



# Security Council

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## Working Group on Children and Armed Conflict

### Conclusions on children and armed conflict in Colombia

1. At its 91st meeting, on 27 January 2020, the Security Council Working Group on Children and Armed Conflict examined the fourth report of the Secretary-General on children and armed conflict in Colombia (S/2019/1017), which covers the period from 1 July 2016 to 30 June 2019 and was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Deputy Permanent Representative of Colombia to the United Nations also addressed the Working Group.
2. The members of the Working Group welcomed the report of the Secretary-General, in accordance with Security Council resolutions [1612 \(2005\)](#), [1882 \(2009\)](#), [1998 \(2011\)](#), [2068 \(2012\)](#), [2143 \(2014\)](#), [2225 \(2015\)](#) and [2427 \(2018\)](#), and took note of the analysis and recommendations contained therein.
3. The members of the Working Group welcomed the signing of the peace agreement in November 2016, the positive steps the country had undertaken since then and the reduction in violations and abuses during the reporting period. However, the members of the Working Group expressed deep concern at the violations and abuses against children in Colombia which continue to be committed by armed groups. The members of the Working Group welcomed efforts by the Government of Colombia to prevent and respond to violations and abuses against children and discussed furthermore the government programmes on reintegration and prevention, accountability and the fight against impunity, transitional justice, psychosocial support for children who are victims of rape and other forms of sexual violence, the vulnerable situation of children from indigenous and Afro-Colombian communities and of migrant and refugee children, the National Dialogue with the best interests of the child as a primary consideration, and the cooperation of the Government with the United Nations, in particular the Special Representative of the Secretary-general for Children and Armed Conflict and the United Nations Children's Fund (UNICEF).
4. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions [1612 \(2005\)](#), [1882 \(2009\)](#), [1998 \(2011\)](#), [2068 \(2012\)](#), [2143 \(2014\)](#), [2225 \(2015\)](#) and [2427 \(2018\)](#), the Working Group agreed to the direct action as set out below.

### Public statement by the Chair of the Working Group

5. The Working Group agreed to address a message, through a public statement by its Chair, to the following:



*All parties to the armed conflict in Colombia*

(a) Commending the signing of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace (hereafter: “the peace agreement”) between the Government and the Revolutionary Armed Forces of Colombia-People’s Army (FARC-EP) in Bogota on 24 November 2016, following which the FARC-EP transformed into a political party, ceased to exist as an armed group, released children from its ranks and was delisted for ceasing recruitment and use (see [A/72/865-S/2018/465](#)); and welcoming in particular the provisions on the reintegration of children and the mainstreaming of the protection of children throughout the agreement, and encouraging their continued and full implementation;

(b) Noting with appreciation that the peace agreement sets as guiding principles the best interest of the child, the treatment of children separated from armed groups as victims and the focus on family and community-based reintegration, and looking forward to its continued and full implementation and to it continuing to serve as a model for the protection of children, and the consideration of their views, in other peace processes;

(c) Welcoming efforts by the Government to develop negotiated solutions to armed conflict with other armed groups, expressing regret that several temporary ceasefires were ended by Ejército de Liberación Nacional (ELN), noting the announcement by ELN of an active unilateral ceasefire for a month, starting on 1 April 2020, in response to the United Nations Secretary-General’s call for a global ceasefire to focus attention on the Covid-19 pandemic, noting significant compliance with the ceasefire, while regretting the ceasefire was not extended, calling for the integration, from the early stages on, of child protection provisions, including those relating to the release and reintegration of children, as well as provisions on the rights and well-being of children into all peace negotiations, ceasefire and peace agreements, as well as in provisions for ceasefire monitoring, taking into account children’s views, where possible, in these processes, and encouraging all relevant actors involved in peace and mediation processes to use, as much as possible, the *Practical guidance for mediators to protect children in situations of armed conflict* (see [S/2020/114](#)) as a tool in these processes;

