



**Convention against Torture  
and Other Cruel, Inhuman  
or Degrading Treatment  
or Punishment**

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**Committee against Torture**

**Sixth periodic report submitted by Colombia  
under article 19 of the Convention, due in 2019\***

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## Introduction

1. The Colombian State, in compliance with its obligations under article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, submits herewith its periodic report, which is the result of a coordinated, inter-institutional effort involving the participation of multiple national entities.

## Articles 1 and 4

2. The definition of the criminal offence of torture set out in Act No. 599 of 2000 contains most of the elements specified in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Some elements of the definition actually provide more guarantees than the Convention. This has created a wide scope for classifying acts as torture while bearing in mind, at all times, the principle of legality and the right to due process.

3. In Colombia, the crime of torture is defined under two separate headings of the Criminal Code (Act No. 599 of 2000): title II, which lists crimes against persons and property protected under international humanitarian law; and title III, which defines offences against personal liberty and other rights. Under both headings, the definition is the same, except that, under title II, the crime must have been committed in pursuance of and in the course of an armed conflict. Consequently, the description in article 178 (1) of the Criminal Code (title III), which provides as follows, is used to identify the constituent elements of the crime:

Anyone who inflicts physical or mental pain or suffering on a person with a view to obtaining information or a confession from that person or a third party, punishing such a person for an act that he or she has committed or is suspected of having committed, or intimidating or coercing such a person for any reason based on discrimination of any kind shall incur a prison sentence of between one hundred and twenty-eight (128) and two hundred and seventy (270) months, a fine of between one thousand and sixty-six point sixty-six (1,066.66) and three thousand (3,000) times the statutory minimum wage in force, and disqualification from exercising rights and public office for the same period as the prison sentence in question.

4. As stated at the outset, this description contains most of the elements of article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Thus, the definition of this offence refers to intentional acts that cause physical and/or psychological pain or suffering. Torture is physical when physical suffering is caused, and it is psychological when the suffering is mental; this is determined by the nature of the suffering, not by the method used to cause it. In addition, unlike the Convention, and in a manner that offers more guarantees, it is established that the pain or suffering need not be “severe”, since the inclusion of this word was declared unconstitutional by the Colombian Constitutional Court in Judgment No. C-148 of 2005.

5. Moreover, with respect to the direct perpetrator of the offence, Colombian law establishes the legal concept of an indeterminate perpetrator, which means that such an act is punishable not only when it is committed by an agent of the State but also when it is committed by a private individual. If such an act is committed by a State agent, that is considered to be an aggravating factor which increases the penalty by up to one third.

6. The standard definition sets out three purposes for the commission of such acts when they constitute torture. The first is to obtain information or a confession, the second is to punish and the third is to intimidate or coerce. Although, in relation to the third of these purposes, Colombian law does not explicitly provide that the commission of such an act for the purpose of the intimidation or coercion of a third party constitutes torture, it does include a paragraph that broadens the interpretation of the offence defined in article 148 by establishing that: “Any person who commits torture for purposes other than those described above shall incur the same penalties.”

7. Thus, for it to be successfully argued that an act constitutes torture, it must be demonstrated that the perpetrator carried out the act for the purpose of bending the will of the victim and encroaching on his or her personal autonomy. This is because, under Colombian law, the crime of torture is classified as a crime against individual freedoms and other guarantees, since it is considered that the unlawfulness of the crime not only has an impact on personal integrity but also undermines victims' personal liberty and autonomy.

## Article 2

### Reply to paragraph 3 of CAT/C/COL/QPR/6

8. Article 45 of Act No. 1709 of 2014 defines the procedures for the performance of examinations upon admission and release. When a defendant or convicted person is admitted to a detention centre, he or she is duly registered in the Integrated Prison Information System (SISIPEC) and must undergo a medical examination in order to verify his or her physical condition, pathologies and other diseases so that a medical file may be prepared. Decree No. 1142 of 2016 and Resolution No. 3595 of 2016 govern and define the competencies of on-site health service providers assigned to perform medical examinations upon admission as part of the health-care model established for persons deprived of their liberty.

9. Accordingly, the Directorate of Care and Treatment/Subdirectorate of Health Care have developed and implemented a national protocol for the performance of medical examinations upon admission (EMIs). The objective of this procedure is "to establish the actions required to determine prisoners' physical and mental status and concomitant pathologies and to thereby identify incidents of special concern with respect to public health and to promote health, prevent disease, ensure early detection, meet induced service demand and determine health-care needs as a means of contributing to the health risk management strategy and serving as a gateway to the primary health-care model for the admission of persons deprived of their liberty to the national correctional facilities run by the National Prisons Institute (INPEC) in accordance with the national regulatory guidelines".

10. Furthermore, to help to assess persons deprived of their liberty, INPEC has designed and introduced hard-copy forms for recording the relevant information: one for medical examinations upon admission (the EMI form) and one for dental examinations upon admission (the VOI form). The EMI form contains three (3) supplementary annexes, namely:

- A "special conditions" form is used to identify and record an inmate's physical condition and the degree and type of any disability. This information is then used to guide decisions as to the cell and courtyard where he or she is to be placed and the type of work or activity that he or she may perform.
- A "body map" form makes it possible to pinpoint the location of particular markings on the inmate's body, such as tattoos, scars, moles, spots or missing limbs.
- A "suspected tuberculosis questionnaire" contains a thorough series of questions designed to serve as a basis for a possible tuberculosis diagnosis, at which point inmates are placed in quarantine and their treatment is begun.

11. The form for dental examinations upon admission is used to determine the inmate's oral health status, check for gingivitis or other diseases and cavities, and determine what dental structures are present or absent.

12. A health module has been put in place in phase one of the implementation of SISIPEC (a comprehensive, centralized digital database used to store the records of persons deprived of their liberty in Colombian prisons run by INPEC) for the compilation of clinical assessment data. However, to date, this system is not yet up and running in all establishments. Consequently, and in order to comply with relevant regulations, national prison directors have been instructed to use the existing hard-copy forms to record the necessary information.

13. In order to follow up on the aforementioned procedure, a “Record of medical examination upon admission (EMI) – Referral to services” form has been introduced. This Excel form, which is filled in by the prison doctor, must be sent to the regional jurisdictional authority within the first three (3) working days of the following month for review and consolidation. The regional office sends it to the Subdirectorate of Health Care/Public Health Group within the first seven (7) working days of the month so that information may be analysed at the national level, which allows for timely decision-making, the provision of feedback on implementation, the preparation of management reports, as appropriate, and the effective enjoyment of health rights by persons deprived of their liberty under the responsibility of INPEC.

14. The form contains columns and worksheet tabs to make recording information easier. It allows the user to identify any special conditions and requirements of persons deprived of their liberty with regard to food, work, serious illness and body markings. It also specifies the risk management and medical procedures to be followed so that timely decisions may be made in connection with the health status of persons deprived of their liberty.

15. As part of the EMI follow-up, monthly videoconferences are held. These virtual meetings make it possible for prison and regional authorities to reach consensus on instructions and specific measures for improving the way in which these examinations are carried out. In addition, the following indicator has been developed to monitor implementation:

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*Indicator for medical examinations upon admission*

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Number of medical examinations upon admission (EMIs) performed

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<b>Total number of persons admitted</b>	<b>X 100</b>
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16. In terms of safeguards relating to the admission of persons to the nation’s prisons, INPEC has access to the preventive information stored in the SISIPEC database pursuant to Resolution No. 003670 of 9 September 2011. This system is managed by the Office of Information Systems and serves as a unique tool for the systematization and automation of information on persons deprived of their liberty in prisons run by INPEC.

17. The SISIPECWeb application stores personal data, physical profiles, information on admissions and transfers, legal information, details on prison privileges, reports of good or bad behaviour, certifications of hours worked, calculations of the number of hours worked and details of the locations where the work was performed, and information on studies, development and social rehabilitation, visits, the help desk, management news and the graduated prison regime applying to all persons deprived of their liberty in prisons under the purview of INPEC. These data are entered directly from correctional facilities by prison officers who have been trained to use the application correctly.

18. In accordance with the legislation in force (article 304 of Act No. 906 of 2004, as confirmed by article 1 of Decree No. 2636 of 2004, which amended article 8 of Act No. 65 of 1993), the prison authorities must, in all cases, verify the existence of a written directive from a judicial authority ordering that a person be deprived of his or her liberty and ensure that this directive satisfies the relevant legal formalities by indicating the reasons for arrest and the date on which it took place. Only once this has been done may prison directors under the authority of INPEC begin the admission and information recording process, which is the first step in the SISIPEC system. In simple terms, this means that all persons subject to a judicial detention order must be registered in the SISIPECWeb application once they have been transferred to a prison facility.

19. The foregoing requirements are listed in Resolution No. 6349 of 19 December 2016, which sets forth the general regulations for the nation’s prisons under the authority of INPEC. More specifically, chapter V of those regulations, which deals with the admission of persons deprived of their liberty, states that:

Article 25. Prison admissions. The admission of a person to be deprived of his or her liberty in a detention facility as a defendant, suspect, accused person,

convict or person arrested for the purpose of being extradited shall occur only pursuant to a written order issued by a competent judicial authority and only once that person's identity has been unequivocally established.

Paragraph 1. Upon entering the facility, persons deprived of their liberty shall be asked to provide their full name, shall have their 10 fingerprints taken, shall undergo physical profiling and a biometric scan, shall have their photograph taken and voice recorded and shall submit to other identification technologies. Their given names and surnames shall be logged in an admissions register kept for that purpose. In addition, those data shall be recorded in the SISIPEC system or in any other application made available by the Director General of INPEC.

20. In title VI of the general regulations of INPEC, reference is made to communication by persons deprived of their liberty with parties outside the prison walls and to the right of all persons to contact their family or lawyer upon admission to one of the nation's prisons:

Article 63. Telephone communications. (...) All persons deprived of their liberty shall have the right to communicate by telephone:

1. Upon being admitted to a facility in order to contact their lawyer and inform their family;
2. When they need to communicate something urgently to their relatives or lawyer, subject to approval by the deputy director or, in his or her absence, the watch commander;
3. By means of public telephones, under the conditions set out in the internal regulations of the facility in question.

#### Reply to paragraph 4 of CAT/C/COL/QPR/6

21. In accordance with Resolution No. 1006 of 2016, the Protection and Assistance Programme provides for specific safeguards for the lives and personal integrity of prosecutors in the face of threats and attacks, namely:

- Security schemes involving the provision of bodyguards and security vehicles in cases of extreme risk as determined by a technical threat and risk assessment.
- A change of workplace, to be determined in coordination with the Executive Directorate of the Attorney General's Office, to a workplace in another part of the country away from the area where the risk has been identified in cases where a technical assessment has indicated that the level of risk is extreme.
- Reassignment of the investigation or criminal proceedings to another official attached to the Attorney General's Office in cases where a technical assessment has determined the level of risk to be extreme.

22. In all cases, the Directorate of Protection and Assistance also advises the relevant official on the adoption of self-protection measures and informs the national police force, which may then implement preventive measures to protect the official and his or her immediate family.

23. In the period from 2015 to 2018, the Attorney General's Office adopted the following measures to ensure the protection of prosecutors:

<i>Year</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
<b>Total number of protection measures in respect of public officials</b>	<b>28</b>	<b>30</b>	<b>36</b>	<b>13</b>
Security schemes introduced in respect of public officials	16	18	19	11
Changes of workplace recommended	8	8	8	1
Reassignments of proceedings recommended	4	4	9	1
Technical assessments of threat and risk carried out in respect of public officials	278	236	249	99

24. As at the end of 2018, 138 judges and 54 magistrates were the object of protection measures ordered by the National Protection Unit.

**Reply to paragraph 5 of CAT/C/COL/QPR/6**

25. Military criminal courts have jurisdiction over “punishable offences committed by members of the public security forces in the course of, and in connection with, active service”, inasmuch as they investigate, in accordance with their authorized functions and powers, members of the public security forces who may have committed a punishable offence while on active duty in the course of the special constitutional functions entrusted to them.

26. Article 221 of the Constitution, as amended by Legislative Act No. 1 of 2015, confirms that it is the military criminal courts, rather than the ordinary criminal courts, that have jurisdiction in these matters and establishes an obligation to apply international humanitarian law as a substantive framework governing the investigation and trial of members of the public security forces for offences committed during operations, actions or procedures related to armed conflict or a confrontation that meets the objective criteria stipulated under international humanitarian law.

27. The foregoing is reaffirmed in article 3 of Act No. 1407 of 2010, on acts not related to service, which provides that: “Under no circumstances may the following crimes be considered to be related to official duties: torture, genocide, enforced disappearance, crimes against humanity, violations of international humanitarian law as defined in international conventions and treaties ratified by Colombia, or acts that so patently run counter to the constitutionally defined functions of the police and armed forces that their commission, ipso facto, sunders the perpetrator’s functional connection with those forces.”

