

ALTERNATE REPORT PREPARED BY CIVIL SOCIETY
ORGANIZATIONS TO THE UNITED NATIONS
COMMITTEE ON THE RIGHTS OF THE CHILD –
2025 - UPDATE

Presented by: Santa Rita Association for Education and Promotion (FUNSAREP), Las Colinas Cultural Center (CECUCOL), Corporation Convivamos, Crecimiento Unidos Foundation, FIAN Colombia, Humanidad Vigente Legal Corporation (HVCJ), PAS (Thought and Social Action), Colombian Platform for the Protagonism of Girls, Boys and Young People, Terre des Hommes Germany (TDHG), Terre des Hommes Switzerland (TDHS).

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INTRODUCTION

PRESENTATION

This alternative report is the result of a collective construction process driven by social organizations with extensive experience in defending the rights of children and adolescents in Colombia. Its development is based on rigorous documentation, analysis, and participatory research conducted between 2023 and 2025 in various regions of the country, many of them marked by armed conflict, structural exclusion, and institutional neglect. Through case studies, community consultations, interviews, workshops, and deliberative spaces, this document captures the direct voices of children and adolescents: they are the ones who name the violence they face, challenge state responses, and formulate proposals for transformation.

In contrast to the report presented by the Colombian State, this alternative report exposes serious omissions, institutional silences, and narratives that fragment or dilute the magnitude of the violence affecting children in the country. The omission of substantive aspects—such as the persistent recruitment of children and adolescents, the proliferation of weapons in their environments, the impact of digital marketing of ultra-processed products, and the lack of real guarantees for the restitution of their rights—reveals both a biased perspective and a structural disinterest in acknowledging the depth and systematic nature of the harm.

In particular, the state report remains completely silent on the participation of the Public Force in civic-military actions and other armed interventions that jeopardize the lives and safety of children and adolescents. This silence is even more alarming given recent events such as the resumption of bombings in rural areas, resulting in child victims, including children recruited or affected by the armed conflict. In contrast, this report presents critical evidence from three fundamental

perspectives and is based on the technical, legal, and community contributions of organizations that directly support territorial processes of accountability, litigation, and reparations.

Humanidad Vigente provides comprehensive documentation on forced recruitment, incomplete demobilization processes, institutional revictimization, and the lack of effective guarantees of non-repetition. Its analysis reveals the structural gaps in the protection system and the real limitations on access to justice for children and youth who are victims of armed groups. TDH Germany delves into the circulation, possession, and use of weapons by children and adolescents, especially in rural areas, border regions, and urban peripheries, and warns of the risks associated with institutional permissiveness and the deregulation of the arms trade and trafficking. The report questions the absence of a preventive approach and an effective control policy.

FIAN Colombia analyzes the impact of digital marketing of ultra-processed food and beverage products aimed at children. It denounces the illegitimate use of personal data for commercial purposes, the normalization of food overconsumption, and how these strategies violate the Human Right to Food (HRF) and Food Sovereignty (FSS), especially in school and digital environments.

This document is organized into three thematic chapters, each of which addresses the concerns raised by the Committee on the Rights of the Child during its pre-session on February 6, 2025, and engages with the questions in the List of Issues submitted to the Colombian State. The three chapters combine political analysis, technical diagnosis, empirical evidence, and concrete proposals.

Chapter I highlights structural omissions and institutional weakening in contexts of rurality, poverty, and armed conflict, where state responses are insufficient, disjointed, or nonexistent. Chapter II documents violence perpetrated or tolerated by the State, including bombings with child victims, criminalization of weapons possession by adolescents, institutional racism, and inappropriate military interventions. Chapter III reveals the dynamics of corporate capture of public policies, the misuse of children's and adolescents' personal data for commercial purposes, the deregulation of digital marketing of harmful products, and the fragility of guarantees for the human rights of children and adolescents (HRANA) and the right to life and freedom of expression (SOBAL).

Across all three chapters, a common phenomenon emerges: the use of digital platforms, social media, and virtual environments as arenas for rights violations. From the recruitment and exploitation of children and adolescents by armed actors to the commodification of their personal data and their systematic exposure to harmful messages, the digital space has become a new arena of ethical, legal, and political struggle for the comprehensive protection of children. This alternative report, therefore, is also an urgent appeal to the Committee on the Rights of the Child and the International Community, to demand a coherent, sustained, and transformative response from the Colombian State that guarantees the rights of children and adolescents in all territories, languages, and environments.

