
Translated from Spanish

Permanent Mission of Colombia to the United Nations

No. 667-A

New York, 13 May 2011

The Permanent Mission of Colombia presents its compliments to the Office of the Secretary-General of the United Nations and has the honour to refer to note LA/COD/2 of 7 February 2011, in which information is requested regarding the status of the Protocols additional to the Geneva Conventions of 1949 relating to the protection of victims of armed conflicts, as well as the measures taken to strengthen the existing body of international humanitarian law, pursuant to General Assembly resolution 65/29 of 6 December 2010.

Office of the Secretary-General of the United Nations

New York

In that regard, the Permanent Mission transmits herewith the following documents:

1. Report of Colombia on the status of the Protocols additional to the Geneva Conventions relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law (hard copy and electronic copy on CD-ROM).

2. Operational Law Handbook (*Manual de Derecho Operacional*), adopted by the Armed Forces General Command of the Republic of Colombia by Decision No. 056 of 7 December 2009 (electronic copy on CD-ROM).

The Permanent Mission of Colombia takes this opportunity to convey to the Office of the Secretary-General the renewed assurances of its highest consideration.

Ministry of Foreign Affairs

Republic of Colombia

**Report of Colombia on the status of the Protocols additional to the Geneva Conventions
relating to the protection of victims of armed conflicts, as well as on measures taken to
strengthen the existing body of international humanitarian law**

In compliance with paragraph 11 of United Nations General Assembly resolution 65/29 of 6 December 2010, entitled " Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts", Colombia has the honour to transmit herewith the information requested.

The following aspects are worthy of mention:

**Constitutional and legal framework for the effective implementation of additional Protocols I
and II**

Colombia is a party to the four Geneva Conventions of 1949 and to additional Protocols I and II to those Conventions.

The constitutional and legal framework for the implementation of the additional Protocols is as follows:

- articles 93 and 94 of the Political Constitution of 1991;

- Law No. 11 of 1992 (21 July), implementing the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I), adopted in Geneva on 8 June 1977;

- Law No. 171 of 1994, implementing the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II), adopted in Geneva on 8 June 1977;

- Decree No. 0082 of 1996, promulgating the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I), adopted in Geneva on 8 June 1977;

- Decree No. 0509 of 1996, promulgating the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II), adopted in Geneva on 8 June 1977.

The Constitutional Court of Colombia has issued the following rulings:

- Judgement No. C-574 of 1992, Constitutional Court, informal and automatic review of Protocol I;
- Judgement No. C-225 of 1995, Constitutional Court, constitutional review of Protocol II.

These judgements were posted on the Court's website:

www.corteconstitucional.gov.co/relatoria/

Overview of the laws that refer to implementation of the Protocols additional to the Geneva

Conventions

Current Colombian legislation relating to international humanitarian law includes the

following:

- Law No. 387 of 18 July 1997, adopting measures to prevent forced displacement and to provide assistance, protection, support and socio-economic stability to persons internally displaced by violence in the Republic of Colombia;
- Law No. 418 of 1997, providing the State with tools to guarantee basic rights and freedoms (see title I, chapter II, on children in armed conflict);
- Law No. 589 of 6 July 2000, defining genocide, enforced disappearance, forced displacement and torture, and adopting several other measures;
- Law No. 759 of 25 July 2002, establishing instruments to ensure compliance with the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and adopting measures to eradicate the use of anti-personnel mines in Colombia;

- Law No. 852 of 2003 on the protection and monitoring of the mission and humanitarian activities of the Colombian Red Cross Society;

- Law No. 875 of 2 January 2004 on the protection of the Red Cross emblem;

- Law No. 971 of 14 July 2005 on the establishment of an investigative mechanism for disappeared persons;

- Law No. 975 of 2005 on the reintegration of members of organized rebel groups for the purposes of national peace;

- Law No. 1408 of 2010, paying tribute to the victims of the crime of enforced disappearance and establishing measures for their location and identification;

- Law No. 1418 of 2010, implementing the International Convention for the Protection of All Persons from Enforced Disappearance;

- Law No. 1424 of 2010, containing provisions on transitional justice to guarantee truth, justice and compensation for victims of demobilized soldiers of illegal organized groups; legal aid; and other matters.

