Colombia

General Debate

Speaker: H.E. María Ángela Holguín Cuellar, Minister of Foreign Affairs

Colombia is at a historical turning point, awaiting the results of the negotiations, still taking place this same moment, between the governments and the FARC guerrillas to put an end to over 50 years of armed conflict causing thousands of victims.

Some important aspects of the peace negotiations:

- The victims have been and will be the center of these negotiations.
- The 23rd of September the establishment of a Special Peace Jurisdiction was announced. As part of this system, there will also be a Truth Commission that will issue and official report.
- There have already been made agreements on issues like agrarian development, political participation, the illicit drug trade, and the establishment of a mechanism to search for missing persons.
- The State is making considerable efforts to foster peace and justice, such as the Victim’s Law and the Land Restitution Law.
- The Special Peace Jurisdiction treats guerrilla fighters and State functionaries on an equal basis. The Special Peace Jurisdiction will be administered by an independent judicial organ and will benefit those who are prepared to lay down their arms, contribute to the reconstructing the truth, repair their victims, admit their crimes, accept their responsibility and guarantee the non-repetition of their criminal behavior.
- There will be NO amnesty, under any circumstances, for grave violations of international law.

Colombia encourages the efficient use of resources by the Court and recognizes that certain State Parties have difficulties in fulfilling all of their financial commitments due to their economic situation.

With regard to complementarity, Colombia would like to pay homage to the will and capacity of the Colombian judges and prosecutors to administer justice, despite the difficult situation that Colombia is in. The hundreds of judgements that have been made by Colombian judges in penal processes, that are related to certain aspects of the preliminary investigation that Colombia is subjected to, bear witness of this enormous effort. More than 600 of these rulings were shared with the Office of the Prosecutor of the ICC.

Acknowledgment of all states and organizations that have supported the peace negotiations in Colombia.

Special Session on Complementarity

Sexual and gender based crimes should be investigated and punished, but there are difficulties in condemning those responsible since there is often a lack of evidence or victims are being stigmatized.

Supplementary Items Debate (Proposals South Africa)
Every State’s right to be heard must be respected. Colombia calls for a procedure of consultation and invites the States Parties to explore these revisions in a subsidiary body.

Supplementary Items Debate (Proposals Kenya)

Colombia insists that there should be no taboos in the Assembly, but thinks it is not appropriate for the Assembly to look into the amendments of article 68, as this can only be discussed within the Court. However, Colombia would like to highlight that the non-retroactive enforcement of articles is a general principle of law, and when not respected, constitutes a violation of the due process of law.