METHODOLOGICAL APPROACH

This report was prepared using a qualitative methodological strategy that combined a systematic review of official, regulatory, and jurisprudential sources with a documentary analysis of studies and research produced by the signatory organizations. The prioritization of the topics addressed was based both on the identification of substantive gaps and serious omissions in the report submitted by the Colombian State, and on the accumulated expertise of the signatory organizations, their territorial presence, and their technical capacity to document and substantiate structural problems affecting the rights of children and adolescents.

The report acknowledges the multiple structural conditions that contribute to the violation of the rights of children and adolescents: persistent poverty, the ongoing armed conflict, ethnic and racial exclusion, extreme rurality, and forced displacement create risk scenarios that cannot be addressed in a homogeneous or decontextualized manner. Each of these dimensions requires comprehensive, situated responses that are sensitive to the particularities of the territories and the life trajectories of the affected children.

LEGAL FRAMEWORK

During the period 2024–2025, the Colombian State has not adopted legislative reforms aimed at strengthening the rights of children and younger citizens. On the contrary, a state narrative has been consolidated that instrumentalizes the language of rights without translating it into effective public policies, allocated budgets, or enforcement mechanisms. This gap between law and reality demonstrates a political will that does not prioritize children.

Even more serious, pressure from ultraconservative political sectors has intensified, promoting discourses of punitivism, social control, and regressive legislation. These sectors have proposed lowering the age of criminal responsibility for adolescents, easing gun ownership restrictions, and stigmatizing gender and diversity perspectives. These initiatives, often driven by Congress and amplified in the media and social networks, not only contradict the Colombian State's international commitments but also pose a direct threat to the principle of the best interests of the child. Instead of moving toward comprehensive and protective legislation, the country faces an ideological offensive that seeks to restrict rights, delegitimize the participation of children and adolescents in public spaces, and dismantle standards built up over decades. In this context, the purpose of this report is to clearly warn that the legal framework faces real risks of being undermined by hate speech, expressions of punitive populism, and processes of institutional capture driven by political interests that contravene human rights principles.

Far from progressing towards full compliance with the international obligations undertaken by the Colombian State, in the last two years there has been an intensification of state practices that directly contradict the legal framework protecting children in armed conflict. Despite the country's ratification of instruments such as the Optional Protocol to the Convention on the Rights of the

Child on the involvement of children in armed conflict, the Rome Statute, and Additional Protocol II to the Geneva Conventions, there has been an alarming regression in the treatment of children and adolescents forcibly recruited by armed groups, as well as in the actions of the military.

A prime example of this regression is the resurgence of bombings in rural areas with a confirmed presence of children and adolescents linked to illegal armed groups. The incident in November 2025 in the department of Guaviare—in which at least seven children died—has been extensively documented by the Ombudsman's Office and social organizations, demonstrating a blatant violation of the principle of humanity that underpins International Humanitarian Law, blurring its ethical and normative boundaries even in the most extreme scenarios of conflict. In its official statements, the Ombudsman's Office has reiterated that the status of child is not lost through forced recruitment: even in cases where children and adolescents have been turned into combatants, they retain their status as victims and their right to differentiated protection.

This situation is compounded by an official narrative that legitimizes the disproportionate use of force. Statements by the Colombian Minister of Defense—such as “it’s not age that kills, it’s the weapon” or the assertion that those who become involved in hostilities “lose all protection without exception”—demonstrate a blatant disregard for the norms of International Humanitarian Law and promote a dangerous doctrine that dehumanizes children involved in conflicts. These statements constitute not only a discursive setback but also a structural obstacle to guaranteeing rights.

Instead of adopting a human security doctrine, enshrined in Law 2272 of 2022, the State has retreated to militaristic approaches that ignore early warnings, local complaints, and international standards. This trend, encouraged by political sectors seeking to weaken the age of criminal

responsibility and minimize special protections for children, seriously jeopardizes the country's international commitments and undermines the very essence of the principle of humanity that underpins International Humanitarian Law.

CHAPTER 1: RECRUITMENT, USE, AND INVOLVEMENT OF CHILDREN AND ADOLESCENTS IN THE CONTEXT OF ARMED CONFLICT

This chapter is developed in direct dialogue with the questions posed by the Committee on the Rights of the Child during the pre-session held with civil society organizations. Specifically, it addresses concerns raised regarding the recruitment patterns of children in Colombia (question 22), as well as concerns expressed about the effectiveness of public protection policies (questions 2, 3, 4, and 12), the need to adopt intersectional approaches to ethnic and territorial discrimination (question 10), and the persistence of specific forms of violence against girls and adolescent women (questions 7 and 16).