The following rulings of the Constitutional Court have contributed to the implementation and dissemination of international humanitarian law:

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- Judgement No. C-511 of 1994, Constitutional Court, constitutional challenges to article 4 and others in Law No. 48 of 1993, regulating recruitment and mobilization;

- Judgement No. C-578 of 1995, constitutional challenge to article 15 of Decree-Law No. 85 of 1989 (on the military responsibility of superiors);

- Judgement No. C-092 of 1996, Constitutional Court, review of the constitutionality of Decree No. 20 of 1995, containing provisions aimed at protecting civilians in military operations;

- Judgement No. C-358 of 1997, Constitutional Court, Jaime Enrique Lozano, constitutional challenge to article 25 and others of Decree No. 2550, enacting the Military Penal Code;

- Judgement No. SU-1184 of 2001, on competing jurisdictions relating to human rights violations, applicant Nory Giraldo de Jaramillo;

- Judgement No. C-578 of 2002, constitutionality of the Rome Statute of the International Criminal Court;

- Judgement No. 172 of 2004, Constitutional Court, review of the constitutionality of Law No. 833 of 2003, implementing the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

- Judgement No. C-148 of 2005: Constitutional challenge to the word "serious" (*grave*) as used in article 101, paragraph 1, and the word "serious" (*graves*) as used in articles 137 and 138 of Law No. 599 of 2000, enacting the Penal Code;

- Judgement No. C-473 of 2005, review of the constitutionality of draft statutory law No. 065 of 2003 of the Senate, No. 197 of 2003 of the Chamber of Representatives, regulating the emergency search mechanism and containing other provisions;

- Judgement No. C-291 of 2007: Constitutional challenge to articles 135, 156 and 157 (partial) of Law No. 599 of 2000 and articles 174, 175, 178 and 179 of Law No. 522 of 1999.

In addition to the aforementioned, the State of Colombia has carried out significant initiatives to disseminate and implement international humanitarian law:

- The Policy for Combating Impunity (document No. 3411 of 2006 published by the National Council for Economic and Social Policy), which has been further strengthened by the current Government's decision to make it the guiding focus of its 2010-2014 National Development Plan, promotes ongoing collaboration among institutions involved in the investigation, prosecution and punishment of human rights violations and international humanitarian law offences.

Under the Policy for Combating Impunity, 1,451 people have benefited from specialized training on the investigation, prosecution and punishment of human rights violations and international humanitarian law offences.

Nationally, a total of 37 days of training have been provided in the cities of Medellín, Villavicencio, Cúcuta, Neiva, Bucaramanga, Barranquilla, Cali and Montería. The specialized training deals specifically with international humanitarian law; relevant information has been posted on the website www.derechoshumanos.gov.co/LuchaImpunidad/Paginas/Inicio.aspx.

The training modules offered are:

1. Comparative typology of major human rights violations.
2. Identification of alleged perpetrators and abettors of human rights violations and international humanitarian law offences.
3. Methodology for investigating human rights violations and international humanitarian law offences.
4. Essential international legal concepts relating to human rights violations and international humanitarian law offences.
5. Development and legislation of international humanitarian law and its application to Colombia.

6. Application of the principles of international humanitarian law to the offences defined in title II of the Penal Code and article 48 of the Disciplinary Code.

7. International criminal law.

8. Identification of offences under international humanitarian law in domestic legislation.

9. Victims' rights in cases of human rights violations and international humanitarian law offences.

10. Protocol for the identification of human rights violations and international humanitarian law offences, with a focus on the murder of protected persons.

The National Plan for Human Rights Education, which takes as its basis article 67 of the Constitution, provides for the education of Colombians in the areas of human rights, peace and democracy. The Plan furthermore undertakes political and legal commitments derived from international human rights instruments, standards of international humanitarian law and recommendations made by the Office of the United Nations High Commissioner for Human Rights (OHCHR).

