

Enforced disappearance in Colombia is not just a problem from the past

December 10, 2021

On the occasion of International Human Rights Day, the undersigned organizations urgently call on the European authorities to speak out about impunity in cases of enforced disappearance in Colombia.

Despite the signing of the Peace Agreement five years ago, the expected structural changes have not been implemented to improve the lives of the Colombian population. Human rights violations continue to be committed and the rate of impunity has not been reduced. While the victims of the armed conflict are at the center of all aspects of the Agreement, most of them are still waiting for justice and reparation for the violations they have experienced.

Enforced disappearance is a crime against humanity with long-lasting impacts. It has been committed throughout the Latin American continent, as a strategy to control the population, but above all to dismantle political opposition movements. In Colombia there is an institutional pattern and a tendency to deny everything related to forced disappearance, to the point of not recognizing the existence of the phenomenon, thereby making it invisible. Relatives of the disappeared have been forced to search for the whereabouts of their loved ones themselves. Impunity and the lack of clarification regarding enforced disappearances committed in recent decades increase the risk of the persistence of this crime. This is especially the case given the continuation of the armed conflict and the persecution of social leaders, trade unionists, human rights defenders, political opponents, and journalists. This persecution was recently made visible during the repression of the national strike protests this year, in which there have been new cases of enforced disappearance allegedly committed by state entities.

We note with concern that enforced disappearance is not just a problem from the past. On the contrary, a new *modus operandi* has been implemented to carry out enforced disappearances, but always with patterns aiming at political control, the repression of dissent, and the generation of terror in the victims and their environments. Indeed, many of the people who disappeared during the social protests appeared a few days later with obvious signs of ill-treatment and reported having been held incommunicado during their detention, and there were also several cases of sexual violence¹. The Public Prosecutor has not investigated these cases as enforced disappearances, due to the fact that the people reappeared, however, the crimes did take place. Justice institutions are not acting properly to resolve cases of enforced disappearance and to hold those responsible accountable to the law. Although the bodies within the Comprehensive System for Truth, Justice, Reparation and Non-Repetition created by the Peace Agreement have the task of seeking truth and justice for the victims of the armed conflict, we note with concern (despite the efforts of the Unit for the Search for Persons Presumed Disappeared) that the issue of enforced disappearance is still not a

¹ Final report of the SOS Colombia mission:

<https://www.cinep.org.co/Home2/component/k2/916-informe-final-mision-sos-colombia.html>. See: France 24, '¿Dónde están?': en Colombia denuncian decenas de desapariciones en el paro nacional: <https://www.france24.com/es/am%C3%A9rica-latina/20210529-protestas-colombia-desaparecidos-paro-nacional-protestas>

priority for all of the Colombian authorities who have the obligation to investigate, establish and punish those responsible for such crimes.

For all these reasons, we call upon the European Union and its Member States to:

- Support the institutions created within the framework of the Peace Agreement, such as the Truth Clarification Commission, the Special Jurisdiction for Peace, and the Search Unit for Persons Reported Missing, so that they can carry out their mission with regards to disappeared persons.
- Urge the competent Colombian authorities to ensure that all cases of enforced disappearance are properly investigated so that they do not go unpunished and that those responsible are established and punished in accordance with the law; thus, helping to clarify the truth about the more than 80,000 cases of enforced disappearance.
- Demand, as funders and guarantors of full compliance with the Peace Agreement, greater accountability regarding the use of the European funds that contributed to the peace process.
- Call on Colombia to take steps to recognize the competence of the Committee on Enforced Disappearance to receive and consider individual communications from victims in accordance with article 31 of the International Convention for the Protection of All Persons from Enforced Disappearances.