This chapter presents a detailed analysis of the continued recruitment, use, and exploitation of children and adolescents by illegal armed groups during the period 2023–2024, the structural lack of state protection that enables it, and the still insufficient responses in terms of prevention, disengagement, and comprehensive reparations. The content is based on the research project “Recruitment and Comprehensive Protection of Children and Youth” conducted by: Humanidad Vigente Juridic Corporation (2025), and incorporates official sources, international reports, and current legal frameworks, with a differential, territorial, and human rights approach.

PERSISTENCE OF RECRUITMENT AND USE OF CHILDREN AND ADOLESCENTS BY ARMED ACTORS

The forced recruitment and use of children and adolescents by armed actors—both legal and illegal—continue to be serious, systematic, and persistent human rights violations, recognized as one of the worst forms of violence against children and adolescents in the country. This situation violates provisions of domestic law as well as international commitments that the Colombian State has assumed within the framework of human rights treaties and standards.

The most recent evidence, included in the Humanidad Vigente report (2025), confirms that during the period 2023–2024, the phenomenon remained a structural practice attributed primarily to illegal armed groups, although serious institutional shortcomings persist, limiting its prevention, response, and punishment. In parallel, the Office of the United Nations High Commissioner for Human Rights in Colombia (OHCHR) verified 474 confirmed cases of recruitment and/or use of children and adolescents between 2022 and 2024¹, representing a sustained increase compared to previous years.

In 2024 alone, the Ombudsman's Office initially reported 184 cases, although more recent figures from the same entity raise that number to 624 victims², 62% of whom are boys and 38% girls. Additional journalistic sources reported 533 cases during the same year, including 323 boys and 210 girls³. This quantitative variability reveals, in addition to the magnitude of the problem, the

¹ Office in Colombia of the United Nations High Commissioner for Human Rights. (2025, June 27). Trapped in the web of conflict: Increased recruitment of children in Colombia. Fact sheet. Available at: <https://colombia.un.org/sites/default/files/2025-06/06-27-2025-version-diagramada-nota-informativa-1%20%282%29.pdf>

² <https://www.swissinfo.ch/spa/al-menos-123-menores-han-sido-reclutados-por-grupos-armados-este-a%C3%B1o-en-colombia/90179244>

³ Ombudsman's Office. (2024). Ombudsman's Office registered 184 cases of child recruitment in 2023 [Social media communication]. Bogotá, January 18, 2024. Available at: <https://www.defensoria.gov.co/-/defensor%C3%ADa-del-pueblo-registr%C3%B3-184-casos-de-reclutamiento-de-menores-en-2023>

existence of significant underreporting due to fear, institutional distrust, and the normalization of violence.

The persistence of the recruitment and use of children and adolescents is partly explained by structural and territorial factors that create high-risk environments. In rural areas with a weak state presence, chronic poverty, landmine infestations, lack of access to education, and limited opportunities for survival, armed actors exploit the vulnerability of children and adolescents to recruit them through deceptive promises, coercion, or emotional manipulation. Regions such as Cauca, Chocó, Nariño, Catatumbo, Meta, and Guaviare remain critical epicenters of this practice, as documented by OHCHR during the first half of 2025, revealing a resurgence of the conflict and an intensification of attacks, including against schoolchildren.

Additionally, the use of digital platforms and social media as recruitment tools has become a growing trend, as both the UN Human Rights Office and human rights organizations have warned, further complicating prevention and monitoring strategies. This phenomenon has facilitated new forms of exploitation, with fewer possibilities for control, and increases the risk for adolescents in urban and semi-urban contexts.

The data presented here show that the phenomenon has not been contained and, on the contrary, has transformed and expanded due to the absence of a coherent, territorially based state policy with a differentiated approach. Humanidad Vigente's research concludes that the recruitment of children and adolescents is always forced—even when presented as "voluntary"—and demands the urgent adoption of structural, not merely reactive, measures that address the root causes of the problem, including poverty, exclusion, and the lack of guarantees for a dignified life in the most affected areas.

