

Contribution of the Office of the Special Representative of the Secretary General for Children and Armed Conflict to the Universal Periodic Review on Colombia, October 2017

1. Background

The situation in Colombia was brought to the attention of the Security Council in 2003 in view of the impact of armed conflict on children. In the most recent annual report of the United Nations Secretary-General on children and armed conflict (A/72/361–S/2017/), two armed groups, namely the Ejército de Liberación Nacional (ELN) and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) are listed in annex I for recruitment and use of children. Although an overall decrease in reported violations and abuses committed against children was documented since the last Universal Periodic Review (UPR) on Colombia in April 2013, grave violations against children have continued to be documented by the United Nations Country Task Force on Monitoring and Reporting.

The year 2016 was marked by the signing of a final peace agreement between the Government and FARC-EP in September and armed violence between the Colombian Armed Forces (CAF) and FARC-EP reached its lowest level in 50 years. 2016 also witnessed preparations for dialogue with the ELN, which culminated with the start of formal peace talks in February in Quito, Ecuador and a temporary bilateral ceasefire that started on 1 October 2017.

Since FARC-EP committed to end child recruitment and use in the context of the peace process, the overall number of recruitment cases has dropped, although cases by ELN and dissident fronts of FARC-EP were reported towards the end of 2016 and in 2017. As of October 2017, 134 children were formally released from the FARC-EP within the framework of the peace agreement and since August 2017, the FARC-EP stopped to exist as an armed group. However, despite a decline in conflict intensity, the presence of other non-State armed groups and post-demobilization groups, as well as FARC-EP dissident fronts, continue to pose child protection challenges, including incidents of rape and sexual violence, killing and maiming of children and attacks on schools and protected personnel.

2. Recommendations

- Welcome the announcement by the FARC-EP in February 2016 that they would stop recruiting children under-18, and the subsequent agreement (Joint Communiqué #70) reached between the Government of Colombia and the FARC-EP on 15 May 2016 in Havana (Cuba), which included the development of a protocol for the immediate separation of children under 15, a roadmap and a comprehensive programme for the reintegration of all children under 18.
- Commend the final peace agreement between the Government and FARC-EP signed in September 2016, which included provisions on the protection of children such as the prioritization of the best interest of the child in the separation and reintegration process, community-based reintegration and the primacy of their rights in all areas of implementation.
- In particular call for the best interest of the child and the primacy of children's rights to be a guiding principle in the implementation of section 3.2 and 3.4 of the Peace Agreement as called for in section

6.3.3 of the Agreement, including the process of political, economic and social reincorporation of the FARC-EP and the implementation of personal and collective security guarantees.

- Welcome the Amnesty Law approved in December 2016, which included a special provision on children, requiring the Government not to prosecute any person under 18 when they committed acts in the context of the armed conflict.
- Welcome the start of formal peace talks between the Government of Colombia and the ELN in February 2017 and the temporary bilateral ceasefire that started on 1 October 2017 and call on the negotiating parties to include the issue of child recruitment and use in the ongoing peace talks.
- Express deep concern at continuing grave violations committed against children by non-State armed groups, including ELN, post-demobilization groups and FARC-EP dissident fronts and call upon the parties to conflict to immediately stop all grave violations against children.
- Express deep concern at reports of armed groups using sexual violence as a way to assert control over territories and call upon all parties to immediately prevent and put an end to sexual violence in all forms.