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### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

## Situation of human rights in Colombia

### Report of the United Nations High Commissioner for Human Rights\*\*\*\*

#### *Summary*

This report examines the human rights situation in Colombia in 2024, focusing on the impact of territorial violence and the internal armed conflict on human rights and civic space. The implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace is examined in relation to human rights and peace, human security and dismantling policies.

\* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.

\*\* The summary of the present report is being circulated in all official languages. The report itself is contained in the annex and is being circulated in the language of submission and in English only.



## Annex

# Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia

## I. Introduction

1. This report is being submitted pursuant to the agreement between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Government of Colombia, signed in November 1996, and the nine-year agreement signed in January 2023. In the report, the High Commissioner for Human Rights assesses the human rights situation in Colombia for the period 1 January–31 December 2024.

2. In 2024, the State ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement)<sup>1</sup> and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which establishes a system of visits to places of deprivation of liberty. In October, Colombia was elected to the Human Rights Council for the period 2025–2027.

3. In March, the international expert, Antonia Urrejola, presented to the Human Rights Council her report on the obstacles to the implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace (Peace Agreement) concluded in 2016 between the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (Revolutionary Armed Forces of Colombia – People’s Army) (FARC-EP).<sup>2</sup> In July, the Human Rights Council adopted resolution 56/14 on the enhancement of technical cooperation and capacity-building in the field of human rights in Colombia to implement the recommendations of the Commission for the Clarification of Truth, Coexistence and Non-Repetition.

4. In 2024, the following independent mechanisms visited Colombia: the Special Rapporteur on the rights of Indigenous Peoples, the Special Rapporteur on extreme poverty and human rights, the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Working Group of Experts on People of African Descent, the Working Group on the issue of human rights and transnational corporations and other business enterprises, and the Committee on Enforced Disappearances.

5. The Working Group of Experts on People of African Descent expressed concern about the polarization of Colombian society, based, among other things, on racist hatred and prejudice against people of African descent.<sup>3</sup>

6. The Working Group on the issue of human rights and transnational corporations and other business enterprises stated that, besides the armed conflict, many human rights challenges are rooted in the country’s historical economic model, which is based on large-scale natural resource exploitation that has systematically marginalized groups such as Indigenous Peoples, Afrodescendent communities and campesinos.

7. The Special Rapporteur on the rights of Indigenous Peoples expressed his concern about the situation of Indigenous Peoples who are in danger of physical and cultural extermination and the failure to protect them from the effects of violence, poverty and the encroachment of extractive industries.<sup>4</sup>

8. According to the Special Rapporteur on extreme poverty and human rights, the conflict is one of the main causes of poverty in the country, where non-State armed groups

<sup>1</sup> See <https://www.corteconstitucional.gov.co/Relatoria/autos/2024/A545-24.htm>.

<sup>2</sup> See [A/HRC/55/18](#).

<sup>3</sup> End-of-mission statement of the Working Group of Experts on People of African Descent following its visit to Colombia (15–24 May 2024), available at <https://www.ohchr.org/en/press-releases/2024/05/colombia-must-be-accountable-people-african-descent-conditions-risk-and>.

<sup>4</sup> See [A/HRC/57/47/Add.1](#).

expel people from territories, limit access to rights such as health, education and housing, and extort small business owners. Furthermore, he stated that the fact that it would take 11 generations for a child born into a poor family to earn an average wage makes such families an “easy target” for forced recruitment or the illicit economy.

9. In October, Colombia hosted the Conference of the Parties to the Convention on Biological Diversity. The Parties decided, pursuant to article 8 (j) of the Convention, to establish a subsidiary body to strengthen the participation of Indigenous Peoples and Afrodescendent and local communities. For the first time, a human rights day was celebrated.

10. In 2024, given the high levels of violence, OHCHR decided to focus on 26 situations in 96 municipalities of 16 departments as a priority, and it conducted approximately 610 field missions and 290 capacity-building activities with the State and civil society.

## **II. Territorial violence, armed conflict, security and human rights**

### **A. Security and human rights situation**

11. The presence of non-State armed groups and criminal organizations throughout the country and their violent strategies to maintain social control continue to impact on the civilian population and undermine governance in the territories. The “Listening to Peace” report<sup>5</sup> of the United Nations Development Programme states that, in 2023, 79 per cent of people surveyed believed that armed conflict might return or had continued in their communities.

12. This violence disproportionately affects Indigenous and Afrodescendent peoples, grass-roots organizations and campesino communities. OHCHR has observed that non-State armed groups and criminal organizations continue to try to destroy the social fabric; to co-opt, supplant and/or eliminate organizations with a historical presence in the territories, such as Indigenous authorities, community councils and boards of directors of community action committees; and to promote the creation of new organizations to defend their interests. In some cases, they attempt to use the population to their own advantage.

13. Through this social and territorial control, they impose standards and checks, including by documenting the population and administering “justice”. For example, according to information received by OHCHR, in Norte de Santander, a non-State armed group has established “rehabilitation centres” for young users of psychoactive substances, in which it administers justice in cases of delinquency and domestic violence. The perception that criminal organizations and guerrilla groups are responsible for administering justice in the territories increased from 8.8 per cent in 2021 to 22.4 per cent in 2023. Likewise, people’s perception that the State administers justice in the country dropped from 73.6 per cent in 2021 to 52.9 per cent in 2023.<sup>6</sup>

14. OHCHR received 89 allegations of possible massacres<sup>7</sup> in 2024. Seventy-two of these allegations were verified and, in 17 cases, the findings were deemed inconclusive. This is a decrease (27 per cent) compared to the number of massacres verified by OHCHR in 2023. There were 252 victims in the verified cases (214 men, 26 women, 11 boys and 1 girl). Of the total number of victims, 12 belonged to ethnic groups (6 Indigenous and 6 Afrodescendent).

