UK Visas and Immigration

Guidance

Country policy and information note: actors of protection, Colombia, March 2026 (accessible)

Updated 19 March 2026

Contents

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Version 2.0, March 2026

Executive summary

The Constitution of the Republic of Colombia, alongside other legislation, and the Colombian Penal Code, protect fundamental human rights and penalise criminal activity.

There is a functioning police force and judiciary, which are generally accessible.

In general, the state is both willing and able to offer sufficient protection to persons fearing non-state actors, including ‘rogue’ state actors.

However, protection is likely to be difficult to access for those living in areas where some territory is under the de facto control or influence of criminal gangs and armed groups. Protection may also be difficult to access depending on the profile of the person, including LGBTI and Afro-Colombian persons (see relevant Country Policy and Information Notes (https://www.gov.uk/government/publications/colombia-country-policy-and-information-notes) for specific guidance and information).

All cases must be considered on their individual facts, with the onus on the person to demonstrate that they are not able to obtain sufficient protection from the state.

Assessment

Section updated: 2 February 2026

About the assessment

This section considers the evidence relevant to this note – that is the country information, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, in general, the state (or quasi state bodies) can provide effective protection.

Decision makers must, however, consider all claims on an individual basis, taking into account each case's specific facts.

1. Material facts, credibility and other checks/referrals

1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on Assessing Credibility and Refugee Status (https://www.gov.uk/government/publications/considering-asylum-claims-and-assessing-credibility-instruction).

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants (https://www.gov.uk/government/publications/visa-matches-handling-asylum-claims-from-uk-visa-applicants-instruction)).

1.1.3 Decision makers must also consider making an international biometric data-sharing check, when one has not already been undertaken (see Biometric data-sharing process (Migration 5 biometric data-sharing process) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1148349/Biometric_data-sharing_process__Migration_5_biometric_data-sharing_process_.pdf)).

1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the Asylum Instruction on Language Analysis (https://www.gov.uk/government/publications/language-analysis-instruction)).

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1.2 Exclusion

1.2.1 Decision makers must consider whether there are serious reasons to apply one (or more) of the exclusion clauses. Each case must be considered on its individual facts.

1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention (https://www.gov.uk/government/publications/asylum-instruction-exclusion-article-1f-of-the-refugee-convention), Humanitarian Protection (https://www.gov.uk/government/publications/humanitarian-protection-instruction) and the instruction on Restricted Leave (https://www.gov.uk/government/publications/restricted-leave-asylum-casework-instruction).

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2. Protection

2.1.1 In general, the state is willing and able to provide protection. However, the effectiveness of this protection will be dependent on the profile of the person, the area in which a person is located, and if they have a well-founded fear of a dominant armed group or criminal gang (see Country Policy and Information Note, Colombia: Armed groups and criminal gangs (https://www.gov.uk/government/publications/colombia-country-policy-and-information-notes)).

2.1.2 Members of the Afro-Colombian and LGBTI community may face discrimination by state security forces. However, recent available information does not support a conclusion that, in general, these groups face a real risk of treatment that amounts to persecution within the meaning of the Refugee Convention, and/or that they are unable to obtain effective protection. The onus is on the person to demonstrate otherwise.

2.1.3 Colombia has ratified all 9 of the core international human rights instruments. The constitution and other legislation protect fundamental human rights and equal treatment before the law. There are laws criminalising corruption and the government generally maintains control over the security forces and has some mechanisms in place to investigate and punish abuse and corruption (see Legal framework).

2.1.4 The Colombian National Police (CNP) is responsible for internal law enforcement. As of October 2024, the CNP had a total of 176,957 personnel and an estimated ratio of police officers of 322 per 100,000 of the population. Officers in the CNP undergo training through its dedicated cadet academy and has benefited from international support, including INTERPOL membership and assistance from the United States to enhance professionalism. Further efforts to strengthen regional law enforcement include initiatives introduced by the Attorney General to expand official presence across Colombia and training created by the Ombudsman to address gaps in human rights protections (see Colombian National Police (CNP), Resourcing, pay and training and Policy and strategy).

2.1.5 The CNP operates in all 32 administrative departments, maintaining a police command and at least one station per department. Various emergency hotlines are available, including numbers for general emergencies, anti-kidnapping, and anti-terrorism. Response times to emergencies vary, depending on the location. Public trust and confidence in law enforcement is mixed. A World Justice Project survey revealed low scores for Colombia in areas such as crime control and public safety, ranking it among the lowest globally for 'Order and Security' (130th of 142 countries). However, 40% of respondents believed the police serve community interests and 79% of 1200 respondents in the 2023 Latinobarometro survey expressed a degree of confidence in the police (see Accessibility and Efficacy).

2.1.6 The Colombian military has a large force of 250,000 army personnel, 30,000 marines and 15,000 air force members. Military service is mandatory for males over the age of 18, though many qualify for exemptions, and service typically lasts 18 months. The Colombian military is pivotal in both defence and internal operations, particularly in rural areas and is viewed as more effective than many civilian institutions. Colombia allocates 2.9% of its GDP to military spending, with significant support from international suppliers like the U.S. As a global partner of NATO, Colombia has also participated in NATO courses to improve the professionalism of Colombian military education (see Colombian Military).

2.1.7 In most areas of Colombia, the state has effective control. However, sources noted that in some parts of the country, particularly in coca-growing areas and drug-trafficking corridors where organised criminal groups operate, state efficacy is limited (see Efficacy).

2.1.8 Colombia's Ombudsman, known as the Defensoria del Pueblo, provides citizens with legal advice and access to justice. It also submits an annual human rights report to the government outlining areas of reform and recommendations. Accredited by the Global Alliance of National Human Rights Institutions (GANHRI), it meets the Paris Principles, the internationally agreed minimum standards for national human rights institutions. In 2022 and 2023, the USSD noted that the Defensoria del Pueblo effectively fulfilled its function but that the government was slow to

implement changes, also highlighting that underfunding of the Defensoria del Pueblo inhibited its efficacy. The USSD reported the Ombudsman Office and members of the regional offices reportedly received threats from armed groups via pamphlets, emails, and violent actions. As well as the Ombudsman, there are a number of NGOs that support and monitor human rights, with some offering a platform in which citizens can report police violence anonymously (see Defensoria del Pueblo and Non-Governmental Organisations (NGOs)

2.1.9 Afro-Colombian persons have historically faced obstacles accessing justice, often due to racial discrimination. A number of sources highlight that this group often face police harassment, disproportionate levels of abuse by security forces and that impunity is 'near absolute' for actors responsible for killing Afro-Colombians. However, sources are not explicit about the scale and extent of issues faced by Afro-Colombians at the hands of the state and there is limited reporting on specific and recent (since 2021) examples outside of violent protests of state abuses of Afro-Colombians. One case from August 2024 highlighted an instance of police discrimination against a member of the Afro-Colombian community which resulted in condemnation of the officer by the local Chief of police and an ongoing police investigation (see Treatment of particular groups - Afro-Colombian persons).

2.1.10 LGBTI persons can face obstacles in gaining access to justice and can face issues with the police due to their sexual orientation and gender identity. In 2022, Colombia Diversa's recorded 107 victims of 'police violence' motivated by prejudice against the victim's sexual orientation and gender identity. The most common issues reported were threats, verbal abuse and 'irregular police procedures'. In 2023, Colombia Diversa recorded 89 LGBTI victims of police violence but further information on the nature of the cases is not available at the time of writing. Freedom House and the USSD reported high levels of impunity when it comes to crimes committed against LGBTI+ persons, although did not provide exact figures or examples of police impunity to crimes against LGBTI persons. Whilst there are reported instances of discrimination against members of the LGBTI community, reported figures of police harassment and violence against the LGBTI population are relatively low and do not indicate a general risk of persecution to the LGBTI community or a general unwillingness to provide protection (see Treatment of LGBTI persons).

2.1.11 Recent, recorded instances of issues of police violence are often in relation to periods of civic unrest and protests, including during the 2021 National Strike against a controversial tax reform. During the strike, widespread police violence against protesters was reported, especially in Cali. Amnesty International documented human rights violations from April to July 2021, highlighting abuses by the Mobile Anti-Riot Squad (ESMAD). Reports noted gender-based violence including rape, reportedly excessive and unlawful misuse of lethal and non-lethal weapons, torture, arbitrary detentions, and 16 unlawful killings. In response, the government established a committee to investigate, and 7 officers faced criminal

prosecution, though UN experts raised concerns about the lack of progress on the investigation into the 16 unlawful killing cases. The USSD noted that 39 people were arbitrarily detained under a temporary protection mechanism at protests in 2022 and 2023 but comparatively, protests since the National Strike have been largely peaceful (see Misconduct and human rights violations).

2.1.12 The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment, and other related abuses. However, sources report instances of human rights violations by the security forces, including unlawful killings, use of excessive force in apprehending criminals, arbitrary arrest and detention and sexual assault. In 2023, the OHCHR reported 30 verified allegations of arbitrary detention, 18 verified allegations of human rights violations including torture; cruel, inhuman, or degrading treatment; gender-based violence, including sexual violence; violations of and threats to personal integrity; arbitrary detentions; and discrimination, and 2 allegations of human rights violations against girls including sexual and gender-based violence. Between January and June 2024, Temblores recorded 78 reported cases of police violence (see Misconduct and human rights violations).

2.1.13 Corruption was reported as widespread throughout government departments and at all levels of the armed forces and the CNP. Sources report collusion between state personnel and non-state armed groups including taking bribes at all levels of the criminal justice system. There have been reports of collaboration between security forces and non-state armed groups or security forces tolerating non-state armed groups in certain regions (see Corruption).

2.1.14 However, recent reforms aim to improve and strengthen human rights in the police and military showing a willingness to tackle these issues. The previous Colombian government enacted two laws which sought to professionalise the CNP and establish disciplinary measures for rights violations, alongside the creation of a dedicated human rights office. The current Petro administration has furthered these efforts by reshuffling top CNP leadership to include officials with stronger legal and academic backgrounds and removing those linked to human rights violations. The Mobile Anti-Riot Squad (ESMAD) has also been reformed and restructured into the National Unit for Dialogue and Maintaining Order (UNDMO) with increased salaries and new training programs. In April 2024, President Petro publicly denounced police collusion with low-level drug dealers and launched the ‘New Model of Service Oriented to People and Territories’ aimed at reducing police militarisation and fostering a more citizen-focused approach (see Police reform and Corruption).

2.1.15 Mechanisms exist to investigate police and military abuse and corruption in Colombia. The CNP runs a citizen services office for complaints as well as an anti-corruption hotline. Whilst sources report concerns about impunity and the transparency of military-led investigations

into abuse, the USSD reported progress in investigating and prosecuting abuse in 2023, including the arrest of four security agents between January and July 2023, who were charged with aggravated homicide. The OHCHR report noted there has been slow progress in the investigation of events in Putumayo in which 11 persons, including 4 civilians died during army operation. There have also been a number of reported examples of the state tackling corruption at different levels, including the 2021 conviction of Francisco Ricaurte, a former Supreme Court justice, for operating a bribery network involving judges and lawyers, as well as the conviction of an anti-corruption prosecutor and lawyer and charges against two former Supreme Court justices. In 2023, the Attorney General's Office also launched an ongoing investigation into former armed forces commander General Leonardo Barrera for allegedly supporting the interests of the criminal group La Cordillera, the result of which is still pending (see Oversight, redress and reform).

2.1.16 The law provides for an independent judiciary and the government generally respected judicial independence. However, corruption, delays and backlogs persist. Crime rates in Colombia remain high. The Prosecutor General's Office secured 11,816 convictions in 2022, representing 0.7% of the 1.6 million reported crimes that year. In 2023, the Attorney General's Office reported over 1.8 million crime reports, but only 52,278 indictments were filed, reflecting the challenge of addressing the large volume of cases. The World Justice Project (WJP) ranked Colombia's criminal justice system 114th of 142 globally. Public confidence in the judiciary is mixed but 65.6% of 1200 respondents expressed some degree of trust in it, according to the 2023 Latinobarómetro survey (see Rule of law and judiciary).

2.1.17 Despite the challenges faced by the judiciary, there is a willingness to improve it, with the Attorney General announcing in October 2024 that a bill was submitted to the Senate 'to reduce impunity, guarantee a more prompt and effective criminal justice.' This bill became law in July 2025. Alongside the traditional judiciary, Colombia also operates a 'Tutelas' system which empowers individuals, especially vulnerable groups, to seek justice and protect their fundamental rights without needing a lawyer, and within 10 days. Whilst its popularity has contributed to judicial backlogs, it is reported as effective for safeguarding rights in Colombia's legal system (see Rule of law and judiciary).

2.1.18 Whilst some sources question its effectiveness, witness protection is available through the Office of the Attorney General. Additional protection is available in Colombia through the Unidad de Proteccion (National Protection Unit – UNP), which citizens can apply for either online or at one of the regional offices (see Protection programmes).

2.1.19 See also the Country Policy and Information Note, Colombia: Armed Groups and Criminal Gangs (https://www.gov.uk/government/collections/country-policy-and-information-notes#e).

2.1.20 For further guidance on assessing state protection, see the Asylum Instruction on Assessing Credibility and Refugee Status (https://www.gov.uk/government/publications/considering-asylum-claims-and-assessing-credibility-instruction).

Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment which, as stated in the About the assessment, is the guide to the current objective conditions.

The structure and content follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before 5 November 2024. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

Some country information quoted in this CPIN was published in Spanish and has been translated using free online translation tools, therefore 100% accuracy cannot be guaranteed. Translated information is clearly signposted throughout.

NOTE: The maps in this CPIN are not intended to reflect the UK Government's views of any boundaries.

