

COLOMBIA

CRC OPTIONAL PROTOCOL (ARMED CONFLICT)

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Declaration:

The military forces of Colombia, in application of the norms of international humanitarian law for the protection of the best interests of the child and in application of domestic legislation, do not recruit minors in age into their ranks unless they have the consent of their parents.

Act 418 of 1997, extended through Act 548 of 1999 and amended by Act 642 of 2001, stipulates that persons under 18 years of age shall not be recruited to perform military service. Students in the eleventh grade who are minors, in accordance with Act 48 of 1993, and who are selected to perform such service, shall defer their enlistment until they have reached age 18.

If, on reaching majority, the youth who has deferred military service shall have been matriculated or admitted to an undergraduate programme in an institution of higher education, he shall have the option of serving his duty immediately or deferring it until completion of his studies. If he should choose to serve immediately, the educational institution shall reserve a space for him under the same conditions; if he should choose to defer, the corresponding degree may be granted only when his military service has been completed as ordered by law. Interruption of higher-level studies shall entail the obligation of enlistment into military service. Civilian or military authorities who disregard this provision shall be subject to dismissal on grounds of misconduct. The youth recruited who has deferred his military service until completion of his professional studies shall fulfil his constitutional duty as a graduate professional or technician in the service of the armed forces in activities of social service to the community, public works and tasks of a scientific or technical nature as required in the respective unit to which he has been assigned. In such case, military service shall be of six months' duration and shall be credited as the rural service year, practicum, industrial semester, year of court internship, obligatory social service or similar academic requirements that the programme of study establishes as a degree requirement. For those entering a law career, such military service may replace the thesis or monograph for the degree and in any case, shall replace the obligatory social service referred to in article 149 of Act 446 of 1998.