PROGRESS IN HUMAN RIGHTS MATTERS
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Colombia is a country committed to promoting, respecting, and guaranteeing Human Rights and International Humanitarian Law regulations. The country has a strengthened institutional framework in the matter, along with dialogue forums allowing for the direct interaction between the State and civil society organizations. Likewise, it has an advanced regulatory framework regarding this matter, which has served as a model to other countries. Colombia has also ratified most of the Human Rights and IHL international instruments, which it honors by following and fulfilling its duties.

Colombia is convinced that an appropriate and effective institutional and regulatory structure is a fundamental requirement to guarantee the rights of its citizens.
National System of Human Rights and International Humanitarian Law (NSHR-IHL)

The National System of Human Rights and International Humanitarian Law (NSHR-IHL) is the main tool of the current administration for building a comprehensive and articulated response of the Colombian State regarding Human Rights and International Humanitarian Law matters by promoting a differential and rights-oriented approach.

The goals of the System are the following:

- Strengthening the institutional capacity for the protection of Human Rights and IHL.
- Organizing state programs and projects to allow an integral, timely, and effective management of the State regarding Human Rights and IHL.
- Structuring the Human Rights and IHL Comprehensive Policy and promoting the incorporation of the rights-oriented and differential approach within the public policies.
• Promoting the follow-up to and the fulfillment of international commitments and obligations relating to International Human Rights and IHL obligations.
• Having an Information System that allows monitoring, following up and assessing the status of Human Rights and IHL in Colombia.

In addition, six subsystems, or components, of this comprehensive policy were created with the purpose of guaranteeing the operation and operating usefulness of the HRNS:


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1 In addition to the six subsystems, the NSHR has two cross-cutting themes: ‘International Affairs’ and ‘Communications.’ The former promotes, in a permanent manner, the fulfillment of and the follow-up to the international commitments and obligations related to each subsystem and the technical group; the latter provides the means and contents to be disclosed to the System.
2. Civil and political rights.
3. IHL and the armed conflict.
4. Economic, Social, Cultural and Environmental Rights –ESCER–.
5. Justice.
6. Equality, no discrimination and respect for the identities.

**Human Rights and IHL National Conference**

The Human Rights National Conference is a tripartite effort in which the State, along with the civil society and the international community, strives to design and build, in a participatory manner, the Comprehensive Human Rights and IHL Public Policy. In order to attain this, a series of departmental forums were held during which problems related to Human Rights were identified through working groups, and progress was made towards the construction of proposals that solve them.

Regional forums were held in each one of the departments of the country (32 in all), in addition to Bogotá as the Capital District, from December 1, 2011 in Atlántico, to November 29, 2013 in Cauca. Furthermore, a National Conference was held in December 2012 which was attended by President Juan Manuel Santos, Vice-president Angelino Garzón, UN senior representatives, civil society representatives, and more than 1,800 participants.
Victims and Land Restitution Law (Law 1448 of 2011)

The Victims and Land Restitution Law has been acknowledged as a worldwide example, since it recognizes the damages suffered by the people and the communities due to the Colombian internal armed conflict, by using a transitional justice approach within a context in which the conflict has not finished yet. Pursuant to the Law, the victims are entitled to know the truth about what happened to them, to see justice done, and to obtain fair reparation.

The Victims and Land Restitution Law is a fundamental framework for the consolidation of Colombian society because it allows identifying and visualizing the rights of the victims; it provides a unique definition of victim, thus giving them priority in the context of care and services provided by the State, reaffirming equality among the victims, while guaranteeing differential care pursuant to their specific characteristics.
Measures for the benefit of the victims

The measures that benefit the victims, as stated by the Law, are divided into:

- **Care**: to guide, inform, and provide a response to the requests of the victims. In addition, to accompany the victims in order to facilitate their access to assistance and reparation programs.

- **Assistance**: it includes health, education, humanitarian assistance programs (minimum subsistence) and a burial allowance.