3. List of acronyms

3.1.1 Common acronyms or terms used in this CPIN are set out below:

AI	**Amnesty International**
BTI	Bertelsmann Stiftung's Transformation Index
CNP	Colombian National Police
CRS	Congressional Research Service
CSIS	Centre for Strategic Studies and International Studies
HRW	Human Rights Watch
FCDO	Foreign, Commonwealth & Development Office
FH	Freedom House
LGBTQI+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex +
ICG	International Crisis Group
INTERPOL	The International Criminal Police Organisation
ICRC	International Committee of the Red Cross
JEP	Special Jurisdiction for Peace
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental organisation
UNP	National Protection Unit
OHCHR	Office of High Commissioner for Human Rights
TI	Transparency International
UN	United Nations
UNCAT	United Nations Committee against Torture
UNP	Unidad Nacional de Proteccion (National Protection Unit)
USSD	US State Department
UPR	Universal Periodic Review

4. Legal framework

4.1 Constitution

4.1.1 The Constitution of the Republic of Colombia (https://www.constituteproject.org/constitution/Colombia_2015) sets out provisions to protect basic rights and regulate aspects of the state. Equality before law, equal protection of the law, freedom from torture and from cruel, inhuman, and degrading treatment or punishment and the right to an effective remedy in case of violations are fundamental rights laid out in Chapter 1[footnote 1].

4.2 Penal Code and Code of Criminal Procedure

4.2.1 The law on crime prevention and punishment is embodied in two principal statutes: the Colombian Penal Code (https://www.legal-tools.org/doc/13e6bc/pdf) and The Code of Criminal Procedure Law 906 of 2004 (https://ihl-databases.icrc.org/en/national-practice/code-criminal-procedure-2004), which regulate the procedures for the investigation of crime, apprehension of suspected criminals, collection of evidence, determination of guilt or innocence of the accused person and the determination of punishments[footnote 2] [footnote 3].

4.2.2 Originally in Spanish, the Colombian Penal Code sets out the penalties for a number of crimes against the person and can be found under Book Two, Title I: Crimes Against Life and Personal Integrity' (Libro Segundo, Parte Especial De Los Delitos En Particular, Titulo I - Delitos Contra La Vida y La Integridad Personal) to 'Title VI: Crimes Against the Family (Titulo Vi - Delitos Contra la Familia)[footnote 4].

4.2.3 With specific reference to the regulation of police forces in Colombia, a July 2022 report by the US Congressional Research Service (CRS) stated: 'The Police Disciplinary Statute (Law 2196 of January 18, 2022), outlines disciplinary measures for police who violate citizens' rights guaranteed in the Colombian Constitution, as well as those outlined in international human rights accords to which Colombia is party. It also calls for the inspector general (IG) of the police to present a report on the management of disciplinary issues to the Colombian Congress each year.'[footnote 5]

4.2.4 The Colombian Penal Code sets out the penalties for crimes committed by public servants which undermine the proper functioning of public administration such as bribery and abuse of public office and can be found under Book Two, Title XV: Crimes against Public Administration (Libro Segundo, Parte Especial De Los Delitos En Pa Titulo XV: Delitos contra la Administracion Publica)[footnote 6].

4.3 International human rights treaties

4.3.1 Colombia has ratified all 9 of the core international human rights instruments[footnote 7]:

International human rights instrument	Ratification/Accession
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1981
International Covenant on Civil and Political Rights (CCPR)	1969
International Covenant on Economic, Social and Cultural Rights (CESCR)	1969
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1982
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1987
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)	1995
International Convention for the Protection of All Persons from Enforced Disappearance (CED)	2012
Convention on the Rights of Persons with Disabilities (CRPD)	2011

5. Organisations responsible for law enforcement

5.1 National and international agency cooperation

5.1.1 Colombia has been a member of the International Criminal Police Organization (INTERPOL) since October 1954[footnote 8].

5.1.2 In regard to INTERPOL's activity in Colombia, an undated INTERPOL website page noted:

'NCB [INTERPOL's National Crime Bureau] Bogota is part of the 'Directorate of Criminal Investigation and INTERPOL' (DIJIN), the strategic operational police unit the Colombian National Police.

‘Through the NCB, DIJIN is the lead agency for regional and global investigations into serious transnational crime linked to Colombia. It assists national agencies for forensics and field operations, and for criminal investigations requiring cooperation with police forces across the globe.

‘… DIJIN carries out national criminal investigations in cooperation with the General Prosecutor’s Office and other governmental entities, including the Ministry of Foreign Affairs, Ministry of Justice, Migration, and the National Registry Office.’[footnote 9]

5.1.3 Colombia became a NATO global partner and the first Latin American partner in 2017. Under the partnership Colombian security forces have participated in courses at the NATO college in Germany and in the NATO Defence Education Enhancement Programme, which aims to improve the professionalism of Colombian military education[footnote 10].

5.1.4 A US CRS brief published 14 February 2023, noted that Colombia and the United States have had a decades-long partnership focussed on security issues. The CRS brief noted that the US provided foreign assistance aimed at increasing the professionalism of the CNP and the military and funded programmes between 2016 and 2018 which averaged $70 million per year[footnote 11].

5.2 Colombian National Police (CNP)

5.2.1 A July 2022 report by the US CRS noted that: ‘The CNP is a centralized institution. The general director of the police leads the institution and is appointed by the president… The CNP is divided into eight geographical regions, which comprise metropolitan and departmental areas. It has eight advisory offices and is further organized into seven functional directorates, as well as divisions for human capital and resource management.’[footnote 12]

5.2.2 Originally in Spanish, an organisational chart on the website of the CNP noted specialised units including criminal investigation, anti-narcotics, police intelligence, anti-kidnapping and anti-extortion[footnote 13].

5.2.3 The July 2022 US CRS report noted that following 2021 police reforms the CNP was ‘…seeking to incorporate more women and ethnic minorities into the force through scholarships for policing academies to lower barriers to entry. As of early 2022, 5.5% of uniformed police were ethnic minorities and 12% were female, according to CNP data.’[footnote 14]

5.2.4 The CNP website provided personnel figures updated on 1 October 2024 which recorded a total of 176,572 personnel (135,539 men and 41,033 women)[footnote 15]. The total uniformed personnel recorded was 171,957 (134,169 men and 37,788 women[footnote 16]). For context, the total population of Colombia is 53,426,000[footnote 17]. Based on these figures, the estimated ratio of police officers to the population in Colombia is 322 officers per 100,000 people.

5.3 Colombian Military

5.3.1 On 27 September 2022, International Crisis Group (ICG), an independent NGO working in 5 continents to produce field-based analysis[footnote 18], published a report on military strategy in Colombia (ICG 2022 report) which noted: '…[military] personnel are divided as follows 250,000 in the military, 30,000 in the marines and 15,000 in the air force…'[footnote 19]

5.3.2 In regard to conscription the same report added: 'All Colombian males are required to serve in the armed forces unless they can prove that they meet the criteria for exemption. The number of legal exceptions has expanded significantly in recent years, which has meant that fewer Colombians are signing up and that those who do often enlist because they have no other option…'[footnote 20]

5.3.3 Originally in Spanish, in regard to legal exemptions for mandatory military service, Law 1861 of 2017, article 12 sets out:

'Grounds for exemption from compulsory military service. The following persons are exempt from compulsory military service when they have reached the age of majority:

a) The only child, male or female

b) An orphan of a father or mother who works to provide for the subsistence of his siblings who are unable to earn a living

c) The child of parents who are incapable of working or over 60 years of age, when they lack income, pension or means of subsistence, provided that said child cares of them

d) The brother or son of someone who has died or acquired an absolute and permanent disability in combat, in acts of service or as a consequence thereof, during the performance of compulsory military service, unless, being fit, he voluntarily wishes to perform it.

e) Children of officers, non-commissioned officers, soldiers and professional Marines, agents, executive level and of the Public Force who have died, or who have been declared disabled by military or police medical-labor agencies and authorities, in combat or in acts of service and for causes inherent to the same, unless, being fit, they voluntarily wish to serve.

f) Clerics and religious according to the current concordat agreements. Likewise, similar hierarchical members of other religions or churches permanently dedicated to their worship.

g) Married people living together.

h) Those who prove the existence of a legally declared de facto marital union.

i) People with permanent physical, mental or sensory disabilities.

j) Indigenous people who prove their cultural, social and economic integrity through certification issued by the Ministry of the Interior.

k) Colombian males who, after their registration, no longer have the male sex component in their civil registry.

l) Victims of the armed conflict who are registered in the Single Registry of Victims (RUV).

m) Citizens included in the victim and witness protection program of the Attorney General's Office.

n) Citizens who are conscientious objectors.

o) Demobilized citizens, subject to accreditation by the Colombian Agency for Reintegration.

p) The father of the family.'[footnote 21]

5.3.4 Article 13 of the Law 1861 of 2017 set outs:

'Duration of compulsory military service. Compulsory military will last 18 months and will include the following stages:

a) Basic military service

b) Productive job training

c) Practical application and experience of basic military training

d) Rest periods.'[footnote 22]

5.3.5 Article 15 of the Law 1861 of 2017 sets out:

'Compulsory military service shall be provided as

a) Soldier in the Army

b) Marine in the National Navy

c) Aviation in the Air Force

d) Police Auxiliary in the National Police

e) Assistant Custody Officer at the National Penitentiary and Prison Institute.'[footnote 23]

5.3.6 The ICG 2022 report also noted: 'Colombia's central government has traditionally leaned on the military to quell troubles in the countryside… Unlike most civilian state organs, the military can be deployed rapidly to the country's most inhospitable corners; its missions can from range fighting guerrillas to handling natural disasters and combating deforestation; and it has also traditionally been more popular than other institutions…'[footnote 24]

5.3.7 The US Department of State report on human rights practices in Colombia covering events in 2022 and published on 20 March 2023 (USSD 2022 HR report) noted: '… In addition to its responsibility to defend the country against external threats, the army shares limited responsibility for law enforcement and maintenance of order within the country. For example, military units sometimes provided logistical support and security for criminal investigators to collect evidence in high-conflict or remote areas…'[footnote 25] The USSD 2023 HR report did not include this information.

5.3.8 Colombia's national report submitted to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in August 2023 as part of the Universal Periodic Review cycle noted: 'Citizens can exercise their right to conscientious objection, with various safeguards, by applying to the Ministry of Defence's Interdisciplinary Committee for Conscientious Objection to compulsory military service. The application procedure is set forth in Act No. 1861 of 2017. A total of 1,281 applications have been received to date and 854 of them were recognized as grounds for exemption from compulsory military service.'[footnote 26]

5.4 Resourcing, pay and training

5.4.1 On 17 May 2023, the CNP website published an article on the General Francisco de Paula Santander police cadet academy which noted:

'…one of the most important institutions in the country in terms of police training, the "General Francisco de Paula Santander" Police Cadet School has been fundamental for the professional training of the current Colombian Police Officer, based on humanism, honesty and innovation, with the purpose of ensuring the dignity and well-being of our Homeland.

'For more than eight decades, the Alma Mater of the National Police has forged generations of officers committed to the security and justice of our country, strengthening them with competencies based on institutional values, promotion, respect, guarantee and protection of human rights and international humanitarian law, allowing them to carry out their functions with professionalism, strengthening the legitimacy and credibility of the National Police.

'Currently, it is led by Mrs. Colonel Claudia Susana Blanco Romero and offers two academic programs "Undergraduate in Police Administration" and

“Specialization in Police Service”, with a single registration qualified by the Ministry of National Education, Resolution 013531 of August 15, 2018 and Resolution 14437 of August 10, 2021 respectively; since its foundation on May 16, 1940, it has graduated 17,167 officers…’[footnote 27]

5.4.2 SalaryExpert, a website which describes itself as drawing on ‘…ERI’s [Economic Research Institute] expertise in salary and cost of living data…] [footnote 28] estimated the average salary for a Colombian police officer per year as $53,802,046 COP[footnote 29] (£9,736GBP[footnote 30]). An entry level police officer (1-3 years of experience) earns an average salary of $38,844,955 COP[footnote 31] (£7,029 GBP[footnote 32]) and a senior level police officer (8+ years of experience) earns an average salary of $66,591,352 COP[footnote 33] (£12,051 GBP[footnote 34]. For context, the average salary in Colombia is estimated to be $50,169,478[footnote 35].

5.4.3 Originally in Spanish, a report submitted by Colombia’s Ombudsman (Defensoria del Pueblo in Spanish) to Colombia’s Congress, published 2024 and covering the activities of the Ombudsman in 2023[footnote 36], noted: ‘The regional Ombudsman’s Offices carried out 140 training activities with various groups that provide National Police services in the territory, with a total of 5,636 participants. The activities are a response to requests submitted to the Ombudsman’s Office to address training needs in basic general conceptual aspects of human rights related to the State’s protection obligations assigned to the Public Force.’[footnote 37]

5.4.4 Originally in Spanish, a report submitted by Colombia’s Ministry of Defence (MoD) to Colombia’s Congress, published in 2024 and covering the main actions of the defence and security sector during the period 1 July 2023 to 31 June 2024[footnote 38], noted ‘[The] [d]evelopment of the Diploma in Human Rights and Police Service for 4,400 uniformed personnel in 2023. Participation of a total of 559 uniformed personnel in events and academic courses related to Human Rights, ethnic approach, peace leadership, among others.’[footnote 39]

5.4.5 The same source stated: ‘Since its inception, the Government of President Gustavo Petro has been committed to consolidating the security and defense conditions for the country, as demonstrated by the sustained increase in the Defense and Security Sector budget, going from $49.6 trillion [COP] [£8,746,239,692GBP[footnote 40]] in 2023 to $54.2 trillion [£9,552,334,901 British Pounds GBP[footnote 41]] in 2024.’[footnote 42]

6. Capabilities of law enforcement agencies

6.1 Accessibility

6.1.1 The Immigration and Refugee Board of Canada (IRB) published a response to a request for information on Colombian Police and Office of the

Attorney General reports in February 2022 (IRB response 2022) based on a range of sources. The IRB response 2022 cited the US Embassy in Colombia:

'The US Embassy in Colombia indicates that [i]f the crime you are reporting is not [theft, scams, forgery of public or private documents, cybercrime, extortion, gender-based violence or child exploitation,] or if you require immediate assistance, you will be required to file the report in person at the nearest [URI] of the Colombian authorities. You may also file a report at a police station but it will not have the same validity for legal procedures and it is recommended that victims go to the URI to file a formal report. Also, it is best to file the report in the jurisdiction where the crime occurred, if possible.'[footnote 43]

6.1.2 An undated website page for the Office of the Attorney General [Fiscalia General de la Nacion] stated where and how to file a police report if you are a a victim or aware of the commission of a crime:

'How to file a report

- In person or written
- By the victim or a third party
- When filing a report, please provide specific information such as time, place and description of facts

Where to file a report

- Salas de Recepción de Denuncia (specific places to receive reports)
- Grupos de Accion Unificada por la Libertad Personal – GAULA (Unified Action Groups for Personal Freedom)
- Casas de Justicia in Bogotá
- DIJIN and SIJIN Police Stations
- In case of domestic violence, Comisarías de Familia (an organism which aims to prevent, ensure, restore, compensate rights of members in a family where violence cases have occurred)
- Centros de Atención Penal Integral a Victimas CAPIV (centers which provide Legal and Integral Assistance to victims)
- A written statement to Oficinas de Asignaciones – Office of the Attorney General
- Contact the Office of the Attorney General in Bogotá at numbers 5702000, and 018000919748 or 122 nationwide. Also, by filing an on-line report at the Attorney General´s Office and National Police web page.'[footnote 44]

6.1.3 An undated CNP webpage provided a list (https://www.policia.gov.co/regiones-departamentos-metropolitanas) of where Police Commands are operational. Each of Colombia's 32 departments have a police command overseen by a Colonel and at least one police station[footnote 45]. The website provides a separate webpage for each department, including details about the Colonel, an organisation chart, details on how to contact the police department and a directory of police stations in the department and any specialist units[footnote 46].

