



**International Convention on the  
Protection of the Rights of  
All Migrant Workers and  
Members of Their Families**

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**Committee on the Protection of the Rights of All  
Migrant Workers and Members of Their Families  
Thirty-first session**

**Summary record of the 437th meeting**

Held at the Palais Wilson, Geneva, on Friday, 6 September 2019, at 3 p.m.

*Chair:* Mr. Tall

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*The meeting was called to order at 3.10 p.m.*

### **Consideration of reports submitted by States parties under article 73 of the Convention**

*Third periodic report of Colombia (continued) (CMW/C/COL/3; CMW/C/COL/Q/3 and CMW/C/COL/Q/3/Add.1)*

1. *At the invitation of the Chair, the delegation of Colombia took places at the Committee table.*
2. **Mr. Mora** (Colombia) said that employers and trade unions, including the union of Venezuelan workers in Colombia, UTRAVENCO, participated in the social dialogue on labour migration management promoted by a subcommittee of the Standing Committee on the Coordination of Wage and Employment Policy. The introduction of a special work permit for migrants was one of the measures being developed in the context of the dialogue and migrant populations' needs were also served by Government-sponsored training and meetings with employers and Venezuelan workers' associations.
3. **Mr. Muñoz** (Colombia) said that special measures taken in response to so-called pendular migration included the issuance of approximately 4 million border mobility cards to enable nationals of neighbouring States to cross the Colombian border to buy basic services, mainly consisting of health-care services. In fact, over the previous two years, 60 per cent of vaccinations in Colombia had been given to pendular migrants. A resolution was shortly to be adopted that would waive export duties and customs restrictions on basic items like medicines, milk, water and nappies. In addition, the Government laid on buses to ensure that the 3,090 children crossing the border daily from the Bolivarian Republic of Venezuela could still attend school in Colombia following the blocking of bridges between the two countries by the Venezuelan authorities.
4. **The Chair** said that the Committee would await with interest the answers to three further questions which the delegation had undertaken to provide within 48 hours after the end of the interactive dialogue.
5. **Ms. Landázuri de Mora** said that she would be interested to learn what measures the Government was taking to protect women migrants in transit, including undocumented women, from violence and crime, including sexual abuse. She would also be interested to hear the delegation's comments on reports of sexual exploitation of domestic workers. She would like to know how, having granted asylum to more than 1,000 Venezuelan former soldiers, the Government was ensuring their successful integration into Colombian society. Migration often had a direct or indirect impact on indigenous populations in Latin America. She would, therefore, be grateful to receive information about the Warao people, who were reportedly being affected by the migratory flows from the Bolivarian Republic of Venezuela. Given that the Convention prohibited collective expulsions of migrants, she would be interested to hear what the delegation had to say about reports of mass expulsions from locations including Pamplona, Tibú and Cúcuta.
6. With respect to the reintegration of Colombian returnees, she would like to know how many of them were employed, whether they did dignified work and whether they had received compensation under the reconciliation process for returnees. She also wondered how the Government had supported Colombians who had been expelled from Venezuela, stripped of their assets and prevented from returning to their homes. Had the Government defended their rights so that they could take back their property or had it ensured that they received reparation for their losses?
7. Lastly, she wondered what laws and policies governed the transfer of remittances by migrants; whether the Government facilitated such remittances; whether it offered migrants preferential exchange rates; and how it prevented abuses in relation to transfers by financial institutions.
8. **Mr. Frasher** said that, with respect to loans to fund measures on behalf of migrants, he would be interested to discover the types and amounts of loans the Government had taken out and who its creditors were. He would also like to know which partners the Government worked with in order to boost the capacities of public health institutions, including hospitals.

In what ways did skilled Venezuelan workers contribute their expertise to benefit the Colombian economy? Aside from the meetings and initiatives organized to boost regional cooperation, he wondered whether any formal or institutionalized mechanisms existed for that same purpose. Finally, he wondered what, in the delegation's view, the future held for Colombia in terms of developments in the migratory crisis.