28. If an alleged offence does not conform to the parameters of international humanitarian law, the military courts have a duty to recognize the jurisdiction of the ordinary courts. In addition, any military judge who knowingly agrees to oversee the related investigation will be guilty of malfeasance under article 413 of Act No. 599 of 2000 and may face not only criminal and disciplinary sanctions but also the suspension or revocation of his or her professional credentials.

29. As has already been pointed out, if, upon evaluation of the evidence, a judicial officer of the military criminal courts has reasonable doubts about his or her competence, he or she shall refer the investigation to the ordinary courts. It may also occur that an ordinary court considers that it has jurisdiction, in which case it may request the referral of the investigation from the military criminal court judge, who either complies or raises the issue of a jurisdictional dispute to be resolved by the seven-member Disciplinary Chamber of the High Council of the Judiciary, one of whom is tasked with delivering a proposed decision, which may or may not be supported by the other members of the Chamber.

**Reply to paragraph 6 of CAT/C/COL/QPR/6**

30. The strategic plan of the Attorney General’s Office in force during the period under review establishes the effort to combat violence, including sexual violence, as one of five priorities in the area of investigation and prosecution.

31. The goal has been to double the rates of charges and convictions for crimes of sexual violence. To this end, determined efforts have been made to:

- Implement the sexual violence investigation protocol
- Strengthen departmental offices for the investigation of sexual violence
- Place priority on the investigation of sexual violence committed upon children and adolescents
- Introduce a differentiated approach and set of criteria into the protection programmes run by the Attorney General’s Office
- Place priority on the analysis of incidents of sexual violence committed during the armed conflict

32. In pursuit of this objective, support workshops have been held to encourage prosecutors to pursue cases of sexual violence. Training workshops have been organized for investigators tasked with interviewing child and adolescent victims, and the subcommittee in charge of coordinating and promoting measures to combat incidents of sexual violence that occurred during the armed conflict has followed up on a number of cases.

33. Since 2015, the Attorney General's Office has recorded the cases of 146,189 victims of sexual violence and femicide, although there may be some instances of double counting involved. In this regard, it should be clarified that cases are counted on the basis of each of the relevant variables for which the information is disaggregated. If a case, for example, involves two victims – a man and a woman – it is counted twice.

34. Of the recorded victims of sexual violence and femicide, 710 are women, 234 are men and 88 are victims of femicide.

35. With regard to sexual violence, proceedings have been brought in cases of rape, aggravated rape, incitement to prostitution, sexual exploitation of minors, child pornography, procuring and sexual offences perpetrated upon protected persons, with the victims in those cases including men, women and children.

36. Specifically, 36,686 charges, 29,103 indictments and 12,939 proceedings resulting in conviction have been processed. It is important to note that:

- The charge rate has risen considerably since 2015, with the number of charges climbing from 8,291 charges in 2015 to 10,758 in 2017, for an increase of 129.7 per cent
- From January to October 2018, a total of 8,952 charges were laid
- The indictment rate for crimes of sexual violence has also increased significantly, rising from 6,170 indictments in 2015 to 8,584 in 2017, for an increase of 139 per cent
- From January to October 2018, a total of 7,323 indictments were issued
- The number of convictions rose from 2,523 in 2013 to 4,175 in 2017, for a 165 per cent increase; from January to October 2018, 2,878 convictions were handed down

37. With regard to cases of femicide, from 2015 to 2018, there were 1,005 charges, 805 indictments and 448 convictions. It should be noted that:

- The charge rate has risen considerably since 2015, climbing from 39 charges in 2015 to 399 in 2017, for an increase of 1,023 per cent
- In 2018, a total of 342 charges were laid
- The indictment rate for femicide has also increased significantly, from 21 indictments in 2015 to 312 in 2017, for an increase of 1,376 per cent
- From January to October 2018, a total of 289 indictments were issued
- The number of convictions rose from 3 in 2013 to 203 in 2017, for a 6,766 per cent increase, while, from January to October 2018, 194 convictions were handed down.

38. On the basis of discussions held since November 2016 between the Deputy Attorney General and civil society organizations, with the support of the Ombudsman's Office, the Advisory Council for Women's Equality, the Colombian Family Welfare Institute, the Ministry of Justice and Law and the Ministry of Health, the Attorney General's Office has developed a proposal for a comprehensive approach to dealing with this form of violence.

39. With the issuance of Directive No. 001 of 2017 and the formulation of a plan for providing training in the effective investigation of offences related to gender-based violence, a group of 30 expert trainers will be prepared to carry out phased regional training sessions throughout the country.

40. Since 2015, the Attorney General's Office has recorded 350,337 victims, though there may be some extent of double counting.

41. Regarding the proceedings brought during the period under review, it should be noted that:

- The charge rate has risen considerably since 2015, climbing from 12,559 charges in 2013 to 17,564 in 2017, for an increase of 139 per cent
- In 2018, a total of 12,529 charges were laid
- The indictment rate has also increased significantly, rising from 8,588 indictments in 2013 to 13,913 in 2017, for an increase of 162 per cent
- In 2018, a total of 10,353 indictments were issued
- The number of convictions rose from 2,653 in 2013 to 4,303 in 2017, for a 162 per cent increase
- In 2018, a total of 3,287 convictions were handed down

42. From 2015 to 2018, there were 58,947 charges, 45,358 indictments and 13,925 convictions.

43. With regard to the matter of compensation for victims of sexual violence committed by armed groups and members of the public security forces during the armed conflict, it should be noted that, in accordance with Act No. 1448 of 2011, it is the position of the Victims' Unit that discrimination and violence committed on the basis of gender, sexual orientation, age or disability constitute a social problem which, as such, needs to be resolved by means of public policies. Accordingly, various activities focusing on assistance and comprehensive reparation have led to the achievement of conceptual advances and the design of operational adjustments in the pathways to assistance services, and strategies have been developed for the provision of differentiated reparation and psychosocial assistance and for strengthening and supporting the political participation and influence of victims' representatives.

#### Participantes de la estrategia de Mujeres víctimas de violencia sexual

Jornadas a Mujeres Víctimas de Violencia Sexual	Cantidad
Año 2014	528
Año 2015	937
Año 2016	473
Año 2017	358
A abril 2018	-
Total	2.296

44. As at 30 June 2018, 25,704 victims had been entered in the register of victims of offences against sexual integrity and sexual freedom.

45. In addition, the Victims' Unit is making progress in compensating victims of offences against sexual integrity and sexual freedom. As at 30 April 2018, a total of 7,760 persons had received 7,793 payments amounting to 150,500,875,338.71 Colombian pesos.

46. Since the entry into force of Act No. 1719 of 2014, the Presidential Council for Women's Equity has been in charge of the technical secretariat of the committee that was established to monitor the implementation of the Act. A total of 12 ordinary sessions and 1 extraordinary session have been held, and three reports have been submitted to Congress.

47. In 2016, the inter-agency strategy for fighting against impunity and providing comprehensive care to victims of gender-based violence, and particularly sexual violence, in the context of armed conflict continued to be implemented under the leadership of the Presidential Council for Women's Equity, the Presidential Council for Human Rights and the Public Prosecutor's Office. Work was also carried out in 2016 in the municipalities of Agustín Codazzi, in Cesar Department, and in Florencia, Caquetá Department.

48. In 2017, the strategy was converted into the Red Construyendo para la Garantía de los Derechos de las Mujeres (the Building Women's Rights Network) under the leadership of the Presidential Council for Human Rights and the Ministry of Justice. The strategy's



conversion into this network came in response to the need to build synergies among the strategies developed for women survivors of sexual violence in the context of the conflict and to strengthen local institutions working to prevent gender-based violence in the context of the armed conflict and to protect and care for victims. The two main lines of work of the network are as follows:

- Strengthening women's organizations, especially organizations of victims of sexual violence in the context of the armed conflict, to promote their emotional recovery and strengthening such organizations at the community level as a means of heightening women's political influence at the local level.
- Working with members of the civil service on issues related to the protection of women's human rights and strengthening their knowledge of the regulatory framework with a view to ensuring women's access to justice.

49. Since 2013, the implementation of the strategy focusing on regional committees has been under way. Committees have been established in the departments of Arauca, Cundinamarca, Nariño, Bolívar, Atlántico, Cauca and Valle del Cauca, among others.

50. Decentralized committees play an extremely important role in the more accurate identification of regional issues relating to the prevention of violence against women. They help to open up a more focused, clear-cut and concrete dialogue with local authorities and women's organizations with a view to overcoming existing barriers and promoting the effective implementation of the law.

51. Based on the work of these committees, and in compliance with Act No. 1257 of 2008, the Presidential Council for Women's Equity submits an annual report to Congress on the situation with respect to violence against women, its manifestations and magnitude, the progress made and the setbacks encountered in this connection, and the consequences and impact of such violence.

52. Finally, in order to promote a more coordinated approach to gender-based violence, and in view of the proliferation of forums for the intersectoral coordination of efforts to address such violence, and specifically sexual violence within the context of the armed conflict and elsewhere, the following wording was included in Act No. 1753 of 2015 in reference to one of the strategies for the consolidation of the Public Policy on Gender Equity (Strategy 3.9):

Articulation of forums for intersectoral coordination to address the various forms of violence against women, (...) through the creation of a national intersectoral and inter-agency coordination mechanism to ensure a comprehensive approach to gender-based violence (...) This national mechanism shall propose any needed adjustments in the care pathways for differentiated services and shall define an integrated national information system on violence against women, children and adolescents for the Violence Observatory.

#### **Reply to paragraph 7 of CAT/C/COL/QPR/6**

53. In Colombia, all national efforts to combat trafficking in persons are governed by Act No. 985 of 2005, which amended the Criminal Code (Act No. 599 of 2000) and defines the crime of trafficking in persons as follows:

Article 1BBA. Trafficking in persons. Anyone who detains, transports, harbours or receives a person within the national territory or abroad for the purpose of exploitation shall be liable to a term of imprisonment of thirteen (13) to twenty-three (23) years and a fine of eight hundred (800) to one thousand, five hundred (1,500) times the current minimum statutory monthly wage.

For the purposes of this article, exploitation is understood to mean obtaining economic gain or any other benefit for oneself or for another person by means of the prostitution of another person or of other forms of sexual exploitation, forced labour or services, slavery or practices akin to slavery, servitude, exploitation of another person's mendicancy, marital servitude, extraction of organs, sex tourism or other forms of exploitation.

The consent of a victim to any form of exploitation defined in this article shall not constitute grounds for exemption from criminal liability.

54. Thus, in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which is the international legal framework for combating the crime of trafficking in persons, all forms of trafficking in persons constitute criminal offences in Colombia and are therefore subject to investigation and prosecution.

55. Under Act No. 1719 of 2014 on access to justice for victims of sexual violence, especially sexual violence in the context of the armed conflict, the offence of trafficking in protected persons for the purpose of sexual exploitation was included in the Criminal Code (Act No. 599 of 2000).

56. Act No. 1719 of 2014 also amended the provisions on the crime of forced prostitution of a protected person and defines the criminal offence of sexual enslavement of a protected person. These two offences are closely related to the crime of trafficking in persons for purposes of sexual exploitation. The Colombian Criminal Code covers offences related to the crime of trafficking in persons, especially in relation to sexual and commercial exploitation in the context of travel and tourism. In this regard, Act No. 1329 of 2009 amended the Criminal Code (Act No. 599 of 2000) to include the offence of procuring a minor. It also defines the criminal offence of seeking the commercial sexual exploitation of a person under 18 years of age.

57. By Decree No. 1036 of 2016, the National Strategy for Combating Trafficking in Persons was adopted. The objective of this strategy is to combat crime and to safeguard the human rights of victims by consolidating existing measures for the prevention, investigation and prosecution of this crime and for the provision of assistance and protection to victims.

58. This strategy has been implemented at the national, departmental, district and municipal levels in accordance with the principles of coordination, subsidiarity, concurrence and complementarity. The policy is in line with national and international legislation on combating the crime of trafficking in persons and with other related national strategies and public policies of Colombia.

59. Colombia has been strengthening its commitment to the fight against trafficking in persons in the area of international cooperation by concluding agreements with neighbouring countries. To date, it has entered into eight memorandums of understanding, including, in 2015, the Agreement between the Republic of Colombia and the Republic of Peru for the Prevention, Investigation and Prosecution of the Crime of Trafficking in Persons and the Provision of Assistance and Protection to Victims.

60. The Attorney General's Office recorded the cases of 428 victims of trafficking in the period from 2015 to 2018. Over the same period, 292 charges were laid, 274 indictments were made and 125 convictions were handed down.

61. Various training initiatives dealing with trafficking in persons have been provided for prosecutors and investigators. These initiatives have made it possible to identify good practices in the investigation and prosecution of this crime in Colombia and abroad.

62. The Attorney General's Office has developed a programme whose main objective is to provide comprehensive protection and social assistance to victims, witnesses and other participants in criminal proceedings.

63. These protection measures aim to facilitate access to justice and participation in all stages of criminal proceedings in conditions of safety and trust.

64. In relation to the protection of victims of the crime of human trafficking, the Directorate of Protection and Assistance processed a total of 62 requests for the protection of victims of human trafficking and granted 17 protection measures in 2015–2018.

