



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

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Committee against Torture

**Information received from Colombia on follow-up to the
concluding observations on its sixth periodic report***

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* The present document is being issued without formal editing.



I. Introduction

1. In response to the request made by the Committee against Torture in paragraph 38 of its concluding observations on the sixth periodic report of Colombia ([CAT/C/COL/CO/6](#)), the Colombian Government respectfully submits information on its follow-up to the recommendations made in paragraphs 19 (a), 25 (a), 33 and 37 of the concluding observations.
2. The present document was prepared on the basis of an inter-institutional coordination exercise in which the following national entities participated: Ministry of the Interior, Ministry of Defence, Ministry of Justice and Law, Office of the Presidential Adviser on Human Rights and International Humanitarian Law, National Police, Attorney General's Office, National Prisons Institute and Unit for the Search for Missing Persons.

II. Follow-up to the recommendations contained in the Committee's concluding observations

A. Follow-up information relating to paragraph 19 (a) of the concluding observations ([CAT/C/COL/CO/6](#))

3. Efforts to eradicate violence committed by non-State armed groups and criminal organizations are part of a continuous and comprehensive process carried out by the State. They involve coordination between the work of the different branches of government, the security forces and even civil society, which, together with the criminal justice system, contribute to truth, justice and reparation and to the development of guarantees of non-repetition. To this end, the Government has taken the actions outlined below.

1. Development of the public policy for dismantling criminal organizations and criminal conducts that undermine peacebuilding, including the so-called paramilitary successor groups and their support networks

4. With the design and implementation of the public policy for dismantling criminal organizations and criminal conducts that undermine peacebuilding, including the so-called paramilitary successor groups and their support networks, the Colombian State seeks to take action on the basis of a comprehensive approach that encompasses and addresses the multiple structural causes reflected in the financial, political, institutional, weapons-related, transnational, sociocultural and institutional-capacity dimensions of the problem, which give rise to and perpetuate criminal organizations and conducts that undermine peacebuilding and full guarantees for the protection of social and political movements, human rights defenders and peacebuilders and full access to human rights for the entire population. This public policy was adopted on 7 September 2023 by the National Commission on Security Guarantees, an entity provided for in the 2016 Peace Agreement, and has as its overarching objective:

“To help ensure the non-repetition of serious human rights violations and breaches of international humanitarian law against persons and communities under the Commission's protection that are affected by criminal organizations and criminal conducts, including the so-called paramilitary successor groups and their support networks, and by institutional neglect on the part of the State, through comprehensive actions that tackle the multiple causes (socioeconomic, political, ideological, cultural and other structural causes) that give rise to, strengthen and perpetuate such violations.”¹

5. The specific objectives set out in the policy are:
 - (i) To dismantle the criminal networks, organizations and conducts targeted by the Commission and prevent them from regrouping;

¹ The policy can be found at <https://portalparalapaz.gov.co/aprobada-politica-de-desmantelamiento-de-organizaciones-criminales/08/>.

(ii) To generate actions aimed at State reform in terms of human security, in order to strengthen prevention and break ties with criminal organizations and conducts;

(iii) To provide guarantees for the prevention of violence against the life and integrity of communities, social organizations, leaders, human rights defenders and signatories of the Peace Agreement, strengthening their empowerment through a human security approach that is sensitive to ethnic, gender, population, rural and territorial factors;

(iv) To ensure the harmonization, monitoring, follow-up and evaluation of the implementation of the public policy for dismantling organizations and conducts that undermine peacebuilding.

6. The National Commission on Security Guarantees will be responsible for leading the follow-up of the implementation of the policy's permanent action plan (annex 1), which establishes initiatives, actions and responsible entities for each of the specific objectives.

7. The initiatives set forth in the permanent action plan will be carried out through interconnected components that allow for integrated action in the areas of human security, implementation of the peace agreements, citizen empowerment and dismantling of criminal organizations and conducts through direct action by the State. Specific objectives concerning the dismantling of criminal organizations and conducts include the following components.

Dismantling

8. This component comprises actions to facilitate, first, the identification of networks used by criminal organizations to carry out financial, political, armed and transnational activities; and second, the investigation, prosecution and punishment of persons with varying degrees of responsibility for and participation in the acts concerned, including those most responsible, the planners and the beneficiaries of such criminal acts. The aim of this component is thus to dismantle the criminal networks, organizations and conducts targeted by the Commission and prevent them from regrouping.

Contribution to State reform

9. The objective of this component is to continually strengthen State capacities to eliminate and prevent links of any kind between State agents and the criminal organizations and conducts targeted by this policy, tackling all four types – financial, political, armed and transnational – of such organizations' activities.

