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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR  
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF  
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Colombia**

This report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being four years, most documents are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. BACKGROUND AND FRAMEWORK

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	Sept. 1981	None	Individual complaints (art. 14): No
ICESCR	Oct. 1969	None	-
ICCPR	Oct. 1969	None	Inter-State complaints (art. 41): No
ICCPR-OP 1	Oct. 1969	None	-
ICCPR-OP 2	Aug. 1997	None	-
CEDAW	Jan. 1982	None	-
OP-CEDAW	Jan. 2007	Yes (arts. 5&10)	Inquiry procedure (art. 8 and 9): No
CAT	Dec. 1987	None	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): Yes
CRC	Jan. 1991	Yes (art. 38 (2,3))	-
OP-CRC-AC	May 2005	Binding declaration under art.3: 18 years	-
OP-CRC-SC	Nov. 2003	Yes (art.7)	-
ICRMW	May 1995	Yes (arts. 15, 46, 47)	Inter-State complaints (art. 76): No Individual complaints (art. 77): No
<i>Core treaties to which Colombia is not a party: OP-CAT, CPD (signature only, 2007), CPD-OP, CED (signature only, 2007).</i>			
<i>Other main relevant international instruments</i>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		Yes	
Rome Statute of the International Criminal Court		Yes	
Palermo Protocol <sup>3</sup>		Yes	
Refugees and stateless persons <sup>4</sup>		Yes, except 1954 and 1961 Conventions	
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>5</sup>		Yes, except Protocol III	
ILO fundamental conventions <sup>6</sup>		Yes	
UNESCO Convention against Discrimination in Education		No	

1. In 2003, the Committee against Torture (CAT) recommended that Colombia make the declarations under articles 21 and 22 of the Convention and ratify OP-CAT.<sup>7</sup> The Committee on the Rights of the Child (CRC) recommended in 2006 that Colombia consider withdrawing its declaration for a seven-year period to the Statute of the International Criminal Court on the jurisdiction of war crimes.<sup>8</sup>

### B. Constitutional and legislative framework

2. A 2005 UN-HABITAT report noted that the Constitution is one of the world's most comprehensive in the recognition of rights; however, these rights, particularly the fundamental rights of the poor, are repeatedly violated.<sup>9</sup>

### C. Institutional and human rights infrastructure

3. In 2007, the High Commissioner for Human Rights encouraged the *Defensoría del Pueblo de la República* - re-accredited with 'A' status in October 2007, by the International Coordinating Committee of National Institutions<sup>10</sup> - to reinforce efforts to strengthen its authority.<sup>11</sup> CRC expressed concern that large parts of the country lack the presence of civilian authorities, notably the *Defensoría del Pueblo*, to effectively monitor children's rights.<sup>12</sup>

4. Two reports of the Secretary-General noted in 2006, as reported by the Government, respectively the role of the Commission for Research on Disappeared Persons (2000)<sup>13</sup> and the establishment of the Inter-Institutional Committee on the Fight against Trafficking in Human Beings.<sup>14</sup> The Committee on the Elimination of Discrimination against Women (CEDAW) expressed concern in 2007 that the Office of the Presidential Counsellor for Women's Equity may have insufficient capacity and resources.<sup>15</sup> Similar concerns were raised by CRC regarding the Colombian Institute for Family Welfare.<sup>16</sup>

### D. Policy measures

5. According to OHCHR in Colombia, it became evident in their dialogue with the authorities that there was a need to reflect on the implementation mechanisms of the Defence and Democratic Security Policy that might be having negative effects on the behaviour of some members of the security forces. One of the influencing factors could be inadequate interpretation of the requirement of showing results in the struggle against illegal groups. The Government expressed interest in reviewing the parameters now used to measure operational results.<sup>17</sup>

6. In 2007 the Secretary-General noted that Colombia launched a policy to fight impunity<sup>18</sup> and carried out programmatic efforts to prevent the recruitment of children and promote reintegration.<sup>19</sup> CEDAW welcomed the Strategic Plan for the defence of women's rights in the justice system.<sup>20</sup> CRC noted the ongoing development of a National Plan of Action and recommended that adequate resources be allocated for its implementation.<sup>21</sup>

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>22</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	1998	Aug. 1999	--	Tenth to fourteenth reports overdue since 1998 to 2006 respectively, submitted in 2008 and scheduled for consideration in 2009.
CESCR	2000	Nov. 2001	--	Fifth report overdue since 2006, submitted in 2008 and scheduled for consideration in 2010.
HR Committee	2002	March 2004	October 2005	Sixth report overdue since April 2008.
CEDAW	2005	Jan. 2007	--	Combined seventh and eighth reports due in 2011.
CAT	2002	Nov. 2003	March 2006 and October 2007	Sixth report overdue since 2001, submitted in 2008, not yet scheduled for consideration.

<i>Treaty body<sup>22</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CRC	2004	June 2006	--	Consolidated fourth and fifth report due in 2011.
OP-CRC- AC	--	--	--	Initial report overdue since 2007.
OP-CRC- SC	--	--	-	Initial report received in Sept. 2008
CMW	--	--	--	Initial report received in March 2007.

7. The HR Committee recommended that Colombia ensure the full implementation without delay of its observations in respect of the Optional Protocol.<sup>23</sup> CRC urged Colombia to address recommendations made in 2000 that had been only partly addressed.<sup>24</sup> Both the HR Committee and the Committee on Economic, Social and Cultural Rights (CESCR) regretted that Colombia had not provided sufficient information on the implementation of previous concluding observations.<sup>25</sup>

