

Colombia



Introduction

Civil society organizations (CSOs) have played a vital role in public policy, development, and peacebuilding throughout Colombia's history. In the past decades, CSOs have evolved in the context of, and directly in response to, the armed conflict that has defined Colombia's political, social, and economic landscape. As a result, Colombia has robust, sophisticated, and capable CSOs, including human rights organizations, peacebuilding entities, community strengthening initiatives, women's rights groups, and academic and research centers. Most CSOs are part of alliances or networks.

The 1991 Constitution protects freedom of assembly and actively promotes CSOs. In addition, under the Colombian Constitution, international treaties and agreements that recognize human rights ratified by Congress have the status of Constitutional enactments and thus take precedence in the domestic legal order. Colombia has ratified almost all human rights treaties. The Colombian

Constitutional Court has played a very important role in the protection of rights, including the rights of access to public information, association, and assembly.

However, Colombia has a complicated and often contradictory web of laws, regulations, and policies that make it difficult to navigate the legal framework for CSOs. This landscape has been impacted by a series of legal amendments on the exercise of the right to peaceful assembly that generate uncertainty as to the applicable law and invite a restrictive interpretation of this right. In 2016, Congress approved a reform to the Police Code that had been in force in the country since the 1970s. This amendment provided powers to local authorities regarding the use of public space and the exercise of the right to public demonstration. Human rights activists challenged this new regulation before the Constitutional Court, arguing that it did not comply with the procedure set out in the Constitution to regulate fundamental rights and that it expressly contravened international human rights standards on the right to peaceful assembly. The Constitutional Court ruled in favor of the plaintiffs in April 2017. However, to prevent this decision from producing a regulatory vacuum, the court deferred the effectiveness of its ruling for two years so that Congress would have sufficient time to discuss and approve a new regulation on policing assemblies that would be in accordance with the Constitution. As of 2022, Congress has not passed a law to replace the norms that were declared unconstitutional. This situation has created uncertainty as to what standards should be applied by local authorities.

In addition, despite recent peace accords, the national landscape continues to be marked by threats, gender-based violence, and lethal attacks against human rights defenders and social leaders, which is having a significant impact on civil society. In Colombia, being a human rights defender is still a high-risk occupation. According to the UN, a wide range of activists have been targeted, including community leaders, Afro-Colombians, indigenous people, environmentalists, journalists, and women's rights defenders. Therefore, when in June 2022 Gustavo Petro was elected as president of Colombia for the 2022-2026 term, he immediately faced significant social, political, and security challenges, including the resurgence of violence in several areas of the country, the worsening of poverty and inequality brought by the COVID-19 crisis, political polarization, and high levels of corruption.

In light of these developments, on December 6, 2023, the Colombian Constitutional Court also issued Decision SU-546/23, which declared an “estado de cosas inconstitucional” (ECI, or “state of unconstitutional order”) due to the persistent, grave, and widespread violations of the fundamental rights of human rights defenders and social leaders. This ruling was pivotal in Colombia's ongoing struggle to protect human rights defenders amid persistent violence and impunity. The decision mandated a framework for long-term institutional reforms aimed at safeguarding the lives and rights of human rights defenders across the country. In addition, on December 13, 2023, President Gustavo Petro issued Presidential Directive No. 07, which underscored the Colombian government's commitment to supporting and recognizing the work of human rights defenders. This directive was addressed to high-ranking officials, including the Vice President, ministers, military commanders, and heads of national agencies and emphasized the importance of their role in protecting and promoting human rights.

At a Glance

Organizational Forms	Nonprofit Corporations/Associations and Foundations
Registration Body	Public Registries of Chambers of Commerce
Approximate Number	Unknown
Barriers to Entry	Excessive discretion in registration process

Barriers to Activities	Subjective application of regulations by government institutions
Barriers to Speech and/or Advocacy	Harassment of human rights organizations
Barriers to International Contact	No legal barriers. Practical limits to criticism of government in international arena
Barriers to Resources	No legal barriers
Barriers to Assembly	The Police Code adopted in 2016 establishes vague regulations on obstruction of public roads and limits spontaneous demonstrations.

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Key Indicators

Population	48,258,494 (March 2021 est.)
Capital	Bogota
Type of Government	Republic
Life Expectancy at Birth	Male: 73.6 years; Female: 80 years (2020 est.)
Literacy Rate	Male: 93.1%; Female: 93.9% (2020 est.)
Religious Groups	Roman Catholic: 79%; Other: 21%
Ethnic Groups	Mestizo: 58%; White: 20%; Mulatto: 14%; mixed Black-Amerindian: 3%; Amerindian: 1%
GDP per capita	\$14,722 (2019 est.)

Source: [The World Factbook](#). Washington, DC: Central Intelligence Agency.

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International Rankings

Ranking Body	Rank	Ranking Scale (best – worst possible)
UN Human Development Index	91 (2023)	1 – 193
World Justice Project Rule of Law Index	94 (2023)	1 – 142

Transparency International	87 (2024)	1 – 180
Foreign Policy: Fragile States Index	63 (2024)	179 – 1
Freedom House: Freedom in the World	Status: Partly Free Political Rights: 31 Civil Liberties: 39 (2024)	Free/Partly Free/Not Free 1 – 40 1 – 60

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Legal Snapshot

International and Regional Human Rights Agreements

Key International Agreements	Ratification*	Year
International Covenant on Civil and Political Rights (ICCPR)	Yes	1969
Optional Protocol to ICCPR (ICCPR-OP1)	Yes	1969
International Covenant on Economic, Social, and Cultural Rights (ICESCR)	Yes	1969
Optional Protocol to ICESCR (OP-ICESCR)	No	
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Yes	1981
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Yes	1982
Optional Protocol to the Convention on the Elimination of Discrimination Against Women	Yes	2007
Convention on the Rights of the Child (CRC)	Yes	1991
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)	Yes	1995
Convention on the Rights of Persons with Disabilities (CRPD)	Yes	2011
Regional Treaties		
American Convention on Human Rights	Yes	1973

Additional Protocol to the Convention on Human Rights in the Area of Economic, Social, and Cultural Rights “Protocol of San Salvador”	Yes	1997
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* Category includes ratification, accession, or succession to the treaty

Constitutional Framework

Despite its armed conflict, Colombia maintains a strong array of rule-of-law institutions. The 1991 constitution includes a comprehensive bill of rights, provisions securing the independence of the judiciary, and other checks and balances on executive power. Since 1991 the Constitutional Court has developed a progressive jurisprudence that affirms the rights of victims of human rights violations and protects individual liberties.