65. The Directorate has also embraced good practices in the protection of victims of human trafficking that enable it to meet all of their basic needs for assistance through the

effective application of a differentiated, gender-sensitive and cross-cutting approach throughout the protection procedure.

66. The Directorate applies the Guide for a Differentiated and Gender-Sensitive Approach to Protection and Assistance, which sets out cross-cutting guidelines for civil servants and is a compendium of good practices in the care and protection of victims, including victims of human trafficking.

67. In recognition of the serious impact that the crime of human trafficking has on its victims, the Directorate plans and implements support measures for the provision of psychosocial care and measures designed to uphold victims' rights, such as requests for judicial hearings in which the victim is not required to confront his or her aggressor and requests for the coordination of such hearings.

### Article 3

#### Reply to paragraph 8 of CAT/C/COL/QPR/6

68. Colombia promotes the rights of persons who have applied for refugee status. With particular regard to the issuance of residence permits to those awaiting a decision of the National Committee for Refugees, Colombia has lifted the restrictions on the gainful employment activities that asylum seekers can engage in so as to guarantee their right to work.

#### Reply to paragraph 9 of CAT/C/COL/QPR/6

69. The following statistics on applications for refugee status received by Colombia cover the period from 2015 to 30 April 2019.

##### *Applications for refugee status*

<i>Year</i>	<i>Total applications</i>
2015	285
2016	316
2017	625
2018	1 698
2019 (up to 30 April)	2 169

##### *Recognition of refugee status*

<i>Year</i>	<i>Total applications accepted</i>
2015	20
2016	12
2017	10
2018	12
2019 (up to 30 April)	5

#### Applications for refugee status, 2015

<i>Country</i>	<i>Number of applications</i>
Afghanistan	5
Bangladesh	10
Bolivia	1
Cuba	139
Ecuador	2

<i>Country</i>	<i>Number of applications</i>
El Salvador	2
Ethiopia	3
Gambia	1
Ghana	1
Guinea-Bissau	1
Haiti	4
Honduras	3
India	6
Iraq	2
Lebanon	1
Lithuania	1
Mexico	1
Nepal	2
Nigeria	2
Panama	1
Sierra Leone	1
Somalia	2
Spain	2
State of Palestine/Cuba	1
Syrian Arab Republic	7
Ukraine	2
Venezuela	82
<b>Total</b>	<b>285</b>

#### **Applications for refugee status, 2016**

<i>Country</i>	<i>Number of applications</i>
Bangladesh	1
Brazil	1
Cuba	54
Ecuador	3
Egypt	1
El Salvador	1
Haiti	2
Honduras	1
India	16
Mexico	1
Pakistan	1
Panama	1
Peru	1
Somalia	2
Spain	1
Syrian Arab Republic	6
Turkey	9

<i>Country</i>	<i>Number of applications</i>
Venezuela	212
Yemen	1
<b>Total</b>	<b>316</b>

#### **Applications for refugee status, 2017**

<i>Country</i>	<i>Number of applications</i>
Afghanistan	2
Cameroon	1
Cuba	24
Egypt	1
Gambia	1
Iran	1
Iraq	2
Libya	1
State of Palestine	1
Syrian Arab Republic	2
Turkey	7
United States of America	1
Venezuela	575
Yemen	6
<b>Total</b>	<b>625</b>

#### **Applications for refugee status, 2018**

<i>Country</i>	<i>Number of applications</i>
Brazil	2
Cameroon	2
Chile	1
Costa Rica	1
Cuba	31
Dominican Republic	2
Ecuador	1
Germany	1
Ghana	2
Greece	1
Haiti	1
Honduras	1
Iraq	3
Liberia	1
Mexico	1
Nicaragua	1
Nigeria	2
Peru	1
Poland	1
Republic of Korea	1

<i>Country</i>	<i>Number of applications</i>
Russian Federation	1
Saudi Arabia	1
Somalia	1
Spain	1
State of Palestine	1
Syrian Arab Republic	8
Turkey	2
Uganda	1
Uruguay	1
Venezuela	1 624
<b>Total</b>	<b>1 698</b>

#### **Reply to paragraph 10 of CAT/C/COL/QPR/6**

70. This information is not available at present.

#### **Articles 5 to 9**

#### **Reply to paragraph 11 of CAT/C/COL/QPR/6**

71. In Colombia, the crime of torture is defined under two separate headings of the Criminal Code (Act No. 599 of 2000): title II, which lists crimes against persons and property protected by international humanitarian law; and title III, which defines offences against personal liberty and other rights. Under both headings, the definition is the same, except that, under title II, the crime must have been committed in pursuance of and in the course of an armed conflict.

#### **Reply to paragraph 12 of CAT/C/COL/QPR/6**

72. Colombia has concluded bilateral extradition treaties with the following States:

- France, in 1850
- Peru, in 1870
- The United Kingdom of Great Britain and Northern Ireland, in 1888, supplemented in 1929 and extended in 1934
- Spain, in 1892, supplemented in 1991 and amended in 1999
- Belgium, in 1912, supplemented in 1931 and 1959
- Chile, in 1914
- Panama, in 1927
- Costa Rica, in 1928
- Nicaragua, in 1929
- Cuba, in 1932
- Brazil, in 1938
- Mexico, in 2011

73. When considering extradition requests, the Government of Colombia bases all its decisions on the provisions of international law. There are no recorded cases in which it was necessary to turn to the Convention during the reporting period.

**Reply to paragraph 13 of CAT/C/COL/QPR/6**

74. In addition to the Convention against Torture, Colombia is a party to the following multilateral treaties that establish an extradition mechanism:

- The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973.
- The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, December 1988.
- The International Convention against the Taking of Hostages, 1979.
- The International Convention for the Suppression of Terrorist Bombings, 1997.
- The International Convention for the Suppression of the Financing of Terrorism, 1999.
- The International Convention for the Protection of All Persons from Enforced Disappearance, 2006.
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000.
- The United Nations Convention against Transnational Organized Crime, 2000.

75. Colombia has neither received nor submitted any extradition requests during the reporting period that deal with offences covered by the Convention against Torture.

**Article 10****Reply to paragraph 14 of CAT/C/COL/QPR/6**

76. The Workshop on Human Rights and the Use of Force that forms part of the curriculum of the training programme of the Colombian prison system (50 in-person hours) provides specific instruction on the Convention against Torture and other human rights instruments such as the Code of Conduct for Law Enforcement Officials, the Standard Minimum Rules for the Treatment of Prisoners, the Nelson Mandela Rules, the Institutional Human Rights Policy, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the Negotiation Methods and Prison Practices applicable to national prison staff.

77. In addition, the technical specialization programmes (prison services, criminal investigation and dog training) offered by the training academy include a full human rights module involving 40 hours of classes on the topics of the prevention of torture and other cruel, inhuman or degrading treatment and on the regulations relating to human rights applicable within the prison system. Between 2017 and 2018, a total of 459 custody and surveillance officers received training nationwide.

78. The National Prison Service Academy provides three different training modules:

- Technical specialization programmes include a 40-hour course on the prevention of torture
- A shorter module on this same topic is also included in all the training courses, including supplementary and refresher courses, offered in the academy
- Theoretical and practical workshops on human rights and the use of force are offered with the support of the International Committee of the Red Cross

79. Pursuant to a directive of the Ministry of Defence on extracurricular and short-term training in human rights and international humanitarian law, a total of 10,048 members of the security forces nationwide were trained in the proper use of force and in the observance of international standards in 2015–2018.

80. Each year, the Ministry of Defence issues a directive on short-term and extracurricular human rights training which addresses topics that the security forces

consider to be of vital importance in building the capacity of staff. These training modules also impart the knowledge required to carry out the operations and procedures called for in order to respond to the situation in the country at that point in time.

81. Over the last six years, the Ministry has issued six annual directives on short-term and extracurricular training in human rights and international humanitarian law. As a result, 11,762 members of the Colombian security forces have received training. The numbers of beneficiaries of in-house curricular and extracurricular training programmes on human rights and international humanitarian law are shown in the following table:

<i>Type of training</i>	2010	2011	2012	2013	2014	2015	2016	2017
<b>Total</b>	<b>308 571</b>	<b>328 652</b>	<b>342 421</b>	<b>376 946</b>	<b>539 203</b>	<b>301 887</b>	<b>430 215</b>	<b>526 517</b>

82. Between 2010 and 2018, a total of 225 workshops were held throughout Colombia thanks to cooperation between the Ministry of Defence and the International Committee of the Red Cross. These workshops dealt with lessons learned, the application of international humanitarian law, commanders' areas of responsibility, the protection of military health-care personnel, medical missions and the use of protective emblems.

#### **Reply to paragraph 15 of CAT/C/COL/QPR/6**

83. As part of the State party's victim support efforts, since January 2017 the Ministry of Health and Social Security has been developing and introducing methodological guidelines for individual and family-based psychosocial care for victims of torture and/or cruel, inhuman or degrading treatment or punishment in the context of the armed conflict. Since March 2017, training in the application of these guidelines has been given to around 800 professionals who provide psychosocial care in 24 regional facilities and 255 municipalities throughout the country.

### **Article 11**

#### **Reply to paragraph 16 of CAT/C/COL/QPR/6**

84. This information is not available at the present time.

#### **Reply to paragraph 17 of CAT/C/COL/QPR/6**

85. In order to meet the specific objectives of Colombian prison policy and "put in place the physical, health-related, technological and human infrastructure needed to achieve the goals of the prison system while maintaining prison conditions compatible with human dignity", the Prison Services Unit has worked with stakeholders to identify priority measures for implementation in the nation's jails and/or prison facilities.

86. The Prison Services Unit has endeavoured to ensure the protection and observance of the human rights of persons deprived of their liberty by fulfilling its mandate to manage and oversee the provision of the goods, services, infrastructure and logistical and administrative support required for the proper operation of the prison services run by INPEC. It has done so in accordance with the guidelines contained in the country's prison policy and with a view to overcoming the currently unconstitutional state of affairs existing in the prison system.

87. Instructions have been given to outsource the logistical aspects involved in dispensing and administering medicines and medical supplies in 49 prisons that have their own pharmacies. The logistics entail the maintenance of an information system, inventory validation and tracking, human resource expertise and a biometric system for the administration of medicine, all of which makes it possible to provide effective service delivery and to manage supplies more efficiently.

88. In Jamundí (Valle), the Prison Health-care Fund Consortium was instructed to conclude a capitation payment contract with the first-tier State-owned municipal provider for the correctional facility run by INPEC in that municipality; this followed the positive



results of the pilot project run with the State-owned centre in Cali on the administration of health-care services in the prison in that city. It is hoped that this model can be replicated in municipalities with prisons that house more than 2,000 inmates.

89. An interdisciplinary committee, working in conjunction with the Ministry of Justice, the Ombudsman's Office, the Ministry of Health, the Consortium and the National Prisons Institute, has developed six health indicators for use in measuring the impact of the current health-care model for persons deprived of their liberty. These indicators are as follows:

- HIV prevalence
- Prevalence of mental health disorders
- Coverage of medical examinations upon admission
- Morbidity associated with major causes
- Cervical screening
- Coverage of antiretroviral therapy

90. In order to provide better health services to persons deprived of their liberty, the following activities and outputs have also been developed:

- Updated technical and administrative manuals for the implementation of the health model
- A monitoring plan
- A quality audit: preliminary studies

91. Every year the Advisory Planning Office of INPEC leads the effort to gather sociodemographic data on persons deprived of liberty. Those data are then consolidated, analysed and published in an institutional magazine entitled *Entre Muros*. This overview of the status of the prison system in Colombia takes into account the following variables:

- The human rights focus incorporated into the planning of prison services
- The nation's public prison policy within the framework of a society governed by the rule of law
- The impact of Act No. 1709 of 2014
- The classification and categorization of the nation's prisons
- The prison population (comprising both persons in pretrial detention and those serving prison sentences)
- The demographics of the prison population
- The prison regime
- The number of reoffenders in the Colombian prison system
- Current and projected trends in the prison population

92. The official demographic statistics that are compiled on persons deprived of their liberty are disaggregated by legal status (those awaiting or standing trial versus convicted prisoners), as shown below:

2015

93. As at the end of the year, 35.5 per cent (42,753) of a total of 120,444 inmates were awaiting or standing trial and 64.7 per cent (76,691) had been convicted. On average, 92.0 per cent (40,043) of the former group were men and 8.0 per cent (3,503) were women. Of those convicted, 93.7 per cent (71,646) were male and 6.3 per cent (4,848) were female.