## 2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes
<i>Latest visits or mission reports</i>	Special Rapporteurs on the right to education (1-10 Oct. 2003); <sup>26</sup> on the right to freedom of opinion and expression (22-29 Feb. 2004); <sup>27</sup> Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (7-17 March 2004); <sup>28</sup> Working Group on Enforced or Involuntary Disappearances (5-13 July 2005); <sup>29</sup> Special Representative of the Secretary-General on the human rights of internally displaced persons (15-27 June 2006); <sup>30</sup> Special Rapporteur on the right to health (20-23 Sept. 2007). <sup>31</sup>
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	Special Representative of the Secretary-General on human rights defenders, requested in 2005; Independent expert on minority issues, in 2006; Working Group on mercenaries, in 2006, Special Rapporteur on adequate housing, in 2006.
<i>Facilitation/cooperation during missions</i>	
<i>Follow-up to visits</i>	
<i>Responses to letters of allegations and urgent appeals</i>	A total of 155 communications were sent between 1 July 2004 and 30 June 2008. In addition to communications sent for particular groups, 467 individuals, including 89 women, were concerned by these communications. Between 1 July 2004 and 30 June 2008, the Government replied to 103 communications (66 per cent).
<i>Responses to questionnaires on thematic issues<sup>32</sup></i>	Colombia responded to 4 of the 12 questionnaires sent by special procedures mandate holders <sup>33</sup> between 1 July 2004 and 30 June 2008, within the deadlines. <sup>34</sup>

## 3. Cooperation with the Office of the High Commissioner for Human Rights

8. Through its offices in Bogota, Medellin, Bucaramanga and Cali, OHCHR observes and reports on the human rights and international humanitarian law situation throughout the country.<sup>35</sup> OHCHR provides advice and technical assistance to Government and State institutions and to civil society organizations.<sup>36</sup> Over the last years, OHCHR thus enabled the Government to articulate specific responses to human rights and international humanitarian law violations needed to improve the situation in the country.<sup>37</sup> The High Commissioner for Human Rights visited Colombia in 2005 and in 2007.<sup>38</sup> Colombia regularly makes voluntary

contributions to support the work of OHCHR.<sup>39</sup> The agreement with the Government concerning OHCHR office in Colombia was renewed in 2007 until October 2010.<sup>40</sup>

9. CAT noted with appreciation the cooperation between OHCHR Colombia and the Government. CRC made a similar observation and noted the commitment of Colombia to further implement OHCHR recommendations.<sup>41</sup>

## **B. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

10. In 2008, the High Commissioner for Human Rights called on the Government, illegal armed groups and civil society to give priority to full respect for international humanitarian law and human rights in their efforts to chart a course for dialogue and negotiations for the achievement of lasting peace.<sup>42</sup> The High Commissioner and her Office in Colombia reiterated on many occasions their call to illegal armed groups to release, immediately and unconditionally, all persons held hostage and all those captive for reasons related to the armed conflict, in accordance with international humanitarian and criminal law.<sup>43</sup>

### **1. Equality and non-discrimination**

11. In 2007, CEDAW noted with satisfaction progress made towards eliminating discrimination against women and promoting gender equality and welcomed the important contribution of the judiciary in this regard.<sup>44</sup> A 2006 UNICEF report also noted equal opportunity legislation, and that the laws promote and guarantee the rights of girls and women.<sup>45</sup>

12. In 2004, the HR Committee expressed concern about continued discrimination against indigenous and minority communities.<sup>46</sup> In 2006 CRC noted with concern that widespread discrimination existed towards certain vulnerable groups, such as Afro-Colombian and indigenous children and children living in rural and remote areas.<sup>47</sup>

### **2. Right to life, liberty and security of the person**

13. In 2004, the Special Rapporteur on the right to freedom of opinion and expression noted that paramilitary groups and guerrillas have perpetrated grave human rights violations and breaches of international humanitarian law.<sup>48</sup> The HR Committee and CRC expressed concern about the links between elements of the armed forces and State security forces, and illegal paramilitary groups.<sup>49</sup>

14. In 2004, the HR Committee expressed concern about the persistent and significant number of arbitrary detentions, abductions, enforced disappearances, cases of torture, extrajudicial executions and murders.<sup>50</sup> In 2008, the High Commissioner for Human Rights noted the persistence of extrajudicial executions attributed to members of the security forces, especially of the army.<sup>51</sup>

15. In 2004, the HR Committee already noted with concern murders of human rights defenders, political and trade union leaders, judges and journalists.<sup>52</sup> CRC expressed concern in 2006 at the high numbers of teachers killed in areas affected by the internal armed conflict.<sup>53</sup>

16. In a joint statement on 30 April 2008, the Special Representative of the Secretary-General on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the independence of judges and lawyers, while recognizing and appreciating the adoption of some measures by the Government,

expressed deep concern about the deteriorating situation of human rights defenders, particularly killings, harassment and intimidation of civil society activists, trade-union leaders<sup>54</sup> and lawyers representing victims. They referred to 21 killings perpetrated by new illegal armed groups in early 2008.<sup>55</sup> In 2007, the High Commissioner for Human Rights advocated for effective measures to improve the protection of human rights defenders.<sup>56</sup>

17. The CAT Rapporteur for follow-up to concluding observations welcomed information provided by Colombia in 2006 regarding activities focused on human rights protection,<sup>57</sup> but expressed concern about human rights defenders and strongly reiterated her request for information on measures to protect them from attacks, harassment, and stigmatization.<sup>58</sup> Information subsequently provided by Colombia is being reviewed by CAT.<sup>59</sup>

18. In 2006, the Working Group on Enforced or Involuntary Disappearances received reports that certain factions of the army may use paramilitary groups to do a “dirty job” they could not do openly. An aspect of disappearances that has been underreported relates to the way in which acts of disappearance are perpetrated in conjunction with other gross violations.<sup>60</sup> The Working Group noted that despite progress on the constitutional and institutional framework to address disappearances, there is a gap between legal progress and practical implementation.<sup>61</sup>

19. In 2003, CAT noted with satisfaction the adoption of a number of domestic laws relevant to the prevention and suppression of torture and ill-treatment. However, it reiterated concern at the numerous acts of torture and ill-treatment - reported widely and systematically- committed by State security forces and organs during and outside armed operations,<sup>62</sup> and expressed concern that measures adopted or being adopted by Colombia against terrorism and illegal armed groups could encourage the practice of torture.<sup>63</sup>

20. In 2006, CRC expressed serious concern that children continued to be victims of torture and cruel and degrading treatment and noted that although members of illegal armed groups bore primary responsibility, State agents, including members of the military, were also implicated.<sup>64</sup> CAT and CRC recommended that Colombia take all necessary measures in this regard.<sup>65</sup>

21. A 2008 UNICEF report noted that recruitment of children by the armed forces is prohibited by law.<sup>66</sup> In 2007 the Secretary-General noted that children have been used by government armed forces for intelligence purposes despite an official government policy to the contrary.<sup>67</sup>