10. Under this component, initiative 2.6, action 2.6.3, is to “strengthen the technical capacities of the gender teams of the National Police, including the Elite Corps ...”; similarly, action 2.6.5 is to “promote the strengthening of the judicial police component of the National Police, particularly the Elite Corps, based on operational needs for its presence and coordination with the Attorney General's Office, in line with the ‘total peace’ strategy of the Security, Defence and Citizen Coexistence Policy: Guarantees for Life and Peace 2023–2026”. In accordance with these aims, the armed forces and the National Police will step up their presence in the territory through the execution of “Plan 16,000” for the national army, under which the number of professional soldiers will be increased from 86,200 in 2024 to 102,200 by 2026. Likewise, the National Police will implement “Plan 20,000”, which involves the gradual addition of this number of members in four phases starting in 2024.

Comprehensive State action

11. This component comprises a series of basic measures for strategic and comprehensive State action to eliminate sociocultural factors conducive to the emergence and spread of organized crime in different parts of the country. The aim of this component is thus to provide guarantees for the prevention of violence against the life and integrity of communities, social organizations, leaders, human rights defenders and signatories of the Peace Agreement, strengthening their empowerment through a human security approach that is sensitive to ethnic, gender, population, rural and territorial factors.

Monitoring and evaluation

12. This component has a cross-cutting nature, insofar as the actions it includes are intended to create conditions for the policy's implementation while at the same time giving it flexibility, in line with the continuous adaptability of organized crime. The aim of this policy is thus to ensure the harmonization, monitoring, follow-up and evaluation of the public policy for dismantling criminal organizations that undermine peacebuilding.

13. Attached to the present communication is annex 1, entitled "Permanent action plan for dismantling criminal organizations that undermine peacebuilding, including the so-called paramilitary successor groups and their support networks", which sets out the details of the actions to be implemented under the public policy.

2. Security, Defence and Citizen Coexistence Policy: Guarantees for Life and Peace 2022–2026

14. The Security, Defence and Citizen Coexistence Policy: Guarantees for Life and Peace 2022–2026, issued by the Ministry of Defence, is based on the concept of human security and has the principal aim of protecting life. To this end, the policy sets out, as its overarching goal, "To protect the lives of all inhabitants of the country by creating conditions of safety in urban and, particularly, in rural environments and by restoring State control over the territory in order to free society from violence". Strategies and actions have been planned to meet this objective and will be carried out by the security and defence sector.

15. On the basis of this policy goal, strategies and actions associated with each specific objective were formulated for its achievement. Specific objective No. 1, aimed at providing conditions of safety and protection for life, personal integrity and property, with special emphasis on regions being fought over by criminal organizations, includes strategy No. 2, "to dismantle illegal armed organizations", which involves inter alia the strengthening of cooperation with the judiciary to dismantle complex crime networks through macro-level, systemic and regionalized investigation strategies based on processes of merging and protecting information and improving capacity for interdisciplinary analysis, in coordination with the Attorney General's Office.

3. Strengthening action by the Attorney General's Office

16. Effective criminal justice action against the main criminal structures that undermine the implementation of the Final Peace Agreement by victimizing signatories and human rights defenders has been strengthened through the methodology implemented by the Special Investigation Unit in the 13 investigative projects currently under way.

17. The Attorney General's Office has carried out a strengthening process for the implementation of the regionalization strategy, which is aimed at increasing the presence of officials in situ as a way of deepening the comprehensive investigation of evidence in the form of differential patterns of violence, deploying investigative and analytical capacity in a strategic manner.

4. Deployment of the Elite Corps of the National Police

18. Pursuant to the Peace Agreement, which in paragraph 3.4.5 provides that, "to ensure immediate State action against the organizations and conducts covered by this Agreement and the dismantling thereof, an elite corps will be set up in the national police with a multidimensional approach. The members of the elite corps will be selected on the basis of a special model that attests to their high standards of suitability, transparency and effectiveness", the State established the Elite Corps on 15 June 2017 through Transitory Operational Directive No. 021 of the Judicial and Investigative Police Directorate of the National Police; subsequently, it was integrated into the organizational structure of the Judicial and Investigative Police Directorate through decision No. 0760 of 2019.

19. Its core mandate is to investigate acts affecting human rights defenders, former Revolutionary Armed Forces of Colombia members in the process of reintegration and their families, by uniting its capacities and presence with those of the Special Investigation Unit of the Attorney General's Office.