Table 1  
Composition of the prison population, by legal status and sex, 2015

Mes	Sindicados		Total Sindicados	Condenados		Total condenados	Total población reclusa
	Hombres	Mujeres		Hombres	Mujeres		
Enero	37.994	3.139	41.133	70.646	4.981	75.627	116.760
Febrero	39.166	3.246	42.412	70.713	4.934	75.647	118.059
Marzo	39.969	3.437	43.406	70.390	4.862	75.252	118.658
Abril	40.795	3.527	44.322	70.227	4.829	75.056	119.378
Mayo	40.575	3.597	44.172	71.204	4.824	76.028	120.200
Junio	42.038	3.613	45.651	70.385	4.869	75.254	120.905
Julio	40.456	3.555	44.011	71.932	4.897	76.829	120.840
Agosto	40.656	3.576	44.232	72.164	4.861	77.025	121.257
Septiembre	39.593	3.616	43.209	73.366	4.814	78.180	121.389
Octubre	40.172	3.567	43.739	72.749	4.807	77.556	121.295
Noviembre	39.910	3.600	43.510	72.981	4.805	77.786	121.296
Diciembre	39.190	3.563	42.753	72.998	4.693	77.691	120.444
Promedio	40.043	3.503	43.546	71.646	4.848	76.494	120.040
Participación	92,0%	8,0%	100,0%	93,7%	6,3%	100,0%	100,0%
	36,3%			63,7%			

Fuente: CEDIP Inpec – Año 2015.

2016

94. As at the end of this year, 31.9 per cent (37,839) of the total number of inmates were awaiting or standing trial and 68.1 per cent (80,693) had been convicted. The following table shows that 92.8 per cent (35,096) of the persons in the former category were men and 7.2 per cent (2,741) were women. Of those convicted, 93.8 per cent (75,655) were male and 6.2 per cent (5,038) were female.

Table 2  
Composition of the prison population, by legal status and sex, 2016

Mes	Sindicados			Condenados			Total población intramural
	Hombres	Mujeres	Total	Hombres	Mujeres	Total	
Enero	39.698	3.645	43.343	72.798	4.595	77.393	120.736
Febrero	39.250	3.645	42.895	73.833	4.628	78.461	121.356
Marzo	40.192	3.758	43.950	73.433	4.637	78.070	122.020
Abril	40.131	3.813	43.944	73.486	4.586	78.072	122.016
Mayo	39.439	3.796	43.235	74.140	4.570	78.710	121.945
Junio	38.350	3.663	42.013	74.557	4.660	79.217	121.230
Julio	38.244	3.712	41.956	74.202	4.499	78.701	120.657
Agosto	36.682	2.691	39.373	75.987	5.361	81.348	120.721
Septiembre	36.462	2.704	39.166	76.391	5.357	81.748	120.914
Octubre	35.879	2.734	38.613	76.784	5.271	82.055	120.668
Noviembre	35.735	2.687	38.422	76.538	5.213	81.751	120.173
Diciembre	35.098	2.741	37.839	75.655	5.038	80.693	118.532
Promedio	37.930	3.299	41.229	74.817	4.868	79.685	120.914
Participación	92,0%	8,0%	100,0%	93,9%	6,1%	100,0%	100,0%
	34,1%			65,9%			

Fuente: CEDIP Inpec – Año 2016.

2017

95. As at the end of the year, 32.0 per cent (36,777) of inmates were awaiting or standing trial and 68.0 per cent (77,973) had been convicted. Of the former group, 91.8 per cent (33,776) were men and 8.2 per cent (3,001) were women. Of those convicted, 94.1 per cent (73,360) were male and 5.9 per cent (4,613) were female.

Table 3  
Composition of the prison population, by legal status and sex, 2017

Regional	Sindicados					Condenados					Población intramural
	Hombres	Mujeres	Total	Participación por Regional	Participación por situación	Hombres	Mujeres	Total	Participación por Regional	Participación por situación	
Central	9.356	1.226	10.582	28,8%	26,5%	27.947	1.339	29.286	37,6%	73,5%	39.868
Occidente	7.349	528	7.877	21,4%	34,4%	14.070	971	15.041	19,3%	65,6%	22.918
Norte	7.027	220	7.247	19,7%	54,1%	6.027	133	6.160	7,9%	45,9%	13.407
Oriente	3.954	272	4.226	11,5%	37,0%	6.779	403	7.182	9,2%	63,0%	11.408
Noroeste	3.943	409	4.352	11,8%	30,5%	8.915	981	9.896	12,7%	69,5%	14.248
Viejo Caldas	2.147	346	2.493	6,8%	19,3%	9.622	786	10.408	13,3%	80,7%	12.901
Total	33.776	3.001	36.777	100,0%	32,0%	73.360	4.613	77.973	100,0%	68,0%	114.750
Participación	91,8%	8,2%	100,0%			94,1%	5,9%	100,0%			

Fuente: GEDIP – Año 2017.

2018

96. In 2018, 79,878 inmates had been convicted and 34,818 were awaiting or standing trial. Of the latter group, 32,282 were men and 2,536 were women. Of those convicted, 74,761 were male and 5,117 were female.

Table 4  
Composition of the prison population, by legal status and sex, 2018

REGIONAL	CONDENADOS		SINDICADOS		ACTUALIZACION		POB.	CAP.	SOBRE POB.	HAC. %
	HOM.	MUJ.	HOM.	MUJ.	HOM.	MUJ.				
100 CENTRAL	28.401	1.774	8.839	794	187	10	40.005	29.581	10.424	35,20%
200 OCCIDENTE	14.310	988	7.128	520	55	4	23.005	14.895	8.110	54,40%
300 NORTE	6.296	139	6.775	219	164	4	13.597	7.735	5.862	75,80%
400 ORIENTE	6.842	405	3.893	268	45	8	11.461	7.856	3.605	45,90%
500 NOROESTE	9.238	993	3.525	414	170	15	14.355	8.582	5.773	67,30%
600 VIEJO CALDAS	9.674	818	2.122	321	24	1	12.960	10.562	2.398	22,70%
TOTALES:	74.761	5.117	32.282	2.536	645	42	115.383	79.211	36.172	45,70%

*Strategic Correctional Information (CEDIP), 2018*

97. In order to give effect to the provisions established by the Ministry of Justice and Law, the Ministry of Health and Social Security and the Ministry of Finance and Public Credit, Decree No. 2245 of 2015 was issued as an additional chapter to Decree No. 1069 of 2015, which sets forth the consolidated regulations for the justice and law enforcement sector in respect of the provision of health services to persons deprived of their liberty in the custody and under the supervision of INPEC. This additional chapter (chapter 11) deals with the provision of health services to persons deprived of their liberty in the custody and under the supervision of INPEC and provides a regulatory framework for the provision of health services to persons deprived of their liberty who are in the custody and under the supervision of INPEC.

98. The Prison Services Unit, as the appropriate body for this task, then proceeded to carry out an abridged selection process (No. SA-MC-058-2015) for the conclusion of a commercial trust contract for the administration and payment of the funds made available by the Trustor to the National Health Fund for Persons Deprived of their Liberty.

99. Accordingly, contract No. 363 of 2015 was signed with the Consorcio Fondo de Atención en Salud PPL 2015 (Prison Health-care Fund Consortium 2015), which is responsible for administering the corresponding funds and ensuring that payments are made for the provision of health services for persons deprived of their liberty in places of detention or who are serving their sentences under house arrest, as well as for concluding contracts with health service providers. This model is intended to ensure the continuity of health service delivery to persons deprived of their liberty. This contract was in force until 26 December 2016, at which time it was replaced by commercial trust contract No. 331, which is still in force.

100. The integrated delivery of health services is conducted by the Consorcio Fondo de Atención en Salud PPL 2017 (Prison Health-care Fund Consortium 2017), which has been designated for that function by the Prison Services Unit in accordance with the regulations in force.

101. Within the prisons run by INPEC, primary and generally straightforward health services are providing in such areas as general medicine, nursing and dentistry services, along with the taking of clinical laboratory samples and the supply of medicines, medical devices and dental materials. Eight prisons also offer on-site physiotherapy. These services are provided on a full-time, part-time or round-the-clock basis depending on the number of inmates, institutional capacity and the security profile of the prison.

102. For more complex health services, the Consortium has a network of external health-care providers. A contact centre is in place which processes the necessary authorizations and referrals for the use of these services outside of the prison.

103. A number of institutions have entered into contractual arrangements for the provision of on-site psychiatric care and medication for detainees diagnosed with mental illnesses and treatment for prisoners with HIV.

104. A contract is currently in place with Profamilia for the on-site provision of gynaecological, urological, family planning and ultrasound services.

105. While it is true that overcrowding is a major problem in the Colombian prison system, INPEC has been working to increase the number of places in the nation's prisons. While this has not fully resolved the situation, it is helping to improve the living conditions of persons deprived of their liberty.

#### 2015

106. In May 2015, prison capacity was increased by 170 places. In December, owing to the temporary closure of the medium-security prison facility in Ciénaga, in Magdalena Department in the north of the country, the number of places fell by 91, and as at the end of the year, prison capacity stood at 77,953 places. As the total prison population numbered 120,444 inmates, the overflow amounted to 42,491, giving the previously mentioned rate of overcrowding of 54.5 per cent – an increase of 8.6 percentage points over 2014.

Table 5  
Prison overpopulation and rate of overcrowding in 2015

Mes	Capacidad	Población			Sobrepoblación	Índice de hacinamiento
		Hombres	Mujeres	Total		
Enero	77.874	108.640	8.120	116.760	38.886	49,9%
Febrero	77.874	109.879	8.180	118.059	40.185	51,6%
Marzo	77.874	110.359	8.299	118.658	40.784	52,4%
Abril	77.874	111.022	8.356	119.378	41.504	53,3%
Mayo	78.044	111.779	8.421	120.200	42.156	54,0%
Junio	78.044	112.423	8.482	120.905	42.861	54,9%
Julio	78.044	112.388	8.452	120.840	42.796	54,8%
Agosto	78.044	112.820	8.437	121.257	43.213	55,4%
Septiembre	78.044	112.959	8.430	121.389	43.345	55,5%
Octubre	78.044	112.921	8.374	121.295	43.251	55,4%
Noviembre	78.044	112.891	8.405	121.296	43.252	55,4%
Diciembre	77.953	112.188	8.256	120.444	42.491	54,5%

Fuente: CEDIP Inpec – Año 2015.

#### 2016

107. In 2016, 263 places were withdrawn and 730 added, giving a total, at year's end, of 78,420 places. As the total prison population numbered 118,532 inmates, the surplus population was 40,112 and the rate of overcrowding thus amounted to 51.2 per cent – a decrease of 3.3 percentage points relative to 2014 (54.5 per cent).

Table 6  
Prison overpopulation and rate of overcrowding in 2016

Mes	Capacidad	Población internos	Sexo		Sobre población	Índice de hacinamiento
			Hombres	Mujeres		
Enero	77.953	120.736	112.496	8.240	42.783	54,9%
Febrero	77.953	121.356	113.083	8.273	43.403	55,7%
Marzo	78.181	122.020	113.625	8.395	43.839	56,1%
Abril	78.181	122.016	113.617	8.399	43.835	56,1%
Mayo	78.181	121.945	113.579	8.366	43.764	56,0%
Junio	78.055	121.230	112.907	8.323	43.175	55,3%
Julio	78.055	120.657	112.446	8.211	42.602	54,6%
Agosto	78.055	120.721	112.669	8.052	42.666	54,7%
Septiembre	78.077	120.914	112.853	8.061	42.837	54,9%
Octubre	78.077	120.668	112.663	8.005	42.591	54,5%
Noviembre	78.246	120.173	112.273	7.900	41.927	53,6%
Diciembre	78.420	118.532	110.753	7.779	40.112	51,2%

Fuente: CEDIP Inpec – Año 2016.

2017

108. The number of prison places in 2017 was 79,211 and the prison population comprised 114,750 inmates; the prison population was therefore 35,539 inmates over capacity and the system had a rate of overcrowding of 44.9 per cent – a decrease of 6.3 percentage points compared to 2016 (51.2 per cent).