15. According to the Office for the Coordination of Humanitarian Affairs (OCHA), 51,623 people were displaced in 2024. This represents a decrease of 18 per cent as compared

<sup>5</sup> See <https://www.undp.org/es/colombia/paz-justicia-reconciliacion/escuchar-la-paz>.

<sup>6</sup> Ibid.

<sup>7</sup> For the purposes of this report, “massacre” means the extrajudicial execution of three or more persons in a single incident or during incidents related by responsibility, place and time. See [E/CN.4/2000/11](#), para. 27.

to 2023. Fifty per cent of the displaced persons are members of Indigenous or Afrodescendent peoples.

16. In 2024, according to OCHA, 138,419 people were confined. This represents an increase of 58 per cent as compared to 2023. Sixty-six per cent of the displaced persons are members of Indigenous or Afrodescendent peoples.

17. The United Nations Verification Mission in Colombia verified the killing of 33 former FARC-EP members in 2024. This represents a decrease of 31 per cent as compared to 2023. Since the signing of the Peace Agreement in 2016, 441 former FARC-EP members, including 11 women, have been killed.

18. In 2024, OHCHR verified 216 cases (118 boys, 86 girls and 12 children whose gender is unknown) of recruitment or use of children by non-State armed groups, suggesting that the situation has deteriorated since 2023, especially given that these figures are just a sample of the total number of cases throughout the country. It is worrying that a high percentage (58 per cent) of the victims belonged to Indigenous or Afrodescendent peoples. Several victims reported being subjected to corporal punishment, being used to recruit other children or receiving threats after leaving the group. OHCHR documented cases of children killed in the context of hostilities or as a result of internal reprisals within the group. It also documented the case of two child recruits who were tortured and killed in Guaviare. It registered threats received by the victims' families after they had lodged a complaint or tried to recover the children. Owing to fears of retaliation by non-State armed groups, the normalization of events of this kind, and a distrust of institutions, a high percentage of recruitment cases are not reported to the public authorities. The Ombudsman's Office and the Ministry of Health and Social Protection identified the need to better protect the mental and emotional health of Embera Indigenous children, adolescents and youth living in departments such as Chocó and Risaralda, based on the number of suicides committed in order to avoid being recruited into non-State armed groups or other forms of violence associated with the conflict.

19. OHCHR received reports of threats against the educational community and of the use of schools by non-State armed groups. In Norte de Santander, such groups have made propaganda materials available in educational establishments and handed out school kits and uniforms. There have also been reports of armed clashes and the laying of anti-personnel mines in the vicinity of schools. In August, a 10-year-old girl lost a foot when she stepped on a landmine on the road between her home and her school in Caquetá. These events have led to the interruption of classes and thus hindered the right to education.

20. OHCHR documented cases of gender-based violence in the context of the armed conflict, carried out as part of a strategy for social and territorial control by armed actors and as a means of recruiting girls and punishing women human rights defenders and LGBTIQ+ persons. Of particular concern is the high incidence of sexual violence against Indigenous persons and people of African descent, migrants and child victims of recruitment. OHCHR received reports of rape, child marriage and forced contraception affecting girls who were recruited as young as 12 years old. It also received allegations of trafficking and sexual exploitation of women and girls, including Venezuelan migrants and refugees, in establishments controlled by non-State armed groups in Antioquia, El Chocó, Nariño and Norte de Santander. It documented cases of murders, threats, displacements and attacks against people on the basis of their sexual orientation, gender identity or gender expression. The underreporting and normalization of gender-based violence, as well as the stigmatization of victims, hamper access to justice and to mental, sexual and reproductive healthcare services.

21. According to data from the Office of the Counsellor Commissioner for Peace, as of 30 November 2024, 93 victims of anti-personnel mines had been recorded (10.5 per cent fewer than over the same period in 2023).<sup>8</sup>

<sup>8</sup> See <https://www.accioncontraminas.gov.co/Estadisticas/datos-abiertos>.

22. In 2024, criminal organizations and non-State armed groups continued to resort to the so-called “Pistol Plan”<sup>9</sup> and carried out bombings and armed harassment of the security forces. The Ministry of Defence reported that 90 members of the security forces had been killed and 425 wounded between January and November.<sup>10</sup>

23. OHCHR received reports of violent extortion by non-State armed groups and criminal organizations as a widespread phenomenon that destroys the precarious economies of already impoverished populations. It also affects local governments in the execution of projects and public works, companies operating in the territories, transporters, merchants and informal vendors.

24. In this context, it remains essential for the State to strengthen its role as guarantor of human rights, by preventing violence and fulfilling its obligation to protect the civil, political, economic, social and cultural rights of the civilian population.

## **B. Situation of human rights defenders**

25. OHCHR received 191 allegations of the killing of human rights defenders. In 89 of those cases, OHCHR verified that there was a link between the human rights defenders in question and their work; in 33 cases, OHCHR verified that the those killed were human rights defenders but it was not possible to determine the causal link between the killing and the defenders’ work; and, in 69 cases, the findings were inconclusive.

26. The verified cases involved 77 men, 11 women and 1 trans woman. For the second consecutive year, there was a decrease (15 per cent) in the number of verified cases compared to 2023. Various non-State armed groups are assumed to be responsible for 71 per cent of the verified killings.