(d) Also welcoming the overall decrease in the number of violations and abuses committed against children during the reporting period verified by the country task force on monitoring and reporting, and noting the direct causal link made in the report of the Secretary-General between this decrease and the signature of the peace agreement and the subsequent demobilization of the largest armed group in the country;

(e) Expressing, however, grave concern at the expansion during the reporting period of territorial presence by armed groups, including the ELN and FARC-EP dissident groups, and the continued displacement of, and violations and abuses against, children;

(f) Calling upon them to further implement the previous conclusions of the Working Group on Children and Armed Conflict in Colombia ([S/AC.51/2010/3](#), [S/AC.51/2012/4](#), and [S/AC.51/2017/1](#));

*All armed groups party to the conflict in Colombia, in particular the Ejército de Liberación Nacional (ELN), mentioned in the report of the Secretary-General*

(g) Expressing grave concern at and its strongest condemnation of the violations and abuses that continue to be committed against children by armed groups in Colombia, and urging them to immediately end and prevent all violations of applicable international law involving the recruitment and use of children, killing and

maiming, rape and other forms of sexual violence, abduction, attacks on schools and hospitals and denial of humanitarian access and to comply with their obligations under international law;

(h) Expressing deep concern and its condemnation of the continued and high level of recruitment and use of children, including children from indigenous and Afro-Colombian communities and refugee and migrant children, and urging all armed groups to end and prevent further recruitment and use of children under 18 years of age and immediately release without preconditions all children present in their ranks;

(i) Expressing deep concern at the number of children killed and maimed, including as the result of crossfire, indiscriminate attacks, direct targeting of children and bombing, as well as by anti-personnel mines, unexploded ordnance and improvised explosive devices, and urging all armed groups to cease the killing and maiming of children, to end immediately and definitively the use of indiscriminate explosive devices and to destroy any such devices remaining in their arsenal;

(j) Expressing grave concern at and its strongest condemnation of rape and other forms of sexual violence perpetrated against children, and urging all armed groups to take immediate and specific measures to put an end to and prevent the perpetration of rape and other forms of sexual violence against children;

(k) Strongly condemning the abduction of children and urging all armed groups to cease the abduction of children and immediately release without preconditions all abducted children;

(l) Strongly condemning the attacks on schools and hospitals, urging all armed groups to respect the civilian character of schools and hospitals, including their personnel, as such, and to end and prevent attacks or threats of attacks against those institutions and their personnel as well as the military use of schools and hospitals in violation of applicable international law, and noting in this regard the Safe Schools Declaration;

(m) Strongly condemning the incidents of denial of humanitarian access, and urging all armed groups to allow and facilitate safe, timely and unhindered humanitarian access to children, consistent with the humanitarian principles of humanity, neutrality, impartiality and independence, to respect the exclusively humanitarian nature and impartiality of humanitarian aid and to respect the work of all United Nations agencies, and their humanitarian partners, without adverse distinction;

#### *The Government of Colombia*

(n) Commending the reaffirmation of the commitment of the Government to the implementation of the peace agreement, and urging the Government to continue with the vital task of ensuring its comprehensive implementation in all the territories to ensure sustainable peace and of ending violations and abuses against children;

(o) Welcoming the progress that the Government of Colombia has made in preventing and responding to violations and abuses against children, including through the prevention programme “Mi Futuro es Hoy” and encouraging the Government to continue to prioritize the implementation of this and other prevention programmes, including through the allocation of sufficient resources and designated institutions and a comprehensive evaluation of their achievements and challenges, in order to enhance the prevention of new cases of recruitment and use of children, and as guided by the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles) endorsed by the Government of Colombia;

(p) Welcoming Decree 1434, by which a public policy was adopted to prevent the recruitment and use of and sexual violence against children by non-state armed groups and organized criminal groups, calling on the Government and local authorities to design, implement and devote sufficient resources to ensuing plans in line with the Decree, and encouraging the strengthening of institutions and programmes that prevent child recruitment while paying particular attention to migrants and refugee children, especially unaccompanied ones;