22. In 2007, the High Commissioner for Human Rights noted that the demobilized paramilitary groups failed to fulfill their obligation to hand over children in their ranks.<sup>68</sup> Following the paramilitary demobilization process, 2007 was marked by the emergence or consolidation of a range of new illegal armed groups<sup>69</sup> that continue to recruit children.<sup>70</sup> In 2007 the Secretary-General noted that the Fuerzas Armadas Revolucionarias de Colombia Ejército del Pueblo (FARC-EP) and the Ejército de Liberación Nacional (ELN) continue to recruit children.<sup>71</sup> Expressing concern about the inadequate social reintegration, rehabilitation and reparations available for demobilized child soldiers, CRC made recommendations in this regard.<sup>72</sup>

23. In 2008, the High Commissioner for Human Rights noted that cases are still being recorded of boys and girls seriously harmed by anti-personnel mines<sup>73</sup>, acts of sexual violence,<sup>74</sup> indiscriminate attacks and terrorist activities.<sup>75</sup> A 2008 UNICEF report noted that the presence of landmines and unexploded ordnance represents a serious and growing threat.<sup>76</sup>

24. In 2007, CEDAW expressed concern about insufficient steps to address pervasive violence, noting that the prevailing situation puts women and girls at constant risk of becoming victims of all forms of violence.<sup>77</sup>
25. In 2003 CAT expressed concern at the overcrowding and poor conditions in penal establishments and recommended effective measures.<sup>78</sup> The High Commissioner for Human Rights reported in 2008 that the National Penitentiary and Prison Institute (INPEC) had indicated that Law 65/1993 (Penitentiary Code) would be amended and that the General Regulations for Penitentiaries and Prisons would be reformed.<sup>79</sup>
26. OHCHR referred to reports of mass detentions by State agents based on intelligence reports or statements which had not been properly corroborated.<sup>80</sup>
27. While welcoming the integrated approach to combat trafficking in persons, CEDAW expressed concern about the persistent scope of the problem and about the links between drug trafficking and trafficking in women and girls.<sup>81</sup> CRC welcomed the initiatives by the State, but expressed concern at the high number of children victims of sexual exploitation, trafficking<sup>82</sup> and economic exploitation.<sup>83</sup>
28. CRC also noted with concern the very high number of street children and their vulnerability to youth gangs, and underlined the threats posed by social cleansing.<sup>84</sup>

### **3. Administration of justice, including impunity, and the rule of law**

29. In 2006, CRC noted with concern the failure of the current legal framework for the ongoing negotiation with the paramilitaries to take into account the basic principles of truth, justice and reparations for the victims. It made recommendations in this regard.<sup>85</sup> In 2008 the High Commissioner for Human Rights noted that structural problems were persisting in the administration of justice including the underreporting of crimes, difficulties to access the judicial system, and corruption.<sup>86</sup>
30. In 2003, 2004 and 2006 respectively, CAT, the HR Committee and CRC expressed concern about impunity.<sup>87</sup> Since 1992, the HR Committee adopted views on four individual communications (concerning 14 victims) where the responsibility of State agents was established, finding, inter alia, violations of the right to life<sup>88</sup>, to freedom from torture<sup>89</sup>, arbitrary arrest and detention, as well as the right to security.<sup>90</sup> While Colombia has provided follow-up information on some of the Committee's Views, to date, no proceedings have led to the prosecution and/or conviction of the persons held responsible for the violations and the dialogue with the HR Committee remains open.<sup>91</sup>
31. In 2004, the Special Rapporteur on the right to freedom of opinion and expression noted various factors that have consolidated a deep-rooted culture of impunity.<sup>92</sup> The Special Representative of the Secretary-General on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the independence of judges and lawyers stated that concrete and concerted action was needed to stop endemic impunity for crimes and violations committed against human rights defenders.<sup>93</sup> CAT, the HR Committee and CRC urged Colombia to end impunity, to conduct criminal investigations, and to bring perpetrators to justice. CAT called for adequate compensation for victims and CRC requested that all investigations be carried out independently and impartially.<sup>94</sup> The CAT Rapporteur on Follow-up welcomed information provided by Colombia in 2006

regarding the ‘Action against Impunity’ programme. The Committee is reviewing further information provided by Colombia in October 2007.<sup>95</sup>

32. While welcoming Decree No. 1290 establishing an administrative reparation programme for victims of illegal armed groups, the High Commissioner for Human Rights continued to encourage the Government to expand its efforts to develop inclusive and comprehensive mechanisms of reparation.<sup>96</sup>

33. In 2007, the Secretary-General noted the Colombian Constitutional Court’s decision of 18 May 2006 that some major aspects of Law 975/2005, known as the Justice and Peace Law, should be modified.<sup>97</sup> In 2006, OHCHR had highlighted that this law did not address the possible responsibility of the State and its public servants in relation to crimes committed by illegal armed groups.<sup>98</sup> The Working Group on Enforced and Involuntary Disappearances also noted that some of the mitigating benefits provided for in this law could be contrary to the Declaration on the Protection of all Persons from Enforced Disappearance.<sup>99</sup>

34. On 13 May 2008, OHCHR Colombia issued a press statement regarding the extradition of 13 former paramilitary leaders for drug trafficking, cautioning about their admitted responsibility for human rights and humanitarian violations.<sup>100</sup>

35. In March 2008, OHCHR Colombia noted that Decree No. 880, which provides *inter alia* benefits for sentenced persons, might facilitate the search for options and alternatives to obtain the release in safe and satisfactory conditions of persons held hostage and those captive for reasons related to the armed conflict. OHCHR Colombia however urged the Government to avoid granting the benefits contained in this Decree to members of illegal armed groups, whether guerrillas or paramilitaries, who are serving sentences for crimes against humanity or war crimes.<sup>101</sup>

36. In 2008, the High Commissioner for Human Rights urged the judiciary to continue its investigations of public servants and political leaders who have links with paramilitary groups.<sup>102</sup>