6.1.4 The World Justice Project, '…an independent, multidisciplinary organization working to create knowledge, build awareness, and stimulate action to advance the rule of law worldwide.'[footnote 47], produced the report The Rule of Law in Colombia: Key Findings from the General Population Poll (GPP) 2022 (WJP 2022 Rule of Law Colombia report) in 2023. The report presented key themes from the GPP and '…was conducted between May and June 2022 through face-to-face interviews to a nationally representative sample of 1,000 Colombian households. This poll was designed to capture data on the experiences and perceptions of ordinary people regarding a variety of themes related to the rule of law.'[footnote 48] The report found that 35% of respondents believed police were available to help when needed[footnote 49].

6.1.5 The Overseas Security Advisory Council (OSAC), which described itself as a '…public-private partnership between the U.S. Department of State's Diplomatic Security Service (DSS) and security professionals from U.S. organizations operating abroad'[footnote 50], produced a country security report on Colombia updated 31 January 2024. The 2024 OSAC report noted:

'CNP is a professional organization recognized around the world for its success. However, the force is often overworked, and lacks some resources to deter or investigate crime. Response to alarms or emergency calls to disrupt burglaries or crimes in progress can be 15 minutes or longer depending on the area an incident occurs. In urban areas, police are posted at neighborhood substations known as Immediate Attention Centers (CAI). Police patrol on foot and in vehicles. You can also find police and military presence at important facilities and along major routes…'[footnote 51]

6.1.6 The same report provided a list of telephone numbers on which the police can be contacted:

'General Emergencies: 123

Anti-kidnapping / Anti-extortion (GAULA): 165

Complaints about the police: 166

Women's issues: 155

Road Safety and Transit: 767

Antiterrorism: 018000-919621'[footnote 52]

6.1.7 The annual Freedom in the World 2024 report (FH report 2024), published in March 2024, assessed the rights and freedoms enjoyed by individuals in Colombia from 1 January 2023 to 31 December 2023. The report was produced by in-house and external analysts who used a range of sources from news articles to on-the-ground research to inform the report[footnote 53]. Considering police protection, the FH 2024 report noted: '…The police lack necessary resources, some units are prone to abuse, and police are largely absent from many rural areas where the most dangerous groups are active…. Some parts of the country, particularly resource-rich zones and drug-trafficking corridors, remain highly insecure.'[footnote 54]

6.1.8 The Bertelsmann Stiftung's Transformation Index 2024 report on Colombia (BTI 2024 Colombia report), covering the period from 1 February 2021 to 31 January 2023 which assesses the transformation toward democracy and a market economy as well as the quality of governance in 137 countries through country experts[footnote 55] report added:

'The vast majority of the population recognizes the legitimacy of the nation-state and the state's constitution. The Colombian constitution guarantees equal rights (including civil, political, social and collective rights) to all citizens, regardless of race, religion, gender or political beliefs. However, certain populations, such as those in rural and urban peripheries, Indigenous communities, Afro-Colombians, peasants, and particularly women, do not have the ability to fully exercise their rights due to the lack of resources and structural constraints. Such groups have been neglected by the state. To bridge the gap between formal and substantive citizenship, the Constitutional Court frequently intervenes to compel the state to implement necessary policies. In certain rural and urban marginalized areas, non-state armed actors are responsible for establishing and enforcing rules and providing governance.'[footnote 56]

6.1.9 In a June 2024 COI report on Colombia, the Government of the Netherlands reported that:

'… access to the legal system is limited in remote areas. In addition, many people do not file reports for criminal offences, as they lack confidence in the Colombian authorities or fear adverse consequences from filing a report. In areas where illegal armed organisations are present, there is a chance that they have contacts at the Fiscalía [Attorney General's Office]. According to a confidential source, in some cases, investigators from the Fiscalía have been threatened when investigating. The source noted that this is particularly likely to occur in rural areas where Colombian authorities have little foothold.'[footnote 57]

6.2 Efficacy

6.2.1 The ICG 2022 report added Colombia '…maintains a conscript army, and levels of professionalism are low among the rank and file…the problems with the conscript base mean that a "very small number of units have the actual capacity" to conduct sensitive operations.'[footnote 58]

6.2.2 Based on the WJP 2022 Rule of Law Colombia report, CPIT created the below table based on the questions and responses in the report which related to public perceptions on the effectiveness of the police[footnote 59]:

Questions	% of respondents agreeing
Police serve the interests of the community	40%
Police serve the interests of regular citizens	29%
Police respond to crime reports	29%
Police resolve security problems in the community	38%
Police perform effective and lawful investigations	32%
Police help persons feel safe	35%

6.2.3 The USSD 2022 HR report noted: '…Civilian authorities generally maintained effective control over security forces…'[footnote 60] The USSD 2023 HR report did not reference civilian authorities control over security forces.

6.2.4 An ICG report published 24 February 2023 (ICG report 2023), focussed on the current President Petro's "total peace" policy, noted: 'Colombia's civilian state institutions also play a role in offering protection to civilians, although they rely on a thin, ineffective set of mechanisms. Furthermore, the reach of these institutions is unavoidably inhibited by the presence of armed and criminal groups in rural communities.'[footnote 61]

6.2.5 The ICG 2023 report commented on President Petro's 'total peace policy' which '…begins with the premise that large swathes of the country, home to nearly 15 per cent of the population, are not effectively administered by the state, but subsist instead under the sway of armed and criminal groups…'[footnote 62]

For information on territorial presence of armed groups, see the Country Policy and Information Note, Colombia: Criminal Gangs and Armed Groups

(https://www.gov.uk/government/publications/colombia-country-policy-and-information-notes).

6.2.6 The Global Organised Crime Index (GOCI) 2023, produced by the Global Initiative Against Transnational Organised Crime (GI-TOC), is described as '…a multi-dimensional tool that assesses the level of criminality and resilience to organized crime for 193 countries…the Index covers the year 2022 (GOCI 2022 Index) and draws from both quantitative and qualitative sources. The tools is [sic] underpinned by over 400 expert assessments and evaluations by the GI-TOC's regional observatories.'[footnote 63] The GOCI 2022 index scored Colombia 5.63 out of 10 for resilience[footnote 64].('…the higher the resilience score a country has, the more effective its response measures are to organised crime.'[footnote 65])

6.2.7 Latinobarómetro, described as being '…produced by the Latinobarómetro Corporation, a private non-profit corporation based in Santiago, Chile, which is the sole party responsible for the data.'[footnote 66], published the 2023 Latinobarómetro survey (originally in Spanish) on 21 July 2023, which included Colombia. The survey was conducted in Colombia between 20 February and 30 March 2023[footnote 67] with 1200 participants consisting of 47.3% men and 52.7% women[footnote 68]. The survey included a question assessing the number of respondents who had been victims of crime. The responses have been summarised in the table below, compiled by CPIT[footnote 69]:

Have you or a relative been assaulted, attacked, or the victim of a crime in the last 12 months?

You	8.6%
Relative	23.4%
Both	3.6%
No	63%

6.2.8 The same survey included a question around public confidence in the police. The responses have been summarised by CPIT in the table below[footnote 70]:

Confidence in the police

A lot	14.6%

Some	28.3%
Little	36.1%
No trust	19.7%

6.2.9 The BTI 2024 Colombia report noted:

‘The state’s monopoly on the use of force is limited. In several parts of the country, the state coexists and interacts with a wide range of non-state armed actors, including rebel forces such as the Ejército de Liberación Nacional (ELN) and the Ejército de Liberación Popular (EPL), as well as both dissidents and rearmed factions of the demobilized FARC. Additionally, right-wing paramilitary successor groups, organized crime organizations and street gangs play a significant role. The largest organized crime group in Colombia is the Gulf Clan, also known as Autodefensas Gaitanistas de Colombia. These actors exercise varying degrees of control over territories, populations and resources.’[footnote 71]

For more information on the control, presence and impact of armed groups, see the Country Policy and Information Note, Colombia: Criminal Gangs and Armed Groups (https://www.gov.uk/government/publications/colombia-country-policy-and-information-notes).

6.2.10 The World Justice Project Rule of Law Index ranks 142 countries on 8 separate elements on a scale of 0 to 1 (0 being low and 1 being high) to assess the rule of law in countries worldwide, with 1 indicating the strongest adherence to the rule of law. The 2024 WJP Index for Colombia, published 23 October 2024 reflects the responses of 1000 respondents who completed a face-to-face questionnaire of 340 questions in 2022 to capture the experiences and perceptions of ordinary citizens and in-country professionals concerning the performance of the state and the operation of the legal framework in their country[footnote 72]. The index is also based on Qualified Respondents’ Questionnaires (QRQ) which are the responses of in-country ‘local experts’ between February 2024 and June 2024[footnote 73]. Colombia’s score on ‘Order and Security’ which measures how effective a country is at ensuring the security of persons and property[footnote 74] is summarised in the below table by CPIT[footnote 75]:

Factor	Score (0 to 1)	Regional Rank (of 32 countries)	Global rank (of 142 countries)
Order and Security	0.53	29	130

Factor	Score (0 to 1)	Regional Rank (of 32 countries)	Global rank (of 142 countries)
Subfactor			
5.1 Crime is effectively controlled	0.47	28	136
5.2 Civil conflict is effectively limited	0.84	31	121
5.3 People do not resort to violence to redress personal grievances	0.28	21	127

6.2.11 The Colombian Ministry of Justice website includes an interactive page displaying the official number of arrests since 2010, last updated on 31 October 2024. The table below, created by CPIT, provides arrest figures since 2021[footnote 76]:

	Men	Women	Total
2021	164,501	17,908	236,051
2022	168,427	18,683	187,110
2023	174,496	18,659	193,155
2024	159,665	16,300	175,965

6.3 Policy and strategy

6.3.1 On 10 June 2024 the UN Committee against Torture (UNCAT) published information received from Colombia regarding the concluding observation of the UNCAT's sixth periodic report. The document noted: '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.'[footnote 77]

6.3.2 The same report stated:

'The Security, Defence and Citizen Coexistence Policy: Guarantees for Life and Peace 2022–2026, issued by the Ministry of Defence, is based on the

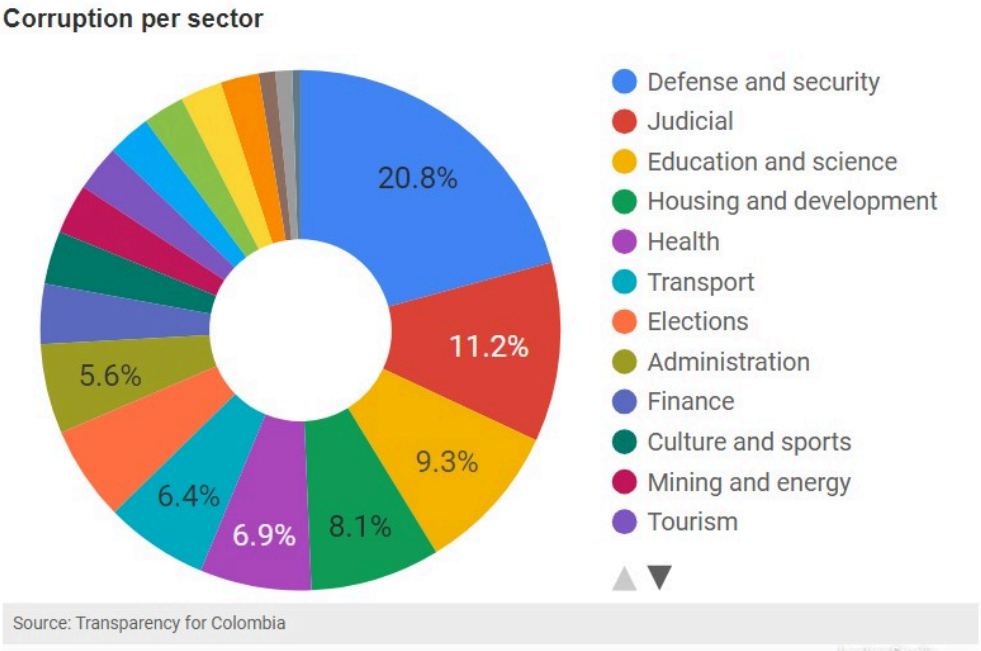
concept of human security and has the principal aim of protecting life. To this end, the policy sets out, as its overarching goal, “To protect the lives of all inhabitants of the country by creating conditions of safety in urban and, particularly, in rural environments and by restoring State control 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.

