



General Assembly

Distr.: General
30 September 2025

Original: English

Human Rights Council

Sixtieth session

8 September–3 October 2025

Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action

Visit to Colombia

Report of the Working Group of Experts on People of African Descent^{*}, ^{**}

Summary

The present report contains the findings of the Working Group of Experts on People of African Descent following its visit to Colombia from 15 to 24 May 2024 at the invitation of the Government and pursuant to Human Rights Council resolutions 9/14 and 54/26. In the report, the Working Group provides an overview of the current legal, institutional and policy framework and measures taken to prevent racism, racial discrimination, xenophobia and related intolerance faced by people of African descent in Colombia. The Working Group describes the situation, highlights good practices and the main challenges identified and makes recommendations.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

** The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and Spanish only.



Annex

Report of the Working Group of Experts on People of African Descent on its visit to Colombia

I. Introduction

1. At the invitation of the Government and pursuant to Human Rights Council resolutions 9/14 and 54/26, the Working Group of Experts on People of African Descent carried out a country visit to Colombia from 15 to 24 May 2024. The delegation consisted of Catherine S. Namakula (Chair of the Mission) and Bina D'Costa (current Chair of the Working Group).

2. During the visit, the Working Group assessed the human rights situation of people of African descent in Colombia and gathered information on racism, racial discrimination, xenophobia and related intolerance. The Working Group examined laws, policies and strategic plans designed to prevent racial discrimination and safeguard the rights of victims of racism, as well as the State's responses to systemic, multiple and intersecting forms of discrimination.

3. The Working Group visited Bogotá, Tumaco, Cali, northern Cauca, Buenaventura and Quibdó. It met with the Vice-President, the Deputy Minister of Foreign Affairs, senior officials from the Ministries of National Education, Health and Social Protection, Labour, Justice, Culture, Urban and Rural Housing, and Environment and Sustainable Development, as well as representatives of the Department of Human Rights and International Humanitarian Law, the National Administrative Department of Statistics, the Office of the Ombudsperson, the Supreme Court, the Special Jurisdiction for Peace and local authorities. The Working Group also visited the prison of Quibdó and the Social, Cultural and Memory Centre in Buenaventura.

4. The Working Group thanks the Government of Colombia for accepting its request to visit and for its fruitful cooperation and efforts to facilitate meetings with different ministerial departments, national institutions and local authorities. The Working Group also thanks all the officials at the national and local levels who engaged in dialogue, shared presentations and documents and replied to its questions. It further expresses thanks to the officials of the Office of the Ombudsperson, the President of the Supreme Court and the officials of the Special Jurisdiction for Peace for the exchanges on issues of concern.

5. In each city, the Working Group met with people of African descent, including victims of racially based crimes and their families, human rights defenders, lawyers, academics and representatives of civil society organizations led by people of African descent, in particular youth groups, community leaders and women's groups, including from rural and remote areas in the Pacific coastal region. It also met with demobilized guerillas of the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP). The Working Group received written input before, during and after the visit. It expresses its appreciation to all the contributors, including women, men, LGBTIQ+ persons and young people of African descent, who shared their valuable testimonies, research and information on their connection to their territories and lands. The Working Group also thanks the Office of the United Nations High Commissioner for Human Rights in Colombia and the United Nations country team for its support during the visit.

II. Background

A. Presence of people of African descent in Colombia and the institution of slavery

6. Colombia has one of the largest Afrodescendant populations in Latin America¹ and is home to the first free Black town in the Americas, San Basilio de Palenque.² Located on the Caribbean coast in the Department of Bolívar, San Basilio de Palenque was established in approximately 1599³ by the escaped enslaved person Benkos Biohó. Estimates of the number of enslaved Africans brought to Colombia vary between 54,000 and 180,000,⁴ according to port records; some 73,000 enslaved Africans were brought on slave ships into Cartagena between 1573 and 1640.⁵

7. From the first forced arrival of enslaved Africans into Cartagena within the Spanish jurisdiction of New Granada (present-day Colombia) in 1573,⁶ at the outset of Spanish colonization, life for people of African descent in Colombia was intricately tied to land and territory, whether on plantations as slaves or as maroons in fortified maroon communities (*palenques*). Subsequent to the establishment of San Basilio de Palenque, formerly enslaved Africans formed other *palenques* in the interior hinterlands⁷ that stood as symbols of independence, resilience, resistance and the preservation of their cultural and historical African heritage and identity against enslavement, Spanish military expeditions and colonial oppression.

8. The perennial struggle for freedom, equality and equity for communities and people of African descent in Colombia is historically linked to their strong relationship with their ancestral land (territories) and interconnectedness with its environment and ecosystems within the country. This relationship has played a crucial role in the custodianship of the biodiversity of Colombia by Afrodescendant communities, alongside Indigenous and campesino communities. Several people of African descent emphasized that their territories were equal victims.

B. From the Colombian War of Independence to manumission

9. People of African descent played a significant part in Simón Bolívar's republican army.⁸ His promise to abolish slavery in Colombia once independence was won did not materialize as promised following the creation of the Republic of Colombia at the Congress of Cúcuta in 1819. Subsequently, however, on 21 July 1821, the Colombian Congress and the Executive approved a manumission law known as the "Law of free wombs", which was aimed at gradually ending the institution of slavery in Colombia.⁹ However, due to the opposing interests of freedom for all human beings and the socioeconomic and political interests of slaveowners, the practice of slavery continued under the process of indemnified emancipation. It took three more decades before slavery was officially abolished in

¹ Rebecca Bratspies, "'Territory is everything': Afro-Colombian communities, human rights and illegal land grabs", *Columbia Human Rights Law Review*, 27 May 2020.

² Antonio Arnaiz-Villena and others, "HLA genes in Afro-American Colombians (San Basilio de Palenque): the first free Africans in America", *The Open Immunology Journal*, vol. 2 (2009).

³ The exact year is debated, but generally considered to be between 1599 and 1603.

⁴ Inter-American Commission on Human Rights, Third Report on the Human Rights Situation in Colombia, document OEA/SER.L/V/II.102, chap. XI.

⁵ David Wheat, *Atlantic Africa and the Spanish Caribbean, 1570-1640* (Williamsburg, Virginia, University of North Carolina Press, 2016).

⁶ *Ibid.*

⁷ Jane Landers and others, "Researching the history of slavery in Colombia and Brazil through ecclesiastical and notarial archives", in *Dust to Digital: Ten Years of the Endangered Archives Programme*, Maja Kominko, ed. (Cambridge, United Kingdom of Great Britain and Northern Ireland, Open Book Publishers, 2015).

⁸ Simón Bolívar was the leader of the revolution against Spanish rule in modern-day Colombia.

