 1261, 1314, 1379, 1460 and other relevant resolutions;
- Include the conflict in Colombia on the agenda of the Security Council as an urgent matter of international peace and security, based on its severe, life-threatening impact on children and regional implications;

- Call on the Special Representative of the Secretary-General for Children and Armed Conflict to immediately visit Colombia given the change in the situation since his previous visit. The primary objective of this visit should be to obtain new commitments from parties to conflict relating to child protection and the recruitment and use of children in armed conflict. To ensure adherence, the SRSG should consistently and publicly monitor these commitments;
- Mandate an independent investigation into the role of illegal arms sales and the illegal and legal exploitation of natural resources that exacerbate the armed conflict, in accordance with UNSC Resolution 1460;
- Request a briefing (“Arria Formula”) in the Security Council addressing the deteriorating human rights and humanitarian conditions in Colombia, with a special focus on children.

Regarding the Humanitarian Crisis and Displacement

- Call on all parties to conflict to allow freedom of movement for civilians seeking medical treatment, education and other needed services; and ensure the safe and free passage of food, medicine and other humanitarian items (para. 5, Res. 1379);
- Urge the Colombian government, along with the UN country team in Colombia, to apply the Guiding Principles on Internal Displacement and guarantee the safe and voluntary return of IDPs, accompanied by appropriate social and economic support, with special attention to the needs and rights of IDP children, particularly girls (para. 8(b) Res. 1379);
- Call on the government, international organizations, NGOs and others working with the IDP population to take preventive measures to avoid further displacement, paying particular attention to women’s and children’s groups in prevention and early warning systems;
- Urge the UNHCR to provide emergency assistance to Colombian refugees in nearby countries, with particular attention to recruitment of refugee children into irregular armed groups, as well as children’s access to medical care and education, including education about HIV/AIDS (para. 8(b) and 11, Res. 1379).

Regarding Child Soldiers

- Condemn all parties recruiting and using children in armed conflict in Colombia in violation of international obligations applicable to them, and call for an immediate halt to this practice (para. 3, Res. 1460);
- Request the Secretary-General to update, every six months, his list of parties to armed conflicts that recruit and use child soldiers in violation of international obligations applicable to them in all situations where such practices exist, including Colombia (para. 16(a), Res. 1460);

- Call on all parties in Colombia that continue to recruit and use child soldiers to provide documentation of measures they have taken to put an end to the recruitment and use of children, including clear and time-bound action plans to end this practice (para. 4, Res. 1460);
- Take appropriate steps in accordance with the charter of the UN to further address the issue of child soldiers if insufficient progress has been made upon receipt of the Secretary-General's next report on Children in Armed Conflict (CAC). Such steps may include travel bans, asset freezes and ban of military support (para. 5, Res. 1460);
- Call for an end to all programs promoting participation of civilians, particularly children, in armed conflict, including through the network of cooperators and informants and the peasant soldiers or "Soldiers for a Day" programs; and mandate the UN country team to coordinate consistent monitoring of these programs to ensure that children are not encouraged or permitted to participate;
- Call on the government to ratify the Optional Protocol on the Convention of the Rights of the Child on involvement in armed conflict, to deposit a binding declaration confirming 18 as the minimum age for voluntary recruitment and to ratify International Labor Organization Convention 182 on the worst forms of child labor.

Regarding Other Violations

- Call on the governments of the United States and Colombia to end their fumigation programs and consider alternative programs, such as manual crop eradication. They should also consider provision of indemnities to wrongfully fumigated farms and indigenous communities that have been harmed by fumigation;
- Call on the Colombian government to take effective action to develop and implement national legislation to control the illicit trade of small arms to parties to conflict that do not uphold international obligations to protect children in armed conflict (para. 7, Res. 1460);
- Call on parties to the conflict to cease mine production, use and stockpiling; support the inclusion of antipersonnel mines in peace agreements and disarmament plans; and continue to provide mine-risk education to affected communities;
- Call on the government to ratify and implement the UN Convention Against Transnational Organized Crime and its protocols on trafficking in persons and on smuggling of migrants.

Regarding Peace Process

- Ensure that any peace agreement does not include an amnesty for crimes committed against children (para. 9(a), Res. 1379);
- Ensure that the protection, rights and well-being of children are integrated into any peace process and peace agreements, including provisions related to the disarmament, demobilization, reintegration and rehabilitation of child soldiers (para. 11, Res. 1460; and para. 8(e), Res. 1379);
- Ensure that civil society, particularly youth groups, are active participants in any peace negotiations and peace processes, particularly as relates to programs and policies directly impacting their lives (para. 8(d), Res. 1379).

To the UN Country Team:

- The agencies, funds and programs of the UN should strengthen their cooperation in addressing the protection of children in Colombia and increase the UN presence in war-affected and high-risk regions to ensure systematic monitoring and reporting on the humanitarian crisis, human rights abuses and delivery of humanitarian assistance (para. 2, Res. 1460);
- The UN country team should include participation of NGOs and civil society, particularly youth and women's groups, in decision-making related to humanitarian, human rights, peace-building and conflict resolution activities (para. 10(a), Res. 1379, Res. 1325);
- The UN country team should mobilize multi-sectoral support for child and adolescent IDPs and other vulnerable young people, particularly Afro-Colombians and those from indigenous communities, to ensure access to health services, reproductive health services, assistance for GBV survivors, educational opportunities, programs to address household stress and HIV/AIDS awareness programs (para. 11, Res. 1379);
- The UN country team, including UNICEF, UNHCR, UNHCHR and OCHA, should include advocacy, monitoring and reporting on child protection as core functions (para. 88, A/58/546).