DISPROPORTIONATE IMPACT ON INDIGENOUS AND AFRO-COLOMBIAN COMMUNITIES

The forced recruitment and use of children and adolescents by armed actors in Colombia exhibits an alarming trend of disproportionate victimization of historically marginalized ethnic communities. This overrepresentation is not circumstantial: it is rooted in a structure of territorial exclusion, systemic poverty, institutional racism, and state neglect that continues to perpetuate multiple forms of violence against Indigenous and Afro-Colombian peoples.

Research by Humanidad Vigente (2025) confirms that in 2023, 68.4% of documented recruitment cases involved Indigenous children and adolescents, establishing a structural pattern of ethnic victimization. This same trend has been documented in official statistics from the Colombian Institute of Family Welfare (ICBF): between 2013 and 2022, the proportion of Indigenous children and adolescents served by specialized demobilization programs increased from 14% to 34%, and for the Afro-Colombian population, from 12% to 17%. These data reveal that ethnicity and geographic location constitute interrelated risk factors that require an intersectional and territorially based approach.

The findings of the Office of the United Nations High Commissioner for Human Rights (OHCHR, 2025) reinforce this assessment. Between 2022 and 2024, 48.3% of verified victims of recruitment and use were children and adolescents belonging to Indigenous or Afro-descendant communities, with 260 Indigenous and 58 Afro-descendant children and adolescents documented as victims. According to the UN, illegal armed groups have intensified the recruitment of Indigenous children

and adolescents, believing that their knowledge of the territory and their cultural identity strengthen social and logistical control over the communities.

This phenomenon has particularly serious manifestations in territories like the department of Cauca. The Regional Indigenous Council of Cauca (CRIC) reported that 28 children disappeared in 2025 alone, while at least 69 minors from the Nasa people were recruited by armed groups. Meanwhile, in regions like Valle del Cauca—with a high density of Afro-Colombian population—it is estimated that more than 10% of recruitment cases in 2024 affected Afro-Colombian children and adolescents, confirming the systematic nature of this ethnic and racial violence.

The persistence of this situation directly conflicts with the Colombian State's commitments to children's rights and ethnic diversity. The Committee on the Rights of the Child has reiterated the need to adopt an intersectional approach in recruitment prevention policies (Question 10), recognizing how structural discrimination is intertwined with age, gender, ethnicity, and territorial affiliation. However, documented evidence demonstrates that institutional approaches have been insufficient to effectively prevent these violations or to guarantee the cultural, community, and spiritual protection of Indigenous and Afro-descendant children and teenagers.

The systematic lack of protection for these communities reveals the urgent need for differentiated public policies, designed with community participation and based on an intersectional understanding of the violence face's. Any state strategy that ignores these dimensions perpetuates exclusion and severely weakens the comprehensive protection of ethnic children in contexts of armed conflict.

SITUATION OF RECRUITED GIRLS AND SEXUAL VIOLENCE

Girls constitute a significant proportion of the victims of forced recruitment by armed groups in Colombia, and they face specific and aggravated forms of gender-based violence. This situation deepens their vulnerability and, moreover, constitutes a systematic pattern of human rights violations that continues to be rendered invisible in institutional responses.

According to the Humanidad Vigente report (2025), illegal armed groups exert control over recruited girls through sexual violence, used as a tool for territorial domination and internal discipline. This violence is not episodic or incidental: it is a widespread practice that begins during recruitment—when many girls are forced to leave their homes through deception or coercion—and continues within armed groups, where they are subjected to sexual abuse, reproductive exploitation, forced pregnancies, and systematic bodily control.

Furthermore, the methods used to recruit girls often employ covert tactics that exacerbate their subjugation. Recent United Nations reports on children and armed conflict have documented the use of “courtship” strategies, in which combatants feign affection or romantic relationships to justify the sexual exploitation of girls and adolescents (UN Human Rights, 2025). This emotional manipulation reinforces dependency, normalizes subordination, and masks systematic practices of sexual violence in conflict contexts.

The stigmatization that follows the separation process is another critical component of this cycle of violence. Many girls return to their communities with forced pregnancies or children born as a result of rape, which intensifies their exclusion, deepens their psychosocial harm, and limits their effective access to comprehensive reparations.