The 1991 Colombian Constitution also recognizes the role of CSOs and establishes that the state has the obligation to support them and to recognize them as legitimate actors in the policy process. Changes currently affecting CSOs in Colombia include their increasingly close links with the state, and difficulties arising from a relative lack of funds from sources promoting international co-operation.

The 1991 Constitution establishes freedom of association in general.

Article 38 guarantees the exercise of the freedom of association, providing that “The right of free association for the promotion of various activities that individuals pursue in society is guaranteed”. In addition, article 95 provides that “The following are duties of the individual and the citizen: ... to defend and publicize human rights as a basis of peaceful coexistence...”

Article 20 of the Constitution provides that “Every individual is guaranteed the freedom to express and disseminate his/her thoughts and opinions, to transmit and receive information that is true and impartial, and to establish mass communications media”. In addition, according to article 37, “Any group of individuals may gather and demonstrate publicly and peacefully. The law alone may establish in a specific manner those cases in which the exercise of this right may be limited.”

Article 39 establishes that workers and employers have the right to form trade unions or associations without interference by the state. Their legal status will be recognized by the simple registration of their constituent act. The cancellation or suspension of legal status may only occur through legal means.

Moreover, the Constitution provides that the State “will contribute to the organization, promotion, and guidance of professional, civic, trade union, community, youth and charitable or nongovernmental public-purpose associations, without prejudicing their authority so that they may constitute democratic means of representation in the various functions of participation, agreement, control, and supervision of the public activities that they undertake.”

National Laws and Regulations Affecting Sector

Natural and legal persons are guaranteed the right to associate for profit-making and nonprofit-making purposes. The Civil Code regulates the establishment of companies, associations and societies for profit-making and nonprofit-making purposes. Nonprofit, charitable or welfare associations or societies may be established by private acts. Such associations include trade unions and second – and third-level trade union associations whose legal capacity is automatically recognized when they are formed, but which must be registered with the labor authorities upon establishment.

The right of assembly and the right to demonstrate are protected by Article 37 in the chapter of the Constitution on fundamental rights. Statutory Act No. 137 on States of Emergency of 1994 sets no particular restrictions on this right. Decree No. 1355 of 1970, which introduced the then National Police Code, contained the regulatory framework relating to the right of assembly.

The [National Police Code and Coexistence](#) (Law 1801), which was approved by Congress in 2016, updated the 1970 Police Code provisions regulating public demonstrations and protests. The new Code requires individuals to provide advance notification to authorities at least 48 hours before a protest. At least three people need to sign a petition to demonstrate at public roads or grounds.

In a [2017 ruling](#), the Colombian Constitutional Court found that the Code's chapter that regulates public demonstrations had violated the Constitution insofar as it had not been supported by a Statutory Law, which, according to the Constitution, is required when regulating individual rights. To avoid a regulatory vacuum, the Constitutional Court deferred the application of its judgment to June 20, 2019 and urged Congress to pass a Statutory Law on the matter. However, as of April 2021, Congress had not started the discussion on a draft bill of the Statutory Law.

There has been a debate among legal experts as to what are the rules governing protests after June 20, 2019. To some experts, the previous 1970 Police Code should regain authority, which in the view of activists would be highly problematic since the that Police Code placed unconstitutional restrictions on the freedom of peaceful assembly. Other legal experts consider that in the absence of a statute, authorities should apply the rules set by the jurisprudence of the Constitutional Court. In any case, the lack of regulation allows authorities an unconstitutionally wide leeway to decide on the legality of demonstrations in the public space. Furthermore, when protesters block a road or street without notification, they may be subject to criminal conviction, fines, and terms of imprisonment pursuant to Colombia's Criminal Code.

Law 863 of 2003 (Article 8) establishes income tax exemptions for not-for-profit corporations, foundations and associations with legal standing, with respect to income from all activities and assets employed toward their aims and purposes. CSO must maintain separate books and accounts with respect to any business they carry out and such books need to be registered at the local chamber of commerce.

The Transparency and Access to Public Information Law of March 2014 requires all government agencies and employees to answer requests for information. It also establishes a minimum of information content that the government must publish and requires government entities to provide proof and arguments justifying cases where information is withheld.

[Law 2197 of 2022](#) criminalizes social protest and obstructs the defense of human rights (arts. 13, 20, and 40) and legitimizes vigilante justice, legalizes forms of urban paramilitarism, and authorizes the shooting of civilians (arts. 25, 28, 30 and 31). Please see the Barriers to Assembly section below for additional details.

Lastly, on September 9, 2024, President Petro signed a Presidential Directive on the duties of public officials in the exercise of freedom of expression and respect for freedom of the press. The directive establishes guidelines to optimize the implementation of Colombia's international obligations regarding freedom of expression, particularly with regard to the interaction between the executive branch and journalism, in line with the standards of the Inter-American human rights system on the matter.

As per the Directive, officials must avoid stigmatizing or discriminating against journalists and other relevant actors, promote a tolerant public discourse free of hate speech, and guarantee access to accurate information. They are expected to foster open communication channels, avoid censorship, and verify information before making public statements.

The directive also outlines specific preventative measures against stigmatization, including respectful communication, correcting misinformation fairly, and ensuring equitable treatment of journalists. The Secretariat for Communications and Press is tasked with overseeing compliance,

implementing training programs, and maintaining open dialogue with media representatives to promote a democratic environment of open and responsible communication.

Pending NGO Legislative / Regulatory Initiatives

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Legal Analysis

Organizational Forms

Since 2000, Colombian authorities have implemented numerous laws and regulations that address civil society organizations. Unfortunately these rules have complicated the legal framework. For example, these laws and regulations frequently refer to nongovernmental organizations (NGOs), without providing a legal definition for NGOs. As a result, the laws regarding nonprofit entities are vague and often contradictory.