9. **Mr. Soualem** said that he would like to receive numerical data on the Colombian diaspora, particularly persons living in the United States of America and Spain, as well as information on the Colombian consular services available to Colombian migrant workers abroad. What support was given to those who returned to Colombia and what proportion of monetary flows into the country comprised remittances from Colombian workers abroad?

10. **Ms. Dzumhur** said that she would like to know how many migrants had sought remedies under administrative and judicial procedures, what the results of those procedures had been, and what measures the Government had taken to ensure that administrative and judicial staff were fully aware of the provisions of the Convention and other international standards. Could the delegation cite any examples of courts directly applying the Convention? Had Colombian legislation been harmonized with international standards? She would also like to receive information concerning the role and status of the national human rights institution and segregated data to illustrate the situation of children and women. She wondered whether any laws aimed to tackle discrimination and ensure equal treatment of women through affirmative measures.

11. She would like to hear more about the role and involvement of civil society in standing up for migrants' rights. Was it strong enough and did it focus on migration issues? She would also like to know how the State party's diplomatic missions shared information and what levels of cooperation existed between States of origin and destination.

12. **Mr. Charef** said that, given that Colombians abroad frequently maintained strong cultural, social and economic ties with their home country, he wondered what steps the Government was taking to ensure that the social, cultural and political influence of the diaspora remained visible and how it was supporting the diaspora through initiatives and programmes, with a view to its inclusion in public policies. How was the Government supporting diaspora-led reconciliation and peace initiatives?

13. Apart from legal aid, he wondered what other support the Government offered to Colombians incarcerated abroad, whether it knew their exact number, distributed by age and country, and how many cases it had followed up or dealt with.

14. He would also be grateful for information about migration-related research conducted by universities in Colombia, what qualifications they awarded, and what their role was in supporting public policies on migration. Lastly, he wondered whether the Government's statistics on Colombians abroad simply came from data held by consular services, or whether they had been collected through the national census.

15. **The Chair**, speaking in his capacity as an expert, said that he would like to know whether Colombians abroad could vote and stand for election in Colombian elections.

16. Given the delegation's affirmation that the five-day limit for leaving the country only applied to persons who opted to return to their countries of origin, he wondered what the applicable time limit was for persons forcibly expelled from Colombia. He would like to know whether such persons could appeal or contest the legality of expulsion orders and, if so, whether they could remain on Colombian soil pending the outcome of the appeal. Could they benefit from judicial assistance, including a public lawyer? In addition, he would like to know whether, in the past five years, there had been any cases of collective expulsion from Colombia and, if so, what had justified those cases.

17. **Mr. Kariyawasam** said that he would like to know what action the Government had taken to prevent trafficking and to rescue victims of trafficking. Such victims were often young women and children, trafficked for prostitution and forced labour. Information on any programmes to rehabilitate and reintegrate those victims into society would be gratefully received. Did the Government plan to set up such programmes if none existed?

*The meeting was suspended at 3.40 p.m. and resumed at 4.10 p.m.*

18. **Mr. Muñoz** (Colombia) said that the Government had taken affirmative action to protect women migrants; 62 per cent of health care assistance given in Colombia had been for women. Measures had also been taken to protect women during pregnancy and childbirth, with 56,000 instances of medical assistance having been provided to pregnant women, including for pendular migrants. Forty-nine per cent of children in the education system were female. When developing its economic inclusion policy, the Government had concluded that it needed to include women, especially migrant women and female Colombian returnees. The constitutional principle of non-discrimination on the basis of race, sex or religion had been integrated into all legislation. Foreigners also enjoyed the same constitutional guarantees as nationals. Legislation also criminalized discrimination on various grounds including race, sex, religion, nationality and sexual orientation.