- **Reparation**: the victims have the right to some or to all five reparation measures, depending on the damages suffered:
  
  - Land restitution.
  - Administrative indemnification (financial compensation).
  - Rehabilitation (physical and psychological).
  - Satisfaction (the truth, historical memory, and immaterial reparation measures).
  - Guarantees of non-repetition.
Land Restitution

It is the right of the victims to recover the land they were dispossessed of, or had to abandon, due to the armed conflict. The goal of the Victims Law is not only to return the land with its corresponding title, but also to improve the socioeconomic conditions of the victims towards a more dignifying life.

Figures of the Victims and Victims Restitution Law

5,926,774 VICTIMS HAVE BEEN REGISTERED DUE TO 6,626,174 VICTIMIZING EVENTS

317,000 VICTIMS HAVE BEEN COMPENSATED

2 trillion pesos have been allocated for the reparation of the victims

51,024 land restitution requests for 3,309,683 hectares

503 LAND RESTITUTION LEADERS have protective measures in order to ensure their security and the exercise of their rights.

Source: Victims Unit, Land Restitution Unit
Landmines

There have been 10,557 victims\(^2\) of landmines (LM) and of unexploded ordnance (UXO) registered in Colombia since 1990. The National Government, represented by the Presidential Program for Comprehensive Action against Landmines, works decisively in order to eradicate these devices from the Colombian territory, as well as to provide integral assistance to the victims, thus guaranteeing the exercise of their rights and their socioeconomic inclusion.

The integral assistance includes physical and psychological care, access to indemnifications and humanitarian aid, as well as support concerning socioeconomic inclusion. The Government works in five lines of action in order to guarantee this assistance provided to the victims:

1. Knowledge of the problems and needs of the victims.
2. Identification of “bottlenecks” concerning the response of the institutions participating in providing assistance to the victims.
3. Formulation of alternatives to improve the coverage and the quality of the assistance.
4. Joint work with the competent authorities and support of the initiatives that respond to the problems.

\(^2\) Wounded individuals and casualties.
Some of the tools used by the Government of Colombia to provide assistance to the victims of these devices and to the most vulnerable population vis-à-vis landmines are the following:

- **Education on the Risk of Landmines –ERLM-**. This education is addressed to the civil population with the purpose of reducing the risk of damages caused by Landmines (LM), Unexploded Ordnance (UXO) and Improvised Explosive Devices (IED), by increasing the awareness and promoting safe behaviors, thus saving lives and reducing human suffering.

- **Victims Law**. The victims of landmines and other devices, as victims of the Colombian conflict, are included in the provisions of the law.

- **National Disability System**. The victims of LM, UXO, and IED are included in this System with the purpose of attaining their socioeconomic and social reintegration.

- **Humanitarian Landmine Removal**. The National Government implemented a Humanitarian Landmine Removal program jointly with specialized Non-Governmental Organizations by following the Humanitarian Principles of Humanity, Neutrality and Impartiality of the United Nations. The purpose of the Humanitarian Landmine Removal is to eliminate the dangers stemming from LM, UXO and IED, in order to return the land to the community for its use.
**Area covered by Humanitarian Landmine Removal (m²)**

<table>
<thead>
<tr>
<th>Year (Jan – Aug)</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,260</td>
<td>34,140</td>
<td>122,236</td>
<td>170,218</td>
<td>247,178</td>
<td>333,278</td>
<td>261,116</td>
<td>279,421</td>
</tr>
</tbody>
</table>

Source: Presidential Program for the Comprehensive Action against Landmines

**Victims per year**

<table>
<thead>
<tr>
<th>Year (Jan – Aug)</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,234</td>
<td>978</td>
<td>858</td>
<td>746</td>
<td>606</td>
<td>549</td>
<td>494</td>
<td>305</td>
</tr>
</tbody>
</table>

Source: Presidential Program for the Comprehensive Action against Landmines.
Violence against Women:

The Colombian State has made progress in the formulation and implementation of Public Policies and strategies, both within the institutions and among them in order to guarantee the integral and interdependent Human Rights of women, as well as gender equality, by taking into consideration the particular aspects affecting the population groups in the urban and rural areas, Afro-Colombians, indigenous people, peasants and Romani people.