Regardless of the variety of types of non-profit legal entities existing in the Colombian legal system, private law only recognizes two forms, the nonprofit corporation/association [1] and public charitable foundations.

In Colombia, the registration of a CSO follows a two-step procedure. According to law, the chambers of commerce manage public registries (commercial, government suppliers and nonprofit organizations). These registries are only a means of publicity. An application for the set up of a CSO should be submitted together with: (a) memorandum of association and rules and regulations; (b) minutes of the Executive Board or General Assembly that endorses the setting up of the CSO; (c) a detailed mission statement, including program and project information; (d) a legal address and a list of the names, addresses and occupations of the founders; (e) a statement showing in detail the assets of the organization; (f) an affidavit sworn by the president or secretary of the CSO; and (g) a declaration by the members of the managing committee that the funds of the society will be used only for the purpose of furthering the aims and objects of the society. Then, the application for registration needs to be submitted either at the state level (Gobernaciones) or at the district level (alcaldías) in which the CSO is sought to be registered.

In Law 22 of 1987, the legislature authorized the 32 governors of the country and its equivalent, the Mayor of Bogota Capital District to inspect and supervise CSOs. CSOs must submit to the authorities a general balance sheet upon conclusion of the fiscal year and activity reports on a yearly basis.

Cancellation of the legal status of organizations is governed by Presidential Decree 1529 of 1990. The causes for cancellation are established in Article 7. A request for cancellation of legal status of a certain CSO may be submitted by anyone on the grounds of illegal activities, violations of public order, or when its activities do not correspond to the purposes for which it was formed. The corresponding Governor or Mayor Office is requested to open a file to investigate the allegations, make an on-site visit to the concerned CSO, and make a decision within 10 working days.

[1] The term “association” is not a legal person provided by the Civil Code but refers to the constitutional freedom that people use to form a corporation.

Public Benefit Status

Colombia does not grant public benefit status to a special category of nonprofit organizations. However, foundations are assumed to operate for the “public benefit.” The Constitution recognizes foundations as being “institutions of public use,” with the intention of “public benefit.”

Under Colombian tax laws, CSOs engaged in health activities, sports, formal education, cultural, scientific or technological, ecological, environmental protection or social development programs, qualify for special tax benefits that include a lower tax rate than commercial companies or, in some cases, full exemption from paying income taxes.

Barriers to Entry

Overall, the requirements to be met in order to set up and operate a CSO in Colombia are straightforward. In fact, some believe that it is too simple, and the lax process could lead to abuse.

Although the Constitution allows civil society organizations to form for many purposes, there are, in practice, limitations when these purposes conflict with the government’s actions or ideology. For example, some CSOs, particularly human rights groups that are critical of the government, have greater difficulty obtaining or retaining legal status.

Barriers to Operational Activity

Although there are no express legal barriers to operational activities, the subjective application of regulations by government institutions often produces a disparity between the original intent of the laws and their present enforcement.

Human rights organizations also operate within a climate of harassment, as detailed in the following section.

Barriers to Speech / Advocacy

Colombia is one of the most dangerous countries in the world in which to be a human rights defender, with dozens of labor rights activists, lawyers, indigenous activists and community and religious leaders being murdered every year.

In recent years, human rights CSOs and their members have been frequent victims of reprisals and undue restrictions as a result of their work in promoting and protecting the victims of the armed conflict. On several occasions, the Inter-American Commission of Human Rights has voiced its concern about threats against human rights defenders and members of CSOs.

Other forms of violations include: illegal surveillance, smear campaigns and criminal prosecutions, and violations of the home and other arbitrary or abusive entry to the offices of human rights organizations, and interference in correspondence and phone and electronic communication.

Statements by government officials have contributed to a climate of increased danger for human rights defenders in Colombia. International monitoring bodies have also expressed concern about such statements that seem to endorse acts of violence against human rights defenders and their organizations.

Barriers to International Contact

There are no legal barriers to communication and contact internationally. That said, there may be cultural limitation on CSOs interacting with international actors in that it could be considered an act of disloyalty when criticizing the government in the international arena.

Barriers to Resources

CSOs are permitted to receive foreign funding via grants or donations. In addition, CSOs are permitted to acquire and dispose of property, contract personnel, invest resources, and import and export goods. To prevent money laundering, Colombian banks require a document officially translated into Spanish that describes the origin of support when the funds are converted to pesos.

Barriers to Assembly

Colombia has experienced an intense period of social protest in recent years. Between April 28 and June 4, 2021, 12,478 protests were held in 862 municipalities in all 32 departments. While most demonstrations were peaceful, the government treated the unrest mainly as a law enforcement problem and the police have developed a pattern of confronting demonstrators in major cities. As a result, at least 50 people lost their lives in protest-related events, dozens of people were reported missing, and hundreds suffered injuries, including serious eye injuries caused by “less-lethal” weapons used by the security forces, and more than 3,000 people have been detained. The government also issued regulations contrary to international standards to facilitate the intervention of the military in handling the protests. Due to the gravity of this situation, the Inter-American Commission on Human Rights (IACHR) conducted an emergency [visit to the country](#) and published [a report](#) condemning the violations and calling on the state to make structural reforms to its militarized police force.

In addition, the Administrative Court of Cundinamarca issued a ruling that restricted demonstrations on May 1, 2021 (International Workers’ Day). The Court argued that the restriction was necessary due to the COVID-19 pandemic in the country. According to the Court, protests would be suspended “until a biosecurity protocol is implemented or herd immunity is achieved through vaccination against the COVID-19 pandemic and its variants.” Members of civil society and academia criticized this decision as contrary to international and Constitutional standards on the right to assembly. The decision ([Spanish](#)) was appealed before the Council of State, which in June 2021 reversed the decision, noting that the Court had exceeded its jurisdiction and ruling that the limits to the rights of assembly and peaceful protest can only be established by the Congress.