27. OHCHR received 569 allegations of threats and other human rights violations against human rights defenders; this is merely a sample of the total number of cases. Of those, 353 allegations concerned men, 200 women and 16 defenders of the LGBTIQ+ community; 21 were collective threats. In five cases, the threats against women and LGBTIQ+ persons may amount to gender-based violence.

28. Members of the community action committees continued to be the main victims of the violence carried out by non-State armed actors and criminal organizations. OHCHR verified 43 killings of committee leaders (47 per cent of the total number of killings of human rights defenders). In Arauca, 12 members of various committees were murdered in the context of a conflict between two non-State armed groups disputing territory. There were also 35 documented murders of campesino and land rights defenders, including that of Narciso Beleño, president of the Federación Agrominera del Sur de Bolívar, murdered on 21 April in Santa Rosa del Sur.

29. OHCHR verified 18 killings of Indigenous authorities, guards and ancestral sages allegedly committed by non-State armed groups with the aim of undermining their organizational projects and securing greater control over the territories they defend. Emblematic cases include the murder of the Nasa people’s mayor, Carmelina Yule Pavi, on 17 March in Toribio (Cauca) as she was participating, together with her community, in the rescue of a child who was allegedly being held by an armed group; and the murder of the Hitnü people’s ancestral sage, Bruno Pambele, on 7 July in the San José de Lipa reservation in Arauquita (Arauca).

30. Environmental defenders also found themselves in high-risk situations for denouncing the negative environmental impact of oil exploration and exploitation projects and legal, informal and illegal mining, as well as logging. The risks increase considerably when extractive activities, such as deforestation or illegal mining, are driven by non-State armed groups. Demanding the right to prior consultation has also become a risk factor for defenders

<sup>9</sup> A campaign to systematically gun down members of the security forces, whether or not they are on duty, over a specific time period and in a specific area; a bounty is offered for each police officer or soldier killed, with the amount increasing according to the victim’s rank.

<sup>10</sup> See <https://www.mindefensa.gov.co/defensa-y-seguridad/datos-y-cifras/informacion-estadistica>.

of the collective rights of Indigenous and Afrodescendent peoples. In 2024, OHCHR documented the killing of 25 environmental defenders and 119 cases of threats and attacks against them.

31. The Government and other State entities moved forward to comply with Constitutional Court ruling SU-546/23 of December 2023, declaring an unconstitutional state of affairs in relation to the violence faced by human rights defenders. The Ministry of the Interior gave new impetus to the national safeguards process by convening the National Committee on Safeguards in July and promoting the work of the regional committees on safeguards in 24 departments.

32. The Ministry of the Interior resumed the participatory process for the adoption of a national policy on safeguards, based on proposals from human rights platforms. This policy must be adopted as quickly as possible, in order to give coherence and meaning to the set of rules and directives on safeguarding the right to defend rights. The Ministry of the Interior also adopted a plan of action under the Comprehensive Policy on Safeguards for Women Defenders. The Ministry of Environment and Sustainable Development has developed an institutional network to defend and protect environmental defenders in the Colombian Amazon and campesinos committed to forest conservation programmes. OHCHR signed a memorandum of understanding with the Ministry to be a part of this network.

33. Another positive development was the adoption of Act No. 2422 in September, which provides greater resources to the municipalities with more meagre budgets and higher rates of violence. The law was adopted after many years of advocacy on the part of the National Federation of Municipal Ombudsman's Offices, and it benefited from technical assistance from OHCHR. However, municipal ombudsman's offices continued to face enormous risks in carrying out their human rights work, as evidenced by the case of the municipal ombudsman of the municipality of Cumbitara, Jimmy Rosero, who was murdered after being deprived of his liberty by members of a non-State armed group in Nariño.

34. In 2024, the National Protection Unit provided enhanced protection to 4,683 defenders, accounting for 31 per cent of the requests received. There continued to be serious problems in processing individual applications for protection, thereby considerably reducing the Unit's effectiveness. OHCHR received a high number of complaints from beneficiaries who state that, despite the high level of risk they face, the Unit terminated their protection schemes or reduced their level of protection. It determined that five of the murdered defenders benefited from protection schemes or had requested them from the Unit.

35. The Unit continued to promote collective protection applications and granted protection measures to 321 groups. In addition, the Ministry of the Interior developed 70 comprehensive prevention plans, with 248 organizations identified as priority organizations. However, the implementation phase of the collective measures continued to face delays and obstacles on the part of ministries and other institutions, which should take in-depth measures to mitigate the risk of the groups concerned. To date, the Government has not succeeded in developing a participatory, sustained and efficient process to reform the current protection system.

36. According to the Attorney General's Office, out of the 1,369 killings of defenders that occurred between 2016 and 2024, 222 convictions have been secured and 229 cases are in the trial stage; a further 102 cases are under investigation, and arrest warrants have been issued in 166 cases. OHCHR acknowledges that the Special Investigation Unit of the Attorney General's Office has been strengthened, through the assignment of new prosecutors and the enhancement of contextual investigations, the linking of cases and the prosecution of the perpetrators of homicides. The Ministry of Defence, the security forces and the Attorney General's Office issued 119 arrest warrants for the alleged perpetrators of murders of human rights defenders as part of Operation Themis.