This situation demands an urgent and differentiated response from the Colombian State, one that recognizes the specific gendered impacts in the contexts of forced recruitment and armed violence. Protection mechanisms must adopt an intersectional approach that integrates a gender perspective with other variables of exclusion—such as age, ethnicity, and territory—in compliance with the recommendations of the Committee on the Rights of the Child (questions 10 and 22). To date, the State has not developed prevention and reparation policies that comprehensively address the multiple forms of violence faced by recruited girls, nor has it guaranteed their differentiated protection based on international human rights standards.

Humanidad Vigente (2025) reveals that many early warnings do not lead to concrete actions, especially in rural areas or areas under armed control. In 2023, the Ombudsman's Office issued 32 Early Warnings alerting to the risk of recruitment, use, and exploitation of kids and adolescents. However, these warnings did not result in a coordinated and effective state response to prevent these violations. This data demonstrates that the state's approach remains reactive and limited, focused more on statistical control than on the structural transformation of the risk.

In the reintegration component, the gaps are even more critical. Post-disengagement pathways lack continuity, a differentiated approach, and effective guarantees. The "Differential Pathway to Life" strategy, which emerged after the peace agreement with the FARC, has been implemented with enormous shortcomings: there are no adequate protocols for Indigenous peoples or Afro-descendant communities, and funding is precarious and concentrated in prioritized urban areas, leaving dozens of municipalities without coverage or follow-up. In many cases, disengagement is limited to initial support, without medium-term educational, community, or psychosocial assistance.

The judicial response also reflects this fragmented approach. Although legal mechanisms such as the writ of protection exist, experience shows that their activation is exceptional, slow, and, at times, revictimizing. The burden of proof falls on families or communities, not on the State, which constitutes a form of covert institutional abandonment. The lack of disaggregated data, effective monitoring, and structural measures reinforces a scenario of impunity and prolonged vulnerability.

In short, the Colombian State lacks a comprehensive public policy for the prevention and reintegration of forced recruitment victims. Despite the existing institutional framework, structural omissions—territorial, budgetary, ethnic, and gender-related—perpetuate the vulnerability of children and adolescents, contradicting international standards and the repeated recommendations of the Committee on the Rights of the Child (questions 4, 7, 10, and 22). The persistence of this political void not only revictimizes those who have been recruited but also allows this serious violation to remain an active threat throughout the country.

VIOLATION OF THE PRINCIPLE OF SPECIAL PROTECTION IN STATE MILITARY ACTIONS

The principle of special protection for children is violated when the State undertakes military operations without due guarantees for children and adolescents. Ruling T-005 of 2024 represents a milestone in updating the standard for the protection of children's rights in contexts of armed conflict. In addition to reaffirming the prohibition on their participation in initiatives promoted by the Public Force, it explicitly orders abstention from any civic-military or social action involving this population. Furthermore, it reinforces the principle of civilian leadership of state institutional services, emphasizing that all public policies directed at children and adolescents in conflict-affected areas must be under civilian leadership, with a rights-based approach, community participation, and social oversight.

The role of Humanidad Vigente (HVCJ) was crucial: together with the Joel Sierra Regional Human Rights Foundation, it filed a tutela action against the Ministry of Defense-National Army and the Arauca Governorate, documenting civic-military events in 2021 and 2022—parades with the participation of children and adolescents, activities in educational institutions, and the "oaths" of school patrol members—in territories heavily affected by the conflict.

The argument demonstrated that these practices expose children to risks of stigmatization, retaliation, and symbolic co-optation, erode the principle of distinction, and violate fundamental rights (life, integrity, freedom of expression, and the right not to participate in the armed conflict), in addition to breaching international obligations regarding the protection of children (Constitutional Court, 2024; Convention on the Rights of the Child, 1989). The Court granted the injunction and ordered these practices to cease and the activities to be transferred to civilian

institutions, reaffirming that the state's presence in communities should strengthen rights, never dilute them in logics of war.

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MILITARY BOMBINGS IN COLOMBIA (AUGUST–NOVEMBER 2025) WITH RECRUITED CHILDREN KILLED

Between August and November 2025, four military operations were recorded in Colombia in which children and adolescents who had been recruited by illegal armed groups were killed. These bombings occurred in different parts of the country and left at least 15 minors dead, according to the National Institute of Legal Medicine⁴. The Ombudsman's Office reported that some of these

⁴ El País. (2025, November 17). Legal Medicine reports 15 children killed in military operations in Colombia between August and November. Available at: <https://elpais.com/america->

children and adolescents had been reported missing or recruited by illegal groups before dying in the attacks⁵. UNICEF reminded the State that "children's rights must be protected at all times" and urged an end to recruitment. In official discourse, some leaders even justified the military actions by citing technical difficulties or intelligence strategies, thus minimizing the need for a preventive approach.⁶