19. The Government was aware of the increasing need for sexual and reproductive health-care services, given that Venezuelan women lacked access to those services in their country. The Government had therefore created an alliance with the non-governmental organization Profamilia to investigate sexual health, gender-based violence and possible sexual exploitation in five border towns and had recently obtained resources to extend those investigations. The results of the investigations thus far had enabled the Government to draw up plans to seek further resources for sexual and reproductive health care.

20. **Mr. Mora** (Colombia) said that a subcommittee had been set up under the Standing Committee on the Coordination of Wage and Employment Policy to monitor the implementation of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). Representatives of various labour confederations and trade union associations had seats on the subcommittee. At a workshop held on 27 July 2019, the subcommittee had begun work on a road map intended to facilitate labour inspections and monitoring. The road map was inspired by best practices identified in Uruguay and was based on the public sector collective bargaining model.

21. **Mr. Muñoz** (Colombia) said that officials from the Venezuelan armed forces, security forces and police had deserted their posts and begun crossing the border into Colombia in late February 2019. In the two months following the beginning of the influx, more than 1,300 deserters and their families had been registered as having crossed the border. Migration Colombia and the Ministry of Foreign Affairs had taken immediate action to assist those arriving to apply for refugee status, with the support of the Office of the United Nations High Commissioner for Refugees (UNHCR). International protection had been granted to all applicants. UNHCR had provided funding for the accommodation of former military and security officials in hotels. The State had begun covering the cost of the accommodation when the funds provided by UNCHR had been exhausted and had continued to do so for five months. The former officials had been granted temporary special stay permits, which entitled them to a housing support allowance.

22. The Office of the United Nations High Commissioner for Human Rights had reported on the systematic violation of the human rights of indigenous groups in Venezuela. The State had determined that more than 14 indigenous groups had begun migrating away from their homes in the border areas for a number of reasons. For example, some were fleeing labour exploitation in the gold mining industry in the area of the Orinoco River. Work was under way with the International Organization for Migration to build on a preliminary study of the situation and to develop a programme of tailored assistance. Further resources were required for those activities.

23. **Ms. Adriana Mejía** (Colombia) said that the delegation had no information on any of the alleged collective expulsions to which Ms. Landázuri de Mora had referred. She would look into the situation and provide a written response within 24 hours.

24. **Ms. Manjarrez** (Colombia) said that the Government had launched a programme to assist returning Colombian nationals in 2012, entitled *Colombia Nos Une* (Colombia Unites Us). The Department of Migration and Consular Affairs and Service to Citizens of the Ministry of Foreign Affairs was responsible for the implementation of the programme, which was intended to fulfil the obligations set out under Act No. 1565 of 2012, known as the Repatriation Act. As part of the programme, returning Colombians received support in order to facilitate their reintegration into society. There were currently 10 returnee referral and

opportunity centres located in the cities with the most returning Colombians. More than 57,000 persons had received help through the centres, including persons from families of mixed nationality. The Migrant Support Network facilitated access to services both locally and nationally. Various tax incentives had been introduced pursuant to the Repatriation Act, for example, exemption from import duties.

25. The National System for Humanitarian Repatriation had been established to provide Colombians in high-risk situations abroad with assistance in returning to the country. The system had two components: the first comprised assistance with housing, transport, food, health care and psychosocial support; the second component, known as the early recovery component, promoted entrepreneurship and facilitated vocational training. More than 10,000 returning Colombians and families of mixed nationality had received support from the system. In addition, more than 200 families had received assistance in setting up business ventures. The law provided for repatriation for the purpose of setting up a business. Under that arrangement, the Ministry of Foreign Affairs had assisted in the establishment of 186 businesses, to the benefit of more than 900 persons. The law also provided for repatriation for work purposes, through which Colombians abroad were offered the opportunity to return to the country in order to use skills and experience they had acquired abroad as part of the Colombian workforce.

