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Colombia: Narratives of Violence

Human Rights in Colombia

Guerrillas, some as young as 11, in camouflage and toying with their submachine guns as a commander reads off items to bring to the attack: grenades, explosives, mortars, and propane missiles. One lad playfully sticks out his tongue at the camera and then shows off the submachine gun he has strapped on his back like a school satchel (McGirk 1).

Murder, kidnappings, death, and hopelessness; these words are common themes and occurrences that many Colombians have to deal with in their daily lives. Furthermore, the act of violence is a characteristic that many people categorize as a part of Colombia. Violence in Colombia is a result of many factors, one of which is the continuous civil war between groups such as the paramilitaries, the Colombian military, and several guerrilla groups such as the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia—FARC), the National Liberation Army (Ejército de Liberación Nacional—ELN), and the Popular Liberation Army (Ejército Popular de Liberación—EPL). One of the most important issues that tends to be condoned is the issue of human rights. As many people may realize and as my paper will prove, there have been and still are many casualties that result from this ongoing war.

Part of the problem is that many of the lives that are being taken are innocent civilians that find themselves caught in the middle of this war. Many, who have nothing to do with this war, often find themselves displaced and their families torn apart, leaving them with little hope for peace and survival. The thesis of this paper is that although several groups are responsible for human rights violations such as the guerrillas, paramilitary groups in particular are the main group responsible for human rights abuses and these violations will persist because of a lack of cooperation from Colombia with the United States and other factors such as governmental corruption. Likewise, the purpose of this paper is to educate and provide one with information regarding human rights violations, show what is currently being done to ameliorate this problem, and specifically through statistical data put this issue into perspective, analyzing many of the lives that have been destroyed since the emergence of this war.

Before one can analyze the results or consequences of an event, one must understand the source or origins of its cause. The source of human rights violations has a long history and can be traced back to the mid 1900s with events such as La Violencia; however, the time frame for this report will begin in the 1960s, with the emergence of the FARC. This terrorist organization was the first to develop, and with its development emerged several other leftist and right-winged insurgency groups.

During the wave of revolutions that swept Latin America in the 1950's and 1960's, a left wing insurgency movement, known as Las Fuerzas Armadas Revolucionarias de Colombia (FARC), emerged espousing a Marxist ideology and a plan to redistribute wealth and land. A few years later, El Ejército de Liberación Nacional (ELN) was formed by a group of intellectuals and students.

In response to targeted attacks on their land, wealthy land-owners began to use paramilitaries to protect themselves against rebel incursions. By the early 1980's, these paramilitary groups converged into Las Autodefensas Unidas de Colombia (AUC). (Women War Peace Organization)

As this quote states, the emergence of the FARC was the first terrorist organization and it essentially served as a catalyst for the evolution of the latter terrorist groups. As these organizations began to progress, civil war broke out, and it has been for the past 38 years that Colombia has been fighting this war. The outbreak of this war has affected many lives, henceforth infracting several violations of basic human rights.

According to the General Assembly of the United Nations, the definition of human rights entails several provisions, some of which include:

- Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
- Article 3: Everyone has the right to life, liberty and security of person.
- Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.
- Article 17 (1): Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.
- Article 20 (2): No one may be compelled to belong to an association
- Article 9: No one shall be subjected to arbitrary arrest, detention or exile

Therefore, a human rights violation can occur in a variety of different ways. As one will see, these provisions of the declaration of human rights are several of the most violated articles.

Human rights violations are typically caused by the paramilitaries.

VÍCTIMAS DE MASACRES SEGÚN RESPONSABLES Y AÑOS

AUTOR	1999	2000	2001	2002	2003	TOTAL
DESCONOCIDOS	375	500	609	309	259	2052
AUTODEFENSAS	408	701	281	59	13	1462
FARC	126	161	120	295	147	849
ELN	8	41	22	17	4	92
EPL	12					12
ERG			7			7
ERP			5			5
TOTAL	929	1403	1044	680	423	4479

Fuente: Policía Nacional - Centro de Investigaciones Criminológicas.