To Donors:

- Fully fund the UN's Consolidated Appeal for Humanitarian Assistance in Colombia, with special attention to programs supporting children's security and rights and including support for civil society's role in monitoring and reporting on violations against children (para. 12, Res. 1379);
- Support programs to provide alternative income generation opportunities to avoid unsafe and illegal child labor, trafficking, recruitment, child prostitution and sexual exploitation;

- Donors providing military or other support to the government of Colombia, should consider the government's respect for human rights and, particularly, children's rights;
- Support civil society activities to monitor and report on violation of children's security and rights in the context of the armed conflict in Colombia.

To the Government of the United States:

- Uphold U.S. legal standards, which state that military aid to Colombia must be contingent upon Colombia's compliance with human rights standards. This includes specifically the government breaking ties between army units and paramilitary forces and fulfilling its obligation to protect the security and rights of children;
- Call on the U.S. government to redirect military funding related to the wars on drugs and terrorism in Colombia to programs that protect children, including those related to health, education, HIV/AIDS awareness and testing and landmine awareness, and those for particularly vulnerable children, including street children and children forced into sex work;
- Suspend support for aerial fumigation programs, which are harmful to children and all civilians, and increase support for less detrimental anti-drug measures such as alternative development and voluntary eradication.

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NOTES

¹ Net primary school enrollment is the number of children enrolled in primary school who belong to the age group that officially corresponds to primary schooling, divided by the total population of the same age group.

² Gender-based violence (GBV) is an umbrella term used for any harm that is perpetrated on a person against her/his will that has a negative impact on the physical and/or psychological health, development and identity of the person and is the result of gendered power relationships determined by social roles ascribed to by males and females. Violence may be physical, sexual, psychological, economic or sociocultural, and is almost always and across all cultures disparately impacting women and children.

³ On July 10, 2003, Law 833 (2003) regarding the Optional Protocol was published and is currently being reviewed by the Constitutional Court in order to continue the ratification process.

⁴ The government of Colombia ratified the Rome Statute for the International Criminal Court with the transitional provision (Article 124) that for the seven-year period after the Statute's entry into force, Colombia does not accept the Court's jurisdiction over war crimes referenced in Article 8, including the recruitment and use of children as soldiers.

⁵ All estimates in this report, such as death tolls, refugee numbers, cases of HIV/AIDS and others, should be considered as *lowest* estimates to take into account the significant levels of underreporting due to fear of retribution, deportation and discrimination.

⁶ According to the Rome Statute for the International Criminal Court, enforced disappearance of persons "means the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time."

⁷ The Colombian Ombudsman Office was created by the 1991 Constitution as the key government office directly responsible for the defense and promotion of human rights and the oversight of public policy.

⁸ See Colombian Commission of Jurists, "Warning Regarding Governmental Human Rights Statistics in Colombia," July 2003.

⁹ From 1998 to 2002, this area was a demilitarized zone (DMZ) officially controlled by FARC-EP.

¹⁰ For more detailed information on Plan Colombia, see Washington Office on Latin America (WOLA)

Plan Colombia: 3 Year Anniversary Report Card, www.wola.org

¹¹ The areas most affected by internal displacement are the border areas with Venezuela (departments of Arauca, Cesar, Norte de Santander and Guajira); the Atlantic coast (Sierra Nevada, Magdalena, Serrania de Perija and Cesar); and the former demilitarized area (Caqueta, Cundinamarca, Buaviiare, Hila, Meta, Putumayo and Tolima); see ICG, Colombia's Humanitarian Crisis.

¹² The disparity in this figure comes, in part, from varied definition of minors as either below the age of 18 or 19, by agencies doing data collection.

¹³ International Labor Organization Convention 182 defines the worst forms of child labor as: A) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, and enforced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; B) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic purposes; C) the use, procuring or offering of a child for illicit activities, in particular for the production or trafficking of drugs; and D) work which, by its nature or the circumstance in which it is carried out, is likely to harm the health, safety or morals of children.

¹⁴ The comprehensive research and analysis on child soldiers in Colombia by the Coalition to Stop the Use of Child Soldiers is the basis for this section.

A widely recognized definition of child soldiers was established in 1997 in the Cape Town Principles and Best Practices. "[A child soldier is] any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messengers, and those accompanying such groups, other than purely as family members. It includes girls recruited for sexual purposes and forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms."

¹⁵ See *You'll Learn Not to Cry* for detailed information on recruitment, daily life, training, discipline and punishment, combat, participation in violence and other factors related to the lives of child soldiers in Colombia.

The Watchlist works within the framework of the provisions adopted in Security Council Resolutions 1261, 1314 and 1379, the principles of the Convention on the Rights of the Child and its protocols, and other internationally adopted human rights and humanitarian standards.

Information is collected through an extensive network of organizations that work with children around the world. Analysis is provided by a multidisciplinary team of people with expertise and/or experience in the particular situation. Information in the public domain may be directly cited in the report. All sources are listed in alphabetical order at the end of report to protect the security of sources.

General supervision of the project is provided by a Steering Committee of international nongovernmental organizations known for their work with children and human rights. The views presented in any report do not represent the views of any one organization in the network or on the Steering Committee.

For further information about the Watchlist Project or specific reports, or to share information about children in a particular conflict situation, please contact:

watchlist@womenscommission.org

www.watchlist.org