(q) Calling on the Government to take additional measures to protect children during military operations, including through respecting the principles of distinction and proportionality and the obligation to take all feasible precautions and to comply with their obligations under international humanitarian law while conducting armed confrontations in areas in which civilians and children are present; and encouraging the Government to continue its mine-risk education activities and strengthen demining efforts, including through increased coordination and mine-clearance operations in affected regions;

(r) Urging the Government to prioritize the prevention of rape and other forms of sexual violence against children, including sex trafficking, to ensure that adequate programmes, specialized services and reporting channels are available and accessible to survivors of rape and other forms of sexual violence committed against them as children and to investigate allegations of, and where appropriate prosecute and convict those responsible for, rape and other forms of sexual violence against children, including sex trafficking;

(s) Calling on the Government to continue its efforts to implement the peace agreement, including by ensuring the effective implementation, monitoring and evaluation of the programme entitled “A different path of life” for the reintegration of children who left the FARC-EP ranks, including through a family- and community-based approach, while taking into account the specific needs of boys and girls, as well as age and ethnicity, and by providing specific protection measures for beneficiaries of the programme and for the children born to former FARC-EP members (S/2019/1017, paras. 46–53, 72);

(t) Encouraging the Government to further continue its constructive cooperation with the United Nations, in particular the country task force on monitoring and reporting, as well as the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF;

(u) Stressing the importance of justice and accountability for all violations and abuses against children in armed conflict, calling on the Government to ensure that all those responsible for violations and abuses against children are brought to justice and held accountable without undue delay, including through comprehensive, independent, timely and systematic investigation and, as appropriate, prosecution and conviction, and welcoming in this respect the opening by the Special Jurisdiction for Peace of case no. 007, which focuses on incidents of recruitment and use of girls and boys between 1 January 1971 and 1 December 2016;

(v) Calling upon the Government to fully address, in the framework of the Comprehensive System of Truth, Justice, Reparation and Guarantees of Non-Repetition, the special protection needs of children as witnesses and victims, including children who may have been associated with armed groups, including through restorative justice processes and social rehabilitation, with their best interests as a primary consideration;

(w) Commending the efforts of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition to ensure child participation, and urging the Government to strengthen the institutions of the System, to respond adequately and

in an individualized manner to victims and to register children victims in the registry of victims in order for them to gain access to assistance and reparations;

(x) Considering the linkages between displacement and violations and abuses against children, and therefore calling on the Government to strengthen its programmes and institutional response in the relocation and return of displaced populations and to facilitate their access to basic services, including education and health care;

(y) Expressing concern at the civilian-military activities carried out by the Colombian armed forces in areas in which armed groups were present that put children at risk of retaliation for interacting with the armed forces as well as at risk of being used in intelligence activities, and calling upon the Government to refrain from organizing such activities with children.

6. The Working Group agreed to address a message, through a public statement by the Chair of the Working Group, to community and religious leaders:

(a) Emphasizing the important role of community and religious leaders in strengthening the protection of children affected by armed conflict;

(b) Urging them to strengthen community-level protection and to condemn publicly and continue to advocate the ending and prevention of violations and abuses against children, notably the recruitment and use of children, killing and maiming, rape and other forms of sexual violence, attacks and threats of attacks on schools and hospitals, abductions and denial of humanitarian access, and to engage with the Government, the United Nations and other relevant stakeholders to support the reintegration and rehabilitation of children affected by armed conflict in their communities, including by raising awareness to avoid stigmatization of these children.

### **Recommendations to the Security Council**

7. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Government of Colombia:

(a) Commending the reaffirmation of the commitment of the Government to the implementation of the peace agreement, and urging the Government to continue with the vital task of ensuring its comprehensive implementation in all the territories to ensure sustainable peace and prevent further violations and abuses against children;

(b) Welcoming the progress that the Government of Colombia has made in preventing and responding to violations and abuses against children, including through the prevention programme “Mi Futuro es Hoy”; encouraging the Government to continue to prioritize the implementation of this and other prevention programmes, including through the allocation of sufficient resources and designated institutions and a comprehensive evaluation of their achievements and challenges, in order to enhance the prevention of new cases of recruitment and use of children, and as guided by the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles) endorsed by the Government of Colombia;