In November 2010, the Colombian Government, the Public Prosecutor's Office, the Office of the Ombudsman, civil society and the international community signed a joint declaration entitled "Towards a comprehensive policy on human rights and international humanitarian law", the aim of

which is to support and implement a national policy that specifically includes international

humanitarian law:

[www.derechoshumanos.gov.co/Conferencia/Documents/DeclarationConferenciaNacional_3feb2011](http://www.derechoshumanos.gov.co/Conferencia/Documents/DeclarationConferenciaNacional_3feb2011.pdf)

[1.pdf](#)

The national Congress is currently considering the 2010-2014 National Development Plan, an entire chapter of which is devoted to human rights and international humanitarian law. The Plan contains significant proposals, including the creation of a national human rights and international humanitarian law system and a national comprehensive policy on human rights and international humanitarian law, which would promote respect for and ensure the human rights of persons under the jurisdiction of the State of Colombia, with a regional perspective, taking as its basis the principle of the effective enjoyment of rights, a differentiated focus, and the need for a streamlined and comprehensive approach. It has the following components: (1) national action plan for human rights and international humanitarian law; (2) prevention of human rights violations and international humanitarian law offences; (3) human rights education and culture; (4) protection; (5) Ministry of Defence comprehensive policy on human rights and international humanitarian law; (6) access to justice and the fight against impunity; (7) international context; and (8) equality and non-discrimination - a differentiated approach.

The State of Colombia is firmly committed to respecting and guaranteeing human rights and international humanitarian law. It has introduced draft legislation aimed at providing redress for those persons who, individually or collectively, have suffered harm as a result of a flagrant human rights violation or international humanitarian law offence. Victims' rights will be restored through measures of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Initiatives proposed by the Ministry of Defence

In 2008, the Ministry of Defence enacted the comprehensive policy on human rights and international humanitarian law, which is a "framework document setting out guidelines, defining goals and outlining the human rights and international humanitarian law programmes with which the Armed Forces and, where relevant, the national police must be familiar and which they must implement. It is the road map which guides the actions of security forces in their daily operations".¹

The comprehensive policy on human rights and international humanitarian law sets out five key areas - instruction, discipline, defence, assistance and cooperation - in which significant progress has been made, thus strengthening the commitment of the security forces to respect human rights and to fully implement international humanitarian law. The following list presents each key

¹ Ministry of Defense, Comprehensive policy on human rights and international humanitarian law, p.15, Bogota, 2008.

area and the progress made as a result of measures taken by the Ministry of Defense to consolidate implementation of international humanitarian law by the security forces.

Key area: instruction

- Standard teaching module: The standard teaching module seeks to incorporate standards of human rights and international humanitarian law into the subjects of six levels of training in accordance with the rank and responsibility of students. To implement the module, an agreement was signed with the Inter-American Institute of Human Rights, which stipulates that the Institute, with support from the International Red Cross Society, will review its curriculum with a view to including the standards in its teaching material and complying with international agreements and treaties.
- Agreement between the Ministry of Defence and the School for Public Administration: In 2010, two 120-hour training-of-trainers courses were taught as part of the standard teaching module on human rights and international humanitarian law.
- Also as part of the standard teaching module, curricular training in human rights and international humanitarian law is given on an ongoing basis to students of the Armed Forces

in schools and training centres. In 2010, the Armed Forces trained 12,300 students

according to their rank and level of responsibility.