20. In order to fulfil its investigative mission, the Elite Corps is deployed throughout the country in 52 criminal investigation sections, in addition to 14 investigation commissions in the most critical areas (Huila, Caquetá, Putumayo, Cauca, Nariño, Valle del Cauca, Norte de Santander, Arauca, Magdalena Medio, Antioquia, Chocó, Urabá, Meta and Magdalena), with a total force of 302 officers.

21. For purposes of supervision, monitoring and oversight, seven officers have been assigned to the regional police precincts; they are responsible for initiating and prioritizing the investigation of violations against the target populations. There are also two mobile units to assist in the investigation of threats against former Revolutionary Armed Forces of Colombia members in the process of reintegration and to arrest persons suspected of violations against this population.

22. In response to these violations, between 1 January and 31 December 2023, the Elite Corps, in coordination with the Attorney General's Office, effected 140 arrests, 2 seizures and 44 indictments for violations against the population referred to in the Peace Agreement. This made it possible to disrupt 82 organized crime structures, as follows:

- 13 splinter groups of the Estado Mayor Central Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo
- 29 splinter groups of the Segunda Marquetalia
- 3 armed components of the Ejército de Liberación Nacional (National Liberation Army) organized armed group (2 fronts and 1 company)
- 15 substructures of the Clan del Golfo organized armed group
- 5 organized criminal groups
- 17 ordinary criminal groups (1 dismantled)

The 140 arrests represent an increase of 29.6 per cent, or 32 more than in 2022, when there were 108 arrests.

B. Follow-up information relating to paragraph 25 (a) of the concluding observations

23. In 2021 the Colombian Government, through the Criminal Justice Policy Council, issued the National Plan for Criminal Justice Policy (2021–2025), which sets out all the initiatives, actions, outputs and activities identified for achieving the national Government's criminal justice policy objectives over this period. One of the priorities identified in the National Plan is priority 4 on humanizing the prison system and on strengthening rehabilitation and reducing recidivism among criminal offenders.

24. Accordingly, the Colombian criminal justice system provides for alternatives to custodial sentences, but this has not had the expected impact in addressing the current situation of prison overcrowding, which has been characterized as an unconstitutional state of affairs by the Constitutional Court. However, the Government has spared no effort to strengthen these initiatives by proposing to expand the catalogue of alternative measures and promoting the reasonable and proportional use of deprivation of liberty.

25. Available alternatives to deprivation of liberty are divided into three categories applicable to three different phases: (i) those applicable during criminal proceedings before a conviction is handed down; (ii) those that may be imposed at the time of sentencing; and (iii) those applied while the person is serving the sentence. The main advances in the use of alternatives to custodial sentences are presented below.

1. Bill providing for the humanization of criminal justice and prison policy to help overcome the unconstitutional state of affairs and enacting other provisions

26. This bill was submitted by the Ministry of Justice and Law to the Congress of the Republic on 20 July 2023. The bill is the result of in-depth consultations with actors in the prison system, human rights round tables with persons deprived of liberty and a thorough

evaluation of the institutional performance of the criminal justice and prison policy in Colombia. The initiative pursues four main objectives:

- (i) To stem the punitive zeal with which laws have been passed in recent decades, which the Constitutional Court has pointed out as a flaw in the system;
- (ii) To support restorative justice as a useful and expeditious mechanism for resolving various social conflicts that are often handled less effectively through the criminal justice system. This approach seeks to maximize the rights of victims and to afford them prompt justice, guarantees against revictimization and effective reparation for the harm caused. Restorative justice also allows criminal offenders to take responsibility for their offences and to be involved in processes of restoring the social fabric affected by crime in order to mitigate recidivism;
- (iii) To fulfil the purposes set out in the Constitution and overcome the “unconstitutional state of affairs” which the Constitutional Court found to have existed since the mid-1990s;
- (iv) To streamline criminal justice in order to focus institutional efforts on effectively prosecuting crime and contributing to rehabilitation processes aimed at reducing recidivism.

2. Adoption of Act No. 2292 of 2023

27. The law providing for affirmative action for women heads of household in matters of criminal justice and prison policy, amending the Criminal Code (Act No. 750 of 2002) and the Code of Criminal Procedure and enacting other provisions is a step forward in the implementation of a gender-sensitive criminal justice policy with an emphasis on alternative measures. This law created measures in lieu of custodial sentences for convicted women offenders who are heads of household and provides for the possibility of executing criminal penalties in a restorative manner, where the sentence is translated into socially impactful activities to repair the harm caused. These services are intended to have an impact on communities as a way of repairing the damage caused by crime. At the same time, the women concerned have the opportunity to work, study and care for their families as heads of household.