26. Repatriation for reasons of solidarity was also possible for Colombian victims of internal armed conflicts abroad and indigents. That type of repatriation was regulated by Act No. 1448 of 2011, known as the Victims Act, pursuant to which the Ministry of Foreign Affairs had an obligation to assist Colombian victims abroad. According to the Central Register of Victims, more than 25,000 persons were currently receiving such assistance. Colombian consular offices organized various events, for example, sessions to raise awareness of the Victims Act and commemorative ceremonies. A bill containing amendments to the Repatriation Act was currently pending before the Congress. The amendments were intended to allow for collective repatriation and to establish incentives to encourage Colombians who had obtained doctoral qualifications abroad to return to the country.

27. The issue of Colombians who had been expelled from the Bolivarian Republic of Venezuela was a complicated one. A crisis had erupted when Colombia had withdrawn its consular staff from that country, as a result of which the almost 2.5 million Colombians living there had been left without consular assistance. The Ministry of Foreign Affairs had therefore opened consular assistance points at the border, where Colombians living in the Bolivarian Republic of Venezuela could receive consular services. It was a temporary solution. The possibility of seeking remedies for human rights violations in the Bolivarian Republic of Venezuela had been severely restricted under the current regime, and, since the Inter-American Court of Human Rights no longer had jurisdiction there, extraordinary remedies were also limited.

28. **Ms. Adriana Mejía** (Colombia) said that the property rights of Colombian citizens had been continually violated by the Venezuelan State over a number of years by virtue of its expropriation policy. It was currently very difficult for Colombians to obtain reparation for losses suffered in that country.

29. **Mr. Muñoz** (Colombia) said that the State had been cooperating with the World Bank, the Inter-American Development Bank and the Development Bank of Latin America. In January 2019, Colombia had been granted access to the World Bank's Global Concessional Financing Facility and had secured \$750 million in initial funding. The funds were managed by the Ministry of Finance, and not all of them were earmarked for migration-related programmes. However, subsequently, the Government's good track record with regard to migration had opened the door to additional funding from that entity. Moreover, it was possible that by the end of 2019, Colombia would receive a further \$30 million in funding from the World Bank, earmarked for the health sector, specifically the improvement of health services for migrants. The Government was currently applying for funding from a \$100 million fund recently set up by the Inter-American Development Bank. Funding had also been provided by the European Union's Latin American Investment Facility for water infrastructure projects in border areas, urban development and employment programmes. Lastly, the Development Bank of Latin America had provided \$200 million in non-

reimbursable funding in 2018 and \$300 million in 2019, which was being invested in new equipment for the hospital in Maicao, the border city that hosted the most migrants in Colombia.

30. **Mr. Mora** (Colombia) said that the Inter-American Development Bank had provided a loan of \$25 million, which was earmarked for structural improvements to services with which migrants interacted, such as the Public Employment Service. The funds would be used to improve the Service's information and communication technology infrastructure and to streamline the skills certification process to facilitate the integration of the migrant population into the Colombia workforce.

31. **Ms. Manjarrez** (Colombia), referring to the question that had been asked about remittances, said that the Bank of the Republic regulated the foreign exchange market. The Bank did not in any way restrict the transfer of money into or out of Colombia. Transfer costs could be broken down into two components: the transfer fee and the difference between the market exchange rate and the actual exchange rate applied to the remittance. Both of those factors were determined abroad with the consent of the person making the transfer. It was not possible to control such costs domestically. The Financial Inspectorate was obliged to publish the exchange rate at which foreign currencies were converted to Colombian pesos. In 2016, around \$4.8 billion in remittances had entered Colombia. That number had risen to around \$6.3 billion by 2018. The State had launched a series of campaigns to inform the public about how to invest appropriately the money they received through remittances. Fairs were organized by consular offices abroad to raise awareness in that regard.

32. The Bank of the Republic kept a record of remittances from Colombia to other countries, which was disaggregated by country of destination. The amount of money transferred out of the country had risen by 8 per cent between 2017 and 2018. The main countries of destination were the United States of America, Spain, Panama, Ecuador, Argentina, Peru, Mexico and Chile.