⁹ Leonardo Reales Jiménez. "Slavery, racism and manumission in Colombia (1821–1851)", *Revista Análisis Internacional*, vol. 6, No. 1 (2015).

Colombia, following the promulgation of the Law on Manumission and the Abolition of Slavery, in 1851.¹⁰

C. Impact of the internal armed conflict on people of African descent and the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace

10. People of African descent were disproportionately affected by the internal armed conflict between the Colombian State and the paramilitaries and FARC-EP that began in the 1960s because they inhabited the coastal areas that became battlegrounds. Communities and people of African descent have been disproportionately subjected to violence – sometimes akin to that of slavery times, such as labelling people who are victims of rape with a hot iron, forced labour and land expropriation. Moreover, the proliferation of illegal land grabs due to drug cultivation and trafficking by armed groups, megaprojects and industrial agriculture by multinationals have led to people of African descent accounting for 17 per cent of all internally displaced persons in Colombia, with women and children of African descent most affected.¹¹ Control by FARC-EP of the rural territories that it occupied was akin to the control of a parallel State. As a result of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, FARC-EP demobilized from about a third of the territory that it occupied. The territories are vast and are historically marginalized and forgotten; their populations of people of African descent lack basic infrastructure, such as roads, access to water, education and health. The absence of the State in those areas has allowed various non-State armed groups and criminal organizations to operate with impunity, creating a volatile security situation and exacerbating an already precarious environment. Furthermore, the illegal activities of armed groups threaten the livelihoods, culture and way of life and existence of Afrodescendant communities. Armed groups often practise what is known as “social control”, seeking to control every aspect of life of the inhabitants, such as confining movement within the community, including through curfews, and banning certain cultural practices. Afrodescendant community leaders are systematically targeted, killed, forcibly disappeared or forced to leave. The recruitment and use of children, including young girls, from Afrodescendant communities by armed groups is also a common practice.

11. The Peace Agreement sought to end the armed activities of FARC-EP. It embodied a promise for the socioeconomic transformation of the country, particularly in those areas most affected by the armed conflict. By the end of 2021, however, 30 per cent of the provisions of the Peace Agreement were fully implemented, 37 per cent were in minimal implementation status and 15 per cent were uninitiated.¹² The implementation of the Peace Agreement continues to progress in the areas of political reform, transitional justice and the reintegration of former combatants. As of November 2023, 97 per cent of the commitments related to the process of ceasefire and laying down arms had been implemented, compared with 67 per cent of the commitments related to the economic, social and political reintegration process.¹³

12. While there have been notable successes in the implementation of the Peace Agreement, a history of State abandonment of Afrodescendant communities has exacerbated the deep suffering engendered by the protracted conflict and violence. The conflict has mutated and extended to urban areas, with armed groups now living and thriving in the communities, intensifying human insecurity in all aspects. Community leaders and human rights defenders have not been adequately protected, despite measures taken, including under the National Protection Unit. Beneficiaries of the amnesty extended to former combatants under the Peace Agreement face life-threatening physical and economic insecurity due to the inadequate implementation of the Agreement. Structural causes of the conflict, in particular

¹⁰ Final abolition did not take effect until 1 January 1852.

¹¹ Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples: Colombia – Afro-Colombians* (2008).

¹² The Carter Center, “Analyzing Colombia’s 2022 presidential elections” (Atlanta, 2022), p. 18.

¹³ Josefina Echavarría Álvarez and others, *Siete años de implementación del Acuerdo Final: perspectivas para fortalecer la construcción de paz a mitad de camino* (Notre Dame, Indiana, University of Notre Dame, 2024), p. 59.

unequal land distribution, remain unresolved. Comprehensive rural reform and the absence of the State in the areas most affected remain significant barriers to the full implementation of the Peace Agreement and to sustainable peace. In this context, people of African descent continue to face challenges related to systemic racism, racial discrimination, socioeconomic inequality, marginalization and exclusion.

D. Equality, inclusion and the first Black vice-president of Colombia

13. As set out in article 1 of its Constitution, Colombia is a presidential democratic republic with a system of decentralized government, in which the President is both head of State and head of the government, as well as commander-in-chief of the armed forces and the supreme administrative authority. The President is elected for a four-year term; re-election is prohibited (art. 197 of the Constitution). The political system is the result of the modernization process launched by the adoption of the Constitution in 1991. Politically and administratively, the country is divided into 32 departments and a capital district, which are under the authority of the central Government, as well as districts, municipalities and Indigenous territories. Municipalities comprise the second tier of its administrative structure; grouped together, they form departments. The country comprises approximately 1,120 municipalities, including 10 districts classified as such. Colombia is organized in the form of a unitary republic.

14. The country's Government has three branches: the executive, the legislature and the judiciary. Judicial power is exercised by the Constitutional Court, the Supreme Court, the Attorney General's Office and the Council of State, which is responsible for the State administration. The legislature has a bicameral structure that integrates the Senate Congress and the Chamber of Representatives. The executive branch, led by the President of the Republic, is mainly composed of governorates, municipalities and ministries.

15. On 19 June 2022, Colombia elected its first Black vice-president, Francia Elena Márquez Mina. For the first time in its history, Colombia had elected a Government that was reflective of its demographics and the votes of Afrodescendant communities were integral to the election. As a result, the transformative vision of the Government was seen as a potential opportunity to redress historical injustices and inequalities that have affected the most disadvantaged and marginalized, notably Afrodescendant and Indigenous communities, in particular in rural and remote areas in the periphery of the country, which were hardest hit by the armed conflict. The vision of the Government to redress historical wrongs challenges historical power structures that have denied the existence of structural racism in Colombia. Some positions of authority in the Government have been occupied by people of African descent, such as the positions of Minister for Foreign Affairs and the Deputy Minister of Multilateral Affairs. In her position as Vice-President, Ms. Márquez has persistently been a target of racial discrimination, which is also directed at her capacity to govern. Such threats occur in a deeply concerning context: since 2016, Colombia has had the highest number of killings of human rights defenders in Latin America.¹⁴

E. Legacies of historical injustices

16. People of African descent seek justice for historical wrongs, including the trade in enslaved Africans, the legacies of associated violations and the effects of the protracted internal armed conflict, which disproportionately affected them. Men, women and children of African descent in the regions most affected by that conflict face weaponized sexual and gender-based violence, mutilation, internal displacement, environmental racism, massacres, forced recruitment into and the use of children and young people by armed groups, enforced disappearance and the killing of human rights defenders and community leaders with impunity.

¹⁴ Human Rights Watch, *Left Undefended: Killings of Rights Defenders in Colombia's Remote Communities* (2021), p. 17.