28. In the first phase of preparation for implementation, the Ministry of Justice and Law, with support from international agencies, carried out information workshops with more than 1,500 women deprived of liberty in the country, prison officials, justice officials (in partnership with the High Council of the Judiciary, which administers the judicial branch), the public defence service (in partnership with the Ombudsman’s Office) and civil society organizations interested in supporting the law’s implementation. In addition, a social media campaign has been conducted to raise awareness of the law and various dissemination strategies have been implemented with an agency that has expertise in the gender approach.

29. Eleven agreements have been signed for the provision of places for women to provide services. There are 2,350 spaces available for women to provide services. In addition, legal teams consisting of law students and public defence officials have met with women offenders who were previously selected as fulfilling some of the requirements set forth in the law and, on the basis of this exercise, have prepared applications for these women.

3. Implementation plan for recommendations made by the Committee against Torture for the period 2024–2027

30. The Colombian Government, through the Ministry of Justice and Law, in compliance with its commitment to the reasonable and priority use of alternatives to deprivation of liberty, the humanization of justice and compliance with the recommendations of the Committee against Torture, will give priority to the following:

- (i) Taking measures to eliminate overcrowding in prisons and other detention centres, including temporary detention centres, primarily by using alternatives to custodial sentences;

- (ii) Ensuring, in law and in practice, that pretrial detention is not applied or prolonged excessively;
- (iii) Continuing to strengthen medical, psychological and health care in all detention centres;
- (iv) Ensuring that the specific needs of women and persons with disabilities in detention are met, while also taking into account their particular situations;
- (v) Continuing to make progress in the reform of the prison system and in the development of comprehensive social reintegration policies that ensure the prison population has access to education, vocational training and recreational and cultural activities.

31. The Government of Colombia will actively work to mitigate the problems identified by the Constitutional Court as amounting to an unconstitutional state of affairs in the prison system, while also achieving lower recidivism and better monitoring of high-risk persons deprived of liberty.

C. Follow-up information relating to paragraph 33 of the concluding observations

32. The Colombian Government, through the Ministry of Justice and Law and the Ministry of Foreign Affairs, has begun the legislative process to adopt the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Below is a description of the legislative process that the Optional Protocol has undergone in the Congress of the Republic.

- House Bill No. 364 of 2023/Senate Bill No. 276 of 2023 was filed by the Ministry of Foreign Affairs and the Ministry of Justice and Law with the secretariat of the Senate of the Republic on 27 February 2023 and was published in Congressional Gazette No. 12 of 2023.
- On 20 June 2023 it was discussed and approved in the Second Committee of the Senate, where Senators Iván Cepeda Castro, Gloria Flórez Schneider and Jael Quiroga Carrillo presented a favourable report that was published in Congressional Gazette No. 686 of 2023.
- Once approved in the first debate, the bill was considered in plenary in the Senate, where Senators Jael Quiroga Carrillo, Gloria Flórez Schneider and Iván Cepeda Castro presented a favourable report that was published in Congressional Gazette No. 1014 of 2023.
- The bill was debated and adopted by the plenary Senate on 14 December 2023.
- On 17 April, the bill was discussed and approved in the Second Committee of the House of Representatives, where Representatives David Alejandro Toro Ramírez (reporting coordinator), Jhon Jairo Berrío López and Luis Miguel López Aristizábal presented a favourable report that was published in Congressional Gazette No. 308 of 2024.
- Representatives David Alejandro Toro Ramírez, Jhon Jairo Berrío López and Luis Miguel López Aristizábal gave a favourable report for the second debate in the plenary of the House of Representatives. This debate is still pending.²

33. Once the Optional Protocol has passed the final debate in the House of Representatives, it will be sent to the President of the Republic for review and approval. The process of implementing the Optional Protocol in Colombia will be led by the Ministry of Justice and Law.

² For the current status of the bill, see <https://www.camara.gov.co/protocolo-contra-la-tortura>.

D. Follow-up information relating to paragraph 37 of the concluding observations

34. Article 109 of Act No. 2294 of 2023 on the adoption of the National Development Plan 2022–2026: “Colombia, World Power of Life” states that: “The Ministry of the Interior shall coordinate, with other competent entities, the formulation, adoption, implementation and evaluation of the public policy on human rights for the achievement of total peace, taking a comprehensive, territorial, differential, social and gender approach.” Among the legal bases for this provision are the various international commitments of the State, including compliance with the international obligations set forth in human rights treaties; the decisions of the Constitutional Court, especially those in follow-up to judgment T-025 of 2004 (Order No. 894 of 2022); and compliance with the Final Peace Agreement, especially with regard to guarantees for the defence of human rights, and the Total Peace Act (Cabinet Council on Peace).