37. The HR Committee noted with concern that military tribunals continued to investigate crimes committed by military personnel involving torture, enforced disappearances and summary and arbitrary executions, despite their inefficiency in solving such cases and the Constitutional Court’s decision assigning jurisdiction over such crimes to ordinary courts.<sup>103</sup> CAT and CRC made similar observations.<sup>104</sup> On 24 July 2008, OHCHR Colombia welcomed a ruling by the Constitutional Court that violations of human rights and international humanitarian law should be dealt with by the regular justice system, not by military courts. The Court instructed Congress to revise the draft bill on the reform of the Code of Military Criminal Justice.<sup>105</sup>

#### **4. Right to privacy, marriage**

38. CRC expressed concern in 2006 that the minimum age for marriage is too low.<sup>106</sup>

#### **5. Freedom of expression and right to participate in public and political life**

39. While recognizing efforts to increase the representation of women in public administration at the national and local levels, including through the 2000 Quota Act, CEDAW expressed concern about the underrepresentation of women, including indigenous and afro-descendants, in elected bodies at all levels.<sup>107</sup>



40. In 2007, OHCHR Colombia received information about intimidations and threats targeting journalists who covered the public hearings of demobilized paramilitary leaders in Medellín, Barranquilla and Bogotá.<sup>108</sup> In 2004, the Special Rapporteur on the right to freedom of opinion and expression noted that media ownership concentration shares a large part of the blame for the poor conditions of journalists. Unable to create a trade union of their own due to opposition from publication owners, the majority of journalists are exploited and underpaid. The killing of several journalists has anguished the profession.<sup>109</sup>

## **6. Right to work and to just and favourable conditions of work**

41. In 2008, the ILO Committee of Experts expressed concern that members of trade unions continue to be the target of serious acts of violence<sup>110</sup> and noted numerous cases concerning Colombia before the Committee on Freedom of Association.<sup>111</sup>

42. In 2008, the ILO Committee of Experts urged the Government to bring its legislation into line with the ILO Equal Remuneration Convention.<sup>112</sup>

## **7. Right to social security and to an adequate standard of living**

43. A 2007 UNICEF report noted that despite a reduction, poverty continues to be widespread and is particularly prevalent among IDPs, indigenous and Afro-Colombian groups, children under nine and rural populations, and that income distribution shows high inequality.<sup>113</sup> CRC expressed serious concern over the growing gaps in the standard of living and the increasing number of children living in poverty or extreme poverty.<sup>114</sup> The High Commissioner for Human Rights urged the Government to increase its efforts in this regard.<sup>115</sup>

44. In 2006, CRC expressed concern at the limited access to the health-care system and noted inter alia, that: access to health services was unequal; malnutrition continued to affect a large proportion of the displaced, and Afro-Colombian and indigenous populations; despite considerable efforts to increase vaccination, coverage remained unequal due to regional discrepancies. Like CESCR in 2001, CRC recommended an increase in public expenditure assigned to the health sector and that distribution take into account disadvantaged population groups and regions.<sup>116</sup>

45. CEDAW expressed concern about the high rate of maternal mortality, especially among poor, rural and indigenous and afro-descendent women and about the high number of illegal and unsafe abortions and related maternal mortality. It encouraged Colombia to continue its efforts to enhance women's access to health care, in particular to sexual and reproductive health services.<sup>117</sup>

46. In September 2007, the Special Rapporteur on the right to health noted credible and reliable evidence that aerial spraying along the border of glyphosate combined with additional components was damaging the physical and mental health of people in that area.<sup>118</sup>

## **8. Right to education**

47. A 2005 UNDP report noted that children abandon schooling at higher rates in municipalities where paramilitaries and insurgents are active.<sup>119</sup> CRC expressed concern at the recurrent use of schools by State armed forces and establishment of military bases near schools, which become military targets for illegal armed groups; and the participation of children in military training activities and school study visits to military bases.<sup>120</sup>

48. In 2006, CRC noted that free education for nine years is enshrined as a constitutional right, but with the reservation that costs be levied upon those who can afford to pay. It noted that this provision has created a discriminatory educational system marked by arbitrary fees and social exclusion.<sup>121</sup>

### **9. Minorities and indigenous peoples**

49. While welcoming legal steps to recognize ethnic diversity, autonomy and collective land rights of minorities, particularly Afro-Colombian and indigenous peoples, CRC noted that in practice these groups are confronted with serious challenges and threats to the enjoyment of their rights.<sup>122</sup>

50. A 2008 UNICEF report noted that the effects of violence generated by illegal armed groups on indigenous communities are especially severe as the conflict has gradually caused the expulsion of indigenous communities from their ancestral territories.<sup>123</sup> In 2008, the ILO Committee of Experts expressed deep concern at allegations of threats and violations of the right to life and the personal integrity in communities of African extraction of Curvarado and Jiguamando.<sup>124</sup> In 2008, the High Commissioner for Human Rights noted that indigenous and Afro-Colombian groups have also been affected by large-scale projects imposed on their collectively held territories and by legislation unfavourable to traditional forms of production, by the development of major infrastructure projects and by the aerial spraying of illegal crops.<sup>125</sup>

51. The HR Committee noted with concern the lack of forums for consultation with community representatives regarding the distribution of land to the indigenous peoples, as well as the lack of guarantees regarding the exercise by indigenous communities of the right to property, given the existence of projects to develop and exploit resources that could affect these communities.<sup>126</sup> In 2007, the ILO Committee of Experts noted difficulties in establishing and maintaining a constructive dialogue between the Government and the peoples concerned in adopting decisions.<sup>127</sup>

### **10. Internally displaced persons**

52. CESC, CAT, the HR Committee and CRC in 2001, 2003, 2004 and 2006 respectively expressed concern about the high number of displaced persons in Colombia.<sup>128</sup> A 2008 UNICEF report noted that based on official records, 1,976,970 persons have been internally displaced over the past 10 years. However, as per unofficial data, there are today an estimated 3 million internally displaced people.<sup>129</sup> A 2007 UNHCR report noted that more than 200,000 IDPs were registered in 2006 alone.<sup>130</sup>

53. According to OHCHR, figures on forced displacement in 2007 revealed that incidents were provoked mainly by attacks on the civilian population by FARC-EP and the ELN, by clashes between these two groups, or by clashes between these groups and law enforcement agencies.<sup>131</sup> Also, in certain areas, displacement was related to the presence of illegal crops, or to pressure exerted by illegal armed groups, or gangs engaged in the growing of illegal crops and drug-trafficking, or was the effect of aerial spraying.<sup>132</sup>