### C. Security forces

37. OHCHR received 33 allegations of arbitrary deprivations of life carried out by members of the police and military forces. OHCHR verified 18 of the allegations, 6 are in

the process of being verified, and 9 have been deemed inconclusive. The number of allegations received was 39 per cent lower than in 2023. Of the victims in the 18 verified cases, 14 were men, 2 were women and 2 were children. Three of the victims were of African descent.

38. OHCHR also received 40 allegations of other human rights violations by members of the security forces. It verified 15, including allegations of torture; cruel, inhuman or degrading treatment; gender-based violence, including sexual violence; violations of personal integrity; arbitrary detentions and discrimination; corruption or collusion between members of the security forces and criminal organizations or non-State armed groups; and failures by the security forces in their duty to protect communities and/or victims.

39. The 73 allegations were transmitted to the Ministry of Defence so that it could identify preventive actions and to the Attorney General's Office so that it could initiate the appropriate criminal investigations. In September, a policy on human rights and international humanitarian law was issued for the security and defence sector.

40. OHCHR continued to receive allegations of gender-based violence, including sexual violence against girls by members of the security forces in the department of Bolívar. While OHCHR recognizes the Government's willingness to address the situation, the persistence of these events demonstrates the need to continue implementing effective measures to prevent members of the security forces from engaging in improper operations and/or relationships with the civilian population.

41. OHCHR welcomes the willingness of the National Intelligence Directorate to receive technical assistance for the purpose of including international human rights norms, standards and best practices in intelligence management processes and developing its human rights policy. OHCHR provided technical assistance for the inclusion of international human rights norms and standards in a bill to amend the Intelligence and Counter-Intelligence Act (No. 1621), in compliance with the judgment of the Inter-American Court of Human Rights in the case of *Members of the "José Alvear Restrepo" Lawyers Collective v. Colombia*.<sup>11</sup>

42. OHCHR welcomes the ongoing process to transform the police with a view to increasing respect for human rights, transparency and accountability. The Police Advisory Council on Human Rights accepted the recommendations made by OHCHR to include international human rights norms, standards and best practices in the human rights handbook on operational policy.

43. OHCHR recognizes the importance of the launch of the institutional standardization process designed to ensure that all police officers have basic skills for performing their duties, including competence in human rights, for example, with respect to the use of force. OHCHR has provided the police with technical assistance in incorporating international human rights norms and standards in mandatory courses.

44. OHCHR also recognizes the improvements made in the police's handling of protests and in ensuring accountability in cases where disproportionate force is used (see paras. 81–88 below on civic space).

### III. Total peace, security and dismantling policies

45. OHCHR has observed that it continues to be a challenge for the various ministries to adopt coordinated, effective measures and for the national and territorial governments to collaborate effectively for the purpose of strengthening governance, implementing total peace, security and dismantling policies and ensuring sustained action by the State.

<sup>11</sup> Inter-American Court of Human Rights, *Members of the "José Alvear Restrepo" Lawyers Collective v. Colombia*, Judgment (preliminary objections, merits, reparations and costs), 18 October 2023, series C, No. 506.

## A. Total peace policy

46. Two years into the implementation of the total peace policy, the Government is simultaneously carrying out nine dialogues with different armed actors.<sup>12</sup> The Government is engaged in a political dialogue with (a) the Ejército de Liberación Nacional; (b) a group of FARC-EP dissidents calling themselves “Estado Mayor Central”, who never submitted to the process that led to the signing of the Peace Agreement in 2016 and whose internal split resulted in a fractured discussion forum, now with the so-called “Estado Mayor de Bloques y Frentes”; (c) recidivists from FARC-EP (former signatories to the Peace Agreement), who call themselves the “Coordinadora Nacional Guerrillera Ejército Bolivariano”; and (d) the Comuneros del Sur, a group in Nariño that separated from the Ejército de Liberación Nacional in May 2024; the Government has created sociolegal peacebuilding forums for the purpose of seeking justice in the cities of (e) Buenaventura, (f) Quibdó and (g) Medellín; and it has authorized dialogues with (h) the self-proclaimed “Ejército Gaitanista de Colombia” and (i) the Autodefensas Conquistadoras de la Sierra Nevada. In addition, in October, President Gustavo Petro announced the launch of a discussion forum with former commanders of the defunct Autodefensas Unidas de Colombia, which would be used to seek, among other objectives, the handover of assets of former paramilitary leaders for use as reparation for victims.

47. The communities affected by the violence and armed conflict have a great interest in and expect a great deal from these processes, and they see the dialogues as providing a concrete platform for demanding respect for human rights and international humanitarian law. However, in the view of OHCHR, the Government’s primary objective should be the implementation of territorial strategies that strengthen governance and protect the civilian population, ensuring smooth coordination of the human security, total peace and dismantling policies.

48. OHCHR considers that, in order to establish peace in the territories, shore up governance and drive territorial transformation, it is necessary to strengthen the authorities of local, Indigenous and Afrodescendent communities and grass-roots organizations that resist armed actors. It is important to reduce the risk of legitimizing the power of non-State armed groups through entering into agreements for territorial transformation exclusively with them.

## B. Security policy

49. OHCHR recognizes the efforts made by the defence sector to implement the human security approach under the Security, Defence and Citizen Coexistence Policy: Guarantees for Life and Peace 2022–2026,<sup>13</sup> with a view to preventing human rights violations, including by protecting the right to life. However, it observes that some of the actions of the security forces continue largely to be directed towards achieving operational results in terms of neutralization and demobilization. In particular, it is worrying that the Strategic Sectoral Plan for the Policy does not fully reflect either the human security approach or the innovative nature of the Policy. In addition, there are significant challenges at the territorial level due to the lack of inter-institutional coordination of specific implementation strategies.