F. Invisibilization of people of African descent

17. In paragraph 7 of the 1991 Constitution, people of African descent were officially recognized as part of the population; prior to that, their racial, ethnic and cultural identities had not been recognized in official population records. People of African descent are present in every major city in the country and are among the most impoverished, with limited access to opportunities.

18. Communities and people of African descent in Colombia are commonly categorized under the agglomeration “Negra, Afrocolombiana, Raizal y Palenquera”,¹⁵ which includes Raizales of the islands of San Andrés, Providencia and Santa Catalina; Palenqueros; and Blacks, “mulattos”, Afrodescendants and Afro-Colombians.

19. The Afrodescendant population is concentrated in the coastal regions, in particular the Pacific and Atlantic coastal regions, where the majority are peasant farmers. According to the 2005 census, the Department of Chocó has the highest percentage of people of African descent in the country, at 85 per cent of its population, with Magdalena at 72 per cent, Bolívar at 66 per cent and Sucre and the subregions of southern Valle, northern Cauca and Uraba at 65 per cent.¹⁶

20. People of African descent in Colombia have been marginalized not only through their lived experiences, but also through the official accounting of their presence in the country. Both the 2005 and 2018 censuses have been widely criticized for undercounting the Afrodescendant population. Communities of African descent, such as in Buenaventura, have considered this marginalization as “geographical apartheid” and “statistical invisibilization”. Statistical invisibilization has a serious impact on the distribution and provision of all government services to people of African descent, as well as on their political representation, preventing them from benefiting from adequate resources for their development and accessing opportunities that are available to other population groups. People of African descent are also absent from public media, in big enterprises, including shopping malls, and in banking and the finance system.

21. According to official census figures, people of African descent made up 26 per cent of the overall population in 2002 and 10.6 per cent in 2005.¹⁷ The 2005 and 2018 census results have been disputed, as the Afrodescendant population went from totalling 4.3 million people in 2005 to 2.98 million in 2018. This decrease has been deemed inconsistent with the growth rate of the Afrodescendant population.¹⁸ The Colombian Constitutional Court ruled that these grave discrepancies constituted a violation of the fundamental rights of the Afrodescendant population to self-identification, effective participation in decision-making and access to social and economic rights. The Court found that there were errors in the methodology and data collection of the National Administrative Department of Statistics and recommended corrective measures to ensure accurate counting and reporting in future censuses and surveys.¹⁹ The Government of Colombia, in its combined twentieth and twenty-first periodic reports submitted under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, indicated that it had taken steps to provide updated statistical data.²⁰

22. Reliable data disaggregated by race or ethnic origin make visible specific population groups and their concerns, and people of African descent are no exception. In addition, reliable data allow for more targeted policies to address inequalities in a more effective manner. The Working Group was informed that the data of Colombia on people of African descent were “broken”. People of African descent living in different territories, notably those

¹⁵ See <https://www.dane.gov.co/index.php/estadisticas-por-tema/enfoque-diferencial-e-interseccional/autorreconocimiento-etnico/poblacion-negra-afrocolombiana-raizal-y-palenquera>.

¹⁶ Bratspies, ““Territory is everything””.

¹⁷ CERD/C/COL/CO/17-19, para. 4; and Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples: Colombia – Afro-Colombians*.

¹⁸ CERD/C/COL/20-21, para. 9.

¹⁹ Case No. T-276/22, Judgment, 1 August 2022.

²⁰ CERD/C/COL/20-21, paras. 10–14.

in remote locations controlled by armed groups, noted that they were not reached by national census officials, and there were no special measures to ensure inclusivity.

23. Act No. 70 of 1993 recognizes the ethnic, territorial and socioeconomic rights of Afro-descendant communities. However, the lack of its effective enforcement hinders the full enjoyment by those communities of their rights to govern their territories, manage resources and exercise special jurisdiction in accordance with their own customs and laws. In addition, such lack of enforcement undermines the applicability of International Labour Organization Convention, 1989 (No. 169), to which Colombia is a Party, and the collective rights contained therein, to Afrodescendant communities in Colombia as recognized by the Constitutional Court.

III. Good practices

24. The Working Group welcomes all efforts and positive measures to promote and protect the human rights of people of African descent in Colombia, including:

(a) Regulations implementing Act No. 70 of 1993: 30 years after the issuance of the Act, key decrees such as Decrees No. 1384 of 2023 (environmental), No. 1396 of 2023 (ancestral mining) and No. 129 of 2024 (territorial) have been issued, which constitute a historic achievement in the area of collective rights;

(b) Implementation of chapter 6.2 (“ethnic chapter”) of the Peace Agreement, under the inter-institutional and intersectoral coordination of the vice presidency (Decrees No. 1874 of 2023 and No. 1188 of 2024), which, if fully and effectively implemented, holds significant transformative potential for addressing the specific challenges and needs faced by communities and people of African descent across various sectors, such as land rights, access to resources and cultural preservation. The Working Group acknowledges the adoption of legal provisions, court rulings and policies, as well as progress made in the inclusion of ethnic indicators, the participatory definition of comprehensive rural reform plans, the execution and ethnic focus of development programmes with a territorial focus and the issuance of mainstreaming guidelines;

(c) The creation, through Decree No. 820 of 2023, of the National Intersectoral Commission on Historical Reparations, given its relevance as part of recent institutional advances and its relevance to reparatory justice;

(d) The enactment of Act No. 1752 of 2015, which defines acts of racism and discrimination as criminal offences and provides greater legal protection for communities and people of African descent against racial discrimination;

(e) The enactment of Decree-Law No. 4635 and Act No. 1448 of 2011 (Victims and Land Restitution Act) and its extension in 2021, which mainly provides recognition to the victims of the internal armed conflict, which – as noted above – has disproportionately affected people of African descent. The Act is also aimed at providing victims of the conflict with compensation, including land restitution, as well as individual and collective socioeconomic measures that benefit the victims of the armed conflict;

(f) The enactment of Act No. 2294 of 2023, which launched the country’s National Development Plan for the period 2022–2026. The Plan is aimed at overcoming historical injustices and exclusions, ensuring the non-repetition of conflict, changing the country’s relationship with the environment and generating a productive transformation based on knowledge and harmony with nature;

(g) Act No. 2272 of 2022 and its policy of total peace, which establishes as a State priority a comprehensive process aimed at a stable and lasting peace with guarantees of non-repetition and security for all citizens, while ensuring victims’ rights to truth, justice and reparation;

(h) The early warning mechanism of the Office of the Ombudsperson, which integrates an ethnic approach to risk assessments regarding people of African descent, among other groups;

- (i) State recognition of the community-based self-protection mechanisms, the *Guardia Cimarrona*;
- (j) Collective land titling;
- (k) Introduction of Swahili, an African language, into the school curriculum.

