



37th FIDH Congress from 6 to 10 April, 2010 in Yerevan

RESOLUTION ON JUDICIAL INDEPENDENCE AND ACCESS TO JUSTICE FOR VICTIMS IN COLOMBIA

The International Federation for Human Rights (FIDH) meeting in its 37th World Congress, in Yerevan, Armenia, from 6 to 10 April 2010, concerned with situations that affect judicial independence and access to justice for victims in Colombia and

Considering that during the presidency of Alvaro Uribe Vélez there have been systematic and repeated instances of pressure on and interference with the work of the judiciary, which have resulted in the absence of guarantees for the exercise of the administration of justice, in a significant factor contributing to the consolidation of impunity with regard to investigation, judgment, and punishment of those responsible for human rights violations, and in obstacles to the work of human rights defenders and to victims' access to justice.

Considering that within this set of actions, there stands out, among many others, the investigation, by the Administrative Department of Security (*DAS*) agents, of the private, family, and professional lives of a large group comprising prosecutors, judges, magistrates, human rights defenders, victims and witnesses, in the context of actions on human rights violations brought before national and international tribunals.

Considering that added to these human rights violations there are sexual threats and various types of violent acts against women, young people, and girls; assaults by armed actors against human rights defenders because of their activities for the defense of civil, political, economic, social, cultural, and environmental rights. A great cloak of impunity has been spread over these actions by completely ignoring the effects of conflict on women's lives; by passing over central issues such as the sexual violence which is rampant in the context of armed conflict and converts *women's bodies into battlefields*; and, in short, by systematically and repeatedly violating victims' rights to truth, justice, redress, and guarantees of non-repetition.

Considering that besides the effects on the judiciary and on victims' access to justice, the executive branch has made public statements questioning the moral, professional and ethical fairness of a number of magistrates and against the appropriateness of some judicial decisions which are contrary to the government's interest and policies or which reveal human rights violations perpetrated by State agents.

Considering that at the institutional level the government has sought to consolidate this policy by spearheading and putting in place a series of reforms designed to reduce the independence of the judiciary and which range from abolishing some of the high courts, merging some of their constitutionally assigned functions in a single organism, on down to consolidating the power to appoint persons close to the government's interests and political and ideological orientation to certain judicial authorities and even to bodies of control, thus going against the recommendations of international organisms which have repeatedly called the attention of the Colombian State to the need for adopting without delay adequate measures to prevent, address, and redress acts of sexual violence and other human rights violations perpetrated during and in connection with armed conflict.

RESOLVES

To condemn the Colombian government's disregard for judicial independence and for the right of access to justice for victims of human rights violations.



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To call upon the Colombian State to fulfill its international and national obligations in regard to judicial independence and access to justice for the victims of human rights violations.

To call upon the Colombian State, in accordance with the repeated recommendations of international bodies in regard to human rights, to guarantee victims' rights to truth, justice, redress, and guarantees of non-repetition.

To support the accusations by judges, prosecutors, human rights defenders and witnesses and their call for the reestablishment of judicial independence and guarantees with regard to access to justice.

To support the determined, constant daily work of women, young people, boys and girls, men and women human rights defenders to preserve the memory and fight against impunity and forgetting, and we repeat our support for seeing that their rights to truth, justice and redress are fully respected.

Yerevan, April 2010.