Table 7  
Prison overpopulation and rate of overcrowding in 2017

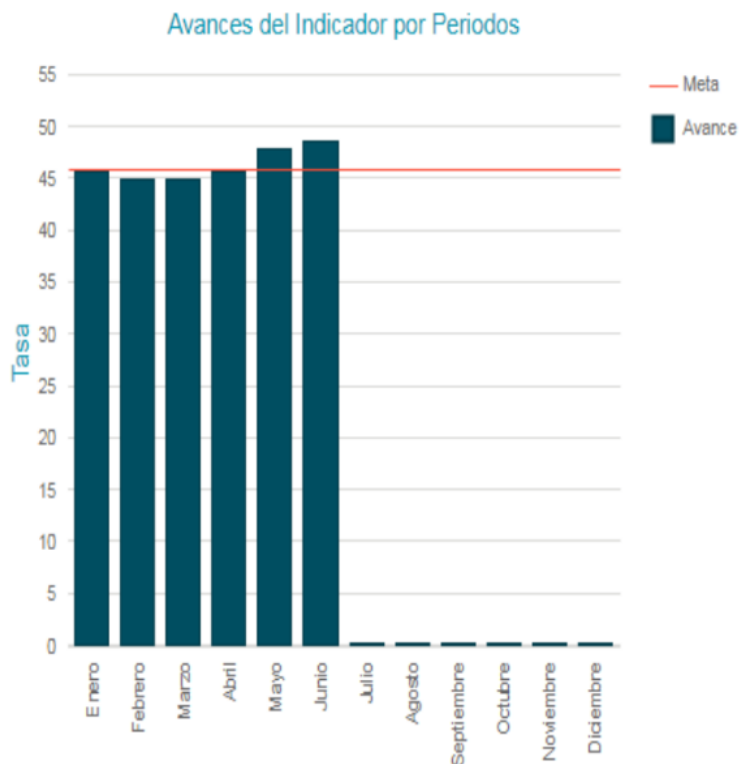
Mes	Capacidad	Población intramural	Sobrepoblación	Índice de hacinamiento
Enero	78.418	118.925	40.507	51,7%
Febrero	78.418	119.269	40.851	52,1%
Marzo	78.418	118.186	39.768	50,7%
Abril	78.690	117.119	38.429	48,8%
Mayo	78.690	115.878	37.188	47,3%
Junio	78.690	115.628	36.938	46,9%
Julio	78.782	116.773	37.991	48,2%
Agosto	78.734	116.373	37.639	47,8%
Septiembre	79.051	115.708	36.657	46,4%
Octubre	79.051	115.721	36.670	46,4%
Noviembre	78.955	115.562	36.607	46,4%
Diciembre	79.211	114.750	35.539	44,9%

Fuente: GEDIP – Año 2017.

2018

109. The Planning Office of INPEC bears primary responsibility for tracking the indicator used to gauge overcrowding in the nation's detention centres by the National System of Results Management and Assessment (SINERGIA), which was established to monitor and evaluate the implementation of the country's strategic public policies, especially those that form part of the National Development Plan.

110. During the month of June 2018, 64 new places were added by the Prison Services Unit in the prison in Calarcá, Quindío Department. This yielded a total of 79,236 places across 135 detention centres, while the total number of persons deprived of their liberty was 117,692. This results in an overcrowding rate of 48.53 per cent at the time of writing. This outcome is attributable to an increase in the prison population of 666 inmates, as is shown in the following figure, which depicts in the monthly overcrowding rates:



Source: Advisory Planning Office, Statistical Group, June 2018.

111. Various steps have been taken to reduce overcrowding. One such step was the promulgation of Act No. 1709 of 2014, which altered the policy on criminal procedure to permit an increase in the number of individuals who are serving their sentences under house arrest. Thus, on 31 July 2014, the number of persons under house arrest totalled 36,838,<sup>1</sup> while, by 20 July 2018, that number had risen to 63,624.<sup>2</sup> In other words, there are currently 26,786 more individuals under house arrest than in 2014 who would otherwise have been in prison.

112. This is particularly significant given the fact that the prison system is currently 37,875 people over capacity, which is the equivalent of a rate of overcrowding of 46.96 per cent.

113. Acts Nos. 1760 of 2016 and 1786 of 2016 have also had a positive impact in terms of reducing the number of persons subject to custodial measures, as shown below:

Table 1  
**Persons released upon the expiry of the allowable period of pretrial detention, 2015–2018**

<i>Persons released upon the expiry of the allowable period of pretrial detention</i>				
2015	2016	2017	2018	Total
1 832	3 609	4 026	425	9 892

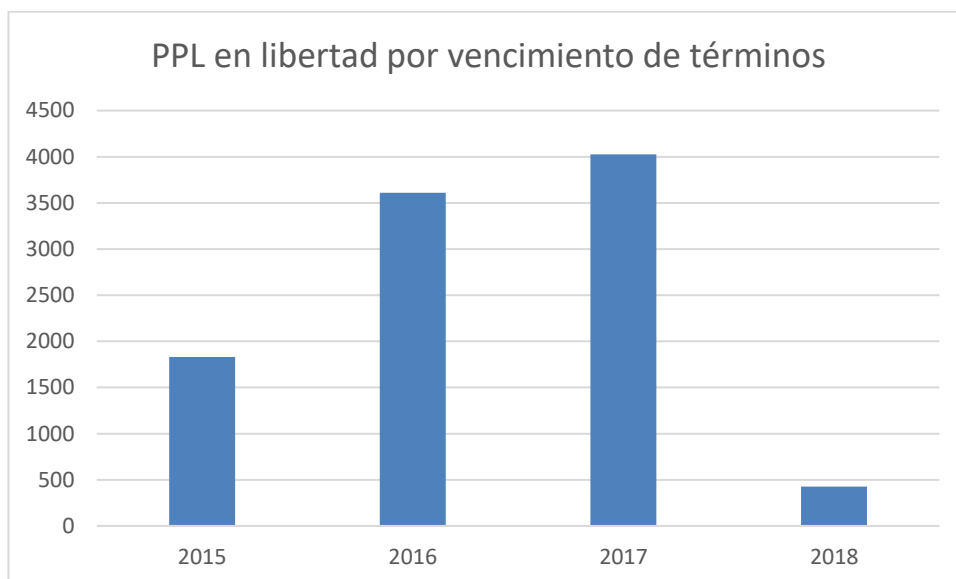
Source: INPEC-SISIPEC.

114. The above table shows the sharp increase in the number of persons who have been released owing to the fact that their period of pretrial detention had reached the allowable limit. Implementation of Act No. 1760 of 2015 began in July 2016, and its application with respect to certain offences was extended by Act No. 1786 of 2016.

<sup>1</sup> <http://www.inpec.gov.co/estadisticas-/tableros-estadisticos>.

<sup>2</sup> Ibid.

Figure 1  
**Persons released upon the expiry of the allowable period of pretrial detention, 2015–2018**



Source: INPEC-SISIPEC.

115. The Navy has four military detention centres (CRMs) located in Bogotá, Corozal, Cartagena and Buenaventura. As of July 2018, 33 men between 19 and 43 years of age were being held in these centres (12 were awaiting or standing trial and 21 had been convicted of offences in the ordinary or military criminal justice systems). The occupancy rate of CRM 9022 (Bogotá) was 12 persons, of CRM 9023 (Corozal) was 20 persons, of CRM 9024 (Cartagena) was 20 persons and of CRM 9025 (Buenaventura) was 10 persons. Given that the CRM facilities are small and have only inside courtyards, the persons who are awaiting or standing trial are separated from convicted persons in the cells, but not in the courtyards. Convicted persons are given priority in resocialization programmes that provide them with individualized occupational plans for reducing their sentences by working and studying, but remand prisoners are in no way excluded from participating.

116. By Decision No. 158 of 23 January 2018, INPEC classified the minimum- and medium-security prison and correctional facility for members of the public security forces (Air Force) located at the Captain Luis Fernando Gómez Niño Air Base assigned to Combat Air Command No. 2 in Aipay, Meta Department.

117. Since that date, the prison and correctional facility has received four inmates having the following characteristics:

- Gender: male
- Age: between 19 and 24 years

118. Three of the detainees were admitted to the facility after being convicted, while the other was subsequently found criminally responsible, as a principal, for the military offence of which he was accused.

119. Within the prison and correctional facility, the distinction between remand prisoners and convicted prisoners is made in accordance with Act No. 65 of 1993 and Act No. 1709 of 2014. Thus, a distinction is made between the comprehensive services afforded to the former and the prison regime applying to the latter.

120. The data on Army detention centres are as follows:

## Variable 1

**Remand prisoners and convicted prisoners**

<i>Year</i>	<i>Remand prisoners</i>	<i>Convicted prisoners</i>	<i>Total</i>	<i>Sex</i>
2016	438	1043	1 481	Male
2017	229	465	694	Male
2018	236	403	639	Male

## Variable 2

**Age group**

## 2016

<i>Age range</i>	<i>Total</i>
18–30 years	132
31–40 years	937
41 and over	412
<b>Total</b>	<b>1 481</b>

## 2017

<i>Age range</i>	<i>Total</i>
18–30 years	97
31–40 years	405
41 and over	192
<b>Total</b>	<b>694</b>

## 2018

<i>Age range</i>	<i>Total</i>
18–30 years	139
31–40 years	368
41 and over	132
<b>Total</b>	<b>639</b>

## Variable 3

**Ethnic background**

<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Total</i>
African descent	African descent	African descent	
3	8	3	14

121. In addition, the Ministry of Justice and Law has been coordinating its efforts with the Ombudsman's Office to set up legal teams that can petition for prison privileges, or credits and alternative forms of punishment on behalf of persons deprived of their liberty who do not have qualified legal counsel.

122. In order to tackle the problem of overcrowding, public policy measures need to be adopted to streamline the system. However, these measures must be accompanied by infrastructure improvements in order to meet the demand for increased prison capacity to house prisoners who are already in the system.



123. The Government has implemented several measures to reduce prison overcrowding, including building projects that increased prison capacity by an additional 6,234 places between 2014 and 2018.<sup>3</sup>

Table 2  
**New prison places created in 2014**

<i>Places created in 2014</i>			
<i>Contract</i>	<i>Programme/project</i>	<i>Facility</i>	<i>Places</i>
181/2013	Cell refurbishment	Ibague Complex	64
142/2013	Cell refurbishment	Medium-security correctional facility and high-security prison, Combita	108
152/2013	Cell refurbishment	Medium-security correctional facility, Armenia	90
113/2013	Cell refurbishment	Medium-security correctional facility, Acacías	124
112/2013	Cell refurbishment	Medium-security correctional facility, Buga	220
112/2013	Cell refurbishment	Medium-security correctional facility and high-security prison, Palmira	200
108/2013	Cell refurbishment	Medium-security correctional facility, Medellín – Bellavista	42
151/2013	Cell refurbishment	Prison and correctional facility, Tierralta	576
57/2013	Maintenance project	Ibague Complex	92
163/2014	Maintenance project	Medium-security correctional facility, Espinal	90
<b>Total</b>			<b>1 606</b>

*Source:* Prison Services Unit, Bogotá, 2018.

Table 3  
**New places created in 2015**

<i>Places created in 2015</i>			
<i>Contract</i>	<i>Programme/Project</i>	<i>Facility</i>	<i>Places</i>
394/2014	Cell refurbishment	Medium-security special detention facility, Bucaramanga	244
400/2014	Cell refurbishment	La Modelo, Bogotá	368
386/2014	Cell refurbishment	Medium-security correctional facility, Espinal	60
395/2014	Cell refurbishment	Medium-security special detention facility, Cali	110
389/2014	Cell refurbishment	Ibague Complex	64
387/2014	Cell refurbishment	Medium-security special detention facility, Valledupar	44
388/2014	Cell refurbishment	Medium-security correctional facility, Cartagena	220
390/2014	Cell refurbishment	Medium-security correctional facility and high-security prison, Palmira	100
151/2013	Cell refurbishment	Prison and correctional facility, Tierralta	672
Fondecun Agreement 274	Maintenance project	Medium-security correctional facility, Sta. Rosa de Viterbo	30
<b>Total</b>			<b>1 912</b>

*Source:* Prison Services Unit, Bogotá, 2018.

<sup>3</sup> The following agreements were concluded for the construction of additional capacity: Contract 181/2013, 142/2013, 152/2013, 113/2013, 112/2013, 112/2013, 108/2013, 151/2013, 57/2013, 163/2014, 394/2014, 400/2014, 386/2014, 395/2014, 389/2014, 387/2014, 388/2014, 390/2014, 151/2013, FONDECUN (Development Fund for Projects in Cundinamarca) Agreement 274 128/2015, 117/2015, 128/2015, 396/2014, 399/2014, 397/2014, 112/2015, 217/2013, 218/2013.

Table 4  
New places created in 2016

<i>Places created in 2016</i>			
<i>Contract</i>	<i>Programme/Project</i>	<i>Facility</i>	<i>Places</i>
128/2015	Cell refurbishment	Medium-Security Correctional Facility, Jerico	79
117/2015	Cell refurbishment	Medium-security correctional facility, Pamplona	78
128/2015	Cell refurbishment	Medium-security correctional facility, Medellín – Bellavista	79
396/2014	Cell refurbishment	Medium-security correctional facility, Combita	356
399/2014	Cell refurbishment	Metropolitan Complex Cúcuta	114
397/2014	Cell refurbishment	High- and medium- security penitentiary facility, Girón	178
<b>Total</b>			<b>884</b>

Source: Prison Services Unit, Bogotá, 2018.

Table 5  
New places created in 2017

<i>Places created in 2017</i>			
<i>Contract</i>	<i>Programme/Project</i>	<i>Facility</i>	<i>Places</i>
112/2015	Additional cell block	Medium-security correctional facility, Medellín – Bellavista Courtyard 5	408
217/2013	Construction of cell blocks	Medium-security correctional facility Espinal	768
218/2013	Construction of cell blocks	Medium-security correctional facility, Tulua	656
<b>Total</b>			<b>1 832</b>

Source: Prison Services Unit, Bogotá, 2018.