IV. Legal, policy and institutional frameworks and steps taken for the protection of the human rights of people of African descent

A. Legal framework

25. Colombia has ratified all key international human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination. Notably, however, the State has not accepted the individual complaints procedures under that Convention or under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights or the Optional Protocol to the Convention on the Rights of the Child. The Working Group regrets that Colombia has not ratified the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.

26. Article 13 of the Constitution states that all persons are born free and equal before the law and are to receive equal protection and enjoy equal rights and opportunities without discrimination based on race, gender or other factors. The rights of ethnic groups, including people of African descent, to their cultural identities and to participate in political life are also recognized in the Constitution. Act No. 1482 of 2011 (amended by article 1 of Act No. 1752 of 2015) prohibits racial discrimination and racism and guarantees the protection of the rights of a person, group of people, community or people that are violated through acts of racism or discrimination on the basis of race, nationality, sex or sexual orientation. Act No. 70 of 1993 specifically grants a legal pathway to land title for Black communities in the Pacific coastal region that have historically collectively inhabited those territories and share a past, common culture, traditions and customs. Despite the current Government having made progress in regulating some aspects of Act No. 70, it remains insufficiently implemented, thereby preventing people of African descent from enjoying those rights.

B. Institutional and policy measures

27. The Comprehensive System of Truth, Justice, Reparation and Non-Repetition is a set of judicial and extrajudicial restorative and transitional justice mechanisms created under the Peace Agreement with the aim of upholding victims' rights to truth, justice, reparation and guarantees of non-repetition. The system comprises the Commission for the Clarification of Truth, Coexistence and Non-Repetition, the Special Jurisdiction for Peace and the Unit for the Search for Persons Deemed Missing in the context of and due to the armed conflict. The System also includes measures for comprehensive reparation and peacebuilding. Incorporated into the Constitution in 2017, the System emphasizes the rights of the victims of the internal armed conflict and applies a territorial, differential and gender-sensitive approach to address the diverse impacts of the conflict, with special protection for women and children. Its key objectives are to clarify the truth, ensure justice and accountability, recognize responsibilities, offer legal certainty to participants and promote reconciliation and non-repetition for all the victims of harm committed by guerrillas, paramilitaries, other armed groups or State agents.

28. The Special Jurisdiction for Peace is responsible for investigating and sanctioning crimes committed by FARC-EP and other parties to the internal armed conflict before 1 December 2016.²¹ It has made significant strides in investigating and prosecuting war crimes and crimes against humanity. However, progress has not been even across the different areas of the Comprehensive System of Truth, Justice, Reparation and

²¹ See <https://www.jep.gov.co/Paginas/Inicio.aspx#>.

Non-Repetition, particularly in the area of reparation for the victims of gross violations of human rights. As a result, people of African descent are double victims: firstly, as victims of the violence of the conflict; and, secondly, as victims of deferred justice.

V. Manifestations of racial discrimination

A. Centre and periphery: marginalization of the “territories”

29. The Colombian State inherited from the Spanish Crown the exploitative and extractive interests of the “centre-periphery” political economy of Spanish colonial rule, which remains one of the root causes of the socioeconomic disparities between the centre, Bogotá, and the periphery, the rest of the country, also known as the “territories”. People of African descent throughout the territories told the Working Group that the State has long regarded the territories as merely economic zones to be commercially exploited for the benefit of the centre. Moreover, numerous armed groups have inherited this economic model, operating within the country in illicit economies, including drug trafficking and illegal mining. Reports indicate that these groups continue to commit serious human rights violations against civilians, including killings, child recruitment and rape, especially in rural areas of the Pacific coastal region.²² Security forces and judicial authorities have failed to effectively protect the population, ensure victims’ access to justice and prosecute and dismantle the armed groups. Historically, as noted above, for people of African descent, collective territories are spaces of life and the land is regarded as ancestral land and a source of livelihood and cultural identity.

B. Lack of recognition of the contributions of people of African descent and the persistence of stereotypes and prejudices

30. People of African descent experience a lack of recognition at multiple levels, spanning the absence of a positive narrative of their contributions to Colombian society and the absence of their history in textbooks to the slow implementation of the right of self-governance as recognized in the provisions of the Constitution of 1991 and other relevant legal provisions, in particular Act No. 70 of 1993. Given the abundant natural resources in the territories, their impoverishment is astonishing.

31. The Working Group remains concerned by the political polarization in the country, arising from racist hate and prejudices against people of African descent, among other things, and demonstrated most visibly by racist hate speech against the Vice-President and other leaders and role models of African descent. People of African descent still face persistent marginalization and stereotypes, which are barriers to their full integration into society.

C. Differential development

32. The Working Group was astonished by the level of differences in development between regions including the capital and the territories visited, such as Buenaventura, Tumaco and Quibdó, which are mostly inhabited by people of African descent. In these areas, housing, schools, roads and other infrastructure are of poorer quality. In Tumaco, interlocutors told the Working Group that neglect by the State, coupled with decentralization aimed at fostering the development of the territories, had detrimental effects, further highlighting the limited or non-existent funding for development projects and lack of long-term projects. “We need projects that have impact for the development of the territory . . . , we have been asked to prepare plans, but it is not enough. Decentralization hasn’t worked for us”, one interlocutor said. Due to the distribution of the population in the region of Tumaco, some communities are marginalized, with very limited access to Internet, electricity, running water and telephone connectivity. Concurrently, urban overcrowding in marginalized neighbourhoods, which are generally located in high-risk areas of Tumaco, presents other challenges in terms of lack of attention from local governments. The territories

²² Human Rights Watch, *World Report 2023* (New York, 2023), p. 163.

are affected by high rates of multidimensional poverty and unmet basic needs that, in Tumaco and Nariño, significantly exceed the national average. In Buenaventura, the Working Group spoke to the civic strike committee and with several Afrodescendant organizations that highlighted the unequal development in one of the most important ports in Colombia. The phenomenon of corruption and its impact on investment in the territories, intertwined with the dynamics of illicit economies, exacerbates the problem of State absence in terms of economic and security precariousness in these historically marginalized territories. In addition, community development plans and initiatives of people of African descent reportedly have low acceptance rates as a result of agreements concluded at round tables often not being implemented. The Working Group heard testimonies that budget lines under which funds are allocated to people of African descent together with other groups often have a competitive and discriminative effect that penalizes people of African descent.