‘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.’[footnote 78]

6.4 Corruption

6.4.1 On 15 March 2021 InSight Crime, which describes itself as ‘…a think tank and media organization…providing regular reporting, analysis, data, investigation…’[footnote 79] reported that a former chief justice of Colombia’s Supreme Court was found guilty of corruption. Francisco Ricaurte ran a network known as the ‘Cartel of the Robe’ in which judges and lawyers accepted bribes in exchange for providing political elites with favourable outcomes. Others prosecuted included an anti-prosecution prosecutor, lawyer, and former Supreme Court justices[footnote 80].

6.4.2 A 21 December 2021 article published by Colombia Reports, a ‘non-profit website that reports from Colombia for a global audience’[footnote 81], reported on research conducted by Transparency for Colombia between 2016 and 2020 which analysed 967 corruption scandals and highlighted the breakdown of corruption per sector[footnote 82]:



6.4.3 In December 2022, the European Union Agency for Asylum (EUAA) published a Country of Origin Information (COI) report entitled 'Colombia: Country Focus', citing various sources, in which it noted: '…There were 'alarming allegations' of high-level corruption within the armed forces reported during summer 2022. Corruption in the ranks is also a problem, and there were reports that criminal group[s] enlist members of the security forces to inform on colleagues and or participate in illicit activities.'[footnote 83]

6.4.4 The ICG 2022 report noted: 'Cases of corruption remain a stubborn problem within the military. Armed and criminal groups use their financial clout to enlist members of the security forces to inform on their colleagues and collaborate – or even participate – in illicit activities…'[footnote 84]

6.4.5 Based on interviews conducted by the ICG with brigade commanders in 2021 and 2022 the same report highlighted: 'The most common type of infiltration of the military involves low-level corruption, in which an armed or criminal group pays soldiers for services, such as providing intelligence, redirecting patrols or looking the other way as trafficking takes place…'[footnote 85]

6.4.6 Additionally, the same report noted that high-level corruption in the military is also an issue. The report noted one high profile case: '…the Attorney General's Office is investigating a former commander of the armed forces – General Leonardo Barrera – for allegedly (during and after his time in uniform) furthering the interests of a criminal group, La Cordillera, tied to the Gulf Clan in Nariño…Barrera was heading the mechanism intended to protect endangered community and social leaders – including some killed by the Gulf Clan – at the time of several of his alleged crimes.'[footnote 86] In the sources consulted, CPIT could not find any updated information on the progress of this investigation (see Bibliography).

6.4.7 The GOCI 2022 Index report noted:

‘The police and military have…been involved in various scandals, including collaboration with criminal networks and violent repression of social mobilizations, resulting in missing persons, deaths and impunity. Corruption scandals involving state actors have been exposed in exploitation around the Amazon, with complex networks including armed networks, private actors and state representatives acting against environmental leaders’ efforts. Despite efforts to address corruption and violence by transitional justice and truth commissions, state-embedded actors continue to undermine progress.’[footnote 87]

6.4.8 The Latinobarometro 2023 survey included a question measuring public perception on corruption in state institutions. The below table, compiled by CPIT, shows the results[footnote 88]:

In the last 2 years, how much progress has been made in reducing corruption in state institutions?

A lot	9.3%
Some	19.4%
Little	33.7%
None at all	35.5%

6.4.9 Transparency International (TI), an NGO and ‘global movement working in over 100 countries to end the injustice of corruption’[footnote 89], compiles the Corruption Perceptions Index. The index ranks 180 countries and territories by their perceived levels of public-sector corruption according to experts and businesspeople. It relies on 13 independent data sources and uses a scale of 0 ‘highly corrupt’ to 100 ‘very clean’[footnote 90]. Whilst the index methodology does not appear to consider factors that may affect perceptions, in 2023, Colombia scored 40/100 points. For context, the global average is 43[footnote 91].

6.4.10 The same report included the below graph which illustrates the increase in perceived levels of corruption for Colombia since 2013[footnote 92]:

Score changes	Year
2012	36
2013	36

Score changes	Year
2014	37
2015	37
2016	37
2017	37
2018	36
2019	37
2020	39
2021	39
2022	39
2023	40

6.4.11 Originally in Spanish, on 13 June 2023 Blu Radio, a Colombian radio station based in Bogota[footnote 93], reported online that several police officers extorted 500,000 pesos from an individual and illegally held them at a police station for at least 2 hours. The officers were arrested and charged with kidnapping for extortion[footnote 94].

6.4.12 Regarding the same incident, on the 15 June 2023 the Guardian published an article including a quote from a local businessman in regard to police corruption: '"It's basically another income for them – their overtime – so it's a bit of a relief to see them face justice," said Camilo López, who runs a small business in Bogotá which is often squeezed for cash by corrupt officers.'[footnote 95]

6.4.13 On 5 April 2024, Colombia One, an independent publisher and digital media collective publishing news from Colombia in English[footnote 96] published an article regarding police corruption in Colombia. The article noted:

'The President of Colombia, Gustavo Petro, has denounced police corruption in a public act of the police force in Bogota. In an act called the 'New Model of Police Service Oriented to People and Territories', in which the head of state advocated for a police force "less militarized and closer to the citizens", he denounced the collusion of part of the police with micro-trafficking dealers in Bogota.

‘… the president affirmed that “every neighborhood policeman knows where the olla [the colloquially used term in Colombia for the points of sale, exchange, and consumption of drugs] is, and what happens is that the olla buys the policeman.”

‘… “this is known… by all of us present here. Anyone who knows the life of a Bogota neighborhood knows perfectly well that criminals, living with the police in the neighborhood, can co-opt them”.

‘In this regard, Gustavo Petro affirmed that it is logical that these criminal groups buy the neighborhood police if they manage to buy senators…

‘… Although there are few complaints, due to the scarce existence of actual proof or evidence, there are more than a few Colombians who tell of experiences in which cases of police corruption have been manifest.

‘Among the most commented, but not denounced, aspects of this is the request for money from the highway police to avoid traffic sanctions or, as in the popular neighborhood of Chapinero in Bogota, the alleged police inaction in cases of noise pollution from various bars and nightclubs that operate in this well-known sector of the capital’s nightlife…’[footnote 97]

6.4.14 The 2024 WJP Rule of Law Index assessed corruption levels in government, including the subfactor ‘Government officials in the police and military do not use public office for private gain.’ Colombia scored 0.52 out of 1.0, where 0 indicates high levels of corruption and 1 signifies no misuse of public office for private gain[footnote 98].

6.5 Misconduct and human rights violations

6.5.1 An ICG July 2021 report noted the 2021 National Strike was triggered by a controversial tax reform and protestors had ‘…two broad motives bringing them into the streets: socio-economic concerns and anger at the security forces…’.[footnote 99] The 28 April 2021 protests marked the first large-scale demonstration with most of Colombia’s largest and mid-size cities hosting protests, with the largest in Cali, resulting in clashes between protestors and security forces[footnote 100].

6.5.2 In regard to police response during the National Strike, on 1 December 2022 Amnesty International published a report documenting sexual violence and other gender-based violence committed by the CNP in particular the Mobile Anti-Riot Squad (Escuadrón Móvil Antidisturbios, ESMAD) during the 2021 National Strike. The report is based on 75 interviews with 2 journalists, 7 survivors or families and 66 human rights defenders and spokespersons for associated organisations[footnote 101]. The report noted:

‘Amnesty International received hundreds of reports of gender-based violence during the National Strike. The cases reported include psychological violence, threats of sexual violence, violence due to prejudice

against LGBTI people, groping and sexual harassment, forced nudity, gender-based discrimination, torture and rape experienced by Afro-descendant women, Indigenous women, as well as women human rights defenders, journalists, reporters and members of health brigades, mothers who accompanied the demonstrations and, in general, women who participated in the protests.'[footnote 102]

6.5.3 AI's December 2022 report noted: 'As of June 2021, there were reports that there were more than 491 women victims of police violence, not necessarily associated with gender in the context of protests, 28 victims of sexual violence, and 5 cases of gender-based violence against LGBTI demonstrators.'[footnote 103]

6.5.4 In regard to human rights violations committed during the 2021 National Strike, Amnesty International published a report on 30 July 2021 on violence in Cali where the highest concentration of human rights violations by the National Police took place. AI analysed and verified hundreds of audiovisual materials from open sources, in addition to material sent to journalists, human rights defenders and other NGOs between 28 April 2021 and 30 July 2021 and conducted more than 50 interviews with witnesses, victims and human rights organisations[footnote 104]. The report documented three specific incidents of human rights violations in Cali, two of which involved the CNP committing human rights violations. The first incident occurred on 3 May 2021 in which the National Police, ESMAD and members of the Special Operations Group of the CNP used lethal weapons against peaceful protestors which killed 3 people and the second incident occurred on 28 May in which the CNP used excessive force alongside armed civilians[footnote 105].

6.5.5 The same report noted: 'The practices documented in Cali – which include the use of lethal weapons against protesters, excessive and unlawful use of less lethal weapons such as tear gas, unlawful detentions and torture – are representative of hundreds of reports by protesters and human rights defenders and organizations and illustrate the modus operandi implemented throughout the country.'[footnote 106]

6.5.6 The UNCAT June 2023 observations noted:

'The Committee is seriously concerned by allegations of torture, ill-treatment and sexual violence committed against persons while in police custody during the period under review [referring to OHCHR report covering events in 2022[footnote 107]]…. the Committee remains concerned by consistent reports that the fundamental safeguards against torture and ill-treatment set out in the law are not being rigorously applied in practice, especially in the case of persons detained in the course of the social protests that took place in 2019 and 2021. Of particular concern are reports of mass and arbitrary arrests carried out by police officers who showed no identification and the detention of persons in unofficial locations; difficulties in providing notifications of detention and of transfers to other places of confinement;

difficulties in gaining access to a medical examination; and delays in bringing detained persons before a judicial authority.'[footnote 108]

6.5.7 The same report stated:

'The Committee is also concerned by reports concerning the misuse of the provision on transfers for protective purposes contained in article 155 of the National Code of Citizen Security and Coexistence (Act No. 1801 of 2016), which are intended to safeguard the life and integrity of persons who are at risk or in danger. According to those reports, its misuse has led to the incommunicado detention of persons deprived of their liberty for periods of up to 24 hours, especially in the context of demonstrations and protests. While taking note of the changes introduced by Act No. 2197 of 2022, which modified the way such transfers are regulated, the Committee observes with concern that a wide margin of discretion in their use continues to be allowed.'[footnote 109]

6.5.8 Regarding an update on the investigation of human rights violations by police officers during this period, the Office of the High Commissioner for Human Rights (OHCHR) report on the situation of human rights in Colombia during 2023 published 12 July 2024 (OHCHR 2023 report on human rights in Colombia) noted:

'The Inter-Institutional Standing Committee helped advance investigations into human rights violations in the context of the 2020 and 2021 protests. Eight police officers allegedly involved in the human rights violations have retired; of these, seven are being criminally prosecuted for their alleged responsibility in these violations. As for the 2021 national strike, thanks to the efforts of the Inter-Institutional Standing Committee, the Attorney General's Office and the Counsel General's Office have included in their investigations the 46 homicide cases documented by OHCHR and the identification of 10 officials, and progress has been made in contextual investigations in Cali, which concern seven victims and in which the commander of the operations is being prosecuted. Despite this progress, it is necessary to move forward more expeditiously in the investigations, punish those responsible and make full reparations to the victims.'[footnote 110]

6.5.9 On 30 September 2024, independent UN experts sent a letter to the Colombian government to raise concerns around 'the lack of truth, justice and accountability for killings and other human rights violations'[footnote 111] committed during the 2021 National Strike. The UN press release noted the letter acknowledged that some progress has been made, however noted concerns at the lack of progress in investigations into 16 reported cases of unlawful killings and attempts to transfer judicial proceedings to military courts[footnote 112].

6.5.10 For more information on the investigation and punishment of misconduct, and the criminal justice process, see Investigation and

punishment of misconduct, Criminal justice process.

6.5.11 The USSD HR report 2022 cited one specific case of abuse in police custody; 'On July 25 [2022], in the municipality of Sampues, Sucre Department, three men were allegedly abused and subsequently died in police custody. Ten police officers were arrested by the Attorney General's Office on suspicion of involvement in these three homicides.'[footnote 113]

6.5.12 Originally in Spanish and referring to the above homicide case, in September 2024, Argentina-based news site Infobae[footnote 114] noted that the police lieutenant-colonel who shot the 3 youths was sentenced in May 2023 to 29 years in prison for aggravated homicide and other crimes. In September 2024, 9 other police officers were fired and barred from holding public office for periods of 11–19 years[footnote 115].

6.5.13 The FH 2024 report noted that protests organised in 2022 and 2023 were generally free of violence[footnote 116].

6.5.14 AI's 2022 world human rights report analysing the human rights situation in 2022 in 156 countries including Colombia[footnote 117] noted two cases under the heading of 'excessive and unnecessary use of force'[footnote 118] by the Mobile Anti-Riot Squad (ESMAD):

'In May, Indigenous leader Luis Tombé was shot dead in the context of an environmental protest in the town of Miranda, Cauca department, when members of the Mobile Anti-Riot Squad (ESMAD) opened fire on protesters calling for the release of fellow demonstrators held by police. In June, civil society platform Campaña Defender la Libertad criticized ESMAD's excessive use of force against protesters which resulted in one person sustaining eye trauma at Distrital University in Bogotá. Protesters were calling for more resources and improved infrastructure for the university.'[footnote 119]

6.5.15 The same report noted a case of arbitrary detention 'According to Campaña Defender la Libertad, arbitrary detentions by state security forces increased between March and June [2022], in the context of the upcoming elections.'[footnote 120] The AI 2022 report did not provide figures for the number of persons arbitrarily detained. The AI 2023 report did not highlight any specific incidents of arbitrary detention.