Therefore, the National Public Policy for Gender Equality and the Comprehensive Plan for Guaranteeing Women a Violence-free Life were formulated with the purpose of guaranteeing the rights of Colombian women by applying the principles of equality and non-discrimination. The goal is to guarantee the integral care of Colombian Women by highlighting their important contribution to the economic, cultural, and social developments of the country. The National Government ordered an unprecedented investment, over 3.5 trillion pesos, to work in favor of women.

The Committee for Risk Evaluation and Recommendation of Measures (CREMR) was created in order to, particularly, tackle the needs of women regarding protection matters. The entities that take part in this Committee are those that work with the gender approach, as well as women organizations of the country. Likewise, the “Specific protocol focused on gender and women’s rights” was adopted in 2012. This protocol includes the gender approach for the Protection of Women at Risk within the framework of the protection process in Colombia.

Through the High Office of the Presidential Adviser on Equality for Women, the
National Government also implements the **Strategy for the Prevention of Pregnancy during Adolescence**. The purpose of this strategy is preventing pregnancies during adolescence, with a special emphasis on women under 14 years of age, unplanned pregnancy, as well as pregnancies resulting from abuse and other types of violence.

For more information, please visit: http://www.equidadmujer.gov.co
Prevention of recruitment and fighting sexual violence against boys and girls within the framework of the armed conflict

The Intersectoral Commission for the Prevention of Recruitment and the Use of boys, girls and adolescents by organized groups is in charge of articulating all State-entity actions, as well as the preventive actions fostered by social organizations and international cooperation. This Intersectoral Commission is unique in the world since it was created by the State itself, not just to tackle, but also to prevent armed groups from recruiting and using boys and girls.

The Commission has three specific goals to prevent recruitment:

1. Promoting the guarantee and fulfillment of the rights of boys and girls.
2. Promoting the design and implementation of public policies for the comprehensive protection in selected municipalities (those that are more vulnerable regarding recruitment).
3. Promoting the strengthening of environments (family, community and institutions) where boys and girls are and feel safe with the purpose of lowering the risk factors that lead to their recruitment, use, and sexual violence by the illegal organized armed groups as well as by organized criminal groups.

“We will continue working every day so no more women in the country are victims to aggressions and for society to reject violence against women.”

President Santos, September 12, 2012
In addition, as of 2012, the component of **prevention of sexual violence within the framework of the armed conflict** of the country was included in public policy, as well as the strengthening of the Intersectoral Commission representing all the sectors, institutions, and programs that are directly competent vis-à-vis this issue.

For more information, please visit:

http://www.vicepresidencia.gov.co/Iniciativas/Paginas/PrevencionReclutamiento.aspx
Protection of indigenous peoples
The 2010-2014 National Development Plan included three specific components for ethnic groups in its strategic axes:

1. Promoting **equal opportunities** for the ethnic groups to access the benefits of development within a differential approach.
2. Protecting the **fundamental rights** of the ethnic population.
3. Strengthening their **own organizations and forms of government**.

The **Presidential Program for the Formulation of Strategies and Actions for the Comprehensive Development of the Indigenous Peoples of Colombia** was created during the first months of the current administration. The purpose of this Presidential Program is to guarantee the fundamental, collective, and integral rights of the indigenous peoples through five strategies:
1. Promotion of the interculturalization of the Colombian society.
2. Promotion of the community-based construction of the Life Comprehensive Plans (LCP) and the own development of the Indigenous Peoples.
3. Guidance and support concerning the Fundamental Right to Free, Prior and Informed Consultation.
4. Follow-up and support to the fulfillment of the Millennium Development Goals for Indigenous Peoples.
5. Guidance and support to the Human Rights and International Humanitarian Law for indigenous peoples.