- In addition to curricular training, the Ministry of Defence provides extra-curricular training on specific topics considered relevant to the current situation. In 2010, the Ministry of Defences trained 3,500 men in various topics (indigenous communities, people of African descent, boys, girls and adolescents, women, and the lesbian, gay, bisexual, transgender and intersex community), with a view to preventing human rights violations and international humanitarian law offences, and thus advancing a culture of respect for and guarantee of both.
- Extra-curricular training of personnel, 2003-2010:

Armed Forces (Army, Navy and Air Force)						
Year	Officers	Non-commissioned officers	Soldiers	Students	Civilians	Total
2003	566	1 979	6 609	—	573	9 727
2004	927	1 150	9 658	233	250	12 218
2005	1 267	1 677	13 321	329	232	16 826
2006	3 289	9 185	27 095	3 512	630	43 711
2007	4 371	20 192	41 831	3 109	1 348	70 851
2008	7 763	18 166	51 288	3 050	2 110	82 377
2009	8 272	26 245	78 973	6 585	2 432	122 507

2010	9 186	29 162	110 679	5 264	2 692	156 983
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- Since the comprehensive policy on human rights was launched in 2008, the Ministry of Defence, the Armed Forces and the national police have conducted some 250 extra-curricular training activities, including workshops, seminars, courses and certificates for over 250,000 members of the security services, including soldiers, non-commissioned officers and officers in military units and the police in the national territory. The training offered primarily covers basic human rights and principles of international humanitarian law, forced displacement by violence, enforced disappearance, protection and indigenous communities, the inter-American human rights system, first responder skills, prevention of gender-based violence, operational law and rules of engagement.
- Lessons learned: The Ministry of Defence, in collaboration with the Division of Education and Joint Doctrine and with the assistance of the International Committee of the Red Cross, will hold lessons-learned workshops periodically to analyse the conduct of operations and the application of principles and standards of international humanitarian law at each stage of operations. In 2010, three lessons-learned workshops were held in Arauca, Florencia and Medellín with the assistance of the International Committee of the Red Cross.

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On the basis of an agreement between the United States Department of Defense and the Colombian Ministry of Defence, the Division of Education and Joint Doctrine, together with the Ministry of Defence, is spearheading the creation of a joint lessons-learned system.

- In 2010, the School for Human Rights gave four advanced courses in human rights and international humanitarian law over a total of 11 weeks, thus training 45 members of the Armed Forces. In addition, four basic courses were taught to groups of about 30 professional soldiers each.
- The School for Human Rights and International Humanitarian Law was founded on 19 May 2009 as a human rights and international humanitarian law training centre for officers, non-commissioned officers and soldiers of the Armed Forces. Since its establishment, the School has carried out various initiatives, including:
 - Four advanced courses and five basic courses in human rights and international humanitarian law aimed at officers, non-commissioned officers and soldiers from the different branches of the Armed Forces. Over 100,000 men and women of the Armed Forces have thus received training.

- Creation of a specialization in human rights and the conduct of hostilities in Colombia, which is in the process of receiving accreditation from the Ministry of Education and which will be open to civilians and military personnel, both nationals and non-nationals. The specialization is expected to be available by early January 2011.

- Three conferences on human rights and international humanitarian law aimed at persons seeking promotion. Some 400 lieutenants and captains and 700 non-commissioned officers from all the branches of the Armed Forces attended the conferences.

Key area: discipline

Given that "the cornerstone of any military and law enforcement institution is discipline",² and that discipline is itself learned through training and the internalization of virtues and values, the comprehensive policy on human rights and international humanitarian law seeks to strengthen discipline in two ways: guaranteeing adequate legal advice to commanders and establishing an effective system of controls and sanctions. In such a way, respect for and compliance with standards of international humanitarian law standards and the protection of human rights is ensured during military and law enforcement operations. It should be noted that a number of activities have

² Ministry of Defence. Ministry of Defence. Comprehensive Policy on Human Rights and International Humanitarian Law, 2008, p.37.

contributed to the dissemination of and compliance with international humanitarian law by

members of the Armed Forces:

1. Implementation and dissemination of the Operational Law Handbook (FF.MM. 3-41): The

Handbook, published in 2009, provides the tools necessary to ensure the legality of operations and

facilitates access to a coherent set of standards and operational guidelines applicable to the conduct

of military operations. The Handbook incorporates obligations derived from international human

rights and humanitarian law conventions, including the Geneva Conventions of 1949, and national

legislation.

