

United Nations Committee against Torture reaffirms its concern for torture in Colombia



In its concluding observations, the Committee integrated key problems raised by the Colombian Coalition against Torture, and presented them in the form of issues of concern and recommendations.

Bogota-Geneva-Paris-Copenhagen, May 21, 2015. The United Nations Committee against Torture (CAT), on Friday, May 15, published its concluding observations in the framework of the 5th periodic review of Colombia. The conclusions and recommendations by the CAT, the body in charge of monitoring the implementation by State parties of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, reflect the recurring use of torture and ill-treatment in the country, and the lack of investigation of these crimes.

In its observations, the CAT integrated the key problems presented by the Colombian Coalition against Torture –CCCT-¹, in particular those relating to the alarming situation in centers of detention (paras. 17 to 20); the magnitude and invisibility of sexual violence against women, girls, boys and adolescents (paras. 13 and 14); the excessive use of force against peaceful demonstrators (para. 16); violence based on sexual orientation and gender identity (para. 27), and the concern for torture that occurs in concurrence with enforced disappearances, arbitrary detentions, and extrajudicial executions (para. 9 and 10). The CAT also expressed concern about the initiatives to expand the scope of military jurisdiction (para. 11).

Similarly, the CAT was concerned about the “shortcomings that have been identified in the paramilitary demobilization process”, and emphasized the impunity that exists for the crimes committed by the paramilitaries and its concern for the “grave abuses perpetrated against civilians by these armed groups emerging after the demobilization of paramilitary organizations, which include forced disappearances, murders, sexual violence, recruitment of minors, threats and forced displacement”, explicitly referring to the situation in Buenaventura, Valle del Cauca Department (para. 12).

The CCCT shares the concern of the CAT about the insufficient information provided by the State regarding the phenomenon of torture in Colombia, in light of the alarming impunity. The CAT regrets that “the State party has not given precise figures on the number of complaints, investigations, prosecutions and convictions corresponding to cases of torture and ill treatment” (para. 21) and that despite the “wide range of compensation measures introduced by law Number 1448”, Colombia did not provide

¹ The Colombian Coalition against Torture is made up of the Association of Relatives of the Detained-Disappeared (ASFADDES), the Minga Association, the José Alvear Restrepo Lawyers Collective, the Colombian Commission of Jurists (CCJ), the Corporation AVRE (which provides support and mental health services to victims of political violence), the Corporation for the Defense and Promotion of Human Rights Reiniciar, the Committee for Solidarity with Political Prisoners (FCSP), the Corporation Centre for Psychosocial Attention (CAPS) and the World Organisation Against Torture (OMCT).

detailed information on the execution of integral reparation schemes including fair and adequate compensation and full rehabilitation (paragraph 22).

The CCCT, together with the undersigned international organizations, welcomes that the CAT has issued specific recommendations for the State to relentlessly address torture as a result of gender violence (paras. 13 and 14); the overcrowding of prisons and the precarious medical services in detention centers (paras. 17-20); and the absence of adequate safeguards to protect human rights defenders, trade unionists and journalists (para. 26).

We highlight the recommendations of the CAT about the need to bring the definition of torture in line with Article 1 of the Convention (para. 7); and the creation of an independent and effective mechanism to receive complaints of torture and ill-treatment in detention centers and to carry out investigations, as well as the establishment of a centralized register for cases of torture and ill-treatment (para. 21).

Likewise, we insist upon the importance of the recommendation which urges the State to accept the competence of the CAT, through Article 22 of the Convention, to receive and examine complaints lodged by individuals who claim to be victims of torture or ill-treatment (para. 29); also the recommendation whereby the CAT encourages the ratification of the Optional Protocol to the Convention against Torture, with the aim of moving forward in the fight to prevent torture in detention centers, calling upon the State to conduct periodic and independent inspections, including monitoring activities by nongovernmental organizations (paragraph 20).

Finally, we call upon the State and all the institutions to take on the concluding observations of the CAT and implement its recommendations. We believe that the Colombian authorities have a unique opportunity to demonstrate its strong willingness to eradicate torture and end impunity in our country.

Additionally, we hope that the State will provide the requested information to the CAT before May 15, 2016 on the actions undertaken to implement the recommendations regarding the excessive use of force by law enforcement agents and military personnel, the conditions of detention in penitentiary centers, and the reparation for victims of torture and ill-treatment. The compliance with this requirement would send a firm message about Colombia's commitment to the absolute prohibition of torture.

- Concluding observations on Colombia's fifth periodic report: <http://bit.ly/1ec2SVQ>
- Executive Summary of the 2009-2014 alternative report to the Committee against Torture (in Spanish, English, and French): <http://bit.ly/1cLPMxC>

Signatory organizations

Colombian Coalition against Torture (CCCT)

World Organization against Torture (OMCT)

International Office for Human Rights Action on Colombia (OIDHACO)

Action by Christians for the Abolition of Torture (ACAT France)

Association for the Prevention of Torture (APT)

International Rehabilitation Council for Torture Victims (IRCT)

For further information, please contact:

Carolina Garzón (in Bogota): carolinagarzon@coljuristas.org / Tel. +571 744 9333 ext 115

Helena Solà Martín (in Geneva): hs@omct.org / Tel. +41 22 809 3929

Anne Boucher (in Paris): anne.boucher@acatfrance.fr / Tel. +33 1 40 40 99 68

Isabelle Heyer (in Geneva): ihey@apt.ch / Tel. + +41 22 919 21 79

Asger Kjaerum (in Copenhagen) : akj@irct.org / +45 44 40 18 56