54. While commending the Government on its far-reaching legislation and policy on IDPs and on efforts to respond to their humanitarian needs, the Representative of the Secretary-General for internally displaced persons noted that the lack of consistent and coherent implementation affects the capacities of IDPs to effectively exercise their rights.<sup>133</sup> Similar concerns were raised by the HR Committee and CRC in 2004 and 2006 respectively.<sup>134</sup> A 2007

UNHCR report noted that displaced women are particularly hard hit by the violence, while girls are vulnerable to sexual and gender-based abuse.<sup>135</sup>

55. A 2008 UNHCR press release noted an agreement between the Government and UNHCR to protect the property rights of the vast population of IDPs.<sup>136</sup>

### **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

56. As highlighted by OHCHR, Colombia has been seriously affected by an internal armed conflict for more than 40 years. Illegal armed groups are directly or indirectly involved in drug-trafficking, and are associated with local and international networks of organized crime and corruption. The complex relationships between all these factors, added to persistent structural problems such as impunity and limitations of access to justice, inequality and discrimination, continue to affect the human rights situation negatively.<sup>137</sup> Similar concerns were raised by CESCR, the HR Committee and CRC.<sup>138</sup> A 2007 UNHCR report noted that the conflict has spread over the last decade, moving from central regions to the more remote border areas.<sup>139</sup>

57. The High Commissioner for Human Rights recognized that Colombia has made progress in restoring security throughout the country in recent years, and the visibility given to human rights in the public agenda is a solid achievement.<sup>140</sup>

58. Since 2007, as highlighted by OHCHR, the Supreme Court has given clear evidence of its strength and independence. Investigations are underway against members of Congress, former departmental governors and former mayors for alleged links with paramilitary groups. All these investigations have revealed the extent of paramilitary infiltration within the State through alliances with politicians and the support of certain private companies.<sup>141</sup> The economic and political structures of demobilized paramilitary groups need to be dismantled.<sup>142</sup>

59. In 2008, the High Commissioner for Human Rights noted that another challenge lies in the implementation of mechanisms to guarantee security for victims to participate and receive reparations. This will have to be a central issue if the Attorney General's Office follows up on the depositions of paramilitary leaders.<sup>143</sup>

60. The Special Representative of the Secretary-General on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the independence of judges and lawyers noted the escalation in violence against human rights defenders and recommended urgent action for the effective protection of defenders at risk, more efficient investigations and conclusive prosecutions of perpetrators, and more open and firm cross-party political support to and recognition of defenders and their work.<sup>144</sup>

61. A 2007 WHO report noted the need to overcome inequality and social violence caused by the armed conflict and drug trafficking.<sup>145</sup> A 2007 UNODC report noted that Colombia needed to do more to crack down on organized crime and arms trafficking and called for stiffer penalties for carrying or dealing in illegal arms.<sup>146</sup>

#### **IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS**

##### **A. Pledges by the State**

N/A

##### **B. Specific recommendations for follow-up**

62. Further to the request by the HR Committee to provide information on the implementation of several of its recommendations by 1 April 2005,<sup>147</sup> Colombia provided on 14 October 2005 a complete reply to the Committee, which decided to take no further action.<sup>148</sup>

63. CAT requested Colombia to provide information on its response to the Committee's recommendations by 12 November 2004. Following the reply provided by Colombia on 24 March 2006, CAT requested further information, which was received in October 2007.<sup>149</sup>

64. The Representative of the Secretary-General for internally displaced persons recommended that all armed actors respect all their obligations under international humanitarian law. Concerning land issues, he recommended inter alia that the outstanding registration of land entitlements, both for IDPs and for communities at risk, be undertaken without further delay.<sup>150</sup>

65. In 2004, the Special Rapporteur on the right to freedom of opinion and expression recommended inter alia that Colombia consider the fight against impunity as a main priority and that perpetrators of human rights violations be brought to justice, regardless of their political affiliation.<sup>151</sup>

66. The Working Group on Enforced and Involuntary Disappearances recommended that the Government confront the realities of the links that members of the military forces and National Police have maintained with paramilitary groups.<sup>152</sup>

67. The High Commissioner for Human Rights reiterated the importance of continuing to implement all her previous recommendations and hoped that the mechanisms established in 2006 to oversee implementation will be maintained.<sup>153</sup> Colombia provided information through its observations and comments to the 2007 and 2008 reports of the High Commissioner for Human Rights.<sup>154</sup>

#### **V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE**

68. CRC recommended that Colombia seek technical assistance from, inter alia, OHCHR and UNICEF in areas such as juvenile justice and police training and social reintegration, rehabilitation and reparations available to demobilized child soldiers and child victims of landmines.<sup>155</sup>

69. The 2008-2012 United Nations Development Assistance Framework (UNDAF) noted expected outcomes related to strengthening national and regional capacities regarding, inter alia, democratic institutions, peace building, and restoration of victims' rights.<sup>156</sup>

## Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org/>.

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPD	Convention on the Rights of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>4</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>5</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).

<sup>6</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>7</sup> Concluding observations of the Committee against Torture (CAT/C/CR/31/1), para. 10 (l).

<sup>8</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/COL/CO/3), para. 81(g).

<sup>9</sup> UN-HABITAT, *Law, Land Tenure and Gender Review: Colombia*, 2005, p. 29, available at <http://www.unhabitat.org/pmss/getPage.asp?page=bookView&book=2132>.

<sup>10</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/7/69, annex VIII, and A/HRC/7/70, annex I.

<sup>11</sup> A/HRC/4/48, para. 121.

<sup>12</sup> Concluding observations of the Committee on the Rights of the Child, CRC/C/COL/CO/3, para. 18.

<sup>13</sup> A/61/289, para. 22. See also A/61/476, paras. 7-11.

<sup>14</sup> A/HRC/Sub.1/58/AC.2/4, para. 7.

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<sup>15</sup> Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/COL/CO/6), para. 14.

<sup>16</sup> CRC/C/COL/CO/3, para. 14.

<sup>17</sup> A/HRC/4/48, para 40.