(c) Welcoming Decree 1434, by which a public policy was adopted to prevent the recruitment and use of and sexual violence against children by non-state armed groups and organized criminal groups, calling on the Government and local authorities to design, implement and devote sufficient resources to ensuing plans in line with the Decree, and encouraging the strengthening of institutions and programmes that prevent child recruitment while paying particular attention to migrants and refugee children, especially unaccompanied ones;

(d) Calling on the Government to take additional measures to protect children during military operations, including through respecting the principles of distinction and proportionality and the obligation to take all feasible precautions and to comply with their obligations under international humanitarian law while conducting armed confrontations in areas in which civilians and children are present, and encouraging the Government to continue its mine-risk education activities and strengthen demining efforts, including through increased coordination and mine-clearance operations in affected regions;

(e) Urging the Government to prioritize the prevention of rape and other forms of sexual violence against children, including sex trafficking, to ensure that adequate programmes, specialized services and reporting channels are available and accessible to child survivors of rape and other forms of sexual violence and to investigate allegations of, and where appropriate prosecute and convict those responsible for, rape and other forms of sexual violence against children, including sex trafficking;

(f) Calling on the Government to continue its efforts to implement the peace agreement, including by ensuring the effective implementation, monitoring and evaluation of the programme entitled “A Different Path of Life” for the reintegration of children who left the FARC-EP ranks, including through a family- and community-based approach, while taking into account the specific needs of boys and girls, as well as age and ethnicity, and by providing specific protection measures for beneficiaries of the programme and the children born to former FARC-EP members;

(g) Stressing the importance of justice and accountability for all violations and abuses against children in armed conflict, calling on the Government to ensure that all those responsible for violations and abuses against children are brought to justice and held accountable without undue delay, including through comprehensive, independent, timely and systematic investigation and, as appropriate, prosecution and conviction, and welcoming in this respect the opening by the Special Jurisdiction for Peace of case no. 007, which focuses on incidents of recruitment and use of girls and boys between 1 January 1971 and 1 December 2016;

(h) Calling upon the Government to fully address, in the framework of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, the special protection needs of children as witnesses and victims, including children who may have been associated with armed groups, including through restorative justice processes and social rehabilitation, with their best interests as a primary consideration;

(i) Commending the efforts of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition to ensure child participation and urging the Government to strengthen the institutions of the System, to respond adequately and in an individualized manner to victims and to register children victims in the registry of victims in order for them to gain access to assistance and reparations;

(j) Considering the linkages between displacement and violations and abuses against children, and therefore calling on the Government to strengthen its programmes and institutional response in the relocation and return of displaced populations and to facilitate their access to basic services, including education and health care;

(k) Expressing concern at the civilian-military activities carried out by the Colombian armed forces in areas in which armed groups were present that put children at risk of retaliation for interacting with the armed forces as well as at risk of being used in intelligence activities, and calling upon the Government to refrain from organizing such activities with children;

(l) Inviting the Government to keep the Working Group informed of its efforts to implement the recommendations of the Working Group.

8. The Working Group agreed to recommend that the President of the Security Council transmit a letter by the Chair of the Working Group addressed to the Secretary-General:

(a) Requesting him to ensure the continued effectiveness of the monitoring and reporting mechanism on children and armed conflict in Colombia, including in support of the implementation of the agreement between the Government and FARC-EP for the separation and reintegration of children signed on 15 May 2016;

(b) Also requesting him to encourage the United Nations country task force on monitoring and reporting and other relevant United Nations entities to continue their engagement and efforts to support the Government in addressing the six grave violations committed against children affected by armed conflict, in particular with a view to engaging ELN to end and prevent the recruitment and use of children in violation of international law, killing and maiming, rape and other forms of sexual violence, abductions, attacks on schools and hospitals and denial of humanitarian access.