35. During the promulgation of the core components of the National Development Plan, specifically the chapter on human security and social justice, it was established that the public policy for prevention, security and individual and collective protection should be updated and that the National Protection Unit should be strengthened and modernized within the mandate assigned to it by law, to effectively and efficiently protect individuals and communities and to overcome risks and vulnerabilities with a differential approach. In addition, priority will be given to strengthening organizational capacities for community self-protection and reporting. These efforts must also be based on continuous dialogue among and participation by authorities, communities and social leaders. The principal measures taken by the Government to safeguard the work of human rights defenders, social leaders and journalists are described below.

1. Draft public policy on safeguards for the defence of human rights

36. During the development of the public policy on safeguards for the defence of human rights, the National Safeguards Process was created in 2009 as a space for tripartite discussions between the State, civil society and the international community for the purpose of “opening a dialogue on the need to establish safeguards for social and human rights organizations” and “advancing in the construction of agreements, commitments and road maps to generate measures that create an environment conducive to activities for the defence of human rights”.

37. The structure supporting the National Safeguards Process is the National Committee on Safeguards, defined as “a high-level body in which representatives of civil society meet with the heads of government institutions to agree on strategies, actions and measures to help solve the serious national problem of human rights violations against human rights defenders”; there are also Regional Committees on Safeguards that review the human rights situation in each region.

38. Against this backdrop, the Government, represented by the Ministry of the Interior, reactivated the National Safeguards Process on 17 August 2023, together with the coordination body for the Comprehensive Policy on Safeguards for the Defence of Human Rights, which coordinates with relevant human rights platforms in the country, with the support of the international community and monitoring bodies. On the basis of this exercise, the human rights platforms formulated a document entitled “Guidelines for a Comprehensive Public Policy on Respect and Safeguards for the Defence of Human Rights”, which includes a series of considerations for the formulation of this public policy. These guidelines have been brought to the attention of different State entities to enable them to submit comments and contributions as part of a joint process of developing measures for safeguarding the defence of human rights in Colombia. The proposed strategies and measures for their implementation are described below.

Table 1
Public policy strategies and implementation measures

<i>Strategy</i>	<i>Implementation measures</i>
Respect	<p>Recognition</p> <p>Strengthening of the regulatory framework for the recognition and protection of human rights defenders</p> <p>Training of public servants</p> <p>Respect for the work of human rights defenders, medical personnel and journalists in the context of social protest</p> <p>Building of a culture of non-violence towards women defenders and LGBTIQ+ leaders</p> <p>Work with companies and the private sector</p>
Prevention	<p>Institution-building</p> <p>Strengthening of the social and organizational fabric</p> <p>Strengthening of ongoing evaluation, monitoring and follow-up of the human rights situation and early identification of risks</p>
Protection	<p>Immediate response to situations of risk</p> <p>Appropriate tools for risk analysis and assessment</p> <p>Collective and self-protection measures</p> <p>Physical protection measures</p> <p>Implementation of precautionary and provisional measures granted by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights</p>
Tackling impunity	<p>Measures to safeguard the international obligation to investigate, prosecute and punish offences against human rights defenders</p>
Guarantees of non-repetition	<p>Construction of truth and historical memory</p> <p>Limits to the performance of intelligence work</p>

Source: Ministry of the Interior, 2024.

39. For the regional meetings, a three-stage methodology was adopted: first, a plenary session in which the process for developing the public policy is presented, as well as the guidelines drawn up by the human rights platforms; and second, meetings of five working groups on: (1) respect; (2) prevention; (3) protection; (4) tackling impunity; (5) non-repetition.

40. Efforts are made to ensure that the participating social sectors are equitably represented in these working groups and that each group has a facilitator and a rapporteur specializing in the strategy assigned to it. Finally, the results of the deliberations are presented to the plenary in order to obtain feedback and add to the existing contributions in each area of work.

41. In addition, meetings have been held with some of the government entities with primary competence in fulfilling the obligations of respect, prevention, protection and guarantees of non-repetition. These meetings were held in order to: (1) obtain their observations on the public policy guidelines document proposed by the human rights platforms; (2) discuss their experience in carrying out their institutional mission, especially in relation to safeguards for individuals, organizations and communities defending human rights; and (3) analyse the prospects in terms of capacities and resources for the implementation of the policy. It is expected that the coordination processes on the public policy will enable the authorities to begin its implementation in 2024.