D. Civil and political rights

33. The concerns outlined below are a summary of testimonies and reports received during the visit.

Governance, participation and representation in political and public affairs

34. Although some Afrodescendent communities have self-governance structures or community councils recognized by law, as well as governance experience that goes back centuries, they lack instruments of power, including full enjoyment of autonomy and guarantees of legal protection. The reality of impoverishment and infrastructural difficulties weakens the authority of local governance structures (community councils) in the territories. Testimonies and reports indicate an evident general lack of representation of populations of African descent, including in areas directly affecting them, such as housing projects in the territories and State-sponsored spaces for ethnic art and music. Testimonies and statistics demonstrate the underrepresentation of people of African descent in political affairs, including in parliament, but also in public affairs and in high-level decision-making positions in the administration, the diplomatic service, the judiciary and the army.

35. The differential approach is noble and instructive but it is met with structural barriers, including racism and racial discrimination, the lack of specific guidelines, insufficient training of officials, the absence of a national anti-racism strategy and a lack of accountability measures. The right to free, prior and informed consent for people of African descent is not always respected, including regarding issues and projects that may directly affect them. Complaints were raised at the territorial level, for example, about the absence of their involvement in the Peace Agreement and its implementation, which would have facilitated the implementation of its ethnic chapter.

Administration of justice

36. Criminalization of people of African descent is underscored by coercive circumstances of permanent deprivation, racial stereotypes and the absence of law enforcement in their places of abode.

37. The Working Group heard from people of African descent about significant barriers to accessing justice as they mainly live in impoverished, remote and dispersed areas with limited access to courts, including free legal aid. According to testimonies, many femicide cases have gone unpunished, which leads to people of African descent developing mistrust and a loss of confidence in the justice system. The application of the differential approach to justice is constrained by the limited representation of judicial officers of African descent, as well as by the insufficient number of lawyers and attorneys in regions or territories inhabited mostly by people of African descent, which constitutes a geographical barrier to accessing justice. Although judges analyse cases taking into account the context, the differential approach is not systematically applied in cases involving people of African descent. One interlocutor suggested that the differential approach be recognized in the Constitution. People of African descent have not benefited from digital progress as they lack computers and Internet connectivity is very limited in their territories. The idea of creating “justice houses” to bring justice closer to people of African descent has not yet materialized. The ongoing training and mentoring of public defenders remain critical for the delivery of criminal justice.

38. Examples gathered by the Working Group that conveyed the concerns of people of African descent in terms of accessing justice from the courts and State mechanisms include:

(a) Disappearance of files and records of evidence gathered at a high cost and filed by people of African descent with justice mechanisms. This has led to distrust of existing transitional justice mechanisms among people of African descent;

(b) Unresponsiveness of State institutions to grievances of people of African descent and disregard of court rulings and orders by the State. Examples include rulings No. 005/2009, No. 073/2014 and No. 620/2017 and order No. T 025/2004;

(c) Exercise of hegemonic approaches in formal justice systems and relegation to traditional justice;

(d) The monolingual language policy of the judiciary, with Spanish as the language of the courts and no translators or interpreters provided despite the fact that article 10 of the 1991 Constitution stipulates that the languages and dialects of ethnic groups are also official in their territories;

(e) Some communities and people of African descent, such as the Raizales and Palenqueros, are unable to defend their causes in courts that do not communicate in their languages without translation or interpretation guarantees.

39. Barriers to access to justice have led to an overrepresentation of people of African descent in the criminal justice system, including disproportionate levels of incarceration. Reportedly, lawyers advise persons accused of criminal offences to plead guilty rather than spend prolonged periods in detention without trial. This also leads to people of African descent receiving harsher penalties compared with others.

40. In Quibdó, the Working Group visited the prison and learned with concern about the poor detention conditions. Overcrowding stands at over 200 per cent, rendering access to activities limited and a lack of variety to the food provided. The Working Group observed exposed electrical wiring throughout the prison, increasing the risk of short circuits and fires. There is a serious need for humane, secure and dignified prison conditions to protect the fundamental rights of inmates, as well as their right to rehabilitation.

Transitional justice

41. People of African descent require peace, justice and guarantee of their rights. The ethnic chapter of the Peace Agreement offers prospects, but there is a need for more commitment by all stakeholders to complying with the terms of the peace process. The Working Group learned that:

(a) Violence and enforced displacement have escalated since the signing of the Peace Agreement;

(b) Response mechanisms do not reflect the disproportionate impact of the conflict on people of African descent, especially women, and only 4 out of the 34 judges in the Special Jurisdiction for Peace are of African descent;

(c) Several signatories of the Peace Agreement have not received their amnesty certificates.

42. People of African descent noted the following harmful effects of racism and race-based conflict:

- (a) The territory is a victim;
- (b) Destruction and loss of cultural identity;
- (c) Abandonment, isolation and being forgotten;
- (d) Femicide;
- (e) Gender-based violence and sexual violence;
- (f) Displacement
- (g) Impoverishment;

- (h) Trauma;
- (i) Violation of femininity and spirituality;
- (j) Stolen childhoods;
- (k) Poverty and mental despair;
- (l) Environmental degradation;
- (m) Food insecurity.

Law enforcement, excessive use of force and racial profiling

43. The Working Group is concerned about testimonies of people of African descent in both rural and urban areas that demonstrate disproportionate interactions with law enforcement personnel, notably through racial profiling and excessive use of force against people of African descent, including during demonstrations. The law is often enforced against people of African descent rather than for their protection. An increased military presence in their territories has not yielded positive results, with allegations that the army may be replicating the actions of the armed groups with impunity rather than protecting the population.

44. In June 2021, following its working visit to Colombia, the Inter-American Commission on Human Rights issued its observations and recommendations in which it urged Colombia to “immediately implement mechanisms to effectively prohibit the use of lethal force during public demonstrations”.²³ Although Colombia reports that it has been applying a human rights-based approach, the Working Group observes that it has not yet implemented a mechanism to respond to the recommendations of the Inter-American Commission in this regard, including the recommendation to separate the national police from the Ministry of Defence. The Working Group received no reliable or confirmed information that police officer training always includes modules on combating racial discrimination.

45. Incidents of State violence and repression during the 2021 national strike indicate the importance of law enforcement reform. The national protests, which broke out on 28 April 2021 during the coronavirus disease (COVID-19) pandemic, greatly affected the rights of people of African descent, including the fundamental rights to freedom of peaceful assembly and association. Many of the victims of the crackdown on the protests were of African descent, mainly in Buenaventura and Cali. Although the trigger for the protests was a tax and healthcare reform bill proposed by the then Government, the reasons for them were intersectional and included inequality, police brutality, corruption and impunity. The Working Group learned, in particular from its visit to Buenaventura, that one of the main structural causes of the protests was the historical marginalization and racialization of people of African descent. Testimonies of the violence experienced during the protests highlighted racist hate speech by the police and the prevalent impunity in the case of the assassination of the Afrodescendant leader of the national strike in Buenaventura, Temístocles Machado.