50. OHCHR recognizes and welcomes the space regularly offered by the Ministry of Defence for dialogue and exchange on the implementation of this policy at the territorial level.

<sup>12</sup> Act No. 2272 of 2022, the Total Peace Act, authorizes the executive branch to pursue two types of processes: (a) negotiations with armed groups outside the law, which are used to carry out political dialogues and reach peace agreements; and (b) contacts and conversations with organized armed groups or high-impact organized criminal armed groups with a view to bringing them to justice and dismantling them.

<sup>13</sup> Ministry of Defence, Decision No. 2703 of 2023.



### C. Dismantling policy

51. OHCHR welcomes the issuance in May of Decree No. 0665 on the adoption of public and criminal justice policies and a permanent action plan for dismantling criminal organizations and activities, which makes State authorities responsible for its implementation.

52. It is of great importance to OHCHR that the protocol for territorial intervention under this policy allow for the practical and effective application of the principles and approaches set out in it, in particular the human rights-based approach (including with respect to institutional coordination and responsibility-sharing, civic participation, accountability, cross-cutting State action, local implementation and human security), simultaneity and differentiated approaches, taking account of ethnic origin, gender and age.

53. OHCHR appreciates the geographic prioritization for the implementation of this policy, which includes 11 subregions and 71 municipalities and has an initial phase with two pilot schemes covering 15 municipalities in northern Cauca and Magdalena Medio. OHCHR reiterates the importance of beginning implementation as soon as possible and establishing human rights-based impact indicators that allow for changes in the criminal activity of armed actors to be measured and ensure the effective participation of civil society. It also stresses that it is important for the Attorney General's Office to make implementation of the dismantling policy a priority.

## IV. Implementation of the Peace Agreement

54. OHCHR recognizes the renewed push to implement the Peace Agreement through the emergency action plan promoted by the Ministry of the Interior. Through a strategy concentrated at the territorial level, the Ministry seeks to accelerate implementation of key elements of the Peace Agreement, such as the development programmes with a territorial focus, the comprehensive rural reform, the roll-out of the National Comprehensive Programme for the Substitution of Illicit Crops and the operation of the High-level Unit of the Comprehensive Security System for the Exercise of Politics. In November, the Framework Implementation Plan was updated.<sup>14</sup>

### A. Comprehensive rural reform and drug policy

55. OHCHR welcomes the change in the approach taken by Colombia to address the drug problem, both domestically and internationally. In addition, it notes with interest the drafting of a national agreement on the substitution of illicit crops that is focused on enabling coca leaf growers to exercise their economic, social and cultural rights.<sup>15</sup>

56. OHCHR remains attentive to efforts to bolster implementation of the National Comprehensive Programme for the Substitution of Illicit Crops, as coca leaf-growing campesino communities, Indigenous Peoples and people of African descent in areas such as Caquetá, Cauca, Nariño, Norte de Santander and Putumayo claim that they experience difficulties relating to the non-payment of Programme elements, the lack of security in the territories, the presence of non-State armed actors that carry out acts of extortion against the projects, the weakness of the parties hired to implement the Programme and the lack of continuity among them. In addition, armed actors impede implementation of the Programme in Meta and Guaviare.

57. The State has launched programmes to market goods from areas where the National Comprehensive Programme for the Substitution of Crops is being implemented. However, it is also necessary, in parallel, to increase security in the territories; to step up efforts to

<sup>14</sup> See [https://portalparalapaz.gov.co/wp-content/uploads/2024/11/Proceso\\_Actualizacion\\_PMI.pdf](https://portalparalapaz.gov.co/wp-content/uploads/2024/11/Proceso_Actualizacion_PMI.pdf).

<sup>15</sup> See [https://sidn.ramajudicial.gov.co/SIDN//NORMATIVA/TEXTOS\\_COMPLETOS/6\\_DIRECTIVAS/PRESIDENCIALES/DIRECTIVAS%20PRESIDENCIALES%202024/Directiva%20Presidencial%208%20de%202024.pdf](https://sidn.ramajudicial.gov.co/SIDN//NORMATIVA/TEXTOS_COMPLETOS/6_DIRECTIVAS/PRESIDENCIALES/DIRECTIVAS%20PRESIDENCIALES%202024/Directiva%20Presidencial%208%20de%202024.pdf).

implement the Programme and the comprehensive alternative development programmes as part of the comprehensive rural reform; to expand institutional services that make the growing of legal crops sustainable; to consider proposals that take account of ethnic origin; and to strengthen local institutions.

58. OHCHR highlights the strengthening of the national framework on the rights of campesinos, in particular the adoption of the statutory law relating to the establishment of an agricultural and rural judicial authority and its incorporation into the judicial branch.

59. OHCHR has noted the progress made in the comprehensive rural reform, including the establishment of a multipurpose land register, the purchase and acquisition of land, and the constitution and development of campesino territories such as campesino reserve zones and campesino agricultural territories.

60. OHCHR has received information that non-State armed groups have threatened and exerted pressure on campesino organizations and communities that are moving forward with the process of constituting campesino reserve zones in Antioquia, Caquetá and Córdoba. It has noted that non-State armed actors restrict the entry into the territories of the State authorities responsible for implementing the rural reform. In Meta and Guaviare, land access policies have reportedly been prohibited from being implemented, so that the application of the multipurpose land register is limited to the municipal capitals. In the view of OHCHR, the access of State authorities to, and their presence in, the territories must be a precondition for entering into negotiations with armed actors.