Specifically with regard to the obligations of parties to the additional Protocols, the

Handbook contains an entire chapter on the use of force within the framework of international

humanitarian law (chapter II). Chapter II sets out the standards, objectives and principles applicable

to the conduct of military operations within the framework of international humanitarian law. This

chapter was reviewed by the International Red Cross Society, which contributed significantly to the

Handbook.

The Handbook is aimed at military commanders down to the tactical unit; operational legal advisers; legal and disciplinary personnel; and military and ordinary judicial personnel. The following activities have been carried out as part of the dissemination process:

- Pursuant to directive No. 044 of 2010, the Handbook was distributed internally. A total of 44 military units were visited nationally, and training was provided to 2,001 persons.

- As part of the project for combating impunity, eight workshops aimed at legal and disciplinary personnel, and military and ordinary judicial personnel were held and drew attendance of approximately 30 persons per workshop.

2. Issuance of and training on the rules of engagement: these rules are proposed as a mechanism for guaranteeing the incorporation of standards of human rights and international humanitarian law into operational language. Given that security is being consolidated at variable speeds, the Armed Forces must make a differentiated and controlled use of force. The rules of engagement are tailored in such a way as to cover these different realities.

With this goal in mind, the Ministry of Defence issued directives Nos. 17 and 32 of 2009, establishing two sets of rules of engagement for the Armed Forces and ordering the implementation of and training in the rules. The two sets of rules of engagements are: those designed for land

combat (red card), which include obligations under international humanitarian law, and those on the use of force in peacekeeping operations (blue card), which govern the use of force within the human rights framework.

The issuance of these rules has served to raise troops' awareness about the two legal frameworks for the conduct of operations and the need to make a differentiated use of force according to the operational environment encountered. The dissemination of the rules began as soon as the aforementioned directives had been issued. To assist with the dissemination, the Armed Forces General Command, in collaboration with the Ministry of Defence, designed and developed a training system for the rules of engagement.

This involved preparing 450,000 cards for soldiers; 2,000 sets of pocket instructions for commanders; 250 educational banners; and 700 panels with scenes representing operational situations; a video on implementing the rules of engagement; and 300,000 comic strips on the rules of engagement. All these materials are being used by the battalions and by each branch of the Armed Forces in the centres that provide training and retraining on an ongoing basis.

3. Minimum requirements for task orders: The comprehensive policy on human rights and international humanitarian law establishes that a task order is "the link between the concept and

reality of the operation and therefore the instrument that can best ensure human rights and international humanitarian law".³ The policy therefore establishes the need to define minimum requirements for task orders. In compliance with this mandate, the Operational Law Handbook defines the minimum requirements, which must take into account, in addition to that established in the staff manuals:⁴

(a) the situation: includes characterization and analysis of "the enemy";

(b) the mission: describes the general nature of the operation (in hostile situations, human rights, or in peacekeeping, international humanitarian law) and the type of operation according to the doctrine proper to each branch of the Armed Forces;

(c) the execution: includes the commander's operational concept, incorporating specific guidelines depending on the nature of the operation.

4. Implementation of the definition of the operational legal adviser: An operational legal adviser is a military lawyer specializing in operational law and competent to provide legal advice to the commander responsible for planning, executing, overseeing and assessing operations so as to ensure their legality. In the case of operations in hostile situations, the adviser is responsible for analysing

³ Ministry of Defence. Ministry of Defence. Comprehensive Policy on Human Rights and International Humanitarian Law, 2008, p.27.

⁴ Armed forces General Command, Handbook of Operational Law, FFMM 3-41, 2009, pp.100-103.

and checking that human rights principles are observed effectively during the planning of the operation.

In 2002, the Air Force began using this definition of the operational legal adviser; it was later followed by the Army, by Directive No. 066 of 6 March 2008, and by the Navy, by Permanent Directive No. 006 of 27 February 2007. The latter directives regulates the post and its functions.