46. The absence of effective law enforcement in territories inhabited by people of African descent has created a state of lawlessness that is abused by several actors, including bandits from other countries, who prey on and exploit populations in vulnerable situations.

47. The Working Group learned that the phenomenon of “false positives”, through which police officers allegedly deliberately implicate people, including by planting drugs and weapons to cover up their own criminality, remained a grave concern. Moreover, the Working Group learned of the prevalence of arbitrary arrests and the common practice of arrests being made first, followed by investigations. The Working Group was informed that the justice system was too irregular and that the trial system remained inadequate.

²³ “Observations and recommendations: working visit to Colombia”, p. 40.

E. Structural racial discrimination and economic, social and cultural rights

Land rights

48. Land rights are one of the most challenging issues for people of African descent in Colombia as they are directly linked to their identity, livelihood, culture, life, history and the right to housing. Some people of African descent interviewed by the Working Group reported difficulties in obtaining collective land titles despite the laws and relevant regulations on the restitution of lands to victims of the armed conflict and on the right to collective ownership by people of African descent over their territories.

49. Some people of African descent reported that successive megaprojects of monocrops, such as sugarcane growing in northern Cauca and the contested takeover by companies, have dispossessed them of ancestral lands. Land is also exploited for tourism purposes with no prior, meaningful participation of people of African descent, such as in the archipelago of San Andrés, Providencia and Santa Catalina. The Working Group is deeply concerned by allegations that the State has expropriated ancestral lands of some Afrodescendant communities without compensation, and deemed them occupied wetlands. In addition, Afrodescendant communities noted that they had lost their ancestral lands because the titles were given to communities of other ethnicities. Loans have led to dispossession because of a decline in the profitability of their economic activities. In addition, illegal mining in the territories inhabited by people of African descent is ongoing, not only affecting their ability to use their land properly and freely but also extracting its natural resources.

50. The situation of the Raizal ethnic group, indigenous to the archipelago of San Andrés, Providencia and Santa Catalina, demonstrates some of these issues. According to the adjusted figures of the 2018 census, the Raizal population numbers 25,537. The Working Group was informed that the Raizales were in a fight for their ancestral land and their identity and against the erasure of their cultural heritage, including language. The Raizales have their own, distinct, English-based creole language (Criollo), with Spanish, English and Criollo considered official languages in San Andrés, Providencia and Santa Catalina, in accordance with article 10 of the 1991 Constitution. The Raizales experience marginalization on two levels: (a) as a result of the influx of Spanish-speaking mainland Colombians to the islands; and (b) as a result of being largely excluded from the economic development of the islands for tourism. They also face the threat of their habitable territory being reduced due to the construction of military bases on the islands. They described being cornered in their own territory. Since 2018, the Office of the Ombudsperson of Colombia, through its Delegate for Ethnic Groups, has supported the consultation process with the Raizal community for the development of a legal statute to protect their rights. The proposed statute (draft law S079 of 2018), which has been pending in the Senate since 2018, is aimed at legally safeguarding the cultural, territorial and collective rights of the Raizal people. It outlines their right to self-governance, cultural identity, education in their languages, healthcare, housing, access to justice and sustainable development, while mandating prior consultation and informed consent for any project or policy that may affect them. Despite its importance and despite article 8 of the Constitution obligating the State to protect the cultural and natural assets of the nation, the law remains stalled, highlighting a gap in legislative action to uphold the constitutional and human rights of this Afro-Caribbean community.

Housing

51. Adequate housing is impracticable in conditions of enforced displacement, insecurity of land tenure, land dispossession and limited economic and social mobility. The Working Group heard testimonies of people of African descent experiencing disproportionate difficulty in obtaining building licences and discrimination in the allocation of social housing. Reportedly, houses built by the State in certain areas cannot withstand the specific rigours of the environment. The Working Group is particularly concerned about the general housing conditions of people of African descent in the localities of Quibdó and Buenaventura, where many live in slums.

Employment and economic empowerment

52. The Working Group is concerned that people of African descent lag behind in terms of access to employment and to the labour market due in part to the institutional racism that they face, driven by deeply rooted false and harmful stereotypes and negative prejudices, such as that they are lazy and have low intellect. In cities such as Bogotá, the majority of people of African descent are employed in less-skilled jobs, resulting in lower wages. The Working Group learned that territories inhabited by people of African descent have the highest unemployment rates in Colombia. This situation has worsened due to the conflict, which targeted and destroyed the economic mobility and establishments of inhabitants. In addition, some interlocutors told the Working Group that some people of African descent lacked financial and project management skills, inhibiting employment prospects and contributing to unemployment. Those who are internally displaced face difficulties entering the labour market where they find refuge and receive no or very limited assistance for income-generating activities and projects. Obstacles to accessing land aggravates the scarcity of employment opportunities, as exemplified by complaints raised about the impossibility of growing cacao and coco crops. Demobilized ex-combatants who had signed the Peace Agreement complained that the promises made in the Agreement in that regard had not been fulfilled.

Health and environment

53. The Working Group is highly concerned about testimonies that territories mostly inhabited by people of African descent are left behind in terms of healthcare availability, with one hospital and one health clinic in some cases, and the difficulties faced by people living in remote and dispersed areas in accessing healthcare services. The quality of healthcare services is often low in these territories and, for some illnesses, they feel obliged to travel out of their regions to receive adequate healthcare. That was evident in Tumaco, northern Cauca and Quibdó. In Tumaco, for example, the Working Group was informed that, in a city and municipality with a population of approximately 138,091 people,²⁴ There was only one level two hospital (level two hospitals offer moderately complex outpatient and inpatient care and have specialists in various areas and can perform minor surgical procedures). Moreover, people of African descent, including women, reported stigmatization, violations of patient confidentiality and professional secrecy and material damage to healthcare facilities, among other things. The Working Group learned with concern that people of African descent were more stigmatized and racialized during the pandemic. Their traditional remedies and innovations were overlooked, mocked and undocumented by the health sector and broader society. The National Health Plan (2022–2031) should be implemented in consultation with Afrodescendant communities.

54. The Working Group was given information about the lack of professional ethics by doctors, nurses, pathologists and other service providers. A racialized, gendered and sexualized pattern of discrimination is evident in the experiences of people of African descent when accessing health services. The Working Group received testimonies about refusal of medical help, “obstetric violence” and racial stereotypes that Black women could withstand more pain and that LGBTIQ+ persons only needed treatment for sexually transmitted diseases and HIV. Women of African descent are reportedly often discharged from the hospital early and without any additional follow-up or pain management.

55. The Working Group is seriously concerned about the grave mental health crisis in the territories, which has resulted in suicides and attempted suicides by children and adolescents of African descent, connected to the inadequate provision of mental health services and professionals.