This demonstrates that, while the phenomenon is primarily analyzed in relation to illegal armed groups, there is a lack of systematic data on the use of children and adolescents by the security forces. Fragmentary reports exist regarding their participation in civic-military activities or military intelligence operations, but there are no consolidated databases that would allow for a comprehensive assessment of the true extent of these practices within the state (Humanidad Vigente, 2025). This lack of information hinders a complete evaluation of the problem, given that any involvement of children and adolescents in military actions—whether legal or illegal—violates national laws and international child protection standards.

[colombia/2025-11-18/medicina-legal-informa-de-15-ninos-muertos-en-bombardeos-militares-en-colombia-entre-agosto-y-noviembre.html](https://www.infobae.com/colombia/2025-11-18/medicina-legal-informa-de-15-ninos-muertos-en-bombardeos-militares-en-colombia-entre-agosto-y-noviembre.html)

⁵ Infobae. (2025, November 18). UNICEF published a message amid the scandal over children killed in bombings: "It is urgent to end recruitment." Retrieved from: <https://www.infobae.com/colombia/2025/11/18/unicef-lanzo-pulla-en-medio-del-escandalo-de-los-menores-muertos-en-medio-de-bombardeos-es-urgente-poner-fin-al-reclutamiento/>

⁶ El País. (2025, November 20). The bombings that killed children expose the contradictions of the Colombian left and right. Available at: <https://elpais.com/america-colombia/2025-11-20/los-bombardeos-en-los-que-murieron-ninos-exponen-las-contradicciones-de-la-izquierda-y-la-derecha-colombiana.html>

CHAPTER 2: CHILDREN AND WEAPONS: BETWEEN DENIED PROTECTION AND EXPANSION OF RISK

This chapter is based on the analysis prepared by Terre des Hommes Germany (tdh) on the relationship between children and adolescents and the proliferation of weapons in Colombia. It presents their findings, concerns, and recommendations regarding the critical situation faced by thousands of children and adolescents in contexts marked by illicit arms trafficking, lethal violence, and the erosion of protection guarantees.

Despite the entry into force of the Arms Trade Treaty in 2014 and its recent ratification by the Colombian State (January 2025), the country continues to face a serious problem of the widespread circulation of firearms—mostly illegal—which directly affects children's rights. The existence of more than 4.9 million weapons in the hands of civilians, the high number of homicides against minors, and the repeated arrests of teenagers for carrying weapons reflect an environment marked by the normalization of armed violence.

Added to this are regressive legislative initiatives that seek to lower the age of criminal responsibility for adolescents and facilitate the civilian carrying of firearms, which could exponentially increase the risks for children and adolescents. This situation contrasts sharply with the principles of comprehensive protection and the best interests of the child, recognized in both national law and international standards.

This chapter will address three key dimensions: (i) the link between armed proliferation and violence against children; (ii) the specific impacts faced by children and adolescents in this context; and (iii) the legislative threats that exacerbate their vulnerability. This analysis connects with

several of the questions raised by the Committee in the 2025 pre-session, particularly those related to access to justice (question 7), forced recruitment (question 22), juvenile justice (question 25), and armed violence (questions 13 and 24).

PROLIFERATION OF WEAPONS AND ITS IMPACT ON LETHAL VIOLENCE AGAINST CHILDREN AND ADOLESCENTS

The report presented by TDH Germany on children's access to firearms highlights how the massive presence of weapons in the hands of civilians, as well as their illegal circulation, exacerbates the conditions of insecurity and vulnerability for children in Colombia. Although the Colombian State ratified the Arms Trade Treaty in January 2025, which obligates it to prevent the diversion and misuse of weapons to commit human rights violations, the figures demonstrate that this commitment has not led to substantive changes on the ground. According to the Small Arms Survey, in 2017 there were approximately 5 million weapons in the hands of civilians in Colombia, 86% of which were illegal. The security forces reported some 350,689 registered weapons at that time, while other state agencies had approximately 283,000.

This widespread access to weapons has directly impacted the lethality of violence against children and adolescents. According to the National Police, between 2020 and April 2024, 1,650 minors were murdered with firearms. During the same period, 1,055 adolescents were arrested for homicide, highlighting their double exposure: as both victims and perpetrators in contexts where violence has become normalized. In 2022 alone, 13,939 homicides were recorded in the country,

with a rate of 26.97 per 100,000 inhabitants—one of the highest in the last decade—and in most cases, a firearm was used as the primary weapon.