Procesado: Observatorio del Programa Presidencial de Derechos Humanos y DIH Vicepresidencia de la República

As we can see by the chart provided, despite a couple of instances in which the FARC inflicted more yearly deaths than the rest (2002 and 2003), overall the paramilitary (Autodefensas) has been responsible for the majority of deaths. According to statistics available in Colombia and from the World Bank, “50-60% of the two to three million forcibly displaced Colombians were forced from their lands by the paramilitary” (Mutchler and Lari 1). In analyzing this quote, displacement falls under a violation of human rights in the aspect that it is depriving someone of their property. In addition, a result of displacement is the tearing apart of families, and displacement is not acting towards another in a spirit of brotherhood. On the contrary, these actions are cruel and inhumane. Civilians are undeserving of this punishment because they have done no

harm. In addition, the World Press Organization provides that “Rough estimates put deaths in battles during the past decade at 40,000 many civilians (from the years 1980-1990).” Despite ‘documented’ attempts for the government to aid civilians who have been displaced, the realism of this tragedy is that little is being done, in part because of the magnitude of the displaced. As aforementioned, millions of lives are subject to violence and forever altered. Feelings of hopelessness have become a reality for many of these millions. In another instance, we continue to see the brutal aftereffects of massacres. Colombia’s Public Advocate reported in April of 2000:

Last year, Colombia’s Public Advocate recorded over 400 massacres. Most massacres were perpetrated by paramilitaries working with the tacit acquiescence or open support of the Colombian Army. Guerrillas also committed massacres.

As a result, over 1.5 million Colombians are forcibly displaced... (HRWO 2000).

The displacement and the massacres that are discussed are in direct violation of Articles 1 and 3. In addition, if each life is valued individually, in theory we are discussing over 400 different violations of human rights. As mentioned earlier, displacement tears apart families and homes, and this is not a ‘brotherly’ act. Families, like brothers, are intended to stay together, and it is safe to say that any act that forces families apart is in violation.

According to the World Press Organization, “At least 6,000 children are believed to be fighting in Colombia’s 37-year insurgency, with 70 attacks this year” (McGirk 1).

Another factor accompanied with the notion of human rights is how inhumane it is to have children become a part of this war. According to the second principle in the definition of human rights provided by the General Assembly, for a child, special protection should be provided:

“The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration” (UN Office of High Commissioner for Human Rights).

Following these guidelines set forth by the General Assembly, the involvement of children in the guerrillas can arguably be in violation because warfare is not considerably aiding in development in normal healthy conditions. It is rather mentally inhibiting the child by exposing them to such atrocities such as death. Furthermore, these children’s lives are valued the least out of all the guerrillas, occupying the shittiest and most dangerous jobs.

Child soldiers often act as scouts or paramedics and are considered expendable, easier to manipulate, and less costly to feed. Some leaders prefer children because they can be bullied into risky missions an adult would never accept. (McGirk 1)

Children forced to fight in this civil war is a huge violation of human rights because their lives are labeled as “expendable.” As this word infers, there is a disregard for life. Therefore, if children’s lives are disregarded and not respected, then it violates the human rights Article 3 which states that everyone has a right to life. Likewise, in the bond of brotherhood, one would not send a brother to accomplish a mission if they would not even put themselves in the same position. With that stated, why would children even

want to join groups like the guerrillas when their lives are not worth anything and their basic rights are being infringed upon consistently?

Colombia's National Department of Statistics recently released figures on rebel fighters under 18. Some 34 percent volunteer out of fascination for guerrilla weapons and uniforms, and an equal percentage join from poverty just to eat.

Some 17 percent were born into the guerrillas, and 15 percent have been recruited against their will. Some 18 percent of the youngsters interviewed said they had killed at least once, and 40 percent had wounded someone (McGirk 1).

In addition to this citation and as Heather Kincaid states in her paper, children keep joining these guerrilla groups because they provide something that most rural impoverished homes cannot: food and shelter (Kincaid 5). In conjunction with the definition of human rights, this citation furthers the violation of human rights, in that 15% are recruited against their will. According to the declaration, no one can be forced to belong to any association. This is a direct violation. Despite loose regulations stating that children under the age of 18 should not be involved in the guerrillas (Child Soldier's Global Report 2001), the reality of this point is that those regulations are not upheld nor heavily enforced. In addition to statistics and the World Press Organization, to help combat this problem, there have been organizations established solely to show these violations in Colombia.

An organization specifically established to combat or rather identify instances of human rights violations is called the Human Rights Watch Organization (HRWO). The goal of this organization is that by identifying these numerous cases of human rights

abuses, proactive strategies can evolve to help combat abuse. Here are a few instances in where the HRWO identified these human rights abuses in the past decade:

In February 2003, the Human Rights Watch accused specific brigades and commanding officers in the Colombian Military of collaborating with paramilitaries who are committing abuses against civilians (HRWO 2003).

