

Notes on presentation: The situation in Colombia for conscientious objectors—after the peace process

Diego: We start by thanking you for this opportunity to speak/ From the Collective Action of COs and from the antimilitarist movement we've always been very interested in sharing the conditions of COs here in Colombia

It's important to frame this conversation within the political transition that Colombia is experiencing at this time. As you know there have been peace conversations with insurgent groups the peace agreement between the Government and the FARC has already been signed. This marks these peace negotiations the conflict with the FARC was one of the main issues, because it established the reaction of the government this new dialogue that has been established between the government and the FARC has meant new opportunities within political agendas for e.g., the possibility of having a say in decision making positions also in matters of land distribution. This process of peace negotiations has therefore enabled these new scenarios to take place we have experienced all this and the conversation with the military, has changed. For example, the irregularities within the recruitment process or the help to COs have changed because they know that the situation is now different illegal recruiting practices have now been deemed illegal. We can't say they no longer take place because we have heard of some cases of youth being recruited but the number has decreased.

Recruitment is ongoing and many people don't have the means to denounce this illegal conscription or don't have the necessary information which we try to make available to everyone, perhaps because they are in more remote regions.

The conversations with the FARC have been more or less successful now the armed conflict is slightly different because there are dissident groups which continue to use weapons and are present in regions that used to be dominated by the FARC and exert pressure on the youth of those regions and there is drug trafficking and illegal conscription in those regions they recruit the youth to do their "dirty work" of selling drugs and continuing the armed conflict.

It has proved very difficult to us to follow these young people and help them the question now is: what is the new dynamic of the conflict regarding the possibility of a new peace negotiations with the other guerrilla the national liberation movement we want to be able to guarantee everyone the participation in the political life and their freedom and safety. This is where our work has been focused.

Alvaro: At 2am (Colombia time) the UN will evaluate the country on its human rights conditions we presented a report on this issue which describes the problems that we are facing and that Diego has talked about including the situation of women, civil and political rights, the situation of defenders of Human Rights etc. This report can be found online on the webpage: <https://www.500organizacioneshablan.org/> It's both in English and Spanish. One of our colleagues spoke in Geneva about the situation of Human Rights in Colombia and the right to conscientious objection

As Diego was saying, although the situation has improved it remains uncertain because we are in a pre-election period. Some leaders of the groups don't want to take up their positions in the Senate which could lead to new violence meaning that the country might not be able to leave behind this armed conflict that has been going on for over 50 years. Many leaders have been murdered mainly due to the land what are the interests in land.

There is petrol, mining, many natural resources which have been the main reasons for the land conflicts in the country when we talk about peace, we don't only talk about the end of the armed conflict we also talk about other rights, such as the right to life, education, etc.

It seems as if we live in a military state instead of a state with Rule of Law the military budget has been increased while the R&D budget has been decreased. This of course affects human rights in the country armed forces have also increased their numbers there is the Damascus Doctrine which intends to include the military in people's everyday lives. They want to make them look like people who are there to help people but is only a way to militarise people's daily lives even more and eventually perform military interventions if required. Colombia has about 8 US military bases, it's one of the Latin American countries with the greatest number of US bases. In Colombia, there is still a military service where the youth is forced to join the armed forces.

In a new law we have tried to include the right to CO and to offer the COs a form where they can declare that they don't want to join the army. However, another mandate made by the Constitutional Court in 2009 has been applied. The decision of whether a person can refuse to join the military relies 80% on the military itself. Lawyers, psychologists, et are present when making the decision, but the final decision for accepting a CO relies completely on the military. When the youth were conscripted in big cities like Cali, Barranquilla, Bogotá, etc, their fundamental rights were violated. This has changed in these big cities, however, in smaller towns, the violation of rights continues. Now, what is happening is that the young people are given a form instead of being conscripted, and when they present themselves with the form to apply for CO, they are then conscripted. We call this Conscription by Invitation, because it's the same method, but with an extra delay and period of waiting. We have had cases of a young person in Arauca, who was recognised as a CO, on 4 April of this year and was allowed to leave the barracks. However, on 4th May he was still not released they then said that he wasn't being released for being a CO for religious reasons, but instead was being released after undergoing a 3rd test. So his right to be a CO for religious reasons was denied.

What we really want is to put an end to conscription! Only volunteers should join the military we also want peace agreements to be signed with institutions that will defend peace, by reducing military spending, not increasing the presence of the military in our daily lives and spending more on health or education for example.

Diego: WRI has also been aware of the fact that the military card is still a prerequisite to apply for certain jobs. This is more of a cultural aspect because many private companies still believe that a person with a military card is much better than a person who doesn't have one, but this means people from poorer backgrounds can't have access to better jobs because they don't have the means to get hold of their military card. So if someone is recognised as a CO, what could be done for he or she to be recognised as someone who should be able to apply to any job.