Table 6  
Places to be created in 2018

<i>Places to be created in 2018</i>			
<i>Contract</i>	<i>Programme/Project</i>	<i>Facility</i>	<i>Places</i>
401/14	Construction of cell blocks	Medium-security correctional facility, Ipiales	608
402/14	Construction of cell blocks	Medium-security correctional facility, Girón	752
219/13	Construction of cell blocks	Medium-security correctional facility, Buga	720
Undefined	Construction of cell blocks	Medium-security correctional facility, Pasto RM	140
Undefined	Cell refurbishment	Medium-security correctional facility, Girardot	344
403/14	Construction of cell blocks	Medium-security correctional facility, Ibagué	576
<b>2018 total</b>			<b>3 140</b>

Source: Prisons Services Unit, Bogotá, 2018.

#### Reply to paragraph 18 of CAT/C/COL/QPR/6

124. Decree No. 1606 of 2015 outlines the composition, organization and mode of operation of the Prison Conditions Oversight Commission that has been established pursuant to articles 93 and 94 of Act No. 1709 of 2014. The Commission's duties include carrying out periodic visits to places of detention during which it devotes particular attention to the presence of absence of safeguards for fundamental rights. It is mandated to observe how the authorities treat persons deprived of their liberty and the material conditions in which they are held. It is also tasked with undertaking the direct observation

of these two aspects of the deprivation of liberty in such facilities and with gathering further information in those connections by means of individual and group interviews, focus groups and working groups with a view to the prevention of any kind of cruel, inhuman or degrading treatment.

125. The Commission carried out two inspections of the metropolitan prison complex in Bogotá on 5 July 2017 and 18 July 2018.

126. The Inter-Agency Board for the Prevention of Torture, which is composed of the Ministry of Justice, the Attorney General's Office, the Counsel General's Office, the Office of the President, the Institute of Forensic Medicine, INPEC and the Ombudsman's Office, is working on the development of a protocol for the prevention of torture in detention centres and for monitoring the investigation of suspected cases of torture and the punishment of the perpetrators. Interpretative criteria have been developed for the protocol's implementation which are designed to help differentiate alleged acts of torture from other cruel, inhuman or degrading treatment or punishment in order to avoid overwhelming the mechanism.

127. In addition, the Board helps to strengthen the mechanism deployed by the Ombudsman's Office for the receipt of complaints of torture in detention centres by ensuring that the complaints that are filed are given due attention.

128. By resolution No. 001606 of 6 April 2016, approval was given for specific guidelines for requesting entry to correctional facilities that establish the parameters and requirements to be met by administrative, legislative and judicial authorities, investigative bodies, students, practitioners, external partners and members of the media who wish to visit Colombian prisons.

129. Paragraph 3.5 of the guidelines sets out the requirements that members of human rights NGOs must meet in order to gain admission.

130. In accordance with these guidelines, organizations may submit prisoner's individual workplans so that the authorities can determine how best to incorporate these plans into the activities available to inmates and how NGOs can best support the efforts being made to attain the organizational objectives of INPEC for the benefit of inmates.

131. Pursuant to Constitutional Court decision No. T-388, since May 2015 the Ombudsman's Office has introduced a mechanism for the receipt of complaints of torture in the high- and medium-security prison of Valledupar.

#### **Reply to paragraph 19 of CAT/C/COL/QPR/6**

132. Based on Act No. 1709 of 2014, which prohibits the use of solitary confinement as a disciplinary measure and defines the grounds for using special treatment units, a manual on the correct application of isolation in special treatment units was issued which provides a comprehensive description of each of the grounds for the temporary placement of persons deprived of their liberty in such units and outlines the steps to be taken by the prison director and by prison guards. The manual also establishes the minimum standards for living conditions in the special treatment unit and establishes that the prison director, as the head of the prison's internal governance structure, bears responsibility for the oversight and monitoring of those conditions and for designing mechanisms to ensure the proper application of the manual, including its dissemination among personnel under his or her authority.

133. In response to these recommendations, INPEC has made an effort to develop strategies for strengthening safeguards for the human rights and integrity of persons deprived of their liberty, as evidenced in the above-mentioned manual (attached). In addition, the Prison Service Training Academy refers to the manual in its workshops on human rights and the use of force so as to ensure that staff members are familiar with its contents and proper implementation.

134. In 2017, a monitoring mechanism was developed on the basis of a checklist of health and technical requirements for the use of special treatment units as quarantine areas. The

staff of the various prisons and regional directorates were informed about the introduction of these checklists in writing and via videoconference.

135. The first seminar on the use of special treatment units was held in June 2018 and was attended by 79 officials. The aim of the seminar was to develop ideas for the protection and observance of the human rights of detainees held in isolation cells. The seminar covered methodologies for the proper application of isolation techniques in accordance with the special treatment manual, the protocol for dealing with cases of torture in prisons, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and other international human rights instruments applicable to isolation techniques, the use of force and treatment in places of confinement, the model for the use of force in prisons and international models for the use of isolation techniques with specific reference to prisons in the United States.

136. Finally, in conjunction with the International Committee of the Red Cross (ICRC), INPEC is preparing a plan of action for improving conditions in isolation cells in the country's prisons in response to the reports submitted by ICRC.

137. The manual on the proper use of special treatment units explicitly states that for no reason and under no circumstances may inmates diagnosed with a mental illness be placed in a special treatment unit except in cases of force majeure and only for the time strictly necessary for their stabilization. In such cases they must be constantly monitored and precautionary measures must be taken by the prison's treatment and development unit, which must immediately inform the Custody and Surveillance Directorate and the Treatment Directorate of their length of stay, profile and special characteristics.

138. Act No. 65 of 1996 has been amended by article 80 of Act No. 1709 of 2014, which prohibits the use of isolation as a disciplinary sanction. Article 126 of the Prison Code reads as follows:

Article 126. Isolation. Isolation may be employed as a preventive measure in detention centres in the following cases:

1. For health reasons.
2. For internal security reasons, in which case it may not exceed five (5) calendar days.
3. At the request of the prisoner, subject to the prior *authorization from the director of the facility*.

139. In a document entitled "Care model for adolescents and young people in conflict with the law – Guidelines – Adolescent Criminal Liability System (SRPA)", which was approved by Decision No. 1522 of 23 February 2016 and amended by Decisions Nos. 5668 of 15 June 2016 and 0328 of 26 January 2017, the Colombian Family Welfare Institute established a mandatory code of ethics and guidelines for the protection of children and adolescents. This code prohibits numerous types of actions, including the following: the imposition of punishments that are injurious to the physical or mental integrity of adolescents or the free development of their personalities; discrimination on grounds of race, sex, sexual orientation, religion or mental or physical condition; the use of corporal punishment, psychological ill-treatment or any other type of abuse of adolescents by programme staff; the provision of medications not prescribed by an authorized medical professional; and the use of isolation rooms or punishment cells; ill-treatment or abuse among adolescents and young people participating in the programmes; keeping adolescents or young people who are in crisis inside their living quarters for more than 72 hours rather than having them take part in educational activities; the use or threat of the use of devices that would do physical harm to an adolescent, such as batons, tasers, clubs, etc., by educators, staff and/or other persons working in the programme; and a deliberate failure to report acts of ill-treatment or sexual abuse of adolescents to the proper authorities.

### Reply to paragraph 20 of CAT/C/COL/QPR/6

140. The information systems of the Attorney General's Office contain 10 records of relevant investigations involving persons deprived of their liberty and acts committed between 2015 and 2018.

141. It is not possible for the Attorney General to establish whether the acts were caused by the negligence of prison personnel, nor is it possible to indicate what subsequent measures were taken.

### Reply to paragraph 21

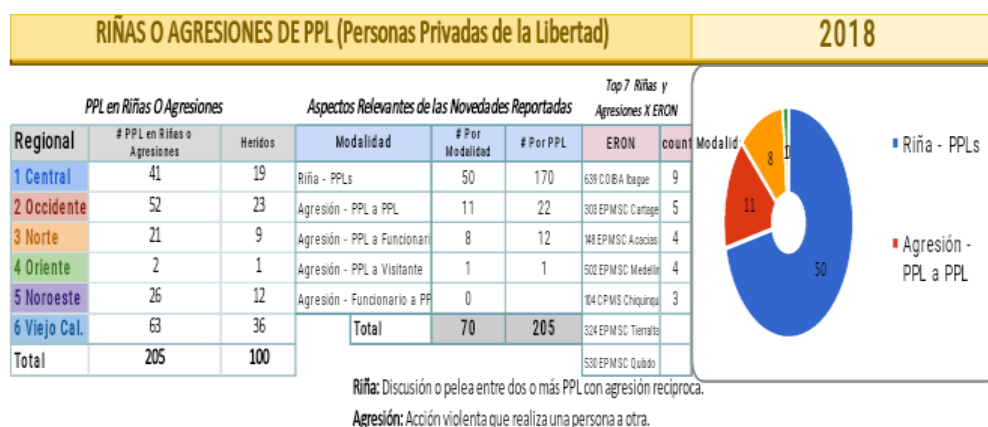
142. Regarding deaths and injuries occurring in places of detention, INPEC has strict instructions to act in accordance with Decree No. 786 of 1990, which establishes the obligation to refer all cases of death and personal injury of persons under the care of the State to the National Institute of Forensic Medicine.

143. In INPEC circular No. 000016 of 2017 on the subject of deaths in custody, the Institute's Director-General instructed prison directors to ensure that, whenever a person deprived of their liberty dies, regardless of the cause, the death is to be reported immediately to the National Institute of Forensic Medicine, which will then activate the protocol established by that institution.

144. When deaths of persons deprived of their liberty by means of alternative non-custodial measures or house arrest are reported by the police, the judicial authorities or family members, the facts of the case are verified and the National Institute of Forensic Medicine and Science is informed.

145. When a person deprived of his or her liberty dies in prison, the investigative police take the following steps: an inspection of the scene of the incident; a technical inspection of the body; interviews; arrests in flagrante delicto cases; the submission of administrative reports to the prison director; and the submission of executive reports, with a crime notification number, to the Attorney General's Office. When persons deprived of their liberty die of natural causes in hospital facilities, the investigative police request support from the Attorney General's Office for the technical inspection of the body with a view to performing a forensic autopsy in accordance with Decree No. 786 of 1990.

146. The main incidents reported in 2018 are listed in the following figure:



Source: CEDIP database.

147. Once an investigative police unit stationed in a prison receives a report of an incident, it promptly informs the Attorney General's Office and submits an administrative report to the prison director, who is then required to inform the Central Disciplinary Control Office.

**Consolidated data on deaths of persons deprived of their liberty, 2015–2018**

<i>Region</i>	<i>Number of deaths in 2015</i>
Centre	129
West	186
North	78
East	62
North-east	74
Viejo Caldas	81

<i>Region</i>	<i>Number of deaths in 2016</i>
Centre	329
West	254
North	114
East	77
North-east	102
Viejo Caldas	97

*Source:* SISIPEC regional website.

<i>Region</i>	<i>Number of deaths in 2017</i>
Central	198
West	254
North	114
East	77
North-east	102
Viejo Caldas	97

*Source:* SISIPEC regional website.

<i>Situation</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Home	344	658	555	274
Detention centre	105	142	378	107
Electronic surveillance	24	50	51	30
Hospital	129	117	112	71
Parole	0	0	2	0
Furloughs	8	6	2	0
<b>Total</b>	<b>610</b>	<b>973</b>	<b>844</b>	<b>482</b>

*Source:* SISIPEC regional website.

148. Specifically with regard to the deaths of the prisoner Pedro Luis Lozano, who was confined in a special treatment unit at a medium-security prison for the crime of homicide, and the prisoner Adriana Paola Bernal, who was confined in a special treatment unit at the Jamundí prison, for the crime of homicide, it should be noted that an administrative lawsuit is under way with respect to the case of Pedro Luis Lozano. The petition for litigation was submitted to INPEC and has been responded to by its legal representative; on 17 April 2018, evidence was considered at the initial hearing. It should also be noted that, when the disciplinary information system database was consulted, no disciplinary case was found.

149. Concerning the litigation of the case of Ms. Adriana Paola Bernal González, the case file was received by the Office of the Specialized Regional Prosecutor for the Western Region, which subsequently transferred it to the Central Disciplinary Control Office in Bogotá. It should be noted that the Attorney General has exercised its preferential jurisdiction over this case.

150. An administrative lawsuit for reparation was filed in the ordinary justice system against INPEC, and the case has been taken over by the 15th Administrative Court in Cali.

**Reply to paragraph 22 of CAT/C/COL/QPR/6**

151. With regard to specific guidelines for the treatment and support of persons with disabilities who have been deprived of their liberty, the prison system uses the guidelines issued by the Department of Psychosocial Care of the Directorate of Care and Treatment in connection with the Social Integration Programme for Groups in Exceptional Circumstances, which has been the first port of call for addressing the needs of groups with special needs. The specific topic of disability is addressed as follows:

“Persons with disabilities: Provide care and assistance to persons with disabilities from a socially inclusive perspective in line with a social and human development approach, taking into account the specific constraints faced by each inmate and devising differentiated responses to support accessibility and social inclusion.

...