<sup>18</sup> A/HRC/4/84, para. 14.

<sup>19</sup> A/62/609, para. 113.

<sup>20</sup> CEDAW/C/COL/CO/6, para. 7.

<sup>21</sup> CRC/C/COL/CO/3, paras. 12-13.

<sup>22</sup> The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child
CMW	Committee on the Protection of the Rights of All Migrant Workers and Their Families

<sup>23</sup> Concluding observations of the Human Rights Committee (CCPR/CO/80/COL), para. 7.

<sup>24</sup> CRC/C/COL/CO/3, paras. 6-7.

<sup>25</sup> CCPR/CO/80/COL, para. 2; concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.74), para.10.

<sup>26</sup> E/CN.4/2004/45/Add.2

<sup>27</sup> E/CN.4/2005/64/Add.3

<sup>28</sup> E/CN.4/2005/88/Add.2

<sup>29</sup> E/CN.4/2006/56/Add.1

<sup>30</sup> A/HRC/4/38/Add.3

<sup>31</sup> A/HRC/7/11/Add.3

<sup>32</sup> The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate holder.

<sup>33</sup> See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004; (k) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (l) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices.

<sup>34</sup> Special Representative of the Secretary-General on human rights defenders, questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, E/CN.4/2006/95/Add.5, para. 369; Working Group on mercenaries, questionnaire concerning its mandate and activities, A/61/341, para. 47; Special Rapporteur on the sale of children, child prostitution and child pornography, questionnaire on child pornography on the Internet, E/CN.4/2005/78, para. 4; Special Representative of the Secretary-General on the issue of human rights

and transnational corporations and other business enterprises, questionnaire on human rights policies and management practices, A/HRC/4/35/Add.3, para. 7.

<sup>35</sup> OHCHR, *2007 Report: Activities and Results*, p. 109 and A/HRC/7/39, para 1.

<sup>36</sup> OHCHR, *2007 Report: Activities and Results*, p. 109.

<sup>37</sup> OHCHR, *2005 Annual Report*, p. 74.

<sup>38</sup> OHCHR, *2007 Report: Activities and Results*, p. 48.

<sup>39</sup> OHCHR, *2005 Annual Report*, pp. 15 and 24; *2006 Annual Report*, p. 158; and *2007 Report: Activities and Results*, pp. 147 and 160.

<sup>40</sup> A/HRC/7/39, para 2.

<sup>41</sup> CRC/C/COL/CO/3, paras. 3(e) and 22 and CAT/C/CR/31/1, para.5(c).

<sup>42</sup> A/HRC/7/39, para. 94 (a).

<sup>43</sup> OHCHR Colombia press release of 2 July 2008, available at

<http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=16&cat=73>

<sup>44</sup> CEDAW/C/COL/CO/6, para. 6.

<sup>45</sup> UNICEF, *The State of the World's Children 2007*, p. 52.

<sup>46</sup> CCPR/CO/80/COL, para. 20.

<sup>47</sup> CRC/C/COL/CO/3, para. 35.

<sup>48</sup> E/CN.4/2005/64/Add.3, para. 78.

<sup>49</sup> CCPR/CO/80/COL, para. 12 and CRC/C/COL/CO/3, para. 40.

<sup>50</sup> CCPR/CO/80/COL, para. 11. See also CAT/C/CR/31/1, para. 7, and CRC/C/COL/CO/3, para. 40.

<sup>51</sup> A/HRC/7/39, para. 21. See also A/HRC/4/48, para.36.

<sup>52</sup> CCPR/CO/80/COL, para. 11. See also A/HRC/7/39, Annex, para. 23, E/C.12/1/Add.74, paras. 17 and 38;

A/HRC/4/37, para 51; CAT/C/CR/31/1, paras. 9 and 10(h), and E/CN.4/2005/64/Add.3, para. 78.

<sup>53</sup> CRC/C/COL/CO/3, para. 76 (h). See also UNESCO, *Education For All Global Monitoring Report 2006*, p. 97.

<sup>54</sup> See also ILO Committee of Experts on the Application of Conventions and Recommendations, 2008, p. 2, Doc. No. 062008COL087.

<sup>55</sup> United Nations press release of 30 April 2008. See also A/HRC/4/37, para. 88; A/HRC/7/39, para. 60 and Annex, para. 5; OHCHR Colombia press release of 13 March 2008, available at

<http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=8&cat=73>; joint OHCHR and

UNHCR Colombia press release of 14 May 2008 available at

<http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=13&cat=73>; and joint OHCHR

Colombia, UNHCR, WFP and OCHA press release of 1 July 2008 available at

<http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=15&cat=73>.

<sup>56</sup> A/HRC/7/39, para. 61. See also United Nations press release of 30 April 2008; See OHCHR Colombia press releases of 13 March 2008, 14 May 2008 and 1 July 2008.

<sup>57</sup> CAT/C/COL/CO/3/Add.1

<sup>58</sup> Letter dated 2 May 2007 from the Rapporteur for Follow-up on Conclusions and Recommendations of CAT addressed to the Permanent Representative of Colombia to the United Nations Office at Geneva (hereafter "CAT letter"), available at [http://www2.ohchr.org/english/bodies/cat/docs/followup/Colombia-Request\\_for\\_further\\_clarification020507.pdf](http://www2.ohchr.org/english/bodies/cat/docs/followup/Colombia-Request_for_further_clarification020507.pdf)

<sup>59</sup> CAT/C/COL/CO/3/Add.2.

<sup>60</sup> E/CN.4/2006/56/Add.1, para 56 and 59.

<sup>61</sup> Ibid., para 39.

<sup>62</sup> CAT/C/CR/31/1, paras. 3 (a) and (b), and 7.

<sup>63</sup> Ibid., para. 8. See also CCPR/CO/80/COL, para.9.

<sup>64</sup> CRC/C/COL/CO/3, para. 50.

<sup>65</sup> CAT/C/CR/31/1, para. 10, CRC/C/COL/CO/3, para. 51. See also CAT/C/COL/CO/3/Add.1, CAT letter and CAT/C/COL/CO/3/Add.2.