These figures reflect a highly lethal environment that disproportionately affects children and adolescents, and which is linked to the lack of effective regulation on the circulation of weapons, weak oversight of the legal trade, and permissiveness toward illegal trafficking. The Committee on the Rights of the Child has warned that States must “prevent and eradicate the availability of weapons in the hands of private individuals” when this poses a risk to the best interests of the child. However, both the 2015 observations and Colombia’s latest state report omit direct references to the trafficking, possession, and use of weapons and their specific impact on children.

This omission is alarming given the repeated calls of UN Security Council Resolution 1612 (2005), which underscores the link between the use of child soldiers and the illicit trafficking of small arms. Although this resolution remains in force, the issue has been systematically excluded from priority agendas. This negligence results in the persistence of situations where the flow of weapons and its devastating impact on the lives of thousands of children remains invisible and without an effective state response.

USE OF CHILDREN AND ADOLESCENTS IN GUN CRIMES

The report prepared by TDH highlights one of the most worrying ways children are affected in the context of armed violence in Colombia: their use as pawns in the commission of firearm-related crimes. This situation represents a serious violation of rights, but above all, it reflects the

breakdown of the social, institutional, and legal environment that should guarantee the comprehensive protection of children and adolescents.

Between 2015 and 2022, the Criminal Investigation Directorate and INTERPOL (DIJIN-in Spanish) reported that 8,982 adolescents were apprehended under Article 365 of the Penal Code, which penalizes the “manufacture, trafficking, carrying, or possession of firearms, accessories, parts, or ammunition.” This data illustrates how, in multiple regions of the country, children and adolescents are being recruited or used by criminal networks, including illegal armed groups, to carry, transport, or even use weapons in contexts of conflict or urban crime.

Furthermore, according to figures from the Ombudsman's Office as of July 2021, at least 7,754 adolescents and young adults were involved in the Juvenile Criminal Justice System (SRPA), mostly for crimes committed with firearms or in contexts of armed violence. In juvenile detention centers, 90% of the inmates were male and 10% female, also revealing a distinct gender pattern in this issue. The most common offenses leading to entry into the system included drug trafficking, theft, assault, and illegal possession of firearms.

This phenomenon stems from multiple factors: the presence of illegal economies, the lack of educational and employment opportunities, institutional weakness, and the increasing normalization of violence as a means of conflict resolution or assertion of power within youth contexts. In many cases, children and adolescents are used as "criminal shields," that is, as the perpetrators of crimes committed by adults who exploit their minority to avoid harsher legal penalties.

Instead of responding with a comprehensive public policy for the prevention, protection, and restoration of rights, some political sectors have proposed regressive reforms that call into question the principle of the best interests of the child. In 2025, for example, legislative initiatives were introduced in Congress to lower the age of criminal responsibility from 18 to 16, citing emblematic cases of homicide allegedly committed by adolescents. This measure, besides being ineffective, represents a normative setback that contradicts international standards for child protection, as reiterated by the Committee on the Rights of the Child in several concluding observations. The state's response must focus on dismantling the criminal networks that exploit children, strengthening social inclusion programs, and reinforcing the Juvenile Justice System (SRPA) from a restorative, not punitive, perspective. The violence surrounding children and adolescents cannot be combated with more punishment, but rather with comprehensive policies that address the structural causes that expose them to the use of weapons and crime.

INTERNATIONAL ARMS TRADE AND CORPORATE RESPONSIBILITY: IMPACTS ON CHILDREN

The ratification of the Arms Trade Treaty (ATT) by the Colombian State in January 2025 represents a significant milestone in terms of international commitments, as it assumes specific obligations to prevent the diversion of weapons and mitigate their impact on human rights, including those of children. However, this accession comes late—eleven years after the treaty entered into force—and in a context marked by the historical absence of effective controls on the flow of weapons into and within the country.

In Colombia, the nearly five million weapons in the hands of civilians (Small Arms Survey, 2017) are compounded by the weapons held by state agencies and the security forces, which together exceed half a million. This circulating arsenal has fueled armed violence and increased the direct and indirect involvement of children and adolescents in armed conflicts, illegal economies, and acts of common violence.