Less than one year after the court ruling, on January 25, 2022, President Duque signed a new Citizen Security Bill into law. The Bill, known as [Law 2197 of 2022](#), was submitted to Congress following mass demonstrations that lasted around two months, during which serious human rights violations were reported. These included excessive police force and gunfire from armed civilians against protesters. The Bill was met with strong opposition from CSO members, who expressed concern that several provisions would criminalize social protest and obstruct the defense of human rights (arts. 13, 20, and 40), legitimize vigilante justice, legalize forms of urban paramilitarism, and authorize the shooting of civilians (arts. 25, 28, 30 and 31).

Provisions that affect the freedom of assembly and protest include the following:

- Article 3, in contravention of the constitutional principle of proportionality, authorizes the use of lethal force to repel “aggression to one’s own or another’s right.”
- Article 12 disproportionately increases the penalty for the crime of land invasion, which jeopardizes forms of protest, mainly by Campesino communities and ethnic minorities.
- Article 20 creates a new crime (“obstruction of public functions”) that imposes a prison sentence of three to five years for those who impede the performance of any public function. The penalty increases when obstructing military or police procedures.
- Article 25 extends the rules on the regulation of less-lethal weapons to private individuals, implying that natural persons may acquire, import, export, and

commercialize less-lethal weapons and their accessories, parts, and ammunition.

- Article 48 allows the National Police to access closed-circuit television without any distinction between private or public spaces and the type of information contained in them.
- Article 40 expands the concept of protective transfer, which has been used by the police to arbitrarily arrest those who are legitimately exercising their right to assembly and protest.

Most recently, in June 2022, the Constitutional Court admitted four lawsuits against the National Security Law. Civil society and human rights defenders denounced the Law's imposing unlawful restrictions on the exercise of rights such as freedom of assembly and association in contravention of international human rights standards. In its most recent report to the United Nations Human Rights Council (UNHRC), the OHCHR expressed its concern about "the content of the Public Security Law, including the increased and enhanced penalties for conduct demonstrators may engage in, which could result in the criminalization of protests" and the "greater discretion granted to the police [to make arrest transfers, which] could increase the risk of an arbitrary use of this liberty-depriving measure."

Additional details on restrictions on assembly in Colombia are provided below.

Vague Provisions. In 2011, Colombia's Congress approved reforms to the Criminal Code, the Code of Criminal Procedure, and the Juvenile Criminal Code. Article 353(A) of the Criminal Code uses vague language to address the obstruction of public ways during protests: "Any person who, by illicit means, obstructs, temporarily or permanently, selectively or generally, the public ways or any other transportation infrastructure in such a way that affects the public order or mobility, will be sentenced to prison for four to eight years and mandated to pay a fine of between 13 and 75 times the current monthly minimum wage." The vagueness of this provision could lead to the prosecution of the lawful exercise of the right to the freedom of assembly provided by the Constitution.

In addition, Article 53 of Law 1801 explicitly defines the permissible purposes of protests to include "collective ideas and interests of cultural, political, economic, religious and social character." While seemingly broad, there is sufficient ambiguity in the provision as to give administrative authorities the authority to refuse a protest application, by deeming the protest purpose "illegitimate" if they feel the protest would be critical of the current government.

Police under Article 53 also have the right to disband an approved protest if it turns into a "disturbance". Since there is no clear definition for what constitutes a "disturbance", a protest can essentially be disbanded for any reason the authorities choose.

Advance Notification. The National Police Code (Decree No. 1355 of 1970) stipulates in Article 102:

Any person may meet with others or parade in a public place for the purpose of expressing common interests and ideas of a political, economic, religious or social nature or for any other lawful purpose. For these purposes, notice shall be given in person and in writing to the local administrative authorities. The communication shall be signed by at least three persons. The notice shall specify the date, time and place of the proposed meeting and be submitted 48 hours in advance. In the case of parades, the planned route shall be specified.

Accordingly, spontaneous demonstrations would not be lawful, since 48 hours notice must be provided. Article 188 of Decree 522 of 1971 provides that within the 24 hours of the receipt of the notification of an assembly, the public authority may, based on public order considerations and through a reasoned decision, modify the planned route for the parade, its date, place or time. However, if there is no response by the authority within 24 hours, it is understood that the assembly may take place.

Enforcement and Excessive Force. Civilian authorities normally do not interfere with public meetings and demonstrations. However, the United Nations High Commissioner for Human Rights

(OHCHR) has highlighted in its reports the actions of the Mobile Anti-Riot Squad (ESMAD) as a “[particular and recurrent concern](#).” The OHCHR expressed concerns regarding ESMAD’s rules of engagement, which present severe “strategic, operational and tactic deficiencies.” Other problems identified by the OHCHR are command and control problems before, during, and after employing the use of force, tactical indiscipline, and failures to meet international standards for the use of firearms, which resulted in alleged human rights violations. This problem has been noticeable as a result of the increase in social mobilization and street protests that have occurred in the country since the end of 2019.

In its observations on the late 2019 protests, the OHCHR documented the arbitrary deprivation of life of an 18-year-old student by an ESMAD agent armed with a 12-gauge rifle loaded with a beanbag round, as well as instances of protesters who suffered ocular or cranial injuries due to beatings or to impacts from projectiles shot by security forces. The OHCHR also reported that some police officers reportedly perpetrated acts that may amount to ill-treatment and torture of protesters, including forced nudity, death threats with racist undertones, and repeated beatings. Most of the detentions during the protests resulted from the use of an administrative provision called “transfer for protective purposes.” According to a [UN report](#), this provision “gives extensive discretionary powers to the police to limit the right to liberty.” These violations have been subsequently confirmed by the Colombian Supreme Court. In a September 2020 judgment that required implementing measures to guarantee the right of peaceful assembly, the Civil Chamber of the Supreme Court showed concern regarding the “systematic, violent and arbitrary intervention by the public force during protests.”

As part of compliance with this Supreme Court judicial decision, on January 5, 2021, the National Government issued [Decree 003 of 2021](#), which outlines the protocol for the use of force by the national police in protests. CSOs consider that this Decree contains some positive measures for the regulation of force in street demonstrations, but regret that the Decree does not address all the issues discussed at the roundtable ordered by the Court ruling.