As recently as 1999, Colombian government investigators gathered compelling evidence that Army officers set up a “paramilitary” group using active duty, retired, and reserve duty military officers along with hired paramilitaries who effectively operated alongside Army soldiers and in collaboration with them; (HRWO 1996).

In these instances, the Colombian Military/Army is indirectly responsible for committing violations against civilians through paramilitaries. The word “abuses” in the citation refers to inflicting unnecessary harm, death, and kidnappings against civilians.

Reflecting on the definition of Human Rights outlined by the UN, these three abuses are not safeguarding the right to life, liberty and security of a person. Furthermore, one can see how ruthless these terrorist organizations are, and their total disrespect for human life.

For 17 hours last March 25th and 26th, guerrillas from the FARC detained and terrorized the 1,200 residents of Vigia del Fuerte and Bellavista. Guerrillas killed eight civilians, among them two small children. The ELN, also violates international humanitarian law by killing civilians and taking hostages. In May 1999, ELN guerrillas seized over 140 churchgoers in Cali. Months later, guerrillas apologized—not for kidnapping, but for failing to wait until the Catholic Mass was concluded to carry it out. (HWRO 2000)

As one can deduce from this citation, the FARC and the ELN are both responsible for human right infractions. The FARC is in violation for detaining and terrorizing residents. Article 9 states that “No one shall be subjected to arbitrary arrest, detention or exile” and Article 5 states that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” This citation clearly shows these infractions. Likewise, the ELN seized over 140 churchgoers, which is also in violation of Article 9 in detaining someone. Despite these numerous infractions against human rights violations, certain things are being done to help combat this problem.

One example of steps being taken in the right way is legislation being passed in Colombia in attempts to decrease and stop these abuses. For example, Decree 573 passed in 1995 states that General Rosso José Serrano can summarily fire police officers accused of abuses if there is convincing evidence against them. As a result of legislation such as this, “since 1994, 11,400 police officers implicated in human rights abuses, criminal activity, and other crimes have been discharged from the force and put at the disposition of Colombian courts for trial and punishment” (HRWO 2000). In addition, another step in the right direction is the aid of international sanctions.

Specifically, the United States has played the largest role in aiding Colombia with this civil war, and has acted specifically on combating human rights violations. One of the strategies that former US president Bill Clinton proposed when he was in office was to grant aid, up to \$625 million, if Colombia upheld certain human rights conditions that were previously established and agreed upon by the US and Colombia. In response, this plan of action has not been effective, and in many instances Colombia has failed in receiving this aid or been suspended of the aid (HRWO 2001). Similarly, the United

Nations has attempted to help this situation. The Human Rights Watch reports that the UN has put:

An increase in the number of permanent staff of the Office of the High Commissioner in Colombia, renegotiation of the Office's mandate to allow regular public reporting, and visits by thematic mechanisms to investigate specific aspects of Colombia's human rights crisis (HWRO 2004).

In addition to physical support, European Union has also contributed financially to solve the human rights problem in Colombia. "For the period of 2002 through 2004, the EU provided over \$35 million to Colombia" (Charles). As we can see through this fact, US involvement has been over and above the contributions of several countries. However, despite aid and active involvement by other countries, if Colombia refuses to cooperate with the requirements necessary to receive aid or is too corrupt to use the aid effectively and efficiently, nothing will be solved. As it has been, Colombia has failed on several attempts to meet certain stipulations: "Amnesty International, Human Rights Watch and the Washington Office on Latin America (WOLA) released a report detailing Colombia's failure to meet a single human rights condition required by the aid package" (Colombia Fails Human Rights Requirements of U.S. Aid Package), and thusly, human rights violations continue occurring and the civil war persists.

In conclusion, human rights violations in Colombia are still present today and remain very problematic. The paramilitary groups are the driving force behind this issue, and through the statistics we can see how they are by far the most responsible for the majority of deaths, massacres, kidnappings, displacement, and other types of human rights violations. In attempts to ameliorate this problem, many countries (mainly the US

and the EU) have stepped in and offered aid, however, one may be able to assume that from the lack in upholding US stipulations necessary to receive aid by Colombia, this may not be one of their primary concerns. Consequently, many people feel that aid should cease or diminish (HRWO 2001). The source of these violations is indeed the civil war, and it is because of this that human rights abuses propagate. Human Rights will continue to be violated until more headstrong efforts are instituted by Colombia to disband paramilitary groups and essentially end this war. As mentioned in Andrew Doggett's paper, paramilitary groups are disbanding; however, this disbandment not only needs to be consistent, but more headstrong. Only until then will we see lives in Colombia be valued properly and other instances of human rights being respected.

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