#### **Direct action by the Working Group**

9. The Working Group agreed to send letters from the Chair of the Working Group to the World Bank and other donors as follows:

(a) Stressing that the best way to protect children is through peace, and urging the World Bank and donors to continue to provide political and financial support to Colombian peacebuilding initiatives and to the implementation of the peace agreements;

(b) Calling upon the World Bank and donors to provide support to national programmes and initiatives aimed at protecting children in the context of the armed conflict in Colombia, including prevention and reintegration activities and finding durable solutions for internally displaced children, with specific attention given to children affected by the conflict in remote areas, in Afro-Colombian and indigenous communities and refugee and migrant children;

(c) Also calling upon the World Bank and donors to support the child protection efforts and initiatives of United Nations agencies and non-governmental organizations relating to the strengthening of national capacity-building and pertinent national institutions and their programmes, with specific attention given to children affected by the conflict in remote areas and in Afro-Colombian and indigenous communities and refugee and migrant children;

(d) Inviting the World Bank and donors to keep the Working Group informed on their funding and assistance efforts, as appropriate.

## Annex

### **Statement by the Deputy Permanent Representative of Colombia to the United Nations to the Working Group on Children and Armed Conflict**

[Original: Spanish]

On behalf of Colombia, I would like to thank you for convening this meeting of the Working Group on Children and Armed Conflict. I would also like to welcome the Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Virginia Gamba, and the other members of the Working Group.

Colombia recognizes that the protection and care of children who have been affected by armed conflict are essential to attaining sustainable peace. Successful reintegration is the key to any peace process, especially when it comes to reintegrating children who, from such a tender age, have known only the tragic impact of violence.

The report before us today covers a period of my country's history marked by changes and by numerous challenges to genuine peacebuilding. Between 2016, when the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace between the State and the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP) guerrillas was signed, and 2019, the situation in Colombia has changed, though serious violations of children's rights by illegal armed groups persist.

In the report, the significant efforts that the Colombian State has made to fully guarantee the human rights of children are acknowledged. One such measure is the issuance of Decree No. 1434 of 2018, which substantially reinforces the public policy guidelines for preventing the recruitment and use of children and adolescents and sexual violence against them.

The adoption of this decree is the culmination of more than a decade of sustained and concerted efforts to combat the recruitment of children and other grave violations of their rights by illegal armed groups. In addition, the Intersectoral Commission for the Prevention of Forced Recruitment, Sexual Abuse and Violence against Children and Adolescents by Illegal Armed Groups and Criminal Organizations, established in 2007, will remain the primary entity devising strategies to eradicate this problem.

Unfortunately, in spite of the Colombian State's tremendous efforts and firm commitment to ending this situation, not all the organized armed groups have followed suit, with some continuing to recruit and use children, in violation of international human rights law and international humanitarian law.

In particular, the self-styled National Liberation Army, which is still included in the list of parties committing grave violations of the rights of children, has continued to recruit, use and kill children as part of its illegal activities against the State.

The National Liberation Army has consistently refused to take measures to enhance child protection. On the contrary, this lawless armed group has sought to escalate hostilities against Colombian society, including through terrorist attacks such as the one on the General Francisco de Paula Santander Police Academy, which claimed the lives of 22 youths, an attack condemned in the strongest terms by the Security Council on 18 January 2019.

The Government of President Iván Duque has particularly emphasized the importance of the transition to civilian life of the hundreds of children recruited by the former FARC-EP guerrillas.



We are aware that, despite the enormous efforts made by the Colombian State, challenges remain regarding the recruitment and use of children in my country. That is why institutions are still working to strengthen prevention strategies.

The following are some specific points that illustrate the ongoing endeavour and that, in our view, are worth highlighting:

Attacks on social leaders and human rights defenders are among the Government's major concerns. We reject and condemn these attacks in the strongest terms. In that regard, we underscore that killings of social leaders and human rights defenders have declined by 24.34 per cent when the period from 7 August 2018 to 6 August 2019 is compared with the period from 7 August 2017 to 6 August 2018. Furthermore, such incidents declined by 33 per cent when compared to the period from 19 November 2017 and 6 August 2018.