56. The Working Group learned with concern about the pollution of rivers from the use of mercury, which renders them unusable and puts the health of people of African descent in rural and remote areas at risk. Harmful insecticides in agricultural lands have destroyed the environment and contaminated water sources, reportedly resulting in a significant rise in cancer in their territories. It has had a negative impact on the way of life for communities of African descent and generated food insecurity, hunger and malnutrition. During its visit to Quibdó, the Working Group learned of the significance of the landmark 2016 Constitutional

²⁴ See <https://geoportal.dane.gov.co/geovisores/sociedad/cnpv-2018/?lt=4.456007353293281&lg=-73.2781601239999&z=6>.

Court Decision in case No. T-622/16, in which the Court recognized the Atrato River (including its basin and tributaries) in the Department of Chocó as a subject of rights and obligated the State to conserve, maintain and restore the river and to protect it, and the Afrodescendant and Indigenous communities living near it, from the impacts of the pollution from illegal mining activities. The landmass of Chocó is made up of collective territories of 600 Black communities grouped into 70 major community councils with 2,915,339 titled hectares. The biodiversity of the Atrato River is of significant cultural and economic importance to the Afrodescendant communities of Chocó: there is a strong interconnectedness between the well-being of the river and the communities of Chocó, rendering the well-being of the river and its environment vital in safeguarding their human rights, namely the rights to life, health, water, food and a clean, healthy and sustainable environment.

Education

57. The Working Group notes the explanations provided by the Government about efforts to strengthen educational processes in different territories in Colombia. Nevertheless, these measures are insufficient to ensure full access to schools for all children of African descent. Testimonies reveal that several families are extremely reluctant to send their children to school due to risks of forced recruitment by armed groups, demonstrating the State's inability to ensure effective protection for people of African descent, for example in Tumaco and Buenaventura. For people of African descent living in the most remote areas, distance to schools remains a challenge and results in high school dropout rates. Regulatory barriers consisting of minimum pupil requirements as a prerequisite to teacher allocation have a serious indirect effect of leaving small communities in rural and remote areas with no teachers. Similarly, testimonies assert the lack of sufficient teachers of African descent in some territories and differential treatment in career development compared with other teachers.

58. Communities and young people testified about the need for a transformative approach in the educational system so that their stories would be told not only as enslaved people and so that the history of people of African descent would also be taught, including their contributions to Colombian society. The Working Group was told that a barrier to accessing higher education was its affordability and the physical inaccessibility of good-quality higher education institutions, which could also offer a full range of training, professional or otherwise. Even students on scholarships drop out because of harsh living conditions and inability to meet additional costs.

59. The Working Group notes the efforts by Colombia, in particular its commitments and policies, to ensure ethnocultural education for people of African descent. These have, however, not fully materialized and teachers are yet to be trained accordingly. In the same vein, the Working Group raises concerns about the absence of anti-racism education in school curricula, despite efforts by the State, especially the anti-racism workplan developed by the Ministry of Education. To be fully implemented, the workplan should be accompanied by strong policies. According to testimonies, efforts to advance on this front seem to be constrained by the persistence of institutional racism in the education system. The Working Group is of the view that fighting racism in education and providing anti-racism education in school curricula are powerful drivers for establishing a more cohesive society, are tools to alleviate the stereotypes and prejudices endured by people of African descent and are in line with obligations under article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination.

F. Intersecting forms of discrimination

Displacement

60. The Working Group is alarmed by the proliferation of armed conflicts, the threat posed by armed groups and the absence of the State in the territories, which have resulted in the forced displacement of people of African descent and restrictions on their movement. Megaprojects, combined with deforestation, have significantly contributed to internal displacement and have degraded the income-generating activities of people of African descent. The Working Group learned that, despite protracted internal displacement and confinement, there is a failure to adequately register people of African descent, which

contributes to a denial of services. Refugees and migrants of African descent crossing into Colombia are exposed to risks such as exploitation by armed groups and trafficking in persons. Their rights to education and housing have been eroded due to displacement.

Protection of women of African descent

61. The Working Group takes cognizance of the commitment and the leadership of women leaders, mothers and human rights defenders of African descent. Women are often the champions of human rights in their territories, resulting in local, national and international acclaim for the leadership of women of African descent in peacebuilding efforts and the pursuit of justice in Colombia.

62. Inspired by the history of the largest collective, Consejo Comunitario Mayor de la Asociación Campesina Integral del Atrato, composed of 124 communities in Quibdó fighting to defend the right to territorial, social and cultural autonomy in the Department of Chocó, women of African descent have carried out community support micro activities in other territories, such as in Barbacoas, where they empowered others and assisted victims of sexual and gender-based violence in the absence of psychosocial support and legal assistance from the State. The protracted armed conflict has brought intense suffering for women of African descent, who have comprised most of its victims, including of sexual and gender-based violence, rape as a weapon of war, killing, forced displacement and other forms of violence and violations.

63. The Working Group heard how the themes of resilience, resistance and healing are important in the struggles for justice and the protection of livelihoods for people of African descent, in particular women. However, persistent harm is inflicted on them through the actions of armed actors and criminal networks, combined with State inaction and lack of protection, which generate a sense of depletion for people of African descent.

Children and young people

64. The Working Group is concerned that children and young people of African descent still face discrimination in all areas of life, notably education and employment, and unequal access to opportunities. They have reportedly been used as tools of war, in particular by armed groups. Following the peace process, armed groups quickly emerged as a key recruiter for children as informers, messengers and labourers, as well as for fighting purposes. As adults, ex-combatants recognized extreme poverty, a lack of opportunities, a lack of access to education in rural areas and an absence of peaceful environment as some of the structural factors that had resulted in their recruitment in armed groups. With adults often at work and no one home to care for children, there is no guarantee of household or community protection for them. A strategy of “seduction” (systematic grooming of young people) is reportedly taking place by armed groups. Juvenile armed violence is a serious concern for communities of African descent.

LGBTIQ+ persons

65. Based on testimonies, LGBTIQ+ persons of African descent encounter discrimination and violence, including within communities and their families and by armed groups, and lack appropriate support and understanding.

VI. Conclusions and recommendations

66. **Despite the positive measures and noticeable efforts undertaken by Colombia, as highlighted in the present report, the Working Group is concerned about the prevalence of racial discrimination in the country. There is still a long journey for people of African descent to enjoy their human rights fully on an equal footing with the majority of the population.**

67. **Despite the passage and achievements of the landmark Act No. 70 of 1993, which grants collective land rights to Black communities in the Pacific coastal region, the law has not yet been fully operationalized and implemented. Similarly, the very limited implementation of Constitutional Court rulings in favour of people of African descent**

is an indication of institutional racism, which still persists and hampers the full recognition of people of African descent and their integration into society.