<sup>66</sup> UNICEF, *Humanitarian Action Report 2008*, p. 2, available at

[http://www.unicef.org/har08/files/har08\\_Colombia\\_countrychapter.pdf](http://www.unicef.org/har08/files/har08_Colombia_countrychapter.pdf).

<sup>67</sup> A/62/609, para. 115.

<sup>68</sup> A/HRC/4/48, para. 85.

<sup>69</sup> A/HRC/7/39, para. 5.

<sup>70</sup> Ibid., para. 74.. See also UNICEF, op. cit., p. 2. .

<sup>71</sup> A/62/609, paras 114 - 116. See also A/HRC/7/39, para. 74.

<sup>72</sup> CRC/C/COL/CO/3, paras. 80-81. See also E/C.12/1/Add.74, para.41.

<sup>73</sup> A/HRC/7/39, para 73 and Annex, para. 43.

<sup>74</sup> A/HRC/7/39, para. 73. See also CRC/C/COL/CO/3, para. 50, and A/62/609, para. 119.

<sup>75</sup> A/HRC/7/39, para. 73.

- <sup>76</sup> UNICEF, *Humanitarian Action Report* op. cit., p. 2, .
- <sup>77</sup> CEDAW/C/COL/CO/6, paras. 8 and 10. See also CCPR/CO/80/COL, para. 14.
- <sup>78</sup> CAT/C/CR/31/1, paras. 9(f), and 10(i).
- <sup>79</sup> A/HRC/7/39, para. 37.
- <sup>80</sup> Ibid, Annex, para. 10..
- <sup>81</sup> CEDAW/C/COL/CO/6, para. 20. See also CRC/C/COL/CO/3, paras. 86 and 87(b), (d).
- <sup>82</sup> CRC/C/COL/CO/3, para. 86.
- <sup>83</sup> Ibid, para. 82
- <sup>84</sup> Ibid., para. 84.
- <sup>85</sup> See *ibid.*, paras. 80 and 81.
- <sup>86</sup> A/HRC/7/39, para. 12.
- <sup>87</sup> CAT/C/CR/31/1, paras. 9(a) and 10(a), CCPR/CO/80/COL, para.11, and CRC/C/COL/CO/3, para. 44.
- <sup>88</sup> CCPR/C/55/D/563/1993, Views adopted on 27 October 1995, CCPR/C/76/D/778/1997, Views adopted on 24 October 2002, CCPR/C/74/D/859/1999, Views adopted on 25 March 2002, CCPR/C/60/D/612/1995, Views adopted on 29 July 1997.
- <sup>89</sup> CCPR/C/55/D/563/1993, Views adopted on 27 October 1995, CCPR/C/76/D/778/1997, Views adopted on 24 October 2002, CCPR/C/60/D/612/1995, Views adopted on 29 July 1997.
- <sup>90</sup> CCPR/C/55/D/563/1993, Views adopted on 27 October 1995, CCPR/C/76/D/778/1997, Views adopted on 24 October 2002, CCPR/C/60/D/612/1995, Views adopted on 29 July 1997, CCPR/C/74/D/859/1999, Views adopted on 25 March 2002.
- <sup>91</sup> For the follow-up to Views 563/1993, see A/52/40, vol.I, A/57/40, vol.I, A/58/40, vol.I , A/59/40, vol.I , CCPR/C/80/FU/1 , and A/63/40, vol.I ; for follow-up to Views 612/1995 the HR Committee has not received any follow-up reply despite follow-up consultations; for follow-up to Views 778/1997, see A/58/40, vol.I , CCPR/C/80/FU/1 , A/59/40, vol.I , and A/63/40, vol.I; for follow-up to Views 859/1999, see A/58/40, vol.I, CCPR/C/80/FU/1, A/61/40, vol.II, and A/63/40, vol.I .
- see A/54/40, A/57/40, vol.I, A/58/40, vol.I and A/59/40, vol.I.
- <sup>92</sup> E/CN.4/2005/64/Add.3 , pp 2 -3.
- <sup>93</sup> United Nations press release of 30 April 2008.
- <sup>94</sup> CAT/C/CR/31/1, paras. 9(a) and 10(a), CCPR/CO/80/COL, para.11, CRC/C/COL/CO/3, paras. 44 and 45.
- <sup>95</sup> CAT/C/COL/CO/3/Add.1, CAT letter and CAT/C/COL/CO/3/Add.2.
- <sup>96</sup> OHCHR Colombia press release of 27 April 2008, available at <http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=11&cat=73>
- <sup>97</sup> A/HRC/4/84, para. 17.
- <sup>98</sup> E/CN.4/2006/93, para. 40.
- <sup>99</sup> E/CN.4/2006/56/Add.1, para 66.
- <sup>100</sup> OHCHR Colombia press release of 13 May 2008, available at <http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=12&cat=73>
- <sup>101</sup> OHCHR Colombia press release of 28 March 2008, available at <http://www.hchr.org.co/publico/comunicados/2008/cp0810EN.pdf>
- <sup>102</sup> A/HRC/7/39, para. 94 (d). See also A/HRC/4/84, para. 15.
- <sup>103</sup> CCPR/CO/80/COL, para. 16. See also A/HRC/7/39, Annex, para. 12.
- <sup>104</sup> CAT/C/CR/31/1, paras. 9(d)(iii), and 10(g), CRC/C/COL/CO/3, para. 44.
- <sup>105</sup> OHCHR Colombia press release of 24 July 2008, available at <http://www.hchr.org.co/publico/comunicados/2008/comunicados2008.php3?cod=17&cat=73>
- <sup>106</sup> CRC/C/COL/CO/3, para. 33.
- <sup>107</sup> CEDAW/C/COL/CO/6, para. 26. See also CERD/C/304/Add.76, para. 13 and UN-HABITAT, op. cit., pp. 34-35. See also United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg/Data.aspx>
- <sup>108</sup> A/HRC/7/39, para. 68.
- <sup>109</sup> E/CN.4/2005/64/Add.3, pp 2 -3.
- <sup>110</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, op.cit., p. 2.
- <sup>111</sup> Ibid., p. 1..
- <sup>112</sup> Ibid., p. 2..
- <sup>113</sup> UNICEF, Draft Country Programme Document, , para. 4, available at <http://documents-dds-ny.un.org/doc/UNDOC/LTD/N07/410/39/pdf/N0741039.pdf?OpenElement>. See also UNFPA, Country Programme document for Colombia, 15 October 2007, para. 1, available at [http://www.unfpa.org/exbrd/2008/firstsession/dpfpa\\_cpd\\_col\\_5.doc](http://www.unfpa.org/exbrd/2008/firstsession/dpfpa_cpd_col_5.doc)
- <sup>114</sup> CRC/C/COL/CO/3, para. 65. See also E/C.12/1/Add.74, para.16.
- <sup>115</sup> A/HRC/7/39, p. 26.