61. Although some progress has been made with respect to previous years, work must continue towards making access to land a reality for campesinos and Indigenous and Afrodescendent peoples. The Peace Agreement set a goal for the distribution of 3 million hectares and the titling of an additional 7 million. In addition, the Government set a goal for itself under the National Development Plan 2022–2026 of adding 500,000 hectares to the land bank, distributing 2.9 million hectares and titling 3.9 million hectares. To date, 494,556 hectares have been added to the land bank and 154,568 hectares have been distributed, – representing 5.32 per cent of the target as a whole, and 1,308,523 hectares have been titled, representing 32.7 per cent of the target related to land titling.

62. The low level of implementation of the 16 national sectoral plans for rural reform continues to be of concern. The implementation level remains under 30 per cent for 11 of them and has barely surpassed 40 per cent for just four of them. Performance is worst under the plans relating to health, housing, drainage and irrigation, roads and land.<sup>16</sup>

63. OHCHR highlights the State's efforts to promote social dialogue in northern Cauca between Indigenous, campesino and Afrodescendent communities and the sugarcane sector (industrialists, owners and workers) on the ownership and use of land, respect for human rights and the sustainable development agenda. This discussion has brought about a reduction in community tensions, an end to the cases of murder, torture and land occupation that had occurred in the territory until 2023, the redistribution of more than 1,500 hectares of productive land and consensus between the communities and the industrial sector on productive projects worth more than \$7 million. Since 2022, OHCHR has supported and strengthened the discussion forum and, in 2024, it promoted the use of the forum for independent international mediation.

## **B. Transitional justice**

64. Violence against the civilian population in the territories, including forced recruitment, the disappearance of persons and gender-based violence, results in lesser participation in the Comprehensive System for Peace, thereby undermining the victim-centred approach and the safeguarding of victims' rights to truth, justice, comprehensive reparation and non-recurrence. Disappearance has the greatest impact on children, women, Indigenous and Afrodescendent peoples and campesinos. Recruitment is often linked to disappearance and presents additional obstacles to targeted searches.

<sup>16</sup> See <https://siipo.dnp.gov.co/plannacionalvista>.

65. OHCHR recognizes the efforts made by the State to address disappearance. Attention may be drawn to the progress made in implementing Act No. 2326 (the “Pink Alert” mechanism) and Decree No. 532 of 2024, which regulates the National System for the Search for Persons Deemed Disappeared. The launch of the System will enable the development of a comprehensive public policy on disappearance with a human rights-based approach. Likewise, the adoption of Act No. 2364 is an unprecedented milestone in the recognition and protection of women searching for victims of enforced disappearance.

66. OHCHR draws attention to the work carried out in forensically complex places, including cemeteries and clandestine graves, by the Unit for the Search for Persons Deemed Disappeared, the establishment of a mobile unit to expand its geographical coverage and the progress made in enhancing institutional coordination. OHCHR stresses that the Unit must be allocated the necessary budget for it to continue its work.

67. OHCHR welcomes the adoption by the Special Jurisdiction for Peace of the national provisional measure on enforced disappearance, which addresses structural problems such as the failure to consolidate information systems, difficulties relating to access to information and underreporting.

68. The Committee on Enforced Disappearances recognized the progress made in adopting measures to prevent and eradicate enforced disappearance, although it expressed concern about the persistence of the problem. It also stressed the importance of stepping up efforts with regard to investigations and the search for, identification of and support for victims and the formulation of a comprehensive public policy on disappearance through the provision of human and financial resources.<sup>17</sup>

69. OHCHR appreciates the efforts made by the chambers and sections of the Special Jurisdiction for Peace in advancing macrocases and adopting protective measures, including the indictment issued in macrocase 07. It also highlights the coordination carried out with territorial authorities to lay the groundwork for the forthcoming imposition of their own sanctions.

70. OHCHR calls on the Special Jurisdiction for Peace to move forward with determination in investigating the new macrocases, especially macrocase 11 relating to gender-based violence, sexual violence, reproductive violence and other offences committed out of prejudice based on sexual orientation.

71. In September, the Special Jurisdiction for Peace began its first adversarial trial, marking a milestone in transitional justice in Colombia.

72. OHCHR highlights the efforts made by the Special Jurisdiction for Peace to ensure compliance with the conditionality regime for persons not identified as being most responsible. It recalls the importance of ensuring that decisions relating to the termination of criminal proceedings fully respect the rights of victims.

73. OHCHR also recognizes the progress made in developing the restorative justice system. It is essential that the system actively supports victims and witnesses in formulating proposals to ensure that restorative justice projects ordered in judgments are commensurate with the harm caused by offences.

74. OHCHR recognizes the joint work carried out by the Unit for the Implementation of the Peace Agreement, the National Planning Department and the Follow-up and Monitoring Committee tasked with following up on the Truth Commission’s recommendations in developing a strategy to progressively comply with the prioritized recommendations as part of efforts to lay the groundwork for peace in the territories and prevent recurrence.

### **C. Victims and Land Restitution Act**

75. OHCHR welcomes Act No. 2421 of 2024, endorsed by the President of the Republic, which amends the Victims and Land Restitution Act (No. 1448 of 2011) in order to strengthen

<sup>17</sup> See <https://www.ohchr.org/en/press-releases/2024/12/colombia-enforced-disappearances-not-legacy-past-daily-reality>.

support and reparation for victims, in concordance with the Special Jurisdiction for Peace and the Unit for the Search for Persons Deemed Disappeared. Act No. 2421 extends the principle of differentiation to campesinos, recognizing them as subjects of rights and victims of displacement. New sources of financing are needed to support and provide reparations to all registered victims, whose numbers continue to increase as a result of violence related to the armed conflict. There are cases of concern in departments such as Meta and Guaviare, where, after 10 years, substantive progress in providing collective reparations has yet to be made and some voluntary returnees are not supported by the responsible institutions.