6.5.16 The FH 2024 report stated: 'Collaboration between security forces and illegal armed groups has declined, but rights groups report official toleration of paramilitary successor groups in some regions.'[footnote 121]

6.5.17 The OHCHR 2023 report noted:

'OHCHR received 37 allegations of arbitrary deprivation of life purportedly committed by members of the police and military forces; of these, 30 were verified by OHCHR and 7 are in the process of being verified. The victims of

the 30 verified cases were 26 men, 2 boys and 2 girls. Four victims were of African descent. The verified cases occurred in 13 departments, the main ones being Atlántico, Valle del Cauca and the city of Bogotá. In 21 of the 30 verified cases, the alleged perpetrators were members of the police, and in 9 they were members of the military forces. OHCHR referred the 37 allegations to the Ministry of Defence, which took action to determine whether there had been a violation of the right to life; OHCHR requested that, where such violations are confirmed, the appropriate disciplinary action should be taken and criminal proceedings should be initiated before the ordinary courts.'[footnote 122]

6.5.18 The same report noted:

'OHCHR also received 36 allegations of other human rights violations by members of the security forces, of which it has verified 18. The allegations were referred to the Ministry of Defence so that it might initiate the relevant investigations. These violations consisted of torture; cruel, inhuman or degrading treatment; gender-based violence, including sexual violence; violations of and threats to personal integrity; arbitrary detentions; and discrimination. In addition, OHCHR received further reports of cases of corruption and/or collusion between members of the security forces and criminal organizations or non-State armed groups, as well as cases of omission in their duty to protect communities and/or victims.'[footnote 123]

6.5.19 In regard to specific violations, the same report noted:

'OHCHR received with concern two new allegations of human rights violations against girls in Bolívar, including sexual and gender-based violence, purportedly perpetrated by members of the police and armed forces.12 OHCHR considers it necessary for the authorities to take more effective measures to investigate and punish those responsible, and to prevent the occurrence of new violations, as well as to strengthen inter-institutional coordination to fully uphold the rights of girls.'

6.5.20 Specifically, regarding state bodies' misconduct in the context of arrest and detention, the USSD HR report 2023, published in April 2024 covering events in 2023, stated: 'Even though the law prohibited arbitrary arrest and detention, this law was not always respected. NGOs described some arrests as arbitrary. According to Coordinación Colombia Europa Estados Unidos ['The Colombia-Europe-United States Coordination (CCEEU) is a platform of human and social rights organizations…'[footnote 124]] police misused a temporary protection mechanism to arbitrarily detain protesters, and from January 1 to August, 39 persons were arbitrarily detained using this legal mechanism.'[footnote 125]

6.5.21 The USSD HR report 2023 noted:

'Through June 30 [2023], Temblores [a Colombian social justice NGO[footnote 126]] reported 26 cases of arbitrary detention by police involving

145 victims. CINEP [a non-profit research centre of the Society of Jesus[footnote 127]] reported two cases of arbitrary detention, with 14 victims, by the army, and one case of arbitrary detention, with four victims, by the Attorney General's Office. According to the Inspector General's Office, between January 1 and July 31, there was one case of arbitrary detention reported. The Attorney General's Office reported no cases or investigations initiated for this crime.'[footnote 128]

6.5.22 The USSD HR report 2023 noted:

'Although the law prohibited such practices [torture and other cruel, inhuman, or degrading treatment or punishment, and other related abuses], there were credible reports government officials employed them. CINEP reported that through June 30 [2023], security forces were allegedly involved in two cases of abuse and inhuman treatment involving two victims, one in Tunja, Boyacá, and one in Bogotá. Temblores reported five cases of sexual assault committed by police against peaceful demonstrators. Temblores reported 68 cases of police violence between January 1 and June 30 [2023] as part of police actions by the Unit for Dialogue and Order Maintenance against peaceful demonstrators. The Attorney General's Office and the Inspector General's Office stated they launched internal investigations of all allegations of excessive use of force.'[footnote 129] (For further information on the outcome of internal investigations see Investigation and punishment of corruption and misconduct)

6.5.23 The USSD HR report 2023 cited one specific case of abuse in police custody: '…[O]n January 19, in the municipality of Venadillo, Tolima Department, police shot Ricardo Ivan Amaya, who subsequently died in police custody.'[footnote 130] In the sources consulted, CPIT could not find any updates on this case (see Bibliography).

6.5.24 The USSD HR report 2023 stated: '… The Attorney General's Office and the Inspector General's Office opened numerous cases against members of the military and police for rape, abuse, and sexual harassment of women, Afro-Colombian and Indigenous leaders, and members of the LGBTQI+ community…'[footnote 131]

6.5.25 Temblores, a Colombian social justice NGO[footnote 132], created the GRITA platform which monitors reports of police violence through '…a process of collection, triangulation, verification, and analysis of information… The collection of information is based on 4 different sources: receipt of direct complaints from victims and witnesses of police violence, complaints in the media, complaints on social networks, and complaints from human rights organizations…'[footnote 133] The table below created by CPIT summarises the police violence data collected on GRITA between 2021 and June 2024[footnote 134] [footnote 135] [footnote 136] [footnote 137] [footnote 138]. (All COI from the source Temblores was originally published in Spanish):

Type of Violence	2021	2022	2023	2024 (Jan-June)
Physical	1991	164	140	36
Homicide	80	26	22	8
Sexual	47	16	6	1
Total reported cases	5808	341	187	78

7. Protection programmes

7.1 Witness protection

7.1.1 Originally in Spanish, an undated website page for The Office of the Attorney General (Fiscalia General de la Nacion) stated 'The Programme for the Protection of Witnesses, Victims and Participants in Criminal Proceedings and Officials of the Public Prosecutor's Office is the set of mechanisms adopted by the Directorate for Protection and Assistance to safeguard the life, liberty, security and integrity of persons who, following a Technical Threat and Risk Assessment, are determined to be subjected to threats or in a condition of risk…'[footnote 139]

7.1.2 Regarding whom can access the protection programme, the Office of the Attorney General website noted:

- 'Witness: A person who has been aware of the commission of a crime or of any circumstance that is relevant to proving criminal responsibility and who, in the opinion of the competent judicial officer, is in a position to express it during the procedural action. A threat or risk (extraordinary or extreme) to his or her life, liberty, security and personal integrity must be derived from the status of witness.
- 'Victim: A person who has suffered physical, mental, emotional and material harm as a result of the commission of a crime and whose intervention or collaboration with the administration of justice results in a threat or risk (extraordinary or extreme) to his or her life, freedom, security and personal integrity, when acting as a witness in criminal proceedings.
- 'Speaker: A person who, without being a subject of a procedural act or subject of a procedural act, is derived from a risk (extraordinary or extreme) due to or on the occasion of his or her intervention in the Criminal Process, and that the hearing officer intends to present to support the theory of the case.

- ‘Official of the Attorney General’s Office: Prosecutor of the case in which his or her intervention in a criminal proceeding results in a threat or risk (extraordinary or extreme) to his or her life, liberty, security and personal integrity.’[footnote 140]

7.2 National Protection Unit (UNP)

7.2.1 Originally in Spanish, the UNP website states its mission is to: ‘… identify and manage prevention and protection measures for people and communities at risk of their life and integrity due to the development of their leadership or representation activities…’[footnote 141]

7.2.2 On 9 November 2023 AI published a report on the situation of violence against human rights defenders and, with regards to the UNP stated:

‘…The work of the UNP is essentially to adopt emergency, prevention and protection measures.71 The protection options in this approach range from self-protection training and patrols to the implementation of differentiated protection programmes with the allocation of material measures to mitigate risks, including support buttons, bulletproof vests, transport vehicles and protection personnel.’[footnote 142]

7.2.3 According to the UNP website citizens can apply for protection in person at the main office in Bogota, through one of the regional offices, or via telephone, virtual chat, email, android app, or post[footnote 143].

7.2.4 A July 2024 response on mechanisms of state protection in Colombia, including the UNP, by the Research Directorate of the Immigration and Refugee Board of Canada (IRB 2024 response) cited correspondence from 4 July 2022 with a senior Colombia analyst at Crisis Group who provided the following information:

‘In general, anyone who is threatened can solicit protection [from the UNP] if they demonstrate that the threat is real and material, and that they are a leader in their community—a social leader or human rights defender. Candidates for public office and other officials can also solicit protection. The burden of proof is high. Applicants need to demonstrate that they are immediately and mortally threatened—which can often be very hard, if the person has received threats via phone call or in person, for example. Social leaders who have unsuccessfully sought protection have shared their frustrations that the process requires you to attach an official crime report, but many of these same leaders are very afraid to report incidents to the security forces, because the police are believed to be complicit or even working with the threatening party.

If a person has protection, it certainly helps but it is not a guarantee of safety. In some areas, in fact, having a bodyguard and armoured car can be equivalent to the person putting a larger and more obvious target on their back. Yes, protection often stops mortal threats, but social leaders often trade their privacy, their ability to work in communities, and their leadership

in exchange for taking on these security schemes. They are particularly problematic for females, as bodyguards are often men.'[footnote 144]

7.2.5 AI's November 2023 report noted:

'The Ombudsperson's Office presented worrying figures on the performance of the UNP in 2020 and 2021. In 2020, the institution received 51,097 requests for protection, and afforded protection to 8,190 individuals; in 2021 it received 46,245 requests and provided protection to 8,100 individuals. The disconnect between the number of requests and the number of people protected shows that, despite the considerable institutional effort involved in protecting more than eight thousand people, the UNP failed to meet the expectations of protection in a much larger universe of potential beneficiaries. The figures do not allow for precise comparisons, as it is unclear whether a request for protection covers a single person or more than one person; it is also unclear whether they correspond only to human rights defenders or also to other groups. Nevertheless, the Ombudsperson's assessment seems reasonable. Even if each request corresponded to a single person, the UNP would have covered only 16% to 17% of those requesting protection.

'The uncertainty is even greater if the figures provided by the UNP to Amnesty International in July 2023 are considered. According to the UNP's Planning and Information Advisory Office, between 1 January 2016 and 31 December 2022, the UNP received 30,413 requests for individual protection from human rights defenders and 2,082 requests for collective protection… Of the 30,413 requests for individual protection, a risk assessment had been initiated for only 6,923; while of the 2,082 requests for collective protection, a risk assessment had been initiated in only 318 of the cases. In other words, the UNP progressed in only 22.8% of the individual protection requests and 15.3% of the collective protection requests.'[footnote 145]

7.2.6 AI's November 2023 report included the below table (reproduced by CPIT) breaking down requests for individual and collective protection received by the UNP between January 2016 and December 2022[footnote 146]:

	2016	2017	2018	2019	2020	2021	2022
Requests for individual protection with risk assessment initiated	366	766	1083	1100	937	1175	1496
Requests for individual without risk assessment initiated	2043	2312	3760	3713	4189	2714	4759

	2016	2017	2018	2019	2020	2021	2022
Requests for collective protection with risk assessment initiated	2	72	23	22	15	95	89
Requests for collective protection with risk assessment initiated	218	79	336	270	60	388	413

7.2.7 The USSD 2023 report stated: 'As of May 31 [2023], the NPU [UNP] provided protection to a total of 9,444 persons, including 197 leaders or representatives of human rights organizations, 420 leaders or representatives of community organizations, 160 leaders or representatives of peasant organizations, 78 activists from human rights organizations, 204 persons from victims' organizations, and 117 leaders or representatives of social organizations.'[footnote 147].

7.2.8 An Al Jazeera article published on 16 July 2022 noted that the Colombian government had allocated just over $1m (USD) (£769,390.94 GBP[footnote 148]) to the UNP in 2022[footnote 149].

7.2.9 The ISHR website noted: 'The NPU [UNP] has some shortcomings: there doesn't seem to be an independent review system, the appeal process is limited, some important protective measures (including the promotion of legal and administrative changes) are only recognised for collective protection, and groups eligible for collective protection are only those certified by the government.'[footnote 150]

7.2.10 The IRB 2024 response quoted an International Crisis Group analyst 'Leaders note that filing police reports (denuncias) is a time-consuming activity that often requires shuttling from office to office. Denouncing threats can also be a danger in and of itself, as watchful armed groups or other assailants can retaliate against the victim for speaking out. In some cases, leaders believe that members of the security forces are involved in threats against them, making police reports particularly hazardous.'[footnote 151]

7.2.11 The UN Committee on Enforced Disappearances (CED) concluding observations published on 2 June 2021 noted the Committee was '… concerned about information regarding: (a) shortcomings in the implementation of protection programmes, including failures to ensure that the programmes meet the needs of the intended beneficiaries, particularly women and members of indigenous communities and communities of persons of African descent; and (b) the lack of resources of the National

Protection Unit, which limits its effectiveness, particularly in rural areas.'[footnote 152]

7.2.12 Al Jazeera's article included this quote from Juan Papier a senior Americas research at HRW: '"It's mostly a problem of the authorities not understanding the situation…The government believes that the way of addressing this is by increasing the budget of the National Protection Unit and granting human rights defenders bulletproof vests and bodyguards. But the security problem in Colombia cannot be solved through bulletproof vests."'[footnote 153]

7.2.13 AI's November 2023 report noted:

'The issues of programme design and extent of the crisis were compounded by reports of inefficiency and alleged corruption within the UNP. In the period between 2020 and July 2022, Amnesty International received several direct accounts of deficiencies in the implementation of material protection measures: vehicles constantly breaking down, rotating protection personnel who lacked the trust of those being protected, withdrawal or reduction of protection plans in scenarios where the risk had not decreased, unjustified delays in the decision on the granting of measures, among others…'[footnote 154]

7.2.14 The March 2024 Report of the Secretary General from the UN Verification Mission in Colombia noted that since the signing of the final peace agreement [November 2016], 87 former combatants had been killed while under or awaiting protection measures. During the reporting period, 27 December 2023 to 26 March 2024, 3 former combatants who had protection and two personnel members of the UNP were killed[footnote 155].