According to information provided by the Office of the Attorney General, between 1 January 2016 and 13 November 2019 it investigated a total of 549 killings of human rights defenders or members of social organizations, reported by the following four information sources:

- The Office of the United Nations High Commissioner for Human Rights reported 323 killings of human rights defenders. The Office of the Public Prosecutor has made progress in solving 180, or 55.73 per cent, of the cases.
- The Peasant, Ethnic and Popular Agrarian National Summit reported 234 killings of members of social organizations. The Office of the Public Prosecutor has made progress in solving 121, or 51.71 per cent, of the cases.
- The political and social movement Marcha Patriótica reported 204 killings of members of social organizations. The Office of the Public Prosecutor has made progress in solving 107, or 52.45 per cent, of the cases.
- The Office of the Ombudsperson reported 454 killings of members of social organizations. The Office of the Public Prosecutor has made progress in solving 219, or 48.24 per cent, of the cases.

Overall, of the 549 cases involving the killings of human rights defenders or members of social organizations, the Office of the Attorney General has achieved a historic feat in solving 245, or 44.63 per cent, of the cases, with the following results: convictions have been handed down in 75 cases; 84 cases are in the trial stage; charges are being brought in 31 cases; inquiries are under way and arrest warrants have been issued in 53 cases; and 2 cases are closed.

As we have been reporting in the quarterly Security Council meetings on Colombia, the Government has been taking numerous measures at the institutional level to protect leaders, defenders and communities as a whole. One such effort worth noting is the Timely Action Plan on Preventive Measures and Protection for Human Rights Defenders, Social and Community Leaders, and Journalists, a strategy devised by the Government to identify the various entities and mechanisms responsible for protecting and ensuring respect for the defence of human rights.

With regard to measures to prevent the recruitment of children and adolescents from vulnerable populations, I would like to highlight the community processes set forth in the Mambrú strategy (which is discussed in greater detail in the comments on the section on prevention) in ethnic territories and indigenous communities.

Given the relevance of the ethnic approach in measures to prevent the recruitment and use of children and adolescents by organized armed groups and organized criminal groups, in 2018, in partnership with the International Organization for Migration and the National Indigenous Organization of Colombia, guidelines for

managing the situation on the ground were formulated. These include an assessment of the extent to which certain Colombian indigenous peoples are involved in recruitment and of the practices that normalize the use of children.

These measures are based on children, adolescents and young people developing self-care skills, and on aspirations for life endeavours that rule out illegal activity and situations that undermine their dignity. In turn, young people develop the ability to recognize risks and to communicate locally to request that protective actions be taken. For their part, the communities help to dispel notions that would prompt, enable or lead to children, adolescents and young people being associated with any aspect of, or activity related to, conflict. This in turn strengthens an ideal of shared responsibility aimed at the full enjoyment of rights.

However, with regard to paragraph 25 of the report, I must stress that the Colombian State does not accept the suggestion that the National Army's actions are putting the civilian population at risk.

Thus, the so-called civilian-military activities referred to in paragraph 25 of the report, namely, the development support activities organized by the Colombian Armed Forces, are carried out in full compliance with the fundamental norms of international human rights law, emphasizing the non-involvement of civilians in any military activity. Above all, these activities do not endanger the welfare of the underage civilian population because they are humanitarian actions aimed at meeting the basic needs of especially vulnerable populations, performed by our institutions in regions where the presence of other government authorities is either non-existent or rare, and contributing to achieving the State's objectives.

For its part, the National Army is implementing the necessary measures within the framework of the above-mentioned activities, in the course of which it has established the protection of children and adolescents as a priority, along with the civic obligation of delivering goods and services that meet some of the basic needs of the population.

Lastly, Colombia takes careful note of the various concerns and challenges that persist in the country with regard to children and armed conflict. We are committed to preventing children from being used in armed conflict, and we shall continue working and making headway in our bid to provide them with comprehensive care.

You can count on the commitment of President Duque's Government to protect Colombian children and adolescents, specifically those who have been affected by violence. Our children are the future of sustainable peace.

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