33. **Mr. Muñoz** (Colombia) said that the public health system in Colombia was managed regionally by the authorities in the country's various departments, under the supervision of the Ministry of the Interior. Efforts were coordinated with local partners in the departments most affected by migration, and with international partners such as the United Nations Children's Fund, the International Organization for Migration, the United Nations Population Fund and various international non-governmental organizations (NGOs). The Ministry of Health had entered into partnerships with the World Health Organization and the Pan American Health Organization. At a recent meeting of health ministers, the countries of the region had agreed to work together on such issues as mental health, malaria and HIV/AIDS.

34. The Government's strategy for integrating migrants was intended to derive maximum benefit from the skills of Venezuelan migrants and returning Colombians. Efforts were under way to gather more comprehensive information regarding the skills of Venezuelan migrants through surveys administered by Migration Colombia and the National Department of Statistics. The strategy also included introducing incentives to encourage entrepreneurship. Recent statistics showed an increase in the number of businesses started by Venezuelan immigrants.

35. **Ms. Manjarrez** (Colombia) said that migration management could not be the responsibility of one State alone and noted that Part VI of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families spoke of a shared responsibility and the need for inter-State cooperation.

36. Meetings within the framework of the Andean Community of Nations had resulted in effective and practical outcomes. At the first such meeting, an emergency meeting of the Andean Committee of Migration Authorities held in August 2018, States of the Community had strengthened their border control and assistance mechanisms to ensure the recognition of immigrants' identification documents, which was key to ensuring that their rights were recognized. Other such meetings had led to the signing of a cooperation agreement between the migration oversight bodies of Colombia and Peru on the acceptance of expired passports and the exchange of information and databases on the flow of Venezuelans in both countries. A regional mobility card was being developed, which could be useful for migrants in transit in the region.

37. **Mr. Muñoz** (Colombia) said that there were no factors pointing to an abatement of the migration crisis because its causes were related to the regime in power in the Bolivarian Republic of Venezuela. Therefore, Colombia was seeking to prepare itself for future challenges in that regard and to integrate Venezuelan migrants into the formal economy. To that end, Colombia was studying examples of other countries, such as Uganda and Lebanon, in which the integration process had been effective. However, more substantial support for humanitarian assistance was needed from the international community.

38. **Ms. Manjarrez** (Colombia) said that Colombia did not collect census data on its citizens abroad, but based on various projections and studies, there were an estimated 4.8 to 5 million citizens abroad, 34 per cent of whom resided in the United States and 23 per cent in Spain. Colombia had 105 consular offices, which provided services and assistance to its citizens abroad, in accordance with its obligations under the Vienna Convention on Consular Relations of 1963. Service fairs to provide institutional support at the local level had been held and guide books on local customs, regulations, jobs, emergency care and schools had been provided to Colombian immigrants abroad and would also be made available via mobile applications.

39. Consulates distributed information on laminated cards about what to do before, during and after emergencies to Colombian citizens abroad. One such card with information on Hurricane Dorian had recently been issued in the Bahamas and Florida. Mobile consular services, extended schedules and Saturday hours had also been implemented in order to expand the consulates' reach.

40. **Ms. Adriana Mejía** (Colombia) said that the delegation would respond within 48 hours to the question posed by Ms. Dzumhur about judicial procedures, the recognition of violations of rights and access to justice and effective protection.

41. **Mr. Martínez** (Colombia) said that, in 2013, the Special Administrative Unit for Migration of Colombia had adopted an institutional human rights policy and a human rights group had been created within the Unit to ensure that all the procedures and actions carried out by migration officials complied with the human rights standards in effect. There were also ongoing training opportunities with national officials and entities, such as the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees, to enhance migration officials' understanding of migration in their administrative decision-making.

42. **Mr. Mora** (Colombia) said that the Ministry of Labour required that all labour inspectors receive training, pursuant to the Convention, including on themes such as labour migration management and the guarantees of rights within the framework of decent work.