7.2.15 In its June 2024 COI report on Colombia, citing confidential sources, the Government of the Netherlands reported that: 'The protection of citizens is generally better in urban areas than it is in rural areas … the UNP focuses in particular on individual protection measures. Individual protection measures are more applicable to urban areas than they are to rural areas. For example, an armoured car is much less noticeable in a city than it is in a rural area. In many areas where threatened social leaders are active, armoured cars are actually impractical, due to poor roads.'[footnote 156]

7.2.16 The same source noted that: 'According to a confidential source, more than 70% of killings of social leaders take place in areas where the UNP cannot provide individual protection, as there is a lack of statewide presence.'[footnote 157]

8. Oversight, redress and reform

8.1 Police reform

8.1.1 The July 2022 CRS report noted:

'In July 2021, [former] Colombian President Iván Duque announced reforms to the Colombian National Police (CNP). This announcement followed public and international demands for reform after the Colombian government's crackdown on widespread protests between April and June 2021… Some Members of the U.S. Congress remain closely engaged with overseeing long-standing U.S. efforts to support the CNP with assistance programs, training, and equipment.' [footnote 158]

8.1.2 Considering recent reforms enacted by the former President, the same CRS report noted:

'To date, the Duque government has enacted two laws to realize the Integral Reform. The first, the Career and Professionalization Statute… seeks to professionalize the institution and creates a new ranking, the patrulleros (patrols). This ranking provides further opportunities for police to advance their careers based on good performance and time in service. The second law, the Police Disciplinary Statute… outlines disciplinary measures for police who violate citizens' rights guaranteed in the Colombian Constitution, as well as those outlined in international human rights accords to which Colombia is party. It also calls for the inspector general (IG) of the police to present a report on the management of disciplinary issues to the Colombian Congress each year.

'Further changes include the creation of a new office to enforce human rights protections. In July 2021, President Duque appointed retired police officer Colonel Luis Alfonso Novoa Díaz to head the new office. Novoa is a human rights lawyer and former adviser to the U.S. State Department and the United Nations, and his appointment drew praise from the U.N. High Commissioner for Human Rights in Colombia. Novoa supports further human rights training as a mandatory requirement for police advancement.

'The reform agenda also seeks to bring the police closer to the public through citizen engagement. New programs such as Soy joven y estoy contigo ("I'm Young and I'm with You") seek to facilitate interaction between youth and the police. The creation of a new human rights institute also aims to serve this goal, providing a way for academics and civil society to promote human rights and citizen security.

'The CNP has created new uniforms that display the names and ranks of service members and a prominently placed QR code to facilitate filing complaints of wrongdoing. The uniforms have body cameras and are designed to emphasize the CNP's civilian identity.' [footnote 159]

8.1.3 On 22 August 2022 Reuters reported the CNP will launch a training program with the help of the US and the UN to '…strengthen disciplinary procedures, train cops through mandatory courses in international human

rights and use of force standards and set up permanent dialogue with civil society groups.'[footnote 160]

8.1.4 The ICG 2022 report cited a Crisis Group interview from a senator close to the Petro government in June 2022 stating: '["]We are not going to repeat past policies … that relied on the military to stabilise these areas. We are going to have a very different policy in the regions, in which the last resort is the armed forces, after trying other forms of intervention first. ["]'[footnote 161]

8.1.5 Petro's plan for government cited in the ICG 2022 report noted: 'Petro has promised to shift the military's focus toward "human security". In place of its current approach, which is oriented toward offensive targeting of armed groups and eradication of coca crops, the new government says it will emphasise community protection, expand human rights training to soldiers and apply civilian (rather than military) justice to those who break the rules.'[footnote 162]

8.1.6 On 16 June 2024 an article by Jacobin, described as '…a leading voice of the American left, offering socialist perspectives on politics, economics, and culture'[footnote 163], provided an update on ESMAD reforms. As part of Petro's reforms ESMAD changed to UNDMO (National Unit for Dialogue and Maintaining Order), salaries and benefits increased, new training programs were created, and anti-corruption became a priority[footnote 164]. The article noted: 'Petro has reimagined the ESMAD as a police force to be employed only as a last resort, creating "pacific and intelligent solutions" to "construct peace and social well-being" and respect people's right to protest. To make this a reality, President Petro passed a law in 2023 to end stigmatization of and misinformation about peaceful protestors…'[footnote 165]

8.1.7 Amnesty International's (AI) annual report covering events in 2023 (AI report 2023), published in April 2024, noted:

'In February [2023], the Coalition for Police Reform, a group of human rights and police violence victims' organizations, presented a set of proposals for police reform with a human rights and intersectional approach. Despite this, the government failed to implement legal reforms for a comprehensive police reform. Various initiatives changing the structure and operation of the police were approved, among them the introduction of a new police manual about the use of force during protests.'[footnote 166]

8.1.8 A CSIS commentary article published in January 2024 noted that President Petro had proposed a shift from 'mano dura' tactics, which place an emphasis of military and police toughness, towards a people-centred approach. One of the key objectives:

'…emphasises the importance of a humane and transparent police force that respects human rights…the Petro administration forced some early

retirements in the top echelons of the police and selected replacements who were unreproachable regarding human rights violations or other wrongdoings. Leadership positions are now occupied by officials with more administrative, legal or academic backgrounds, and many have attended U.S.-backed training programs.'[footnote 167]

For more information on law enforcement cooperation see National and international agency cooperation.

8.2 Special Jurisdiction for Peace

8.2.1 The ICG 2022 report noted that the 2016 peace agreement with the Revolutionary Armed Forces of Colombia (FARC) 'placed the military's past behaviour under the jurisdiction of its Special Jurisdiction for Peace (JEP), with the aim of trying wartime offences, while militaries could provide voluntary testimony to the Truth Commission.'[footnote 168]

8.2.2 On 4 April 2024, French newspaper Le Monde[footnote 169] published an article which noted that the function of the JEP 'is to adjudicate guerrillas and military personnel guilty of atrocious crimes committed during the country's long period of armed conflict. Individuals who admit to their crimes and ask their victims for forgiveness are given alternative sentences.'[footnote 170]

8.2.3 The ICG 2022 report noted that 'To date 3,482 soldiers have either submitted to or been called to answer before the special jurisdiction, including dozens of officers who have admitted to committing war crimes and abuses.'[footnote 171]

8.2.4 AI's 2023 Colombia report noted: 'In August [2023], the JEP charged nine military men, including one former general, with war crimes and crimes against humanity regarding 130 extrajudicial executions and enforced disappearances committed in Antioquia province. An adversarial trial also started against a former army colonel who did not accept his responsibility for extrajudicial killings and enforced disappearances in the Caribbean region.'[footnote 172]

8.2.5 The April 2024 Le Monde article also mentioned the JEP's first restorative justice program, where 48 ex-military defendants took part in a reforestation program and future projects that will incorporate hundreds of … soldiers into 'community projects to serve their alternative sentences.'[footnote 173]

8.3 Defensoria del Pueblo

8.3.1 The Defensoria del Pueblo (Colombia's Ombudsman) has been accredited by the Global Alliance of National Human Rights Institutions (GANHRI) as being fully compliant with the Paris Principles (https://ganhri.org/paris-principles/), which set out the internationally agreed minimum standards that national human rights institutions must meet

[footnote 174] [footnote 175]. GANHRI is a worldwide network which represents over 110 national human rights institutions[footnote 176].

8.3.2 Originally in Spanish, the Defensoria del Pueblo website noted that the mission of the Office of the Ombudsman was to protect and defend human rights and prevent human rights violations, promote compliance with international humanitarian law, assist, guide and advise citizens in exercising their rights and provide access to the administration of justice[footnote 177].

8.3.3 The Defensoria del Pueblo website includes a list of regional offices with opening hours and telephone numbers[footnote 178]. Alternatively, the public can contact the Ombudsman through a National hotline, Bogota hotline, or via virtual requests[footnote 179].

8.3.4 The previous USSD HR 2022 Colombia report highlighted: 'According to human rights groups, underfunding of the Ombudsperson's Office limited the office's ability to monitor abuses effectively.'[footnote 180] The USSD HR 2023 Colombia report did not report on the funding on the Ombudsman's office.

8.3.5 The USSD HR 2023 report noted: 'The ombudsman was independent, submitted an annual report to the House of Representatives, and had responsibility for providing for the promotion and exercise of human rights. The Ombudsman's Office regularly issued alerts for areas it assessed as at risk of conflict. The government was often slow to implement the recommendations in the alerts.'[footnote 181] The USSD report did not specify a timeframe for the government's response.

8.3.6 The same report noted: 'The governmental Ombudsman's Office, as well as members of the ombudsman's regional offices, received threats from armed groups through pamphlets, email, and violent actions.'[footnote 182]

8.4 Non-Governmental Organisations (NGOs)

8.4.1 The USSD HR 2023 Colombia report noted: 'A variety of domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were often cooperative and responsive to the views of these groups.'[footnote 183]

8.4.2 Temblores is an NGO that seeks to 'activate and mobilize community processes of social transformation', particularly for communities and populations affected by discrimination and violence[footnote 184]. Temblores activities range from legal advice through their Policarpa service which worked on 209 cases in 2023, their GRITA platform which allows citizens to report police violence, which is then recorded and investigated, and LGBTQI+ advocacy. Additionally, Temblores have published a range of reports on these issues[footnote 185].

8.4.3 The ‘José Alvear Restrepo’ Lawyers Collective – CAJAR, is a non-profit, NGO in Colombia. The NGO described its function: ‘…[CAJAR] comprehensively defends and promotes human rights, environmental rights and the rights of peoples, from a perspective of indivisibility and interdependence, with the aim of contributing to the construction of a just and equitable society from the perspective of political, economic, social and cultural.’[footnote 186]

8.4.4 Transparency International have an office located in Bogota and operate a separate Advocacy and Legal Advice Centre in Bogota which can be contacted to report corruption and provides free and confidential legal advice[footnote 187].

8.4.5 Originally in Spanish, Colombia Diversa, a Colombian NGO focussed on LGBT rights ‘…provides legal advice to LGBT people who have suffered discrimination or violence based on their sexual orientation or gender identity…’[footnote 188]

8.4.6 The Corporacion Juridica Libertad describes itself as ‘… an organization that since 1993 promotes the defense and promotion of human rights, nature, territories and peoples, based on legal, organizational, mobilization, advocacy and training actions in accompaniment to the communities of the departments of Antioquia and Chocó.’[footnote 189]

8.4.7 The University of the Andes offers a free legal clinic either in person at their Bogota office from 8am to 11am Monday to Friday on a first-come, first-serve basis or alternatively applying for help through a virtual form[footnote 190]. The website notes the public law area ‘…provides legal advisory services, legal representation and support to people in vulnerable or defenseless situations…’[footnote 191]

8.4.8 Caribe Afirmativo is an NGO which specializes in LGBT+ issues on the Caribbean coast. The organisation’s purpose, as listed on its website (originally in Spanish), is to:

‘… transform prejudices, imaginaries, and social and institutional practices around sexual and gender diversity through the implementation of comprehensive strategies of research, training, psychosocial monitoring, rights promotion, access to justice, socio-political advocacy, humanitarian assistance and the strengthening of the organization and its allies, with a community emphasis and networking that supports the construction of peace on the ground.’[footnote 192]

8.5 Investigation and punishment of misconduct

8.5.1 The CNP website has a section for the citizen service offices of the National Police who ‘…receive, process, manage and report on petitions, complaints or claims, service recognitions and suggestions, as well as monitor the spaces for citizen participation carried out by the institution,

facilitating citizen intervention, monitoring and evaluation of the processes.' [footnote 193]

8.5.2 The CNP also operate an anti-corruption hotline[footnote 194].

8.5.3 The ICG 2022 report noted:

'The military prosecutes corruption in several ways. Those accused of infractions undergo disciplinary proceedings that, in the most serious cases, result in dismissal. Separately, cases are tried in the military penal system or by the Attorney General's Office. The latter can request jurisdiction over any open case, and similarly, the military penal system can send cases to civilian courts, as often happens when senior officers are accused of serious offenses.'[footnote 195]

8.5.4 The same ICG report noted: '[T]he country's Inspector General can open disciplinary investigations of officers for failing to uphold their legal and constitutional duties. But reports of malfeasance often fail to rise to the surface; some soldiers say whistleblowers are rare due to fear of retaliation from superiors.'[footnote 196]

8.5.5 Originally in Spanish, Colombia's annex response to the list of issues relating to the eighth periodic report by the UN International Covenant on Civil and Political Rights Committee (UNCCPR) published 31 January 2023 contained the table below (table by CPIT) from the Attorney General's Office regarding investigations of alleged human rights violations by security forces[footnote 197]. The report did not specify where the alleged incidents took place or specify which security forces were involved[footnote 198].