Within months of the Decree’s implementation, Colombia experienced one of the most intense periods of street protests in its history. The Inter-American Commission on Human Rights (IACHR) and other independent human rights organizations reported hundreds of cases in which it was evident that the police did not comply with the procedures established in the protocol. On the contrary, there is publicly available video evidence demonstrating a pattern of abusive use of force by the police.

Additionally, amid the protests, the government issued [Decree 575 of 2021](#) through which it ordered several governors and mayors to coordinate “military assistance” to “confront and overcome the events that give rise to the serious alteration of security and coexistence on the roads in their jurisdictions.” The IACHR has stated that Decree 575 contains provisions that “could constitute a disproportionate restriction on freedom of expression, demonstration, and assembly” and called on the government to repeal or modify it. However, on July 23, 2021, a chamber of the Council of State [decided](#) to “provisionally suspend” Decree 575 on grounds that it “threatens the right to social protest.” Thus, the Decree is temporarily suspended, but this decision is transitory and may be revoked.

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Reports

UN Universal Periodic Review
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Third Session

National Report

Compilation of UN information

Summary of stakeholders’ information

Report of the Working Group

	Decision on the Outcome Draft Report on the eighth session of the Human Rights Council
Reports of UN Special Rapporteurs	OHCHR: Colombia OHCHR: Situation of human rights in Colombia (2022)
USIG (United States International Grantmaking) Country Notes	Not available
U.S. State Department	2023 Country Reports on Human Rights Practices: Colombia
Fragile States Index Reports	Foreign Policy: Fragile States Index
IMF Country Reports	Colombia and the IMF
International Commission of Jurists	Not available
International Center for Not-for-Profit Law Online Library	Colombia

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News and Additional Resources

While we aim to maintain information that is as current as possible, we realize that situations can rapidly change. If you are aware of any additional information or inaccuracies on this page, please keep us informed; write to ICNL at ngomonitor@icnl.org.

General News

[Thousands march across Colombia in anti-government protests](#) (June 2023)

Thousands of demonstrators marched through Colombia's major cities to protest the government of leftist President Gustavo Petro. At least 90,000 people throughout the country took part in "The March of the Majority" in Bogota, Medellin, Cali, Pereira and Bucaramanga to protest against a raft of proposals to reform healthcare, pensions and the labor system. Protesters dressed in white also chanted against Petro's attempts to give criminals immunity in exchange for laying down their arms. Since taking office in August last year, Petro has been seeking a "total peace" policy to end a 60-year armed conflict between the state and various illegal groups that are still active in the country.

[Citizen Security Law receives new legal challenge](#) (December 2022) (*Spanish*)

In December 2022, the Constitutional Court admitted a new lawsuit against the Citizen Security Law. This lawsuit involves an article of the Law that states that whoever occupies, usurps, or invades private or public property in the middle of a demonstration may incur a prison term of four to ten years. For the plaintiff, the Law criminalizes in an "unreasonable and disproportionate" manner the fundamental rights of freedom of expression and public and peaceful assembly and demonstration since, most of the time, these types of protests occupy public property such as streets, parks, or public squares. It is the third lawsuit filed before the Constitutional Court regarding this Law.

UN calls on Colombian government to protect rights defenders who challenge corporate activity (August 2022)

Activists who raise concerns about business projects in Colombia are under serious threat for speaking out, and UN human rights experts are urging the government to do much more to protect them. “Serious threats, including death threats, are commonplace in Colombia for defenders who raise concerns about corporate activity, in particular in land-intensive industries,” said Mary Lawlor, UN Special Rapporteur on the situation of human rights defenders.

Colombia Truth Commission presents final report on internal armed conflict (June 2022)

The Colombia Truth Commission was set up as part of a 2016 peace deal between the government and the Revolutionary Armed Forces of Colombia (FARC). It was tasked with documenting abuses and explaining what caused the conflict to persist for so long. The Commission’s final report claims that at least 450,664 people were killed over nearly six decades of fighting and also criticizes entrenched impunity in Colombia.

Mounting Security Challenges Await Colombia’s Next President (June 2022)

In the first round of Colombia’s presidential elections, long-standing opposition leader Gustavo Petro and newly emerged outsider Rodolfo Hernández both handily defeated the conservative establishment candidate Federico Gutiérrez. The latter’s third-place finish signals Colombians’ resounding rejection of the country’s status quo and a rebuke of the political establishment and predominant elites.

Colombia bars social leaders from speaking before UN security council (May 2022)

The Security Council will meet in New York for its quarterly session on the implementation of a 2016 peace deal with now-defunct guerrilla group FARC. These sessions have always been attended by Colombia’s foreign minister to represent the State and a social leader to represent civil society. This time only Duque will address the UN ambassadors. The decision is controversial because of the Duque’s alleged non-compliance with the peace deal and a resurgence of violence in Colombia.

Colombia Responsible for Rape and Torture of Journalist Jineth Bedoya, Court Rules (October 2021)

The Inter-American Court of Human Rights on Monday ruled that the state of Colombia bears responsibility for the ordeal of a female journalist who was kidnapped, raped and then tortured in 2000 by paramilitaries. Jineth Bedoya was working for the El Espectador newspaper at the time, investigating a weapons smuggling ring, when she was abducted and assaulted by far-right militia members.

IACHR Completes Working Visit to Colombia and Issues Observations and Recommendations (June 2021)

From June 8-10, 2021, the Inter-American Commission on Human Rights (IACHR) conducted a working visit to Colombia to verify the human rights situation in the country following multiple allegations of police brutality in the context of street protests carried out since April 28, 2021. Following its visit, the IACHR published a report highlighting concerns related to the right to protest, the protection of journalists, freedom of expression, and internet access.

Egregious Police Abuses Against Protesters (June 2021)

“Members of the Colombian National Police have committed egregious abuses against mostly peaceful demonstrators in protests that began in April 2021,” Human Rights Watch said. Colombia’s government should take urgent measures to protect human rights, initiate a comprehensive police reform effort to ensure that officers respect the right of peaceful assembly, and bring those responsible for abuses to justice.”