- <sup>116</sup> CRC/C/COL/CO/3, paras. 67, 68(a), (b), (c), (d) and 69, E/C.12/1/Add.74, para. 47.
- <sup>117</sup> CEDAW/C/COL/CO/6, paras. 22 and 23. See also CRC/C/COL/CO/3, paras. 70 and 71 and UNFPA, *State of the World Population 2004*, p. 84.
- <sup>118</sup> A/HRC/7/11/Add.3, paras 10 and 17. See also CRC/C/COL/CO/3, paras. 72 and 73.
- <sup>119</sup> UNDP, *Human Development Report 2005*, p. 159.
- <sup>120</sup> CRC/C/COL/CO/3, paras.76 (i) and (j).
- <sup>121</sup> Ibid, para. 76. See also UNHCR, *Global Report 2006*, p. 478 and E/C.12/1/Add.74, para. 27.
- <sup>122</sup> CRC/C/COL/CO/3., para. 94..
- <sup>123</sup> UNICEF, *Humanitarian Action Report* op. cit., p. 2. United Nations News Service, Colombia: United Nations agencies hand out emergency food to isolated indigenous groups, 22 April 2008. UNHCR Refworld, available at <http://www.unhcr.org/refworld/docid/4811d61f1e.html>.
- <sup>124</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, op.cit., p. 1.
- <sup>125</sup> A/HRC/7/39, p. 18.
- <sup>126</sup> CCPR/CO/80/COL, para. 20. See also E/C.12/1/Add.74, paras. 12 and 33 and UN-HABITAT, op. cit. , p. 55.
- <sup>127</sup> ILO Committee of Experts on the Application of Conventions and Recommendations op.cit., pp. 3-4.
- <sup>128</sup> CERD/C/304/Add.76, para.14; E/C.12/1/Add.74, paras. 11, 22, CAT/C/CR/31/1, para. 9(e), CCPR/CO/80/COL, para. 19, CRC/C/COL/CO/3, paras. 78 and 79.
- <sup>129</sup> UNICEF, *Humanitarian Action Report* op. cit., p. 2. .
- <sup>130</sup> UNHCR, *Global Appeal 2008-2009*, Geneva, 2007, p. 324. See also UNICEF, *Humanitarian Action Report* op. cit., p. 2..
- <sup>131</sup> A/HRC/7/39, para. 52.
- <sup>132</sup> Idem. See also E/C.12/1/Add.74, paras. 11, 22.
- <sup>133</sup> A/HRC/4/38/Add.3, paras 71 -72. See also CEDAW/C/COL/CO/6, paras. 12 and 13; UNHCR, *Global Appeal 2008-2009*, p. 324 and A/HRC/7/39, para. 54.
- <sup>134</sup> CCPR/CO/80/COL, para. 19, CRC/C/COL/CO/3, paras. 78 and 79.
- <sup>135</sup> UNHCR, *Global Appeal 2008-2009*, , p. 324.
- <sup>136</sup> UN News Service, *Colombia and United Nations refugee agency to sign deal to protect land rights of displaced*, 8 April 2008. UNHCR Refworld, available at <http://www.unhcr.org/refworld/docid/4805b6cd1a.html>..
- <sup>137</sup> A/HRC/7/39, para. 4.
- <sup>138</sup> E/C.12/1/Add.74, para. 8, CCPR/CO/80/COL, para. 3, and CRC/C/COL/CO/3, para.5.
- <sup>139</sup> UNHCR, *Global Report 2006*, , p. 476.
- <sup>140</sup> A/HRC/7/39, para. 4.
- <sup>141</sup> Ibid., para. 15, p. 8.
- <sup>142</sup> Ibid., para. 92.
- <sup>143</sup> Ibid., para. 20.
- <sup>144</sup> United Nations press release of 30 April 2008..
- <sup>145</sup> WHO, *Cooperation Strategy Colombia, 2007*, p. 1, available at [http://www.who.int/countryfocus/cooperation\\_strategy/ccsbrief\\_col\\_en.pdf](http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_col_en.pdf). See also World Bank, *Colombia Country Brief*, available at <http://go.worldbank.org/L5B8UII7W0>.
- <sup>146</sup> UNODC, *Annual Report 2007*, p. 51, referring to UNODC, *Violence, Crime and Illegal Arms Trafficking in Colombia*, Bogota, 2006.
- <sup>147</sup> CCPR/CO/80/COL, para. 21, referring to recommendations contained in paragraphs 10, 11 and 18 of that document.
- <sup>148</sup> A/61/40 vol.I, paras. 236-237. .
- <sup>149</sup> CAT/C/CR/31/1, para. 10 (n), and CAT/C/COL/CO/3/Add.1, CAT letter and CAT/C/COL/CO/3/Add.2.
- <sup>150</sup> A/HRC/4/38/Add.3, paras 76 and 80.
- <sup>151</sup> E/CN.4/2005/64/Add.3 , para. 79.
- <sup>152</sup> E/CN.4/2006/56/Add.3 , para. 93
- <sup>153</sup> A/HRC/4/48, para. 114
- <sup>154</sup> Letter dated 8 March 2007 from the Permanent Representative of Colombia to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights (A/HRC/4/G/11) and note verbale dated 26 February 2008 from the Permanent Mission of Colombia addressed to the Human Rights Council secretariat (A/HRC/7/G/4).
- <sup>155</sup> See CRC/C/COL/CO/3, para.30, para.75(d), para.81(d), para.85(e), para.87(f), and para.91(h).
- <sup>156</sup> United Nations Development Assistance Framework (UNDAF) 2008-2012, Bogota, 2007, pp. 2-3, available at <http://www.undg.org/docs/7726/UNDAF%202008-2012.pdf>.