43. **Mr. Cortés** (Colombia) said that the Colombian Family Welfare Institute, which was responsible for providing protection to children and adolescents, was providing training to more than 600 administrative authorities, mayoral staff and civil society officials on a protocol on care for refugee and migrant children and adolescents who needed international protection, which had been developed with technical assistance from UNICEF, the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees and was being implemented in 7 of the 13 priority departments where there were the greatest migratory flows.

44. **Ms. Adriana Mejía** (Colombia) said that the Office of the Ombudsman was Colombia's national human rights institution and had a constitutional and legal mandate to promote human rights in line with the Paris Principles. It had a presence in 38 regions and operated throughout the country. It submitted independent reports on the situation of human rights in Colombia and the mechanisms for the protection and promotion of human rights to international bodies, and it independently informed authorities of possible violations of human rights or international humanitarian law or threats thereof. It also provided legal and extralegal representation to citizens who were disadvantaged socially, economically or because of their status as victims. Not only was the Ombudsman accredited, but he was also the current Chairperson of the Global Alliance of National Human Rights Institutions.

45. **Mr. Muñoz** (Colombia) said that affirmative migration management policies were in place, in particular with regard to migration from Venezuela, in the areas of education, health

care and access to employment. Women were falling behind economically and the fact that women were largely occupied with caring for children was a significant issue. There was a need to increase the childcare available to migrant women so that they could enter the workforce.

46. **Mr. Cortés** (Colombia) said that protocols for children needing comprehensive care were being developed. Within that legal framework, the Colombian Family Welfare Institute had provided services to 71,910 migrant children and adolescents arriving from the Bolivarian Republic of Venezuela in July 2019, compared with 3,219 in 2012. The Institute's capacity was increasingly challenged by the growing need for flexible childcare to enable mothers to seek ways to support themselves and their children.

47. **Mr. Muñoz** (Colombia) said that civil society had been very active in Colombia with regard to migration from the Bolivarian Republic of Venezuela. In particular, churches played an important role in providing food and shelter to Venezuelan migrants. Colombia was seeking to support Venezuelan associations by giving them a greater voice and representation in developing a response to the crisis.

48. **Ms. Manjarrez** (Colombia) said that, in a draft migration bill before Colombia's Congress, there was a provision to operationalize a national mechanism for civil society participation on migration issues. Such a mechanism would include representatives from the private sector, from a non-governmental organization and from academia and organizations of Colombians abroad. The draft bill represented a legislative step forward that would ensure that the participation of civil society was genuine and effective.

49. Consulates were empowered to ensure that migrants' rights were respected and there were some bilateral mechanisms in place to facilitate communication with other diplomatic representations in that regard. Furthermore, consulates conducted prison visits, had access to places where detainees were held and provided legal advisers.

50. **Mr. Barbosa** (Colombia) said that the efforts of groups to remember the past had resulted in Act No. 1448 of 2011 and Decree No. 4800 of 2011, which formed the legal basis for ensuring historical memory. The Victims Unit had undertaken significant work, including by going to various countries with a view to gathering statements from Colombians living abroad and establishing a link with their families in Colombia and with what had happened in the past. The Government was spearheading a process with the Director of the Department for Social Prosperity to build a museum for historical memory dedicated to victims, rebuilding the past and reconciliation.

51. **Ms. Manjarrez** (Colombia) said that there was an integrated system in which consulates recorded all legal processes involving citizens abroad, including detained citizens. There were 19,300 Colombian citizens detained abroad: some 16,800 females and 2,500 males. The greatest number of citizens detained abroad were in Ecuador, followed by the United States, Spain, the Bolivarian Republic of Venezuela and Panama. Consular missions provided legal advisers to ensure that the rights of citizens abroad were respected.

52. **Mr. Muñoz** (Colombia) said that the historical pattern of migration had been outward rather than inward. However, three years earlier, with the emergence of the migration influx from the Bolivarian Republic of Venezuela, capacity in the area of migration studies had been developed at many universities.