55 Members of U.S. Congress Urge State Department to Denounce Police Brutality in Colombia (May 2021)

“On May 14, U.S. Representatives James P. McGovern (MA-02), Co-Chair of the Tom Lantos Human Rights Commission, Mark Pocan (WI-02), Jan Schakowsky (IL-09) and Raúl M. Grijalva (AZ-03) led 55 Democratic members of the U.S. House of Representatives in a letter to Secretary

of State Antony Blinken urging the State Department to more forcefully denounce police brutality in Colombia, freeze police aid and sales of crowd control equipment, and promote dialogue.”

Judiciary Seeks to Prohibit Street Protests until Herd Immunity Achieved (April 2021)

Since early April, the main labor unions called for a one-day demonstration to be held on April 28, 2021 for people to take to the streets and protest the economic and social policies of President Ivan Duque, especially a fiscal reform that seeks to raise taxes. The day before these rallies, the Administrative Court of Cundinamarca issued a ruling [ordering the suspension of the protests](#). The decision also restricted demonstrations on May 1 (International Workers’ Day). The Court argued that the restriction was necessary due to the pandemic situation in the country. According to the court order, protests are suspended “until a biosecurity protocol is implemented or herd immunity is achieved with vaccination against the COVID-19 pandemic and its variants.” Members of civil society and academia have criticized this decision as contrary to international and constitutional standards on the right to assembly. The decision, for example, assumes that protesters must “request permission” to exercise their right and, therefore, orders municipal authorities to deny or revoke “permits.” Despite the judicial decision, thousands of Colombian marched to protest the government tax proposals.

Human Rights Organizations Call for Investigations into Police Violence by Independent Judges (March 2021)

Robert F. Kennedy Human Rights filed an amicus curiae brief before the Supreme Court supporting a petition to transfer the criminal investigation into the 2019 death of an 18-year-old protester, Dilan Cruz, at the hands of police to the ordinary justice system from the military courts, where it currently stands.

Colombian Intelligence Unit Used U.S. Equipment to Spy on Journalists and Human Rights Defenders (May 2020)

An army intelligence unit provided with U.S. surveillance equipment to fight Marxist rebels and drug traffickers used the assets throughout 2019 to spy on political opponents, government officials, journalists and human-rights activists. Army intelligence units have been developing detailed dossiers on the personal lives of at least 130 reporters, human rights defenders, politicians, judges, and possible military whistleblowers.

Special Rapporteur on Human Rights Defenders Releases Report on Colombia (December 2019)

On December 26, 2019, the United Nations Human Rights Council released a report prepared by Michel Forst, the U.N. Special Rapporteur on the situation of human rights defenders, on his visit to the country from 20 November to 3 December 2019. The report highlights that “Colombia remains the country with the highest number of murdered human rights defenders in Latin America, and threats against this group have soared.” According to the report, the defenders most at risk are social leaders defending human rights in rural areas, in particular those promoting the implementation of the Peace Agreement and defending land and environmental rights and the rights of ethnic communities.

Colombia’s Peace Deal Promised a New Era. So Why Are These Rebels Rearming? (June 2019)

After Colombia’s government signed a peace deal with the country’s main rebel group, ending decades of war and upheaval, both sides said it heralded a new era. But two and a half years after the militants agreed to lay down their arms, many of the promises made are not being honored, and the prospect of a true, lasting peace now seems far from certain.

‘Terrible trend’ of rights defenders killed, harassed (May 2019)

Alarmed by the “strikingly high number” of human rights defenders being killed, harassed and threatened in Colombia, the UN Human Rights Office (OHCHR) in the country on Friday, called on authorities to “make a significant effort” to “tackle the endemic impunity” surrounding these cases.

Regional Strike in Cauca Enters Twelfth Day (March 2019)

In response to the demands of the people for dialogue on implementing state promises in education

and agriculture, the government has unleashed special police units which have arrested many and injured dozens. The protesters are seeking dialogue with the national government of president Iván Duque and demand compliance with agreements signed by the state in 2013 concerning education, health, housing and land for all.

Colombia must act to stop killings and attacks against human rights defenders (December 2018)

Since the adoption of a peace agreement in Colombia two years ago there has been a dramatic increase in the number of killings, threats and intimidation of human rights defenders in the country, a UN human rights expert said today.

Student strikes continue: The march of the pencils (November 2018)

Thousands of students have disrupted life in Colombia's capital with nationwide demonstrations to press demands for President Ivan Duque to increase education spending. The "Pencil March" rallies across Colombia were the latest chapter in more than a half-dozen street protests in recent months demanding that the government boost funding for education.

Colombia's new defense Minister proposes to limit right to protest and attacks social leaders (July 2018)

During the Concordia Summit in America, which ended Tuesday at the congress center Ágora, the newly appointed Defense Minister Guillermo Botero assured that the new government should promote measures to regulate social protests. "We respect social protest but we also believe that it has to be ordered and that it truly represents the interests of all Colombians and not just a small group," he said.

Inter-American Court of Human Rights orders Colombia to investigate journalist's murder (June 2018)

In a statement released June 6, the court condemned the Colombian government for failing to properly investigate and pursue justice in the case of Radio Sur journalist Carvajal. The court found the government guilty of negligent treatment of Carvajal's family and said that it failed to investigate death threats against nine of the journalist's relatives, who were forced to flee the country. It also found the government responsible for "extraordinary delays" in pursuing justice.

Iván Duque wins election to become Colombia's president (June 2018)

Iván Duque, who opposes the peace deal, won in a second round runoff election on Sunday with 53.9% of the vote. Many now worry about the fate of the fragile peace deal signed with the Farc in 2016, which formally ended 52 years of civil war that left 220,000 dead and seven million displaced. Duque promised on the campaign trail to modify the deal's most contentious components, something that resonated with voters.