	2019	2020	2021	2022
Forced disappearance	0	0	5	0
Extrajudicial execution	0	1	0	0
Torture	0	1	5	0
Personal injuries	13	15	329	2
Rape/violent sexual assault	0	0	5	0
Homicide	2	15	29	0
Other	18	13	357	3

8.5.6 The USSD HR report 2023 highlighted:

‘The government made improvements in investigating and prosecuting abuse cases, but claims of impunity for security force members continued. This was due in some cases to obstruction of justice and opacity in the process by which cases were investigated and prosecuted in the military justice system. Some NGOs commented that military investigators, not members of the Attorney General’s Office, were sometimes the first responders in cases of deaths resulting from actions of security forces. NGOs stated this arrangement could lead to biased investigations. Significant obstacles remained for reducing impunity, including inadequate protection of witnesses and investigators, use of delay tactics by defence attorneys, and the judiciary’s failure to oversee cases effectively and ensure progress. NGOs also stated that inadequate coordination among government entities sometimes allowed statutes of limitations to expire, resulting in a defendant’s release from jail before trial.’[footnote 199]

8.5.7 The USSD HR report 2023 noted: ‘From January 1 through July 31 [2023], the Attorney General’s Office registered four new victims of alleged aggravated homicides or homicides of civilians committed by state agents. During the same period, the Attorney General’s Office formally charged and arrested four members of security agencies for aggravated homicides.’[footnote 200]

8.5.8 The USSD HR report 2023 stated: ‘On August 31 the Attorney General’s Office charged five police officers with illegally monitoring the communications of two household employees as part of an investigation into actions by members of the government.’[footnote 201]

8.5.9 The USSD HR report 2023 stated: ‘As of July 31, the Inspector General’s Office reported 52 new disciplinary investigations against 39 members of the armed forces and police for alleged human rights abuses.’[footnote 202]

8.5.10 The FH 2024 report stated: ‘Many soldiers operate with limited civilian oversight, though the government has in recent years increased human rights training and investigated violations by security forces personnel…’[footnote 203]

8.5.11 The FH 2024 report noted: ‘Colombia’s prosecutorial service is relatively professional, but watchdog groups suggest that key oversight institutions, including the Attorney General’s Office, became less independent during the Duque administration [2018-2022]. Due process protections remain weak, and trial processes move very slowly.’[footnote 204]

8.5.12 HRW Colombia report 2024 noted that there had been limited progress in investigating violations by security forces and provided two examples:

‘On March 28, 2022, 11 people died in an army operation in Alto Remanso, Putumayo state, in southern Colombia. At least four civilians died. The

Attorney General's Office announced in May 2023 it would charge 25 soldiers with the killings, but at time of writing, the Constitutional Court was analyzing a request by defense lawyers to transfer the case to the military justice system, which has historically failed to ensure justice…. In 2021, Human Rights Watch reviewed evidence linking police to 25 killings of protesters and bystanders, as well as dozens of injuries and arbitrary arrests, in the context of peaceful demonstrations. As of June, the Attorney General's Office had charged eight police officers. Nobody had been sentenced.' '[footnote 205]

8.5.13 On progress of the case in Putumayo, the OHCHR 2023 report noted:

'OHCHR appreciates the progress made by the Attorney General's Office in 2023 in the investigation of the events that occurred in March 2022 in Alto Remanso (Putumayo), where 11 people lost their lives in the context of a military operation. However, it is of the view that the gravity of the facts being investigated requires the court proceedings to be carried out more expeditiously within the framework of the ordinary justice system, given that the military criminal justice system lacks the jurisdiction to investigate serious human rights violations alleged to have been committed by the security forces'[footnote 206]

9. Rule of law and judiciary

9.1 Criminal justice process

9.1.1 Considering the regulation of the judiciary, Article 228 of the Constitution states: 'The administration of justice is a public function. Its decisions are independent. Its proceedings shall be public and permanent with the exceptions established by statute, and substantive law shall prevail in them. Legal limits shall be diligently observed and failure to apply them shall be sanctioned. The functioning of the judiciary shall be decentralized and autonomous.'[footnote 207]

9.1.2 Considering the regulation of judicial matters relating to members of armed services, Article 221 of the Constitution states: 'The punishable conduct committed by the members of the public force in active service, and in relation to the same service, will confront the martial courts and the military courts, according to the provisions of the Military Penal Code. Such courts or tribunals will be composed of members of the public force in active or retired service…The military penal or police justice will independent of the public force.'[footnote 208]

9.1.3 A 2022 overview of the Colombian criminal law system produced by the Government of Canada described the structure as:

‘If you are caught committing a crime in Colombia, anyone who witnesses the incident may arrest you. Under Colombian law, local authorities must inform you of your rights upon your arrest and you must be brought before a judge within 36 hours in order to validate the arrest in a preliminary hearing. The prosecution may decide to press charges immediately, in order to request a “measure of restraint”…After the prosecution presses charges, the case should be sent to a particular unit of the Office of the Attorney General based on the type of crime committed….. Once the Office of the Attorney General (Fiscalía General de la Nación) learns that a felony may have been committed, it must open an investigation. If it is a minor crime, known as a querellable in Colombia, the victim must report the crime directly to the Office of the Attorney General by filing a criminal complaint in order for the prosecution to open an investigation. During the investigation, the prosecution collects evidence to determine if a crime was committed and to determine if the suspect committed the crime. The Office of the Attorney General can decide whether to close the investigation or to press charges based on the results of the preliminary investigation.’[footnote 209]

9.1.4 Regarding access to legal aid, the same source added: ‘All individuals, whether foreigners or Colombian citizens, have the right to an attorney. Lawyers will usually submit in writing their fees and the services they offer before the client hires them. Fee arrangements vary among lawyers. However, firms generally charge a flat fee, divided into several payments according to the progress of the proceedings. If you cannot afford a lawyer, one will be appointed by the state.’[footnote 210]

9.1.5 Regarding prosecution, the same source noted: ‘In Colombia, the Office of the Attorney General is responsible for prosecuting most crimes. The Supreme Court and Congress can prosecute crimes on an exceptional basis, but only when committed by high-ranking public officials. The prosecution relies on two bodies of investigators in order to gather evidence: the Technical Investigation Team (Cuerpo Técnico de Investigación) and the National Police. In each case, the prosecutor in charge of an investigation coordinates the necessary investigators.’[footnote 211]

9.1.6 Regarding trial procedure, the same source reported: ‘If charges are pressed, the indictment will be presented within 3 to 6 months, depending on the complexity of the case, after which the trial will begin. Under Colombian law there are currently no jury trials. The criminal procedure in Colombia is strictly oral, and the trial takes place in 3 hearings during separate sessions. Nearly all hearings are public…. Once the trial is over, the judge will produce a verdict, and the corresponding sentence will be read in a hearing approximately 15 working days later. The conviction and the acquittal may be appealed…’[footnote 212]

9.1.7 An information pack primarily for British nationals detained in Colombia published by the FCDO in 2021 (FCDO prisoner pack) noted that within 120 days after the legalisation of a person’s arrest, a Judge must hold

an ‘accusation hearing’ in which the Prosecutor will officially submit all the evidence against a person to their lawyer to collect proof and prepare a defence[footnote 213].

9.1.8 The FCDO also noted: ‘… section 317 of ruling #906 states if an accusation hearing is not held within 120 calendar days from the legalisation of a person’s arrest, the person must be released although this is not automatic, and the lawyer must prove 120 days passed as a result of the Prosecutor’s Office delay and not due to stalling by the lawyer or detainee.’[footnote 214]

9.1.9 The ICG 2022 report noted there is a lack of clarification on how legal proceedings against military officers is handled. Although military jurisdiction is set out in the constitution, the ICG noted that ‘subsequent legal rulings and decrees have chipped away at its exclusive authority… Cases of misconduct or criminal activity can fall under the jurisdiction of the military’s penal system or civilian courts, but there are no clear rules for which cases end up where. The attorney general can request cases, or the military can send cases to the civilian courts; others remain subject to internal prosecution.’[footnote 215] (For more information on police and security forces accountability see Investigation and punishment of misconduct and Misconduct and human rights violations)

9.1.10 The USSD HR report 2023 noted:

‘Officials were required to bring detained persons before a judge within 36 hours of arrest, bring formal charges within 30 days, and start a trial within 90 days of the initial detention. Public defenders contracted by the Office of the Ombudsman assisted indigent defendants but were overloaded with cases. Detainees received prompt access to legal counsel and family members, as provided by law. Bail was generally available except for serious crimes such as murder, rebellion, or narcotics trafficking. Authorities generally respected these rights.’[footnote 216]

9.2 Independence

9.2.1 The USSD HR report 2023 noted: ‘The law provides for an independent judiciary, and the government generally respected judicial independence and impartiality.’[footnote 217]

9.2.2 Considering the independence of the judiciary in Colombia, in their 2024 report, the annual Freedom in the World 2024 report (FH report 2024), published in March 2024, assessed the rights and freedoms enjoyed by individuals in Colombia from 1 January 2023 to 31 December 2023. The report was produced by in-house and external analysts who used a range of sources from news articles to on-the-ground research to inform the report[footnote 218]. Freedom House scored Colombia a 3 out of 4 (0 being low – no independence and 4 being high – completely independent[footnote 219])[footnote 220]. The FH report 2024 noted:

‘The courts play a fairly independent role in checking the power of the president, government branches, and the military, and in protecting civil rights. However, aspects remain compromised by corruption, extortion, and severe inefficiency. The Constitutional Court, the Council of State, and the Supreme Court have exhibited independence from the executive, though corruption allegations involving members of the courts have damaged their credibility in recent years.’[footnote 221]

9.2.3 The WJP Rule of Law Index 2024, Colombia score on the criminal justice system is summarised in the below table by CPIT[footnote 222]:

Factor	Score (0 to 1)	Regional rank (of 32 countries)	Global rank (of 142 countries)
Criminal Justice	0.32	21	114
Subfactor			
Criminal investigation system is effective	0.21	26	135
Criminal adjudication system is timely and effective	0.30	21	127
Correctional system is effective in reducing criminal behaviour	0.18	24	130
Criminal system is impartial	0.31	22	113
Criminal system is free of corruption	0.43	22	96
Criminal system is free of improper government influence	0.44	17	66
Due process of the law and rights of the accused	0.38	24	104

9.3 Fair trial and access to justice

9.3.1 The FCDO 2021 prisoner pack noted:

‘You may appeal against the initial decision of the prosecutor. At the trial stage, you can appeal against all decisions taken against you, including the sentence.

‘If your appeal is rejected you may apply for cassation [a form of appeal[footnote 223]], which is dealt with by the Supreme Court of Justice. The aim is not to re-examine the case on grounds of evidence or questions of guilt or innocence but only to investigate points of law. This can be a very long process and you may find your release date comes before your cassation takes place.’[footnote 224]

9.3.2 The Latinobarometro 2023 survey included the question ‘Tell me how much trust you have in each of the following groups/institutions or people. Would you say you have a lot, some, a little or no trust in…?: Judiciary’ to 1200 people who provided the below responses in a table compiled by CPIT[footnote 225]:

Category	Total
A lot	4.3%
Some	19%
Little	42.3%
No trust	31.2%
Don’t know	2.5%

9.3.3 The USSD HR report 2023 stated: ‘The law provided for the right to a fair and public trial, and the judiciary generally enforced this right. The use of delay tactics by defense lawyers, prosecutors’ heavy caseloads, and other problems hampered the efficiency of the judiciary. Military trial judges were required to issue rulings within eight days of a court-martial hearing.’[footnote 226]

9.3.4 The same report noted: ‘Much of the judicial system was overburdened and inefficient. Subornation, corruption, and the intimidation of judges, prosecutors, and witnesses hindered the independence of the judiciary.’[footnote 227]

9.3.5 The BTI 2024 Colombia report highlighted the use of ‘tutelas’ in the justice system which ‘constitutes an expeditious procedure under which citizens can demand the urgent protection of their fundamental rights.’[footnote 228]

9.3.6 An article published on 28 March 2008 by Patrick Delaney, a graduate of Australia University and Oxford University who lived in Bogota during the drafting of the article and an employee at the International Law Branch of the UK Ministry of Justice[footnote 229] in the Equal Rights Review journal, described as a non-peer reviewed '…bi annual journal on equality produced by the Equal Rights Trust as a resource for all those seeking to combat discrimination or promote equality…'[footnote 230] examined Colombia's constitutional system. The tutela procedure was described as follows: 'an individual may complain, without the aid of a lawyer, to any judge with jurisdiction over the dispute. Applicants have broad rights to apply for themselves and to have others apply on their behalf in cases where they cannot protect themselves. The tutela petition need only contain the basic facts necessary for the judge to address the case such as the parties threatened and the right threatened. There is no formal written process, and in some cases, it may even be verbal.'[footnote 231]

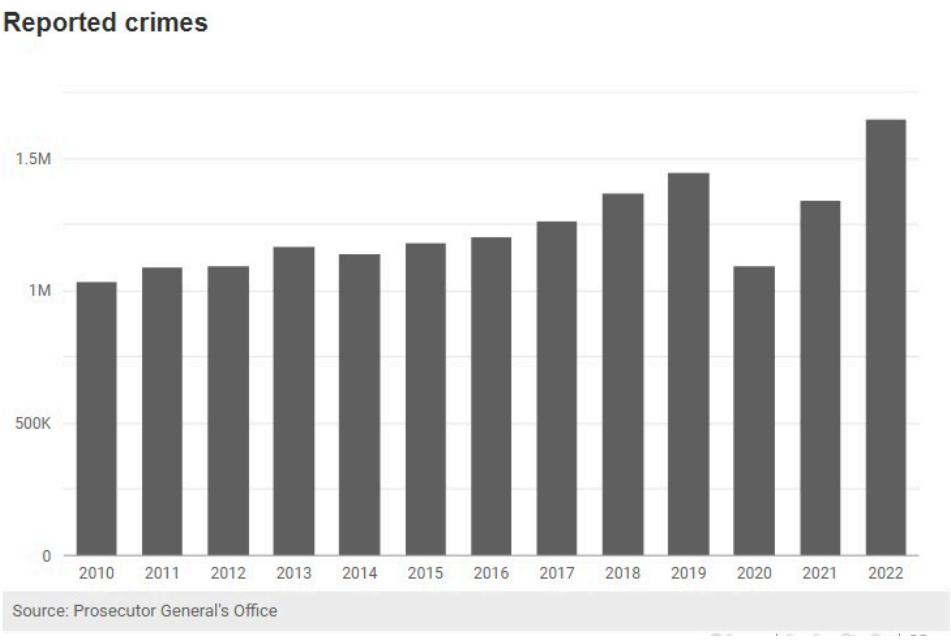
9.3.7 The journal article noted further: 'Once a tutela has been submitted, it is incumbent upon the judges to respond within very limited time frames…it must be ruled on within 10 days.'[footnote 232]