Make arrangements, in consultation with the occupational therapy and health departments of private and governmental organizations involved in the implementation of the public disability policy, for the inclusion of persons deprived of their liberty in the network of existing rehabilitation services and for their access to that network, along with the provision of technical and technological support to facilitate their autonomy.

Promote cooperation with national and international organizations dedicated to the well-being of persons with disabilities in the provision of support or services for them.” (INPEC, 2015).

152. Act No. 1709 of 2014, which amends some articles of Act No. 65 of 1993, Act No. 599 of 2000 and Act No. 55 of 1985 and enacts other provisions, establishes a differential approach in line with the gender, age, ethnic origin and disability of individuals housed in prisons and detention centres.

153. Based on this differentiated approach, steps are being taken to improve the treatment of persons deprived of their liberty and the assistance provided to them, particularly in the case of those who have some form of disability. The above-mentioned law provides for differential treatment in education, welfare and labour programmes and productive activities that address the specific needs of persons deprived of their liberty who have special needs. It also provides for the development and implementation of reasonable accommodations, such as the elimination of physical and attitude-related barriers, and guarantees the availability of medical treatments for persons with disabilities that are tailored to their specific needs.

154. In accordance with Act No. 1709, INPEC has undertaken an assessment of the members of the prison population with disabilities in order to determine their main needs; working groups have been convened to devise strategies for the coordination of policies and programmes for this particular group.

155. INPEC has instructed the regional directorates and prisons to adopt measures to facilitate the inclusion of persons with disabilities in the various activities provided for in the occupational plans available in these facilities.

156. In accordance with these lines of work, INPEC runs programmes designed to bring people with disabilities together. The procedures developed to promote the social integration of groups with special circumstances are designed to provide comprehensive services to inmates by tailoring activities to their particular group on the basis of social inclusion policies.

157. The programmes designed along these lines focus on three main areas:

- Social support: Steps are taken to assist inmates in adapting to conditions of detention and to encourage them to adopt strategies to facilitate their integration into the prison community, in accordance with their characteristics and needs, as a means of promoting their well-being and improving their quality of life in detention.
- Multicultural encounters: These encounters provide an opportunity for dialogue and the transmission of knowledge.
- School of Life: This alternative form of instruction is based on the view that education is a joint effort to build knowledge in which an environmental perspective underlies the educational dynamic.

158. These lines of action are set forth in an institutional human rights policy which, within the framework of the Human Rights Plan of INPEC, serves as a tool for defining and organizing procedures and activities in support of the promotion, protection and observance of human rights within the institution.

## Articles 12 and 13

### Reply to paragraph 23 of CAT/C/COL/QPR/6

159. From 1 January 2015 to 2018, a total of 24 inquiries and/or criminal investigations into alleged cases of torture were conducted by the Attorney General's Office in accordance with article 178 of the Colombian Criminal Code.

160. In view of the concerns repeatedly expressed by the Committee about conditions in Colombian prisons, it is important to note that a number of national initiatives are being undertaken to prevent torture.

161. One of these initiatives is led by the Committee on the Prevention of Torture, which is composed of representatives of the Ministry of Justice, the Presidential Advisory Office for Human Rights, the Ombudsman's Office, the Attorney General's Office, the Institute of Forensic Medicine and INPEC.

162. To date, there have been eight (8) meetings of the Committee on the Prevention of Torture. These meetings have focused on determining how the independent complaints mechanism is to be activated in the event that an act of torture is committed in one of the nation's prisons. The Committee's objective is to review the complaints that are lodged and refer those cases that meet the pre-established criteria to a subcommittee made up of representatives of the Ministry of Justice, the Ombudsman's Office, the Institute of Forensic Medicine and INPEC that is tasked with defining the theoretical and conceptual framework for the independent complaints mechanism.

163. The initiation of the committee's work and the activation of the mechanism will make it possible to take action internally in response to the commission of acts that constitute torture or cruel, inhuman or degrading treatment in line with the State party's interest in guaranteeing the fundamental rights of persons deprived of their liberty.

164. An examination of the disciplinary information system database indicates that the following cases of alleged torture or cruel and inhuman treatment of persons deprived of their liberty were filed during the period from 2015 to 2018:

<i>Regional</i>	<i>Number of cases in 2015</i>	<i>Regional</i>	<i>Number of cases in 2016</i>
Central	35	Central	55
West	4	West	18
North	5	North	7
East	2	East	8
North-west	3	North-west	9



<i>Regional</i>	<i>Number of cases in 2015</i>	<i>Regional</i>	<i>Number of cases in 2016</i>
Caldas Viejo	11	Caldas Viejo	33
Internal disciplinary cases	5	Internal disciplinary cases	10

<i>Regional</i>	<i>Number of cases in 2017</i>	<i>Regional</i>	<i>Number of cases in 2018</i>
Central	107	Central	40
West	16	West	5
North	11	North	3
East	12	East	4
North-west	14	North-west	3
Caldas Viejo	16	Caldas Viejo	10
Internal disciplinary cases	11	Internal disciplinary cases	4

165. An investment project conducted in 2015–2017 for the implementation of mechanisms for improving the quality and efficiency of the services provided by INPEC resulted in a 100 per cent improvement in the management of those services.

166. As part of this project, suggestion boxes were placed in all prisons and regional directorates and at INPEC headquarters for the receipt of complaints, claims, allegations and suggestions from inmates and visitors.

#### Reply to paragraph 24 of CAT/C/COL/QPR/6

167. The Mobile Anti-riot Squad is not indexed in the relevant information systems. However, the databases were also checked for proceedings in which the words “Mobile Anti-riot Squad” appeared that involved investigations into suspected cases of abuse of authority in the form of arbitrary or unjustified actions, the illegal use of State security forces or culpable omission or negligence.

168. From 2015 to date, 199 cases of abuse of authority have been filed with the Attorney General’s Office. It should be noted that all the variables used in the disaggregation of this information were taken into account in determining the number of individuals concerned; thus, if a case involved two victims, a man and a woman, it was counted twice. Currently, the databases do not contain any records of convictions or sentences in this connection.

169. The Attorney General’s Office has provided the following information on disciplinary proceedings which it has overseen that have involved cases of police brutality and/or excessive use of force from 2015 to the present.

PROCESOS ACTIVOS		PROCESOS INACTIVOS	
DECISION	PROCESOS	DECISION	PROCESOS
ESTUDIO PRELIMINAR	34	ARCHIVO	152
ETAPA PROBATORIA INDAGACION PRELIMINAR	165	ARCHIVO INHIBITORIO	156
ETAPA PROBATORIA INVESTIGACION DISCIPLINARIA	50	FALLO ABSOLUTORIO	4
EVALUACION DE INDAGACION PRELIMINAR	14	FALLO SANCIONATORIO	3
EVALUACION DE INVESTIGACION DISCIPLINARIA	6	TRASLADO DE COMPETENCIA INSTITUCIONAL	476
PARA PROFERIR FALLO DE 1a INSTANCIA	3	<b>Total general</b>	<b>791</b>
PARA RESOLVER SEGUNDA INSTANCIA FALLO SANCIONATORIO	1		
<b>Total general</b>	<b>273</b>		

170. With regard to the results of the investigations conducted in connection with the deaths of Sibertón Paví Ramos, Willington Quibarecama Nequirucama, Gersain Cerón, Marco Aurelio Díaz and Luis Orlando Saiz, the Attorney General’s Office was able to find information only on the investigation prompted by the death of Mr. Paví Ramos:

IUS	IUC	ESTADO CASO	DEPENDENCIA TITULAR	DECISION	FECHA DECISION	DESCRIPCION SOLICITUD
2015-349569	D-2016-575-834771	ACTIVO	PROCURADURIA 2 DELEGADA PARA LA INVESTIGACION Y JUZGAMIENTO PENAL	EVALUACION DE INDAGACION PRELIMINAR	26/07/2018	EN DERECHO DE PETICION SOLICIYA INFORMAR SI ADELANTA INVESTIGACION POR EL ASESINATO POR IMPACTO DE ARMA DE FUEGO DEL JOVEN INDIGENA DEL CABILDO INDIGENA DE LOPEZ ADENTRO DE CALOTO CAUCA, SYBERSTOB GUILLERMO PAVI RAMOS HECHOS OCURRIDOS EL 10 DE ABRIL DE 2015 EN LA FINCA LA EMPERA TRIZ

171. In the case of Mr. Quibarecama Nequirucama, the preliminary investigation was conducted by the Valle del Cauca Police Department. That investigation was closed, in accordance with the Disciplinary Code, after it had been verified that the death of Mr. Quibarecama Nequirucama was not a murder.

172. The case of Mr. Gersain Cerón and Mr. Marco Aurelio Díaz has been transferred to the Provincial Office of the Attorney General of Popayán, which has exercised its preferential jurisdiction and is conducting the investigation.

173. In the case of Mr. Saiz, the findings of disciplinary investigation DEBOY-2017-6 absolved the police officers under investigation.

174. With regard to reports concerning the arrest of 10 persons who were tortured and mistreated, allegedly by members of the Mobile Anti-riot Squad, no records were found by the Office of the Attorney General. The following information is available on proceedings involving members of the Anti-riot Squad charged with excessive use of force since 2015:

**PROCESOS ACTIVOS**

DECISION	PROCESOS
ESTUDIO PRELIMINAR	2
ETAPA PROBATORIA INDAGACION PRELIMINAR	5
ETAPA PROBATORIA INVESTIGACION DISCIPLINARIA	2
EVALUACION DE INDAGACION PRELIMINAR	1
<b>Total general</b>	<b>10</b>

**PROCESOS INACTIVOS**

DECISION	PROCESOS
ARCHIVO	5
ARCHIVO INHIBITORIO	1
TRASLADO DE COMPETENCIA INSTITUCIONAL	25
<b>Total general</b>	<b>31</b>

**Reply to paragraph 25 of CAT/C/COL/QPR/6**

175. The primary objective of section 5 (“Victims”) of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace of 24 November 2016 is to seek compensation for victims of the armed conflict. The Comprehensive System of Truth, Justice, Reparation and Non-Repetition, which contributes to the fight against impunity, was established under the terms of the Final Agreement.

176. Pursuant to the Final Agreement, Act No. 01 of 2017 introduced a section in the Constitution containing transitional provisions on the quest to bring the armed conflict to an end and to build a stable and lasting peace on the basis of the Comprehensive System, which is composed of the following mechanisms and measures:

- The Commission on Truth, Coexistence and Non-repetition is a temporary extrajudicial body tasked with determining the truth about what happened during the conflict and helping to shed light on the violations and abuses committed in the course of that conflict.
- The Special Search Unit for Disappeared Persons is a humanitarian extrajudicial body tasked with leading, coordinating and contributing to the search for persons presumed to have been disappeared in the context and by reason of the armed conflict.
- The Special Court for Peace is tasked with administering justice on a temporary and autonomous basis in order to uphold victims’ right to justice in respect of acts committed prior to 1 December 2016 that were directly or indirectly related to the armed conflict.

- Full reparation is to be provided under the Comprehensive System of Truth, Justice, Reparation and Non-repetition, whereby the State shall guarantee the right to reparation for victims of serious human rights violations and breaches of international humanitarian law who have suffered harm individually or collectively as a result of the armed conflict. In that respect, the State guarantees full, appropriate, differentiated and effective reparation, along with the non-repetition of the harm done.

177. Pursuant to the Final Agreement, it became necessary to promulgate laws and decrees concerning such matters. One such law was Act No. 1820 of 2016, which incorporates the case law of the Inter-American Court of Human Rights. That case law includes solid precedents concerning the limits of discretionary decisions to refrain from the prosecution of cases involving human rights violations and breaches of international humanitarian law.

178. Act No. 1820 of 2016 contains provisions on amnesty, pardon and special procedures under criminal law in respect of members of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) and the security forces.

179. Amnesties and pardons are to be used as mechanisms for terminating criminal, disciplinary, administrative and fiscal actions as a means of providing legal certainty to FARC-EP members or to persons accused of being FARC-EP members. This pertains to crimes and related offences involving actions directly related to the rebellion that were committed during the armed conflict and to individual or collective acts aimed at facilitating, supporting, financing or concealing the rebellion if they meet the above requirements and were not unlawful acts committed for personal gain or for the person's own or another's benefit.

180. Act No. 1820 contains special differentiated provisions relating to military personnel within a transitional framework, particularly with regard to discretionary powers to refrain from prosecution and other measures of commutation granted by the Tribunal for the Definition of Legal Status, as well as a special early release regime.

## **Article 14**

### **Reply to paragraph 26 of CAT/C/COL/QPR/6**

181. As of 2018, 219 persons had been found to have been victims of torture and had therefore been placed on the full reparation roster.

182. Full reparation entails a set of measures intended to mitigate the abuses suffered as a result of breaches of international humanitarian law or human rights violations.

183. Full reparation includes measures of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. In this specific regard, the National Development Plan 2014–2018 covered a total of 954,399 administrative and judicial indemnifications for that four-year period, of which 805,815 had been paid out, for a total of \$5,077,572,133,229.58, as of 30 April 2018.