In this sense, the National Government has made progress in the Gender Policy for the indigenous peoples, the Policy for safeguarding indigenous peoples on the verge of extinction, the Program to Guarantee the Rights of the Indigenous Peoples, the Safeguarding Plans (Ethnic, Land Policy and Income Generation), the Protection of the indigenous communities (Hitnu and Makaguan), and the Precautionary Measures for the Awá people.

Land restitution

The National Protection Unit has protected 490 indigenous claimants regarding land restitution proceedings in order to guarantee the exercise of their rights.
Colombia’s Commitment to Trade Unionism

Pursuant to the law, Colombia punishes those who carry out actions or display conducts leading to disrupt the right of trade union association. Likewise, the National Government has a Protection Program aimed at guaranteeing the right to life and to personal integrity of particularly vulnerable groups, among them the trade unions population. The Protection Program extended its coverage and protects trade union leaders, trade union activists, and those activists who tried to create a trade union that could not be materialized, and that have been allegedly threatened due to these circumstances.

Likewise, the commitment and the will of the Colombian Government concerning the fight against impunity are unconditional. As a result of the actions of the State, the aggregate homicide rate of the Colombian population and of the trade union population decreased. In the case of homicides of members of the trade unions movement, the homicide rate decreased 96% between 2001 and 2012.
## Commitment of the Government to the trade union action (figures)

<table>
<thead>
<tr>
<th>Year</th>
<th>Figures of the Government: Trade Unionists Homicides</th>
<th>Rulings issued per year</th>
<th>Number of trade unionists benefited with protection measures</th>
<th>Budget executed for trade unions (US Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>205</td>
<td>1</td>
<td>1.043</td>
<td>6,857,998</td>
</tr>
<tr>
<td>2002</td>
<td>196</td>
<td>9</td>
<td>1.566</td>
<td>7,967,965</td>
</tr>
<tr>
<td>2003</td>
<td>101</td>
<td>7</td>
<td>1.424</td>
<td>8,441,301</td>
</tr>
<tr>
<td>2004</td>
<td>89</td>
<td>12</td>
<td>1.615</td>
<td>9,247,747</td>
</tr>
<tr>
<td>2005</td>
<td>40</td>
<td>10</td>
<td>1.493</td>
<td>9,424,207</td>
</tr>
<tr>
<td>2006</td>
<td>60</td>
<td>9</td>
<td>1.504</td>
<td>11,320,514</td>
</tr>
<tr>
<td>2007</td>
<td>26</td>
<td>43</td>
<td>1.959</td>
<td>12,227,203</td>
</tr>
<tr>
<td>2008</td>
<td>38</td>
<td>81</td>
<td>1.980</td>
<td>11,873,770</td>
</tr>
<tr>
<td>2009</td>
<td>28</td>
<td>94</td>
<td>1.550</td>
<td>15,481,763</td>
</tr>
<tr>
<td>2010</td>
<td>37</td>
<td>77</td>
<td>1.454</td>
<td>19,498,000</td>
</tr>
<tr>
<td>2011</td>
<td>30</td>
<td>109</td>
<td>1.186</td>
<td>11,771,616 (Trade union population)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>79,000,000 (All the population)</td>
</tr>
<tr>
<td>2012</td>
<td>8</td>
<td>452</td>
<td>1.273</td>
<td>107,000,000 (All the population)</td>
</tr>
<tr>
<td>2013</td>
<td>11</td>
<td>2</td>
<td>619</td>
<td>Information unavailable to date.</td>
</tr>
</tbody>
</table>

The Colombian State makes efforts through different entities, as the Department for Social Prosperity (DSP), towards the reduction of poverty and to guarantee equality to the groups under special constitutional protection.

Around 2.5 million Colombians have overcome poverty and 1.3 million have overcome extreme poverty, making Colombia one of the two countries in Latin America that reduced poverty the most during the last three years.

In addition, since August 2010, Colombia became of the two countries in Latin America that reduced inequality the most, as measured with the Gini coefficient.
Incidence of monetary poverty (%)  
Source: DANE

Incidence of extreme monetary poverty (%)  
Source: DANE
“Our obsession is to fight poverty and extreme poverty.”

President Santos.
July 17, 2013.