IACHR Urges Colombia to Adopt Urgent Measures to Protect Human Rights Defenders (March 2018)

On March 27, 2018, the Inter-American Commission on Human Rights (IACHR) expressed its concern over the high number of murders of human rights defenders and social leaders registered this year in Colombia. The Commission also urged the State to adopt urgent measures to protect those who defend human rights in the country, as well as to carry out diligent investigations that take into consideration the victim's activity as a human rights defender.

More than 100 human rights activists killed in Colombia in 2017 (December 2017)

More than 100 human rights defenders were killed in Colombia in 2017, according to the United Nations, which urged more accountability and better protections. Activists have been particularly at risk in regions that were vacated by rebel fighters under a peace agreement signed last year, leaving a power vacuum, the UN's human rights office in Colombia said in a statement.

Colombia's FARC rebels keep famous acronym for new political party (August 2017)

Colombia's disarmed FARC rebel group is preserving its famous acronym as it becomes a civilian political party, part of its demobilization under a peace deal with the government to end more than 50 years of war. The Revolutionary Armed Forces of Colombia rebels, whose first political

conference will close with a concert and speeches in Bogota's central square, will now go by Revolutionary Alternative Common Force, preserving the Spanish initials. Under the 2016 peace deal to end its part in a war that has killed more than 220,000 people, most of the group's fighters were granted amnesty and allowed to participate in politics.

EU envoy calls for Colombia's social leaders to have 'maximum protection' (May 2017)

The European Union envoy to Colombia's peace process has urged the government to provide "maximum protection" to social and community leaders, more than 30 of whom have been assassinated since the beginning of the process. Eamon Gilmore expressed his deep regret about the 35 victims that have been murdered in Colombia since the signing of the peace accord between the government and the FARC, demanding immediate protection for community leaders as well as guerrillas leaving demobilization camps. "One of the concerns we have is the vulnerability of the social leaders, the intimidation and the threats of which they have been victims. What we want is to monitor the safety of these leaders," he said in an interview with El Espectador newspaper.

Spike in killings as activists targeted amid peace process (February 2017)

A spike in the number of human rights activists killed in the last month highlights the continuing dangers faced by those exposing ongoing abuses, said Amnesty International today as the much-delayed talks with the National Liberation Army (Ejército de Liberación Nacional ELN) get under way in Ecuador. The organization is calling on the government to immediately provide effective protection to at-risk human rights defenders after at least 10 were killed in January alone; nearly double last year's monthly average. "The peace process in Colombia is a bright light at the end of a long and dark tunnel that has already brought some tangible benefits to many Colombians. However, unless the killings of activists stop, this will leave an indelible stain on any resulting peace accord," said Erika Guevara Rosas, Americas Director at Amnesty International.

Security Situation for Human Rights Defenders in Colombia Continues to Deteriorate (January 2017)

WOLA (The Washington Office on Latin America) has gathered a list of emergency cases that currently affect defenders in Colombia. In the last few months, a wave of violence has targeted social leaders, indigenous leaders, land-rights activists, and human rights defenders. The list includes murders, assassination attempts and threats.

Colombia signs peace deal with FARC (November 2016)

Colombia's government and the FARC rebel group signed a revised peace accord Saturday after years of negotiations and a half a century of conflict. Colombian President Juan Manuel Santos announced the new deal in a TV address Saturday evening, saying it will build a "broader, deeper peace." A peace deal negotiated earlier this year with FARC rebels was unexpectedly defeated by Colombian voters in October. Many were angered by what they saw as insufficient punishment for those who perpetrated a litany of crimes against their people.

Dejusticia sues the Police Code over protest regulation (October 2016) *(Spanish)*

The center for the Study of Law, Justice and Society – Dejusticia sued the Police Code over social protest regulation before the Constitutional Court, arguing that different reasons make Law 1801 of 2016 unconstitutional.

The paradox of Colombia's peace deal for FARC (August 2016)

Over four years of peace talks with the Colombian government, the country's FARC rebels bargained for the best deal possible — and one that could convince their troops that the past half-century of guerrilla warfare wasn't for nothing. But in wresting significant concessions from the government, including a launchpad into politics and a chance to skirt prison, the rebels have run the risk of sweetening their deal so much that Colombians won't stomach it. This was perhaps the key masterstroke of President Juan Manuel Santos's insistence that the peace deal be contingent on Colombian voter approval. He has set that vote, formally a "plebiscite," for Oct 2. The entire deal is riding on the outcome.

Colombia peasant protests shut down roads, spur violent police response (June 2016)

Farmers and indigenous protesters demand the government keep its word on promises made in

2013 to end a similar national strike that left dozens dead. The protests began and immediately escalated just outside Buenaventura, Colombia's main port city, where a man died and protesters effectively blocked the main road connecting the port city with the rest of the country.

Massive Threats against Human Rights Defenders in Colombia (April 2016)

According to human rights organizations, the use of threats against human rights defenders continued to increase in 2015, as 400 of them received 27 pamphlets signed by paramilitary groups. These serious facts, linked to an increase in reports of presence and territorial control by paramilitary groups in several regions of the country, show the lack of guarantees to exercise the defense of human and land rights in Colombia. Also, this situation compromises the viability of the implementation of the peace agreement that the FARC guerrilla and the Colombian government could reach.

IACHR Condemns Killings and Threats Directed against Human Rights Defenders in Colombia (February 2016)

In February 2016, the Inter-American Commission on Human Rights condemned the killing of five human rights defenders in Colombia, and the generalized situation of retaliations, harassment and threats against human rights defenders in the country.

Colombian Government and FARC rebels sign key agreement (December 2015)

The Colombian leader has said the two sides tackled "one of the most sensitive and complex points of the peace talks" in the latest agreement. Under the deal, special tribunals will be created to try former combatants, once a final peace deal is signed. "2016 will be the year that Colombia sees a new dawn," said Mr Santos. "The dawning of a country without war, in hopefully a united country that can move towards its maximum potential... The hour of peace has arrived in Colombia." Chief Farc negotiator Ivan Marquez said the agreement showed reconciliation was possible. "If you don't put adverse obstructions in the way of common sense, we can get closer to our higher purpose of reconciliation," he said.