### **Reply to paragraph 27 of CAT/C/COL/QPR/6**

184. To date, 219 persons have been determined to have been victims of torture and have therefore been placed on the full reparation roster. For more information on this point, the Committee is requested to refer to the paragraphs in which this issue is discussed in greater detail.

## **Article 15**

### **Reply to paragraph 28 of CAT/C/COL/QPR/6**

185. This information is not available at the present time.

## Article 16

### Reply to paragraph 29 of CAT/C/COL/QPR/6

186. Bill No. 198 of 2018, as submitted for consideration by the Ministry of Justice and Law, was adopted at fourth reading and passed into law as Act No. 1908 of 2018. This law strengthens the provisions on the investigation and prosecution of criminal organizations and includes additional measures for bringing the members of such organizations to justice.

187. Act No. 1908 of 2018 is in conformity with the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace and specifically fulfills the provision contained in section 3.4.13.

188. The passage of this law was discussed and supported by the Criminal Justice Policy Council. The law is aimed at putting an end to criminal activity on the part of members of organized armed groups by providing the Attorney General's Office with the means to bring organized armed groups to justice on a collective basis, whereas existing instruments do not afford an effective means of ensuring that organized armed groups, which have de facto control over certain territories and significant financial, logistical and operational resources at their command, respect the law and are accountable to the justice system.

189. This objective is pursued by means of two strategies:

- Strengthening the system of procedural and investigative rules and mechanisms that enable prosecutors, judges and the investigative police to deal effectively with organized criminal groups and organized armed groups.
- The establishment of a special procedure for bringing organized armed groups to justice without this in any way signifying that such groups are accorded political recognition or that transitional justice mechanisms are being applied to them.

### Reply to paragraph 30 of CAT/C/COL/QPR/6

190. As part of its effort to develop appropriate and expeditious institutional responses for the effective protection of human rights defenders at risk, the Government of Colombia is in the process of developing the regulatory framework provided for in section 3.4.8 of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace and in articles 14 and 15 of Decree Law No. 895 of 2017. To that end, Decree No. 1066 of 17 April 2018 reflects a painstaking technical drafting process carried out by agencies of the executive branch at the national level with the participation of civil society.

191. In addition to the normal procedure for disseminating information on proposed legislation, the Government of Colombia held a town hall meeting with the national spokespersons of the organizations represented on the National Committee on Safeguards, its 14 regional spokespersons and the spokespersons of the Subcommission on Human Rights and Safeguards of the Agrarian Summit.

192. The National Committee on Safeguards has taken its working methods to another developmental level and has established a number of forums for dialogue. Thus, the Regional Committee on Safeguards is building consensus and is performing preventive, protective and investigative functions in the course of its regular meetings and activities. Civic organizations formed by campesinos, indigenous peoples, persons of African descent, urban dwellers, women and workers, as well as national departmental institutions, are all taking part in this effort.

193. The Minister of the Interior has supported, highlighted and accorded official recognition of the work of human rights defenders by personally visiting the areas where they are carrying out their work. In addition to drawing attention to the importance of human rights defenders' efforts, the Minister has urged local, civil and military authorities to recognize, respect and protect human rights defenders and provide them with opportunities for dialogue with a view to learning about their problems and working together to find solutions for them. They have also been urged to refrain from making derogatory statements.

194. Official acts of recognition have been undertaken in several regions of the country, including Barranquilla, Bogotá D.C., Bucaramanga, Cúcuta, Pereira, Medellín, Barrancabermeja, Chocó, Cauca, Sucre and the District of San José de Apartadó (Antioquia). By means of these acts, the Government of Colombia has acknowledged the work of at least 248 human rights, community and church organizations, trade unions, associations and groups of victims' relatives, and other organizations.

195. As an institutional response in the context of section 3.4 of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, the National Commission on Security Guarantees has been established pursuant to Decree Law No. 154 of 2017.

196. The Commission is playing a pivotal role in supporting the exercise of political activity and social leadership in an arena that is free of the threat of armed force. This includes the provision of protection for those who are laying down their arms, those responsible for implementing the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, social leaders, human rights defenders, members of political parties and others.

197. The Government of Colombia and various State agencies have issued circulars to national, departmental and municipal or district authorities concerning recognition, respect and safeguards for the work of human rights defenders and for social, ethnic and grass-roots leaders working to promote human rights.

198. In addition to the foregoing, last June the Ministry of the Interior launched the Comprehensive Programme of Safeguards for Women Leaders and Human Rights Defenders provided for by Resolution 845 of 14 June 2018. This programme includes specific measures for the protection of women who are working to defend human rights.

199. The National Protection Unit is in charge of implementing protection measures for 3,820 human rights defenders and social leaders, including 192 Afro-Colombian leaders and activists, 385 leaders and activists of indigenous organizations, 377 land restitution claimants, 466 trade union leaders and activists, and 152 journalists, among other groups.

200. The Attorney General's Office has devoted a great deal of effort to dealing with attacks on human rights defenders, trade unionists and journalists. To that end, it has designed specific investigation and prosecution strategies for the benefit of these groups.

201. The Office of the Attorney General has developed and implemented a strategy for giving priority to the investigation of cases involving the killing or intimidation of human rights defenders and the prosecution of the perpetrators of such acts. This strategy was presented to the Inter-American Commission on Human Rights at a public meeting on 21 March 2017 held at the request of the Government of Colombia.

202. Directive No. 002 of 2017, issued by the Office of the Attorney General on 30 November 2017, establishes general guidance on the investigation of crimes committed against human rights defenders in Colombia. Technical support for the development of this directive was provided by the Inter-American Commission on Human Rights.

203. This directive provides guidelines for prosecutors on three subjects: (i) the definition of a human rights defender; (ii) due diligence in the investigation of crimes against human rights defenders; and (iii) guidelines for the investigation of murders of human rights defenders.

204. Between 1 January 2016 and 20 September 2018, the Attorney General's Office received reports of 384 cases of homicide from four sources: the Colombian Office of the United Nations High Commissioner for Human Rights (OHCHR), the Office of the Ombudsman, Marcha Patriótica and Cumbre Agraria, an agrarian negotiating platform. Of those 384 cases, OHCHR confirmed that 198 of them involved human rights defenders.

205. In what constitutes a milestone for the country, 55 per cent of those 198 homicides (108 cases) are being successfully resolved, with 19 judgments having been delivered, 38 trials under way, 23 cases under investigation and 28 cases under preliminary investigation with pending arrest warrants.

206. In August 2016 the Attorney General's Office set up an elite group to further and monitor investigations of violent assaults on trade unionists. The results of that effort to take action with regard to killings of trade unionists and violations of the right to assembly and association, which are protected under article 200, are detailed below.

207. Substantial progress has been made. The Attorney General's Office received reports of 171 murders of trade unionists between 2011 and 2017. As of 30 July 2018, significant progress had been made in the investigation of 62 (36.8 per cent) of those cases:

- 27 judgments (37 convictions) have been handed down
- 23 cases are on trial
- in 5 cases charges have been brought
- 2 cases have been closed
- 5 cases are at the inquiry stage with arrest warrants pending
- 111 persons are in prison for the murder of trade unionists

208. In 2018, five murders were reported; in two cases, the alleged perpetrator has been identified, arrested and charged.

209. In all, 37 convictions have been handed down in murder cases that took place between January 2011 and October 2017. Over the past three years, there have been an unprecedented 17 convictions in such cases, in contrast with the 20 convictions handed down during the previous six years.

210. Progress continues to be made in the investigation of killings of trade unionists that occurred before 2011. Between 2011 and 2018, 375 judgments have been handed down in such cases, in addition to the 37 judgments on incidents occurring from 2011 to date, for a total of 412.

#### **Reply to paragraph 31 of CAT/C/COL/QPR/6**

211. The Ministry of the Interior provides the technical secretariat for the Emergency Desk, which is run as an inter-agency effort to address and follow up on incidents involving violations of the right to life, security and/or integrity of the person of lesbian, gay, bisexual, transgender and intersex persons or persons with other sexual orientations and/or gender identities.

212. The Ministry promotes coordination among the various agencies responsible for undertaking investigations, processing complaints and providing protective measures in order to help ensure that prompt action is taken in such cases. The Emergency Desk also organizes regular meetings at which representatives of the various agencies discuss any obstacles that interfere with efforts to mount effective responses in these cases and ways of promoting institutional adjustments that will help them improve differentiated services for the lesbian, gay, bisexual, transgender and intersex victims of various forms of prejudice-driven violence.

213. The Emergency Desk also organizes local meetings in each region that focus on: (i) the types of violence and vulnerabilities found in some municipalities; and (ii) requests made by social organizations.

214. In 2018, pursuant to Act No. 1753 of 2015 and Decree No. 2340 of 2015, the Ministry of the Interior adopted a public policy aimed at providing guarantees for the effective enjoyment of their rights by persons belonging to the lesbian, gay, bisexual, transgender and intersex community or having differing sexual orientations and gender identities (Decree No. 762 of 2018).

215. The overarching objective of this policy is to promote and ensure the effective enjoyment by persons belonging to the lesbian, gay, bisexual, transgender and intersex (LGBTI) community and by persons having differing sexual orientations and gender identities of their rights. By means of this policy, the Ministry of the Interior seeks to fully guarantee the rights of the persons belonging to this community.

216. To this end, the Ministry adopts measures that will help to uphold the right to equality and non-discrimination. To that end, its approach is geared towards encouraging local and national agencies to include safeguards for the rights of persons belonging to the LGBTI community in their various programmes, projects and activities.

217. The issuance of this policy has the effect of extending the coverage of the public policy implementation mechanism of the Subsystem for Equality, Non-discrimination and Respect for Identities of the National Human Rights and International Humanitarian Law System to include the work of the Emergency Desk. Consequently, from this point on, efforts to address urgent cases involving violations of the rights to life, security and/or integrity of the person in this area will be overseen by the Emergency Desk.

218. The Ministry of the Interior has taken steps to build institutional capacity for safeguarding the rights of LGBTI sectors by launching an initiative aimed at strengthening the capacities of the various government stakeholders for protecting the human rights of members of the LGBTI community. To that end, it is: (i) developing methodologies and tools for identifying areas in which protection for the rights of members of this community are lacking; and (ii) stepping up the implementation of lines of work focusing on the human rights of members of the LGBTI community.

219. Within the framework of this initiative, administrative capacity is viewed in terms of what mayoral offices or departmental governors can do with the management tools at their command to uphold the rights of members of the LGBTI community.

**Reply to paragraph 32 of CAT/C/COL/QPR/6**

220. The Recruitment and Reserves Command has no records of any sanctions imposed in connection with any of its internal investigations or of any disciplinary enquiries under way relating to alleged acts of torture or mistreatment or to unlawful detention of any persons for recruitment purposes. The Committee is therefore requested to provide specific information on alleged cases of such conduct so that any appropriate disciplinary action may be initiated.

221. The Ministry of National Defence submitted and advocated for passage by Congress of Act No. 1861 of 2017, which governs recruitment, reserve forces and mobilizations. This law updates procedures for the determination of Colombian citizens' military service status in order to provide stronger legal and constitutional guarantees and to enhance the effectiveness of collaboration with other governmental authorities to perform the essential functions of the State.

222. The new law on recruitment (Act No. 1861 of 4 August 2017) abrogates the provisions on conscription. Article 4 (2) of Act No. 1861 states that: "Government forces shall not detain any person for any reason or undertake unannounced operations to apprehend Colombian citizens who have not yet reported for or performed their obligatory military service." The purpose of this provision is to provide stronger guarantees to Colombian citizens who have a constitutional and legal duty to define their military status in accordance with ruling C-879 of 2011 and to prevent unauthorized actions on the part of recruitment authorities.

223. Article 66 of Act No. 1861 refers to the interoperability of the information systems of various agencies of the State that use such databases for the purpose of determining persons' military status. In accordance with that article, information may be exchanged among recruitment offices for the purpose of determining the military status of given individuals. The article also provides that: "This information shall be confidential and shall be used solely for the purpose of determining individuals' military status; it shall not be used for unauthorized forms of recruitment or to take Colombian citizens into custody without prior notification."

224. Regulatory Decree No. 977 of 7 June 2018 was issued in order to ensure the full application of this new law. Personnel employed in the areas of recruitment and the management of reserve forces and those serving in military districts are being provided with training to familiarize them with the new law and to ensure that the rights of Colombian citizens are protected more effectively.

## **Other issues**

### **Reply to paragraph 33 of CAT/C/COL/QPR/6**

225. Colombia is engaged in a new series of consultations regarding the possibility of ratifying the Optional Protocol. The Committee will be informed in due course if those consultations have a positive outcome.

### **Reply to paragraph 34 of CAT/C/COL/QPR/6**

226. This information is not available at the present time.

## **General information on other measures and developments relating to the implementation of the Convention in the State party**

### **Reply to paragraph 35 of CAT/C/COL/QPR/6**

227. The State party does not wish to add any further information under this heading than what it has provided above.

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