The following table illustrates the changes in the number of operational legal advisers on staff as from the implementation of the policy:

Branch of the Armed Forces	2008	2009	2010	2011
Army	36	126	89	87
Navy	6	13	14	12
Air Force	9	15	14	14
Total	51	154	117	115

The Armed Forces have offered various training courses specifically aimed at lawyers, with a view to further developing their legal and operational knowledge. One such course is the "joint skills and training course for operational legal advisers ", which has been offered since 2009.⁵

⁵ To date, two joint courses have been given, one in 2009 and one in 2010. Currently, the course is given over 10 weeks and covers three modules: legal issues, military doctrine and practical training.

Lastly, it is important to note, with regard to discipline, that the Ministry of Defence, together with the Armed Forces, is considering a project aimed at reviewing the status of incorporation of human rights and international humanitarian law in operational doctrine, skills development, instruction and training of the security services and, on the basis of the results of the project, taking the necessary measures to guarantee the incorporation of treaties, conventions, national standards and case law into operational language, with a view to further clarifying the legal framework applicable to operations for members of the security services.

Key area: assistance

This key area focuses on providing differentiated assistance to special groups and strengthening the direct links between members of the security services and the civilian population.

More specifically, a strategy known as "Assistance to Special Groups" has been developed which outlines policies for the special protection of groups requiring differentiated assistance. The strategy also provides for the filing and processing of complaints regarding alleged human rights violations and international humanitarian law offences that affect such groups and the promotion of comprehensive reparations, where necessary.

The Ministry of Defence has taken a number of specific measures in respect of vulnerable groups, including women, children, displaced persons, accused persons, human rights defenders, victims of enforced disappearance and beneficiaries of interim and temporary measures. Relevant legislation passed includes the following:

1. Prevention and Assistance to Victims of Forced Displacement: The policy of the Ministry of Defence regarding displaced persons is described in Directive No. 9 of 2005, which was issued in response to judgement No. T-025 of 2004 of the Constitutional Court. The Directive establishes measures of prevention, protection, emergency humanitarian aid and socio-economic stability for the displaced community. Some of these measures include training programmes for the security services in terms of protection and prevention of displacement; the filing of complaints and applications by displaced persons; and assessment of the feasibility of the return of displaced persons.

The Ministry of Defence, in carrying out its responsibilities regarding the return of displaced persons, issued Ministerial Directive No. 01 of 2007, which contains the protocol for the improvement of security conditions for the return and reintegration of displaced persons. It furthermore issued instructions to the Armed Forces and national police stipulating that, in carrying

out their missions, they should avoid putting displaced persons at risk and thus creating situations of forced displacement. Several Directives have been issued in that regard, including No. 09 of 2005, which sets out criteria and issues orders to the security forces internally in respect of protection and prevention in situations of forced displacement by violence.

2. Boy, girl and adolescent victims of violence: Given the particular vulnerability of boys and girls, the Ministry of Defence, in collaboration with the Armed Forces General Command and each branch of the Armed Forces, has carried out a series of initiatives to promote and protect the rights of boys, girls and adolescents and, more specifically, to prevent forced recruitment in Colombia. Major campaigns have been undertaken in that connection in zones at high risk for such recruitment and relevant training has been intensified in schools.

Furthermore, in order to effectively protect boys and girls during hostilities, the Armed Forces General Commander has issued internal instructions, based on applicable national and international standards, to the various levels of command on the application of and strict compliance with standards and provisions relating to the treatment and handling of children recovered from illegal armed groups. In accordance with these instructions, the security services are to turn over these minors to the Colombian Family Welfare Institute.

The Ministry of Defence, as a member of the Intersectoral Committee for the Prevention of Forced Recruitment has undertaken initiatives together with other Government entities to incorporate the preventive measures contained in the document CONPES 3673 of 19 July 2010, which outlines the policy for preventing the recruitment and employment of boys, girls and adolescents by organized illegal armed groups and organized criminal groups.