2. Investigation and prosecution of offences against human rights defenders

42. In 2016 the Attorney General's Office created a strategy for the investigation and prosecution of offences against human rights defenders. The strategy gave these investigations a special, high-priority character, based on the recognition of the work carried out by human rights defenders in Colombia.

43. The strategy is composed of several lines of action, including measures to build an institutional culture of recognizing the work of human rights defenders; a general guideline establishing, for investigators, a presumption that violations against human rights defenders are motivated by the victim's human rights work or are intended to prevent it from being carried out; and the establishment of mobile teams that can promptly reach the scene of the events, among other initiatives, which have yielded greater results in the investigation of offences against human rights defenders.

44. One of the main objectives under the 2020–2024 strategic plan is to increase the investigation of offences that jeopardize public safety and the safety of rural areas, prioritizing cases involving the killing of human rights defenders, reintegrated persons and women, and collective killings.

45. One of the measures taken to strengthen investigations was the issuance of decision No. 0-775 of 2021, which set out the specific objectives of the national working group for the investigation of threats against human rights defenders, among which are the analytical and strategic investigation of such cases to identify links between them and to understand the context in which they occur; the strengthening of institutional capacity through support for the sectional directorates to enable them to respond expeditiously; coordination with the other units in charge of these investigations; promotion of the territorial and differential approach; institution of proceedings; and identification of threats made by criminal organizations.

46. Likewise, the Special Investigation Unit has implemented the victim profiling protocol for cases involving serious human rights violations to “establish technical and scientific guidelines for characterizing victims, with a focus on strengthening the evidentiary value of these analyses for criminal investigations in the context of serious human rights violations”. As a result, the information and evidence gathered allows investigators to create a context for understanding the conditions and dynamics of each case, and there is a focus on establishing contexts for the interpretation of evidence. This profiling takes into account the relationship between the victim and his or her role in the community, the defence of human rights and the peace agreements.

47. On 9 October 2023, the Attorney General issued Directive No. 0008 on updated guidelines for the investigation and prosecution of offences against human rights defenders. This complements Directive No. 002 of 2017 and establishes five guidelines, namely:

- Key guidelines for the investigation and prosecution of offences against human rights defenders.
- Guidelines for the investigation of violations against human rights defenders when the aggressor is a criminal organization.
- Investigative guidelines for victim profiling.
- Additional guidelines on threats against human rights defenders.
- Procedural guidelines for the effective prosecution of offences against human rights defenders.

3. Existing reparation measures for torture victims that also cover human rights defenders, social leaders and journalists

48. The mandate of the National System of Comprehensive Victim Support and Reparation and the entities that comprise it is to implement existing reparation measures for torture victims, which also cover human rights defenders, social leaders and journalists. In this context, the Victims Unit evaluates each case individually and determines whether the victim meets the requirements for administrative compensation. If the victim is found to be entitled to compensation, an application process involving verification of the harm suffered

is carried out. Once approved, the amount of compensation is established according to the severity of the harm and the impact suffered by the victim. All persons included in the Central Register of Victims who are eligible for such compensation are entitled to apply for this measure. This includes human rights defenders, social leaders and journalists.

49. It should be noted that the applications and information systems of the Victims Unit's Reparations Directorate do not include fields for the victim's occupation, work or activity, so this information is not captured or stored in the systems. Consequently, it is not possible to identify how many human rights defenders, social leaders and journalists have benefited from these measures.

50. The administrative compensation paid to victims of torture or cruel, inhuman or degrading treatment is equal to 10 times the current legal monthly minimum wage and is paid directly to the victim. If the torture suffered by the victim caused personal injuries, the provisions of decision No. 848 of 2014 are applied and the victim is entitled to receive the amount corresponding to the physical or psychological harm suffered; however, the sum of these amounts may not exceed 40 times the current legal monthly minimum wage.

51. A total of 777 applications from 775 persons who have suffered acts of torture have been filed under decisions Nos. 1958 and 1049, as shown below.

Table 2
Applications filed in respect of acts of torture

<i>Year</i>	<i>Number</i>
2018	2
2019	246
2020	82
2021	245
2022	112
2023	81
2024	9
Total	777

Source: INDEMNIZA application, information as at 29 February 2024.

Table 3
Number of torture victims who have received compensation

<i>Administrative compensation</i>				
<i>Date</i>	<i>Payments</i>	<i>Persons</i>	<i>Amount</i>	
2010		1	0	\$ 15 450 000
2011		1	1	\$ 16 068 000
2012		5	5	\$ 85 005 000
2013		194	184	\$ 3 419 100 000
2014		16	16	\$ 222 528 768
2015		14	14	\$ 164 307 975
2018		2	2	\$ 31 249 602
2019		8	5	\$ 102 686 384
2020		68	49	\$ 1 382 122 282
2021		19	5	\$ 215 311 577
2022		24	8	\$ 431 390 000
2023		59	25	\$ 832 855 640
Total		411	314	\$ 6 918 075 227

Source: INDEMNIZA application, information as at 29 February 2024.