53. In July 2018, an event for more than 19 experts from universities had been held to consider migration in Colombia and the outcome of that event had contributed to national migration legislation. A new session on income generation policy had been held recently, and, conferences on migration-related issues had been held at five universities in the past week. Support from international experts had also been sought and information was being exchanged with think tanks.

54. **Ms. Adriana Mejía** (Colombia) asked Mr. Charef to clarify one of the questions he had asked.

55. **Mr. Charef** said that his question concerned the engagement of migrant communities with their communities of origin, in particular the involvement of citizens in economic and



social aspects of public policy at the local, regional and national levels. His question was not about citizens' remittances, but rather about their commitments.

56. **Ms. Manjarrez** (Colombia) said that there were indeed networks of scientific researchers abroad who participated in knowledge exchanges, and Colombian universities also had networks for exchanges with the diaspora and migrants within Colombia. A bill to encourage the return of high-level academics from abroad was before the Congress of the Republic; one of the initiatives under the bill concerned high-level academic and knowledge exchange with the German Government and with 200 Colombians who had returned from Germany to work in university, industrial and government research. The status of the Government's Department of Science, Technology and Innovation would be upgraded from institute to ministry, a change that would help it to harness the diaspora's knowledge.

57. **Mr. Muñoz** (Colombia) said that the Government had sought to bring associations of Venezuelan migrants into contact with local cultural and academic networks. Some Colombian universities were even hiring Venezuelans as teaching staff. The Government was also removing obstacles to Venezuelans accessing entrepreneurship courses.

58. **Ms. Manjarrez** (Colombia), referring to questions asked by the Chair, said that all emigrants included on the electoral roll could vote at consulates in presidential and congressional elections; more than 807,000 had been registered to do so in May 2018. To facilitate voting from abroad, voters could register at consulates until two months before the election and votes could be cast for a whole week at polling stations that could be found in all Colombian consulates, as well as in some other major cities. Colombians abroad had, until a few weeks previously, been able to register as candidates for the upcoming mayoral and gubernatorial elections. There was also a special electoral district enabling emigrants to be represented in the Congress of the Republic.

59. **Mr. Martínez** (Colombia) said that it should be reiterated that the five-day time limit applied only to the voluntary departure of migrants in an irregular situation; where a migrant voluntarily leaving the country failed to do so within the permitted five days, deportation proceedings would begin. During such proceedings, migrants were guaranteed due process and the right to defend themselves, including both administrative and judicial appeals. Deportation was suspended until the appeal was finalized.

60. **Mr. Castillo** (Colombia), responding to a question asked by Mr. Kariyawasam, said that Decree No. 1066 of 2015 established that multiple agencies cooperated to provide women and child victims of trafficking in persons with assistance and protection in two stages: immediate assistance and medium-term assistance. Immediate assistance lasted up to five calendar days, with a further five-day extension possible, and involved medical and psychological care; the return of victims to their place of origin; the provision of material assistance, such as clothing; and legal and safety advice. Medium-term assistance was intended to enable victims to return to normal life and comprised, among other things, medical and psychological care, legal assistance, and access to education and training. Where victims were of legal age, the Ministry of the Interior coordinated assistance with the departmental, municipal and district committees to combat trafficking in persons; where the victims were minors, the Colombian Family Welfare Institute took responsibility.

61. **Mr. Cortés** (Colombia), expanding on Mr. Castillo's answer, said that victims of trafficking in persons received support from an interdisciplinary team, including psychologists and social workers. In the case of children, such support could be provided through day schools, with the child either living at the family home, or in a non-family setting such as foster homes or shelters.

62. **Ms. Manjarrez** (Colombia) said that, to enable the Government to take a census of emigrants, the National Department of Statistics had established a sectoral statistics board for migration to create links between the various bodies producing statistics, such as Migration Colombia, the Ministry of Foreign Affairs and the Ministry of Health and Social Protection.