Colombian president and rebels declare peace (October 2015)

Colombian President Juan Manuel Santos and FARC rebel leader Rodrigo Londono, better known by his alias Timochenko, announced a breakthrough in peace talks that could end a 50-year civil war. They agreed in Havana, Cuba — where the sides began formally negotiating in 2012 — to sign a final agreement in six months after which the Revolutionary Armed Forces of Colombia would demobilize within 60 days. "We are on different sides but today we advance in the same direction, in the most noble direction a society can take, which is toward peace," Santos said. "Colombia's success in waging war and now in waging peace is a testament to its leaders, civil society, and democratic institutions, including its armed forces and police," said U.S. Secretary of State John Kerry.

Student and rights activists among arrested 'ELN' bombing suspects (July 2015)

On July 8, fifteen people were detained under allegations of having participated in attacks in Bogota over the last year. The detentions have been highly criticized by civil society organizations, students, unions and human rights defenders, and have generated protests calling for the release of the detainees. Critics have labeled some of the detentions as "judicial false positives" and argue that they are in violation of due process and the presumption of innocence. Among the detainees were students, student leaders, well-known civil society members—including journalists, rural advocates and human rights advocates—and employees of the city government. 11 of the detainees were involved with the civil society network, Congreso de Pueblos (Peoples' Congress). Some advocates allege that the detentions were a form of retaliation for protest and exercise of freedom of expression. Civil society and human rights groups, as well as the Office of the High Commissioner for Human Rights, have called for respect of due process. The detention of Paola Andrea Salgado Piedrahíta has generated particular protest from civil society. Salgado is a recognized advocate for women's rights and a lawyer at the Secretary of Health, known for her work in litigation and investigation in a variety of areas including civil and political rights, HIV, reproductive rights and violence against women.

New book on Communications Surveillance and Privacy (April 2015)

In 2014, Colombian media revealed that the country's intelligence service carried out widespread surveillance of key NGOs, journalists, and leftist politicians, including their own governmental team responsible for negotiating a peace agreement with the Colombian guerillas. This new disclosure recalls previous instances of illegal surveillance, known as "Las Chuzadas." The Colombian secret service (DAS) used to spy on political opponents, journalists, labor organizers, and even NGOs seeking to alleviate human rights abuses. The goal of a newly released book is to examine the Colombian legal framework regarding communications surveillance in light of today's technologies.

New Presidential Decree on Access to Information and Transparency (January 2015)

On January 20, 2015, President Santos signed a Presidential Decree that regulates the 2014 Law on Access to Information and Transparency. CSOs consider this as an important new instrument that can facilitate the work of CSOs on monitoring state activity.

Wave of Threats Hit Colombian Human Rights Defenders (October 2014)

In what has been dubbed "Black September," over 150 death threats have been issued in the month of September against Colombian human rights defenders, journalists, and labor leaders. These events require immediate action on behalf of the Colombian government.

Democratic and Social Reforms Needed for Lasting Truce in Colombia (August 2014)

Hopes of ending Colombia's civil war, one of the longest-running and bloodiest conflicts in the world, will be dashed unless the Colombian government accepts genuine democratic and social reform, leaders of the Farc, the country's main guerrilla group, have told the Guardian. The government insists the human rights situation is improving in the country and prosecutions of those responsible for extra-judicial killings have started to deliver convictions, but it will not negotiate either economic policy or military strategy.

Juan Manuel Santos reelected in Colombia's Presidential elections (June 2014)

Incumbent President and U Party candidate Juan Manuel Santos was reelected by a margin of over 5% (with over 99% of the vote counted) in the second round of Colombia's elections, defeating Democratic Center candidate Oscar Ivan Zuluaga.

Colombia not on IACHR human rights 'black list' (April 2014)

For the second time in a row, Colombia does not appear on a human rights "black list from the Inter-American Commission on Human Rights (IACHR), according to the organization's latest annual report.

News Archive

Colombia has its first Transparency and Access to Public Information Law (March 2014)

Protest Swell in Colombia's "Andean Spring" (August 2013)

First half of 2013 worst period on Colombia's record for human rights workers (August 2013)

Farc rebels and Colombian government reach deal over political participation (June 2013)

Constitutional Court Ruling Green-Lights Law on Transparency and Access to Information (May 2013)

United Nations' human rights office to remain in Colombia until 2016 (April 2013)

Colombia civil society hand over proposals to FARC (January 2013)

Colombia's Congress passes military reform law despite objections of human rights groups (December 2012)

Human rights court visits Colombia for ‘blacklist’ revision (December 2012)

NGOs, victims, indigenous groups, and ex-paramilitaries demand involvement in peace negotiations between FARC and Colombian government (October 2012)

Civil society leaders in Santander threatened (October 2012)

Dozens arrested in Colombia protests (October 2012)

Attacks and assassinations against human rights defenders continue in Colombia (October 2012)

Colombia: Peace at last? (October 2012)

CIVICUS intervention in the UPR for Colombia (October 2012)

Supreme Court reverses plans to prosecute a local journalist (August 2012)

Colombian Congress to approve “*Transparency and Access to Information Law*” (June 2012)

Civil society report on UN Security Council Resolution 1325 (June 2012)

Civil society “revolt” defends rule of law in Colombia (July 2012)

New report on criminalisation of human rights defenders in Colombia and other countries of the Americas (May 2012)

Attempted shooting of rights lawyer raises questions of political will (May 2012)

Proposed legal amendment would allow impunity for human rights violations (May 2012)

Official statistics report that at least 17 land rights leaders have been murdered in Colombia since June of last year (April 2012)

Violence against human rights defenders in Colombia on the rise (March 2012)

EU-Colombia trade agreement expected to have positive impact on civil society in Colombia (February 2012)

EU recognizes Colombia’s human rights progress (February 2012)

U.S. aid implicated in abuses of power in Colombia (September 2011)

Colombia’s Domestic Intelligence Chief, convicted of criminal conspiracy (September 2011)

Colombia defends human rights record to EU (September 2011)

IACHR condemns continued threats and murders directed against human rights defenders and their families in Colombia (March 2011)

Human Rights Watch World Report 2011 (January 2011)

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