52. As at 29 February 2024, the Comprehensive Victim Support and Reparation Unit had assisted 1,031 direct victims of acts of torture with different types of emotional recovery strategies, allowing opportunities for building trust between professionals and victims. These strategies enable victims to give expression, through words, symbols, drawings, performance, art and other forms of representation, to the harm or effect produced by the victimizing event or violation of their rights, so as to facilitate its integration into the victim's life experience and to identify resources for coping with the psychosocial effects of the armed conflict, while recognizing the victim's own resources and those of his or her family that have allowed the person to make the transition from victim to survivor.

53. In recognition of the principles of international human rights law indicating that direct and indirect victims of enforced disappearance are also recurrently victims of torture,³ the Victims Unit, through the Reparations Directorate, implements measures in compliance with court rulings and decisions to support the search for and the dignified handover and discovery of victims of enforced disappearance or of persons who are known to have been murdered but whose remains have not been returned because their whereabouts are unknown. The Reparations Directorate of the Victims Unit thus carries out the orders of the Attorney General's Office, the Special Jurisdiction for Peace and the ordinary courts to support these measures of satisfaction for the searching families in an attempt to repair the harm inflicted by the uncertainty arising from the absence of information on the fate and whereabouts of the victims.

54. Although compliance with the Committee's recommendations should be understood as a State matter requiring a comprehensive response from all entities, the Victims Unit reports on the goals set out in different public policy instruments (National Development Plan, Economic and Social Policy Council documents and annual action plan of the Unit) that are aimed at comprehensively and effectively ensuring the right to reparation through a substantial increase in the implementation of reparation measures in the period 2023–2026.

Table 4

Comprehensive victim support and reparation measures (projections)

<i>Indicator</i>	<i>Baseline 2022</i>	<i>Baseline goal</i>	<i>Quadren- nial goal</i>	<i>2023</i>	<i>2024</i>	<i>2025</i>	<i>2026</i>
Victims compensated	1 326 390	1 926 390	600 000	105 000	165 000	165 000	165 000
Collective reparations plans formulated and agreed upon with the parties involved	236	878	642	116	175	175	176
Collective reparations plans being implemented (over 50 per cent)	122	422	300	30	80	90	100
Victims rescued, relocated and locally integrated (with new measurement)	8 218	376 218	368 000	29 500	92 000	92 000	154 5000

Source: Comprehensive Victim Support and Reparation Unit, 2024.

³ Direct victims of enforced disappearance are subjected to physical and psychological torture and their family members are subjected to psychological torture due to the uncertainty caused by the disappearance.

4. Security and defence sector and the population of social leaders and human rights defenders

55. Since 2022, the entities belonging to the State defence and security sector have implemented the following public policies and strategies aimed at protecting the population of social leaders and human rights defenders:

- The emergency plan for the protection of social leaders, human rights defenders and signatories of the Peace Agreement, led by the Ministry of the Interior, in particular through the establishment of central command posts for the protection of life, which operate on a temporary basis (initially for a period of 100 days) in 64 priority municipalities as an inter-agency mechanism supported by the international community and involving the participation of human rights platforms and civil society organizations, to carry out operational actions and emergency measures with a regional approach under the coordination of local authorities, with the aim of coordinating actions, strategies and measures. In this context, in 2023 meetings were held on very specific cases such as the one in the municipality of Argelia, Cauca, and the Mariana Páez local training and reintegration area in the municipality of Mesetas, Meta.
- The Security, Defence and Citizen Coexistence Policy: Guarantees for Life and Peace 2022–2026, adopted by decision No. 2703 of 19 July 2023.
- The public policy for dismantling criminal organizations that undermine peacebuilding, including the so-called paramilitary successor groups and their support networks, adopted by Presidential Decision No. 01 of 7 September 2023.
- Economic and Social Policy Council document No. 4063, “Public policy on safeguards and respect for the work of human rights defenders and social leaders”, adopted in 2021, which continues to be implemented in line with the policy provisions and strategies defined by the national Government.
- Support for the Ministry of the Interior in developing a new approach under the Comprehensive Security and Protection Programme for Local Communities and Organizations (Decree No. 660 of 2018) and in formulating the Comprehensive Public Policy on Safeguards for the Defence of Human Rights.
- In addition, the National Police, as part of its offensive against organized crime, has a strategy called “Those most wanted: posters of suspects in the killing of peace agreement signatories, social leaders and human rights defenders”, which consists of an extensive list with the identities and photographs of the most wanted persons nationwide who are suspected of committing various offences. The posters have been made available virtually through the web page <https://www.policia.gov.co/losmasbuscados>, where they are broken down by type of offence and police precinct searching for the suspect.