63. **Ms. Landázuri de Mora**, thanking the delegation for its comprehensive answers, said that the Committee hoped that the new legislation being introduced would maintain respect for all human rights instruments, particularly the Convention, and that it would have a gender

focus. The legislation represented an opportunity for wide-ranging public debate, and for the empowerment of Colombians at home and abroad. Society should have ownership of that legislation, which, rather than having a security or punitive focus, should be a development tool for migrant workers and their families, and should foster the well-being that led to peaceful coexistence. The Committee advocated enactment of the legislation as soon as possible and hoped that it would be presented in the next periodic report.

64. While the Committee acknowledged the State party's efforts at regional coordination to manage the mass migration of Venezuelans, it urged all countries of the region to meet their obligations under the Convention by contributing to the humanitarian response. The Committee also wished to add its voice to those calling on the international community as a whole to contribute to meeting the huge requirements of responding to the humanitarian crisis.

65. In the light of the valuable information provided by the delegation on how Colombia managed the cross-border movements of persons, who were sometimes unaware of the administrative implications of such movements, the Committee wished to make the State party and civil society aware of its concern about measures such as the closure of borders and the imposition of visas in the country of origin. While welcoming the delegation's explanation of Colombian legislation and strategies for combating trafficking in persons, she stressed that the Government should properly evaluate the risk that the continued closure of borders could cause migrants, often undocumented, to be caught up in such trafficking.

66. Given that large groups of persons were starting to migrate on foot, exposing them to all manner of vulnerabilities, including acceptance of inhumane and degrading treatment, the Committee recommended that Colombia establish a mechanism for preventing disappearances of migrants in transit and assisting migrants who did disappear. Such situations amounted to enforced disappearances. It was essential to make civil society better able to both safeguard migrants' rights and protect them from abuse and extortion.

67. She felt bound to repeat that long-term measures for the full integration of migrants in Colombia were needed. The Public Employment Service's initiative to accurately record skills and channel migrants into jobs was helpful, as was the special stay permit. However, the State party should also use the Convention as an instrument to create a permanent visa easily accessible to self-employed workers. Such a visa would grant the security of permanent residence to entrepreneurial migrants who were starting their own small-scale businesses as means of subsistence.

68. The Committee wished to stress the need to pay particular attention to the rights of priority groups, such as children, women and indigenous peoples, who were more vulnerable and always experienced more severe impacts from mass migration. The State party needed to include a focus on migrant communities in its models for many public services, such as education and health care.

69. The Committee applauded the Government's efforts to strengthen the powers of its Advisory Committee on the Determination of Refugee Status. However, the Government should also enhance the process whereby migrant workers exposed to threats to their life or person in their country of origin could apply for refugee status and, by extension, permanent residence.

70. The signing of the peace agreement in Colombia had come as excellent news for the region, following years of violence during which desperate persons, fearing for their lives, had been forced to flee to neighbouring countries. She wished to stress her admiration for the fact that Colombia was taking in Venezuelan migrants and preventing the crisis they were fleeing from continuing to spread.

71. **Mr. Frasher**, thanking the delegation for its participation in the constructive dialogue, said that he wished to congratulate the State party on its response to a very difficult situation. The Government should see the Committee as a partner that would happily help with its efforts to deal with migration. The role of the Committee was broader than simply reviewing compliance with the Convention and also extended to activities such as capacity-building and awareness raising.

72. **Ms. Adriana Mejía** (Colombia) said that the delegation wished to thank the Committee members, in particular the Rapporteurs, for the constructive dialogue. The Government was aware of the challenges it faced and of the need for regional and international support, but was fully committed to continuing to receive the volumes of migrants who were arriving in the country, and to offer them the best possible care. While the migratory phenomenon represented a problem in the short and medium term, it constituted a major opportunity for growth and development in Colombia.

73. **The Chair**, thanking the delegation for its constructive collaboration, said that he was confident that the Committee's concluding observations on the third periodic report of Colombia would be the subject of positive follow-up by the Government.

*The meeting rose at 6 p.m.*