68. People of African descent are subjected to statistical invisibility by State institutions, including the National Administrative Department of Statistics, thereby influencing the formulation of public policies and the distribution and delivery of public services, affecting people of African descent.

69. The following recommendations are intended to assist the State in its efforts to combat racism, racial discrimination, xenophobia and related intolerance:

(a) Ratify the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and accept the competence of the Committee on the Elimination of Racial Discrimination to receive and consider individual complaints under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination;

(b) Take corrective measures to ensure that people of African descent are visible in official data sources. In this regard, as a first step, the Working Group invites the State to collect accurate and reliable disaggregated data on people of African descent during the next national population and housing census and ensure accurate counting and reporting in future censuses and surveys. This could be achieved by working with local leaders and community councils. Colombia is invited to publish the decree relating to the date of the next population census;

(c) Prioritize accelerating the implementation of the ethnically differentiated approach of the ethnic chapter of the Peace Agreement by allocating adequate resources in the national budget for the full and effective implementation of its specific programmes, with the effective participation of communities of African descent;

(d) Operationalize Act No. 70 of 1993 fully, recognize local leaders, especially community councils, as authorities in their territories and equip them with instruments of authority and guarantees of legal and other protections to correspond with the level of responsibilities assumed by them. The State should ensure adequate representation of people of African descent at all levels of political and public affairs and ensure that the governance of territories is effective by guaranteeing and allocating sufficient funds for development purposes;

(e) Eliminate structural barriers to accessing justice by people of African descent and fight impunity for crimes committed against people of African descent, in particular women, including in the context of conflicts, taking into account the differential ethnic approach. People of African descent should be guaranteed free legal aid where appropriate and should be represented in an adequate manner in a language that they understand. The Constitutional Court rulings mentioned above should be given effect and trust in the justice institutions should be rebuilt. Increasing the number of judges of African descent in institutions could be a first step, as could ensuring the presence of attorneys and lawyers in a sufficient number within territories and remote areas;

(f) Adopt structured and rule-based responses to early warning mechanisms;

(g) Take all measures possible, including seeking international assistance, to end the protracted conflict that is affecting a significant part of the country and reinforcing the view of abandonment by the State. A sustainable response mechanism to immediate threats to life and livelihoods needs to be urgently established and adequately resourced to intervene promptly and effectively;

(h) Fulfil the commitments under the three pillars of the Second International Decade for People of African Descent: recognition, justice and development. In this regard, the State should embark on comprehensive, culturally competent programmes to repair, develop and transform the respective regions with the effective participation of people of African descent to ensure sustainability;

- (i) **Adopt a research- and evidence-based approach to interventions such as legislation and decrees. The harm caused to people of African descent by legacies of the past, racism and racial discrimination must be assessed as a prerequisite to reparation;**
- (j) **Make people of African descent aware of the existing remedies from the State, build their capacity and provide them with the necessary support;**
- (k) **Ensure that the fight against systemic racism, including its structural and institutional factors, is specific and streamlined with an anti-Black racism agenda that is supported by a complaint mechanism and remedial approaches;**
- (l) **Protect communities and people of African descent, including human rights defenders, from any form of police violence and excessive use of force, including during demonstrations. Investigate any such abuses and prosecute those responsible, including in the case of Temístocles Machado, provide training to police and security forces, including non-discrimination modules, prevent racial discrimination in the administration of the criminal justice system and consider moving the police from the Ministry of Defence to the Ministry of the Interior;**
- (m) **Investigate thoroughly, prosecute and expedite trials to ensure the accountability of military personnel and members of armed groups for human rights violations;**
- (n) **Expedite the implementation of all laws and regulations as well as court rulings on land titling and land restitution for people of African descent and ensure that no project is carried out within their territories and likely to affect them without meaningful consultations in view of obtaining their free, prior and informed consent. Provide adequate compensation for land losses in consultation with them;**
- (o) **Take adequate measures to ensure access to decent and adequate housing for people of African descent, including for forcibly displaced persons of African descent, and facilitate access to land plots for construction purposes. Ensure that Afrodescendant victims of forced displacement and confinement are properly registered in the registry of victims. Offer coordinated and comprehensive solutions that address the needs of mixed movements of people of African descent within Colombia, including offering complementary protection mechanisms (such as temporary protection schemes) for people of African descent who may require protection;**
- (p) **Take specific and urgent steps to promote access by people of African descent to employment through special measures, such as quotas in the public sector and incentives for the private sector. Financial facilitation, including access to loans for people of African descent, must be specifically oriented to them, with due regard to the tenets of a differential approach and policies on income-generating activities;**
- (q) **Undertake tailored reconstruction programmes for the territories inhabited by people of African descent, underscored by the vision and aspirations of the inhabitants, beginning with the State strengthening its presence and structures in historically marginalized rural areas inhabited by people of African descent;**
- (r) **Build the capacity of, rehabilitate and integrate into relevant sectors the signatories of the Peace Agreement;**
- (s) **Take positive steps to ensure effective access by people of African descent, in particular those living in rural and remote areas, to healthcare services of good quality and increase significantly the allocation of budgets for the health sector in this regard;**
- (t) **Equip health services in the territories with personnel of African descent and guarantee adequate healthcare conditions. Urgently address the mental health crisis of children and adolescents of African descent and ensure that people of African descent enjoy sexual and reproductive rights. Recognize traditional medicine practices that involve an intrinsic relationship with the territory and are part of the Afrodescendant worldview and recognize the importance of midwives in Nariño;**

(u) **Prioritize remedies for the pollution of rivers, which endangers the health of people of African descent, in consultation with communities;**

(v) **Confront all inequalities in access to education for people of African descent. Curriculum reform is necessary to ensure that people of African descent, including their history and contributions to society, are appropriately represented in textbooks. Anti-racism and ethnocultural education should be implemented and strengthened and teachers should be trained in sufficient numbers in this regard;**

(w) **Urgently deliver transformative solutions to reconstruct an equitable and enduring society, uphold the rights of women of African descent, ensure their full protection from violence and guarantee justice by holding perpetrators of gender-based violence accountable. Empower women of African descent, including economically and politically, as they play a pivotal role in the reconstruction of the fabric of their communities;**

(x) **Increase support for programmes led by and for women of African descent that target serious violations of women's and children's rights, and ensure their sustainability through budget allocations and dedicated institutions;**

(y) **Adopt and implement appropriate policies and strategies to eradicate the recruitment of children in armed groups, with the effective participation of communities and people of African descent;**

(z) **Provide support to and firmly combat discrimination against LGBTIQ+ persons of African descent and take firm actions to counter impunity for human rights violations and abuses against them.**
