



El futuro  
es de todos

Cancillería  
de Colombia

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Bogotá D.C, May 19, 2019

To the Editor  
The New York Times  
New York  
USA

Dear Sir,

We refer to the article *"Colombia Army's New Kill Orders Send Chills Down Ranks"*, signed by Nicholas Casey and published in your edition of May 18, 2019, which portrays a distorted, partial and tendentious vision of the efforts that the Colombian State and its Military are making in order to stabilize the territories and consolidate order and security, as well as to protect the population and preserve its rights and freedoms.

The article in question suggests that members of the Armed Forces have been given instructions which are contrary to our Constitution and our legislation and fly in the face of international human rights and international humanitarian law. Were that true, in following those instructions the Military Forces of Colombia would be subordinating respect for human rights and the protection of the civil population to the accomplishment of purely quantitative indicators that supposedly reflect the efficacy of military operations.

Let us be clear: indicators of this nature are absolutely unacceptable for the Government of Colombia. Among other things, they would imply conducts that, in the event they took place, should be prosecuted and punished to the full by the justice system.

In order to reach the conclusion that provides the title of the article, the author refers to alleged interviews with unnamed officers and to official documentation that is partially quoted and taken out of its proper context. Since no particulars are given as to the circumstances in which these interviews would have taken place, nothing is known as to the motivations or, indeed, the veracity of these versions. On the other hand, the author conveniently fails to reflect in his piece

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the detailed responses provided by Major General Nicacio Martínez Espinel, Commander of the National Army.

These replies not only contradict the equivocal statements given by the anonymous sources quoted, as well as the author's own inferences, but provide the necessary clarity to fully understand the meaning and nature of our Armed Forces' current doctrine. This doctrine implements clear directions from above that govern the national response to the considerable challenges that Colombia faces in the field of security. According to the latter, "*No operational results will be accepted that fail to comply with the standards of legality and respect for the rules concerning the protection of human rights and the principles of international humanitarian law*", as was emphatically stated by Major General Martínez in one of these Directions.

The above mentioned doctrine and directions are defined in documents like the *Policy of Defense and Security for Legality, Entrepreneurship and Equity* and the *Provision No. 02* of 10 January 2019, concerning the *Rules of Engagement for the Use of the Forces in Military Operations Conducted by the National Army within the Framework of Human Rights and International Humanitarian Law*, among others.

They are also reinforced with standing programs of instruction and training on human rights and international humanitarian law for the members of the Armed Forces, as well as the putting in place of specific mechanisms for the accompanying and monitoring over military operations and smooth channels of communications with bodies like the fully independent Office of the Ombudsman and the Office in Colombia of the UN High Commissioner for Human Rights.

The formidable challenges facing Colombia in the field of security demand a reinforcing and intensification of efficient action by the authorities on the basis of clear objectives and defined targets, with the overall aim of recovering the strategic initiative and firmly displaying all the capabilities of the State in order to obtain timely and sustainable results. Among other things this is indispensable to ensure the implementation of the *Final Agreement* signed with the FARC guerrilla in 2016, a process to which the National Government is fully committed. It is also necessary to protect citizens, social leaders and human rights defenders and to fight drugs-trafficking and organized crime.

But that does not mean confusing the showing of results with the actual efficacy to reach those goals. Nor does it imply to encourage, to facilitate or to cover illegal actions. President Duque himself stated just yesterday that "Security is in itself a democratic value and it works only when it is implemented hand in hand with the Constitution and the laws." This is the governing principle for action by

the Military Forces and it also reflects a deep conviction of its commanders and soldiers.

This policy of Colombia has not been different in the past. Reprehensible conducts by individual members of the Public Forces running against this governing principle have been rigorously investigated and, when supported by evidence, punished. Just a few days ago timely action by the judicial authorities led to the arrest of a member of the National Army for the execrable killing of Dimar Torres, a former member of FARC, that took place on April 22.

The Government of Colombia will keep working hard to guarantee peace with security and security with legality for all Colombians. And it will be firm in demanding that the first responders in this task, the members of the Public Forces and their commanders, work tirelessly in going after the criminals and perpetrators of violence, always in full respect for the rule of law and our Constitution.

Truly yours,



**CARLOS HOLMES TRUJILLO GARCÍA**  
Minister of Foreign Affairs



**GUILLERMO BOTERO NIETO**  
Minister of National Defense