9.4 Prosecution and conviction rates

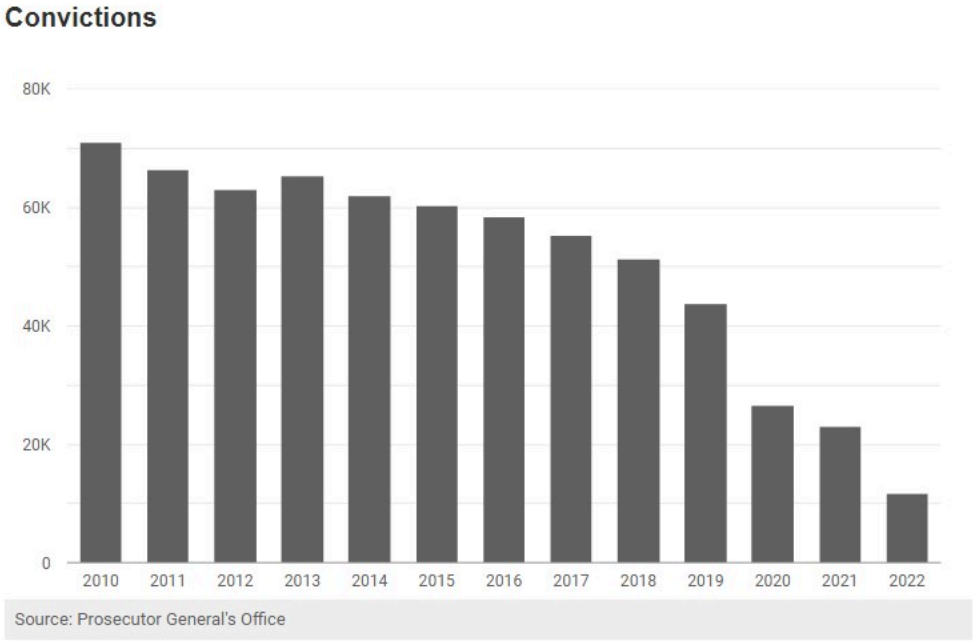
9.4.1 Colombia Reports, a Colombian non-profit news website[footnote 233] stated:

'According to the [Prosecutor General's Office official] statistics, the Prosecutor General's Office successfully prosecuted 11,816 criminals in 2022, which is 0.7% of the 1,648,388 crimes reported by citizens last year. In January, prosecutors were actively involved in 109,394 criminal investigation, raising questions about what happened to the other crimes reported by victims… The convictions reported by the prosecution last year are 16.7% of the 70,939 convictions reported in 2010. Between 2019 and last year, convictions dropped a staggering 68%, according to the prosecution.'[footnote 234]

9.4.2 The same article noted that since 2010, the number of convictions has dropped whilst the number of reported crimes has risen as shown in the charts below[footnote 235]:



[footnote 236]



[footnote 237]

9.4.3 On 18 October 2024, the Attorney General website published an article which noted the Attorney General, alongside the Minister of Justice and the President of the Supreme Court of Justice '… submitted a bill to the Senate of the Republic whose purpose is to reduce impunity, guarantee a more prompt and effective criminal justice that meets citizens' needs and to guarantee victims' rights at all times.'[footnote 238] This bill became law in July 2025[footnote 239].

9.4.4 The same article stated:

'Only 10% of the cases that are included in the criminal justice system in the country are solved through mechanisms for early termination of criminal

process, such as preliminary agreements or processes of pleading guilty to charges. This means that 90% of the processes go to trial…In 2022, 1'648.871 crime reports were registered in Colombia, in 2023 these were 1'815.751, and so far in 2024, these were 559.313, which indicates, on the one hand, an increase in the number of criminal proceedings and, on the other, the eventual backlog of cases of the Attorney General's Office and the administration of justice, especially if to date, the total number of active cases is 3'284.944.

'In turn, in 2023 the Office of the Attorney General filed 52.278 indictments, of which only 2.742 were the product of preliminary agreements, a figure that corresponds to a little more than 5% of the total.'[footnote 240]

9.4.5 The Attorney General submitted data on the Colombian Government Open Data portal, last updated on 15 October 2024 in regard to the number of criminal proceedings registered by the prosecutor, judge and the judicial police and at each stage. The below tables, compiled by CPIT, illustrate the number of criminal proceedings filtered by type of crime[footnote 241]:

Homicide

Year	Inquiry (preliminary investigation)	Formal investigation	Trial	Anticipated termination/ plea	Sentencing
2024	263	1253	2532	103	53
2023	310	1001	3091	101	167
2022	278	909	2711	63	180
2021	253	932	2514	66	121

Theft

Year	Inquiry (preliminary investigation)	Formal investigation	Trial	Anticipated termination/ plea	Sentencing
2024	1447	1199	6110	202	128
2023	1371	1171	6063	169	268
2022	1083	939	4919	114	359
2021	944	853	4037	95	235

Personal injury offences

Year	Inquiry (preliminary investigation)	Formal investigation	Trial	Anticipated termination/ plea	Sentencing
2024	1078	86	1252	17	13
2023	964	129	1293	7	18
2022	696	94	1033	9	24
2021	523	94	761	4	27

Sexual offences

Year	Inquiry (preliminary investigation)	Formal Investigation	Trial	Anticipated termination/ plea	Sentencing
2024	237	1815	7167	154	16
2023	208	493	9605	125	46
2022	180	335	8302	81	52
2021	213	279	7070	75	40

9.4.6 The Attorney General submitted data on the Colombian Government Open Data portal, last updated on 5 November 2024, in regard to the number of crimes registered in the criminal justice system. The below tables by CPIT breakdown the numbers of crimes registered since 2020 filtered by year of entry and type of crime[footnote 242]:

	Number of entries			
Year	Homicide	Theft	Personal injury offenses	Sexual-based offenses
2024	27,468	420,162	87,116	41,316
2023	33,052	590,355	104,026	43,496
2022	32,098	524,806	101,751	42,559

	Number of entries			
2021	30,048	403,385	86,913	34,772

10. Treatment of particular groups

10.1 Afro-Colombian persons

10.1.1 Minority Rights Group (MRG) which describes itself as 'the leading human rights organization working with ethnic, religious and linguistic minorities, and indigenous peoples worldwide'[footnote 243] noted in a June 2023 update on Afro-Colombians that:

'Colombia has one of the largest Afro-descendant populations in Latin America. According to a post-census survey, the government estimates that Afro-Colombians constitute 10 per cent of the total population, which translates to approximately 4.67 million Afro descendants. This estimation was made in response to concerns about the 2018 census, which reduced the Afro-Colombian population by 30 per cent, compared to the previous census from 2005. Census figures also continue to be disputed by Afro-Colombian leaders such as Luis Gilberto Murillo Urrutia, former Governor of the department of Chocó, who states that the Afro-Colombian population is as high as 36-40 per cent. Similarly, Francia Márquez Mina, the first black woman Vice President of Colombia, argues that there are about 15 million Afro-descendants in Colombia.

'Afro–Colombians are present in every major city in the country. It is thought that there are one million living in the capital Bogotá. Coastal regions of Colombia can have significant Afro-Colombian populations that are as high as 90 per cent in the case of the Pacific or 60 per cent on the Atlantic coast. The department of Valle del Cauca is the most populous Afro-Colombian state, followed by Bolívar, Antioquia, Nariño and Chocó. The combined total of the first three of these departments with the highest number of Afro-Colombians amounts to 59.2 per cent of the country's Afro-descendant population.'[footnote 244]

10.1.2 The Immigration and Refugee Board of Canada (IRB) published a response to a request for information on the treatment of Afro-Colombians in August 2023 (IRB response 2023) based on a range of sources. The response cited a 2021 interview with an Associate Professor of history at the University of Toronto who stated: '…in interviews they conducted in 2020, Afro-Colombians described experiencing police harassment and expressed mistrust of the authorities, who may assume that Afro-Colombians are from a "troubled" region or are a member of a guerilla group

or criminal organization; this mistrust affects the willingness of Afro-Colombians to access services for displaced individuals.'[footnote 245]

10.1.3 The AI report 2023 noted that 'In July [2023], protests started after two incidents of possible racist police violence against two Afro-descendant young men in Valle del Cauca and Bolívar provinces, resulting in their deaths. Ilex Legal Action, Temblores NGO and the Institute on Race, Equality and Human Rights reported police involvement in systemic racism.'[footnote 246] AI did not expand on the recency and extent of systemic racism reported by the organisations it cited. In the sources consulted, CPIT was unable to find an update to the incident nor that the deaths were deemed racially-motivated (see Bibliography).

10.1.4 The FH 2024 report stated: 'Afro-Colombian populations continue to suffer vastly disproportionate levels of abuse by … security forces … UN officials have reported that impunity is nearly absolute for killers of Afro-Colombian and Indigenous ex-combatants and social leaders.'[footnote 247] FH did not expand upon the extent to which Afro-Colombian populations suffer violence by security forces nor how many people responsible for killing Afro-Colombian have not been brought to justice.

10.1.5 On 20 August 2024, Colombia One reported an incidence of police discrimination against a member of the Afro-Colombian community which had been condemned by the Commander of the CNP, General William Salamanca. The article reported:

'The racist incident in Cali occurred after a young black approached a police officer to report witnessing a robbery. The policeman's responded by saying, "I hope I didn't see you stealing over here." The policeman then asked for the man's identification documents, refused to give them back once having received them, before instructing the man not to leave his house if he did not like being asked for proof of identification.

'The young mam [sic] responded by saying, "it's not that, it's just that I don't trust the police." The officer replied: "we don't trust black people."

'… A video of the incident has caused outrage on social networks, causing the chief of police to address accusations of racism within the Colombian police force. "The police has some guidelines… honesty, transparency… A police officer must respect and abide by human rights and must be an example to the community," said General Salamanca. He also said that the incident was "unacceptable" and that he had "arranged to investigate it."' [footnote 248]

10.1.6 Colombia One did not provide an update to the status of the investigation and, in the sources consulted, CPIT was unable to find further information on it (see Bibliography).

10.1.7 In the ‘Report of the Special Rapporteur on the rights of Indigenous Peoples’ by the United Nations Human Rights Council (UNHRC), published 10 September 2024, it was noted: ‘…historical structural racism to which Indigenous Peoples have been subjected [exists]. Stereotypes and prejudice have led State agents… to identify Indigenous Peoples, families and individuals as allies or parties to the conflict. While it is true that illegal armed groups have recruited Indigenous persons, this does not remotely mean that all Indigenous persons are combatants…’[footnote 249]

10.2 Treatment of LGBTI persons

10.2.1 Same-sex relations and marriage is legal in Colombia[footnote 250].

10.2.2 Based on 19 official sources from the national, departmental, and municipal levels[footnote 251], Colombian LGBTI+ NGO Colombia Diversa’s[footnote 252] December 2023 report on the human rights situation of LGBTI+ person during 2022 (Colombia Diversa 2022 report) stated: ‘Of the 97 recorded cases of police violence and abuse of authority against LGBTIQ+ people, 6 incidents involved more than one victim, bringing the total number of people affected to 107’[footnote 253] [footnote 254].

10.2.3 The same report stated:

‘The main acts of violence that resulted in the abuse of authority were: threats against life and other forms of harassment (11 cases), irregular police procedures (6 cases), personal injuries (5 cases), arbitrary detentions (3 cases) and one incident corresponding to extrajudicial execution. Additionally, violence related to the incidents of abuse of authority was found, including: verbal violence [verbal abuse/hate speech] (7 cases with 12 victims), extortion (4 victims), torture (2 cases with 4 victims), and sexual violence against a trans woman victim in the city of Bogotá.’[footnote 255]

10.2.4 Regarding the sexual orientation and gender identity of the victims of police violence, the same report recorded: 33 trans women, 17 trans men, 15 gay men, 10 lesbian women, 9 bisexual men, 5 bisexual women and 18 undetermined sexual orientation/gender identity[footnote 256]

10.2.5 In regard to motivation of the reported police violence, the same report noted ‘Colombia Diversa was able to determine that at least 12 cases of police violence (with 18 victims) were motivated by prejudice against the victim’s sexual orientation and gender identity exercised by State agents. This discriminatory treatment occurred in the departments of Tolima, Antioquia, Boyacá, Nariño, Caldas, Cauca and Bogotá… In 72 cases, it was impossible to determine the motive for the victimizing act due to lack of information.’[footnote 257]

10.2.6 At the time of writing, the Colombia Diversa website had not made the 2024 report covering police violence against LGBTQ+ persons in 2023 available, however the summary stated: ‘During 2023, Colombia Diversa recorded 78 cases of police violence and abuse of authority against

LGBTIQ+ people, 8 of which involved more than one victim, bringing the total number of victims involved to 89 LGBTIQ+ people.'[footnote 258]

10.2.7 The FH 2024 report noted: 'Though Colombian law prohibits discrimination against LGBT+ individuals…there are high levels of impunity for crimes committed against them.'[footnote 259]

10.2.8 The USSD 2023 HR report noted:

'…There were allegations of police violence based on sexual orientation. The country experienced high levels of impunity for crimes against LGBTQI+ persons, especially against transgender individuals. Investigators and police often mislabeled the gender identities of victims and improperly interviewed LGBTQI+ victims, leading to intentional and unintentional intimidation. LGBTQI+ NGOs noted it was common for police either in conversation or in their reports to identify transgender victims as "a man disguised as a woman" or vice versa…Transgender individuals cited barriers to public services when health-care providers and police refused to accept their government-issued identification.'[footnote 260]

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI) (http://www.refworld.org/docid/48493f7f2.html), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information – Training Manual, (https://www.coi-training.net/researching-coi/) 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the country information.

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal framework - relevant laws and policies that:
- protect individuals and groups from treatment that may amount to persecution in the constitution, and penal and criminal procedural codes;
- regulate the operation and function of security/protection forces and judiciary, including arrest and detention rights
- any discriminatory laws, policies or programmes
- Organisations responsible for law enforcement:
- structure and size
- resourcing, pay, equipment and training
- numbers of investigations, arrests and prosecutions
- occurrence of corruption, misconduct and human rights violations
- accessibility – existence (or lack of) barriers to obtaining protection for particular groups, by location or other factors.
- application – discrimination in enforcement of law against particular groups, by location or other factors
- reform – ongoing or planned reform

- Oversight bodies of security forces
- size, structure, remit and powers of units within enforcement agencies, the courts and independent organisations including national human rights institutions
- process for raising complaints
- numbers of investigations and outcomes
- application and any discrimination
- Judiciary
- structure, size and composition,
- selection process for magistrates/judges
- resourcing, pay, equipment and training
- independence from executive or other state bodies
- fair trial – availability to legal aid and representation; witness protection programmes and their effectiveness; rights of appeal to higher courts
- accessibility - existence (or lack) of barriers to accessing the judicial process for particular groups, by location or other factors
- occurrence of corruption, misconduct and human rights violations
- numbers of cases, outcomes including convictions and acquittals
- informal justice systems, types of case and effectiveness.

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Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration/about/research) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website (https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration/about/research#reviews).

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