This is another issue that is there and is related to young people who do not present attend to conscription events. If someone doesn't attend to the conscription event, that person is known as a "remiso" which could be translated as being "lazy". There is an amnesty which is provided to these people who don't respond to conscription events. According to the MoD there are currently 1million of "remisos", we think there are also people who are "remisos" for CO reasons. If there are that many "remisos" it means that there are lots of people that don't want to join the armed forces. The amnesty means that these "remisos" don't have to pay the fine that is usually imposed on people who don't join conscription but only 1600 of these remisos have received this amnesty. So it's not something that many people have been able to benefit from. This means that the military has considered that it's better to charge 100.00 pesos (30 \$) to each young person, instead of allowing that many young people are considered remisos and won't join the armed forces

So the military prefers to charge an amount instead of allowing them to simply not join a military system which they don't believe in. The economic chain surrounding the military service is still there. As an organisation we have tried to give an analysis based on gender we also want to move forward. Between 2013 and 2017 there were over 3000 abuses of women's integrity. In 43% of the cases the abuses were attributed to the military: 23% to guerrillas and 13% to paramilitary groups. So women remain as the main victims of the armed conflicts and different actors in Colombia in everyday life, children are still being used to carry out different activities related to drug trafficking and violence a few days ago there was a debate, and presidential candidates were asked about the possibility of getting rid of the military service. None of them seemed to like the idea of putting an end to the military service.

Alvaro: Regarding the military card that Diego has mentioned, a person who doesn't want to join the armed force has to pay a "quota" which is really like a tax for not joining the armed forces. We want to find a way of paying this amount for them. We are studying the possibility of asking courts to evaluate this situation because CO is not only a refusal to join the armed forces but also any armed conflict and violence.

Question: You've spoken about the Damascus Doctrine and the effects it has had on the presence of the military in people's everyday lives. I suppose the government gave some kind of justification for this – they usually have an excuse for something being for the common good, even if this is only a distraction from what is actually happening. And secondly, when are the presidential elections?

Diego: Yes, the justification for the Doctrine was:

1. There are heroes in this country, and those are the military, soldiers.
2. Colombia is facing various challenges to get to peace. an agreement has been reached but there are insurgent armed groups and dissidents which must be fought.

3. The military must go through a "multi-mission" stage, that is, the soldier is not only there for military actions but also for humanitarian reasons, so they want to show that the armed forces can help with development and human rights in Colombia.

The media campaign has been so strong, that questioning the armed forces in Colombia means you risk being considered a traitor. This is what happened to a politician: he said something and the military reacted saying that he was against the military, even though it is not allowed to intervene in politics.

These were the main reasons to justify the Doctrine also the collaboration with other countries because Colombia not only has a conflict, but it also exports military tactics, and training so this is another way in which the Doctrine is being justified.

The military has said that within the framework of the agreements with the armed groups, they won't give in to any armed group and they know that there will be different stages in the relationship between the government and the armed groups.

There are urban battalions which are present in Medellin for example, and which focus on cities this is a new reconfiguration of militarisation that is taking place in Colombia.

Alvaro:

An example like Diego says, is Medellin this is a militarised city organisations have denounced that groups outside the law have been offered many opportunities to carry out offences. There are government helicopters over the cities to show that they have control and this means many people are afraid because they are afraid of another social extermination.

Militarisation also affects children they hold days where they want to make children experience for a day what it is to be a policeman for example they also show them music or English but it's only another way to try and infiltrate in people's everyday lives. Many people have been murdered for accusing someone of being from one side of the conflict or the other, and if the police or armed forces infiltrate, this could happen even more.

Question: You said there are recruiting events for young people, something that I do not know. How does this affect for example young people in schools. What happens at these recruitment events? Another question: there is always a way to avoid recruitment to through a payment? Is this something permanent?

Diego:

You mean about the military conscription right? What happens is that one of the ways of illegal conscription by the military is to stop someone down the road. The military have a lorry and request the military card to that person if that person doesn't have the military card, he is retained and taken in the lorry to barracks or military district, which is the previous step to joining the military. What usually happens is that these young people are conscripted this way and for many years, people were conscripted today and in a weeks time they were already in an armed conflict far from home. This practice has been denounced by many organisations and although the UN and the constitutional court have deemed this illegal, it still happens.

In school, minors cannot be conscripted and being a student means that they can't be conscripted so this doesn't really happen in schools. If someone can't prove that they are studying or that they have been a victim of the armed conflicts or any of the conditions that exempt him from joining the military. It's when they will be conscripted and they are the legal efforts we make to counter this conscription the Habeas Corpus is the main legal resource we use to fight against conscription.

This is what the military does the other illegal armed groups recruit lots of students in schools because they try to make introduced them in the drug trafficking business by offering them drugs and after taking drugs, they start selling and eventually become a part of the militarisation of these groups

Hannah: Thank you so much to Diego and Alvaro for presenting, and Nayua for translating!

Also a reminder for people that next week is CO day, on 15th May we'll be calling for the release of hundreds of people in jail in South Korea for refusing military service. There is info here <https://www.wri-irg.org/en/story/2018/take-action-freekoreancos> and a video with info here <https://www.youtube.com/watch?v=LNrVsMuq2VM&feature=youtu.be> We will be using the hashtag #freeKoreanCOs on social media.

Thank you all!