3. Indigenous communities: With a view to protecting the rights of members of indigenous communities, the Ministry of Defence issued Directive No. 016 of 2006, which is aimed at recognition, prevention and the protection of the human rights of members of indigenous communities. The Directive designated a focal point within the Armed Forces and national police to liaise with the authorities of each community and ordered them to refrain from carrying out actions that would jeopardize the integrity of the indigenous community and to take measures to dissuade action by illegal armed groups in indigenous territory.

4. Communities of African descent: The Ministry of Defence issued Directive No. 07 of 2007, entitled "Sectoral policy of recognition, prevention and protection relating to the black, Afro-Colombian, Raizal and Palenquera communities", which provides specific instructions with regard to preventive measures to dissuade action by illegal armed groups in the collective territories of

black communities; to respond appropriately to the need for protection of black, Afro-Colombian, Raizal and Palenquera communities; and to refrain from carrying out actions that would jeopardize the integrity of these communities.

5. Protection of and respect for the medical mission: The comprehensive policy provides that military and police operations, as well as training and educational courses, will take into account the Ministry of Social Protection's stipulations regarding the use of the protective emblem of the medical mission in Colombia.

Key focus: cooperation

With regard to international cooperation, a number of steps have been taken to reach agreements on inter-institutional collaboration, training and the donation of resources, with a view to ensuring the adequate protection of human rights and strict compliance with standards of international humanitarian law. The following has thus been achieved:

- Liaison with the Colombian Office of the United Nations High Commissioner for Human Rights (OHCHR). Standing invitee at the meetings of the committee for follow-up on communications regarding alleged murders of protected persons. Also noteworthy is a joint

project of the Ministry of Defence and OHCHR on the monitoring of 7 of the 15 measures adopted under the policy for the prevention of murders of protected persons.

- Implementation of an agreement between the Ministry of Defence and OHCHR on the creation of an assistance and follow-up mechanism for 7 of the 15 measures.
- Liaison with the International Red Cross Society. Standing invitee at the meetings of the committee for follow-up on communications. The International Red Cross Society periodically submits confidential reports to the Ministry of Defence regarding operational cases documented in the field.
- Cooperation with the justice authorities. Following the issuance of Directive No. 10 of 2007, the Office of the Prosecutor-General and the Attorney-General's Office have been standing invitees of the meetings of the committee for follow-up on communications, as well as of the public hearings on accountability.
- Cooperation with the United States of America: the military group of the United States embassy regularly collaborates with the Ministry of Defence on various projects aimed at strengthening the culture of respect of human rights and international humanitarian law among the security services.

The specific objective is to support the Colombian Armed Forces in its efforts to promote respect for human rights and international humanitarian law through an efficient, transparent and legitimate legal system based on the constitutional and international principles of operational law and military justice.

Armed Forces General Command

Handbook

FF.MM. 3-41

Public

Operational Law Handbook

First edition

2009

Republic of Colombia

Armed Forces of Colombia

General Command

Decision No. 056 of 7 December 2009

adopting the Operational Law Handbook

The Armed Forces General Commander

By virtue of the legal powers conferred on him by article 1, chapter VI, paragraph 26 (a), of Decree

No. 1605 of 1988, "adopting the Guidelines for Military Publications" FF.MM. 3-1 (public)

Decides:

Article 1: To adopt the Operational Law Handbook, which will be referred to as:

Handbook

FF.MM. 3-41

Public

First Edition

Article 2: Any observations resulting from implementation of the aforementioned Handbook shall be submitted to the Armed Forces General Command for analysis and consideration in future editions in the format established by Decree No. 1605 of 1988, "adopting the Guidelines for Military Publications", FF.MM. 3-1 (public).

Article 3: The Armed Forces General Command will order the issuance of the Handbook adopted pursuant to the present Decision.

Article 4: The present Decision enters into force on this date and repeals any conflicting decisions on the matter.

To be announced, published and enforced.

Done at Bogota, D.C., on 7 December 2009

[Signed]

General Freddy Padilla de León

Armed Forces General Commander

[Signed]

Colonel Jorge León González Parra

Armed Forces Adjutant-General