56. In addition to these measures, the General Command of the armed forces continues to implement provision No. 008/18 on general instructions for the protection of human rights defenders and social leaders, with the aim of “disseminating parameters and recommendations to guide the actions of the military in order to promote, respect and safeguard the work of human rights defenders, social leaders and members of the various civil society organizations”.

5. Strategy to Protect Groups in Vulnerable Situations

57. Transitory Operational Directive No. 008 DIPON-JESEP of 1 April 2023 defines the parameters for police action to deploy the Strategy to Protect Groups in Vulnerable Situations and has laid out a road map for the Communities, Leaders and Human Rights Defenders Protection Unit, whose purpose is to address situations where human rights defenders, social leaders and groups in vulnerable situations are at risk.

58. This directive provides inter alia for the deployment of prevention and criminal investigation components, which develop actions to safeguard the human rights of members of social and non-governmental organizations, union leaders, social leaders and human rights

defenders, among others, to reduce all types of risk so as to help safeguard the life and integrity of communities and individuals.

59. The Strategy to Protect Groups in Vulnerable Situations is implemented in line with the provisions of Decree No. 660 of 2018 establishing the Comprehensive Security and Protection Programme for Local Communities and Organizations, whose purpose is to take prevention measures involving the identification of risk factors for violations of the rights to life, liberty, integrity, security and harmonious coexistence against local communities and organizations and their leaders, representatives and activists, taking into account the particular conditions of women, in order to adopt security and protection measures aimed at preventing or mitigating their effects.

60. It should also be noted that the main focus is on countering risks to the right to life of social leaders and human rights defenders and threats to the integrity and personal safety of local communities and organizations that work to build a culture of peace for harmonious coexistence and security. Such actions have three components: (1) prevention; (2) criminal investigation; and (3) rapid response to early warnings. Actions are also taken under the procedure for institutional action at the local level to address acts against life and integrity in relation to the exercise of leadership.

61. In the implementation of this procedure, institutional and inter-institutional actions are carried out, including coordination with the National Protection Unit and with governors' and mayors' offices, and dialogue with civil society. These actions are recorded and documented through the Comprehensive Human Rights System technological tool. Between 1 January 2019 and 26 February 2024, the procedure was activated for leaders and human rights defenders on 839 occasions.

6. Prevention and protection activities of the National Police for human rights defenders, social and community leaders, journalists and women leaders and human rights defenders

62. The Prevention Programme led by the National Police is in conformity with Decree No. 1066 of 2015 issuing the consolidated regulations for the internal affairs sector. Book 2, part 4, title 1, chapter 2, sets out the "prevention and protection programme in respect of the rights to life, liberty, integrity and security of persons, groups and communities that are at extraordinary or extreme risk as a direct consequence of the performance of their political, public, social or humanitarian activities or functions, or by reason of the performance of their duties", and defines the preventive measures to be carried out by the National Police. Between 1 January 2019 and 26 February 2024, 2,418 preventive measures were taken for leaders and human rights defenders.

63. As part of the comprehensive reform of the National Police, activities have been implemented to reach out to vulnerable communities, especially Indigenous and Afrodescendent communities, leaders and human rights defenders in each of the regions at the district and departmental levels. Some 2,550 activities, programmes and campaigns for leaders and human rights defenders were carried out between 1 January 2019 and 26 February 2024.

64. In compliance with their constitutional mandate, the police authorities have strengthened means of maintaining channels of communication, especially with individuals, groups and communities in vulnerable situations, to meet the Colombian population's needs and expectations in relation to safeguarding and protecting human rights. A total of 1,158 dialogues with leaders and human rights defenders were held between 1 January 2019 and 26 February 2024.

65. The police have held inter-institutional coordination meetings with governors, mayors, the National Protection Unit and local entities for the development of this strategy, with the aim of helping to guarantee the fundamental rights of communities at risk or under threat. The metropolitan police commands and/or police departments have actively participated in bodies such as local transitional justice committees, security councils and subcommittees for prevention, protection and guarantees of non-repetition, developing actions in accordance with their competence. A total of 1,108 inter-institutional coordination actions were carried out between 1 January 2019 and 26 February 2024.