76. OHCHR urges the Government to create stable security conditions so that families and communities whose rights have been restored may benefit from guarantees of non-recurrence. OHCHR is concerned about the increased risk of land dispossession faced by persons whose land has already been returned to them.

## **D. Ethnicity-related aspects of the Peace Agreement**

77. According to figures used to measure compliance with the goals set for the framework plan of the Peace Agreement, the degree of implementation of the ethnicity-related aspects of the Agreement is significantly higher than in previous years, although this progress is still insufficient. According to the assessment carried out by the Special High-level Forum of Ethnic Peoples,<sup>18</sup> the implementation of ethnicity-related aspects still lags significantly behind that of other parts of the Peace Agreement.

78. OHCHR also highlights the joint design of a strategy to promote the ethnicity-related aspects of the Peace Agreement by Indigenous and Afrodescendent authorities and leaders and the Office of the Vice-President of the Republic.<sup>19</sup>

79. The number of Indigenous Peoples at risk of extinction has increased in recent years, and this trend is continuing. Among the main concerns highlighted by the Special Rapporteur on the rights of Indigenous Peoples is the danger of physical and cultural extermination faced by 71 Indigenous Peoples.<sup>20</sup> OHCHR has noted that the Awá people in Nariño, the Nukak and Jiw peoples in Guaviare, the Hitnü people, and 13 of the 15 peoples inhabiting Putumayo continue to be disproportionately affected by the conflict and by illegal economic activities. The Special Rapporteur on the rights of Indigenous Peoples, the Working Group of Experts on People of African Descent and OHCHR have drawn attention to the scale of the impact on women, children, persons with disabilities and older persons belonging to Indigenous and Afrodescendent peoples.<sup>21</sup>

80. OHCHR welcomes the implementing regulations adopted by the current Government in respect of chapters IV (on natural resources) and V (on mining resources) of Act No. 70 of 1993, which establishes mechanisms for the protection of the rights of Afrodescendent communities. However, it remains concerned that the law has not yet been fully implemented and that, aside from the regulations adopted in respect of the aforementioned chapters, there are no clear pathways for its implementation. Challenges remain, such as the implementation of chapters VI (on the protection and development of cultural rights and identity) and VII (on planning and the promotion of economic and social development). In addition, a number of substantive issues, such as the full inclusion of mangrove forests in collective titles, the recognition of community conservation areas from the perspective of peoples of African descent and the recognition of Afrodescendent Territorial Entities are challenges that the peoples demand that the State address as a matter of priority.

<sup>18</sup> See <https://ieanpe.com/informes/>.

<sup>19</sup> See <https://portalparalapaz.gov.co/informe-del-gobierno-de-cambio-sobre-el-acuerdo-de-paz-firmado-con-las-farc-en-2016/18/>.

<sup>20</sup> See [A/HRC/57/47/Add.1](#).

<sup>21</sup> End of mission statement of the Working Group of Experts on People of African Descent following its visit to Colombia (15–24 May 2024), available at <https://www.ohchr.org/en/press-releases/2024/05/colombia-must-be-accountable-people-african-descent-conditions-risk-and>.

## V. Civic space

81. OHCHR recognizes that measures have been taken to guarantee the right to peaceful assembly.

82. In the legislative sphere, OHCHR draws attention to the enactment of Presidential Decree No. 1231, which incorporates international human rights standards on the use of force, including firearms and less lethal weapons, as well as the forthcoming technical regulations and their use by the National Police. These new regulations establish the principle of the use of force as a last resort, incorporate the principle of differentiation and strengthen the measures by which the National Police may be held accountable.

83. These regulations resulted from a dialogue between the Ministry of Defence, the National Police and civil society organizations, facilitated by OHCHR. Decision No. 3295 was also adopted, establishing an information system that makes it possible to follow up on and monitor the service provided by the Unit for Dialogue and Maintenance of Order.

84. OHCHR recognizes that representatives of several political parties have submitted a statutory bill on the right to peaceful social protest that reflects important international human rights norms and standards on the management of protests, as well as matters raised by a broad coalition of human rights organizations. Another related effort was made to promote the adoption of protocols on the management of peaceful protest in departments and capital cities by the Ministry of the Interior, with the involvement of the Ministry of Defence and the Police.

85. With regard to specific protest situations, OHCHR generally recognizes that greater restraint in the use of force has been exercised by the Unit for Dialogue and Maintenance of Order and that dialogue has been employed as the main management tool by the national Government. A number of worrying situations arose in connection with the protests held on 8 March, on the occasion of International Women's Day, such as the lack of differentiation in the use of force, the intimidating presence of the security forces in Bogotá, and the publication by the authorities in Medellín of images depicting women demonstrators as the perpetrators of offences even though no criminal proceedings had been initiated, thus giving rise to stigmatization.

86. With regard to access to justice, the Standing Inter-Institutional Committee has demonstrated that progress has been made in the investigation of cases of human rights violations related to the national strike, particularly the homicides that occurred in Cali and the cases involving eye injuries. The National Agency for the Legal Defence of the State, with the participation of the Ministry of Defence, issued a circular promoting conciliation in cases where damages and injuries have been caused by the security forces during protests. It is important that faster progress be made in realizing victims' rights to justice, truth and reparation.

87. The issuance of Directive No. 0001 of the Attorney General's Office, which is in line with international norms and standards on the right to peaceful assembly and the prosecution of crimes and human rights violations that may occur in the context of protests, is recognized.

88. In 2024, progress was made in the participatory development of a national human rights action plan. The plan is expected to be adopted soon in consultation with civil society.

## VI. Recommendations

89. **The United Nations High Commissioner for Human Rights recalls the recommendations made in previous annual reports and recommends the competent authorities to:**

(a) **Ensure that the different ministries and State agencies carry out, as soon as possible, the measures set out in the dismantling policy and the related action plan so that progress is made in their implementation;**

(b) **Comprehensively and effectively implement the security policy in the territories, bring the Strategic Sectoral Plan into line with the policy, ensure that the**

security forces in the region territories are aware of its innovative content and that they receive clear guidelines to strengthen preventive actions and the protection of the public;

(c) Adopt the draft reform of the Intelligence and Counter-Intelligence Act, which incorporates international human rights norms and standards, and begin a process of institutional reform of other State intelligence agencies on the basis of the efforts made by the National Intelligence Directorate;

(d) Ensure that the dialogues and negotiations conducted with non-State armed actors include as a central point of discussion the unrestricted access of the State in the territories, in order to guarantee the protection of rights, the cessation of any recruitment of persons under 18 years of age and the immediate release of any children in non-State armed groups;

(e) Strengthen the mechanisms used to follow up on and evaluate the preventive and supportive measures taken in cases of recruitment and enforced disappearance, including the urgent search and “Pink Alert” mechanisms;

(f) Coordinate, through the Attorney General’s Office and the ethnic authorities, measures to search for and provide immediate protection to missing children and victims of trafficking and recruitment, including migrants, granting protection to their families and persons involved in their recovery, and investigate and prosecute the persons responsible in a comprehensive, timely and systematic manner, acting on the basis of the principle that children separated from armed groups should be treated primarily as victims;

(g) Through the competent agencies, establish, strengthen and guarantee appropriate territorial services that provide comprehensive and confidential care and responses, from an intersectional perspective, to victims of gender-based violence and sexual violence, especially mental, sexual and reproductive health services, prioritizing the regions most affected by this scourge;

(h) Continue to promote the institutional territorial plans and strategies of the Indigenous Peoples and Afrodescendent communities in order to prevent the recruitment of and sexual violence against children, acting through the territorial authorities and under the leadership of the Presidential Advisory Office for Human Rights and International Humanitarian Law and the ethnic authorities, providing them with sufficient resources to ensure the proper functioning of prevention pathways and the protection of victims’ environments and implementing differentiated approaches;

(i) Implement the Safe Schools Declaration action plan and urgent measures across the territories to guarantee the right to education throughout the country;

(j) Ensure the availability of the necessary resources and appropriate institutional coordination for the effective implementation of the restorative justice system managed by the Special Jurisdiction for Peace, guaranteeing the participation of victims in all its procedures and in consultation forums;

(k) Provide the National Institute of Forensic Medicine with the necessary technical and budgetary resources to carry out the task of identifying human remains and deal with the cases brought before the ordinary and transitional justice system;

(l) Guarantee the means and conditions required to implement the National System for the Search for Persons Deemed Disappeared at the local level and to formulate and implement a comprehensive public policy on supporting, searching for, identifying, handing over and locating persons deemed disappeared, using a human rights-based and differentiated approach;

(m) Ensure the implementation of Act No. 2364, which recognizes the work of women searching for victims of enforced disappearance;

(n) Implement, in a coordinated manner, measures to comply with the recommendations of the Truth Commission, formulating specific human rights-based

indicators that make it possible to evaluate positive developments in the protection and access to rights of communities in the territories most affected by the conflict;

(o) Continue to stress the urgency of taking measures to protect Indigenous Peoples at risk, in particular peoples at risk of extermination who suffer disproportionately from the impact of the internal armed conflict, in compliance with the rulings of the Constitutional Court;

(p) Implement, in a comprehensive and inclusive manner, the ethnicity-related aspects of the Peace Agreement, including in relation to the right to free, prior and informed consultation and other measures to protect the fundamental rights and freedoms of Indigenous and Afrodescendent peoples;

(q) Continue the process of implementing Act No. 70 of 1993 and authorizing measures such as the recognition of Afrodescendent Territorial Entities;

(r) Move forward in fulfilling the commitments made by the Government in respect of campesinos, for which it is necessary to enhance coordination between institutions at the national and territorial levels, grant sufficient resources to institutions and generate the technical response capacity required to ensure the realization of economic, social, cultural and environmental rights;

(s) Swiftly implement the Escazú Agreement to strengthen the protection of the environment and environmental human rights defenders;

(t) Adopt the national policy on safeguards for human rights defenders and an effective mechanism for conducting follow-up on the basis of performance indicators;

(u) Ensure the functioning of the regional committees on safeguards and compliance with the agreements established by them with civil society organizations;

(v) Continue strengthening the Standing Inter-Institutional Committee in order to move forward in investigating and providing reparation in cases of human rights violations committed during protests;

(w) Urge the relevant parties to guarantee and ensure effective respect for human rights in the conduct of business activities, in accordance with the Guiding Principles on Business and Human Rights and the statements made by the Working Group on the issue of human rights and transnational corporations and other business enterprises during its visit to the country and, in particular, ensure compliance with court rulings pending implementation.

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