The international arms supply chain has also contributed to this situation. The case of the German company SIG Sauer, convicted in 2019 for illegally exporting 38,000 pistols to Colombia via the United States, is a prime example of how regulatory loopholes and corporate collusion can lead to massive human rights violations. The Kiel Regional Court handed down suspended sentences and significant fines to the executives and ordered the repayment of 11 million euros, a ruling upheld in 2021 by the Federal Court of Justice in Karlsruhe. This weaponry ended up circulating in a country scarred by decades of armed conflict and structural violence, affecting thousands of children, either as carriers of these weapons or as direct victims.

During the 2021 National Strike, at least four children and adolescents were killed with firearms, one of which was a SIG Sauer. This reveals that the proliferation of weapons is not an abstract or distant phenomenon, but a concrete threat to the lives and safety of Colombian children, even in contexts of social protest and civic participation.

National regulations still lack robust mechanisms to guarantee the traceability of weapons and to hold companies accountable for human rights violations. Nor has there been progress in establishing protocols that impose due diligence criteria on companies that export or trade in weapons, as required by Article 7 of the Arms Trade Treaty. In this regard, the Colombian State

must not only fulfill its control obligations but also ensure that private actors under its jurisdiction respect children's rights throughout the entire supply chain.

In light of this reality, the Committee on the Rights of the Child is called upon to demand that the Colombian State rigorously implement the eating disorders with a Child-Centered Approach (TCA- in Spanish), as well as incorporate child protection clauses into trade and security agreements. Likewise, it is necessary to promote corporate monitoring mechanisms to prevent arms companies from profiting from the violence that destroys the lives of thousands of children.

LETHAL EFFECTS OF WIDESPREAD ACCESS TO WEAPONS IN COMMUNITY SETTINGS

The massive and unregulated circulation of firearms in Colombian territories has a devastating impact on children and adolescents, both on their physical safety and their developmental environments. The presence of weapons—legal or illegal—increases the risk of homicides and injuries, normalizes violence as a means of conflict resolution, and weakens community ties.

In 2022, Colombia recorded 13,939 homicides, one of the highest rates of the last decade (26.97 per 100,000 inhabitants), exceeding the target set by the Millennium Development Goals (23.2 for that year). Firearms were the most frequently used weapon in these homicides, according to the official causal analysis. This pattern is also reflected among children and adolescents: between

2020 and April 13, 2024, 1,650 children and adolescents were murdered in the country, according to data from the DIJIN (National Police Directorate of Criminal Investigation).

In parallel, 1,053 teenagers and two minors were apprehended for the alleged crime of homicide during the same period, suggesting that children are not only being victims, but also being instrumentalized in violent acts, often under the control of criminal structures. This situation highlights a structural failure of the State to prevent minors from accessing firearms, control illicit trafficking, and guarantee safe environments for child development. Despite the warnings contained in United Nations Security Council Resolution 1612—which points to the link between the presence of small arms and the use of children in armed conflict—the Colombian State's responses have been weak, partial, and fragmented. To date, there is no comprehensive public policy addressing the impact of armed proliferation on the daily lives of communities, and particularly on their youngest members.

The available data also highlight a gender dimension to this problem. In the Juvenile Criminal Justice System (SRPA), at least 7,754 adolescents and young people were involved in legal proceedings as of July 2021. Of these, 90% were male and 10% female. The main associated offenses included illegal possession of firearms, confirming the central role of these systems in urban and rural conflicts involving children and adolescents.

Armed violence, far from being an exceptional occurrence, has become ingrained in the daily lives of many communities as a forced way of life, where children are trapped between fear, exclusion, and the absence of the state. It is therefore urgent that the Colombian state implement a national strategy to reduce the availability of weapons in the hands of civilians, advance their effective

confiscation, and eradicate the cycles of violence that threaten the future of millions of children and adolescents.

LEGISLATIVE SETBACKS: CRIMINALIZATION OF ADOLESCENTS AND EASING OF GUN CONTROL

In 2025, the Colombian Congress has been the scene of worrying legislative initiatives that threaten to weaken the protection of the rights of children and adolescents, especially in contexts of armed violence. These proposals, driven by a punitive and “tough on crime” narrative, reflect a regressive trend in juvenile justice and gun control, contravening international standards and previous recommendations from the Committee on the Rights of the Child.

On the one hand, a proposal has been made to lower the age of criminal responsibility in the Juvenile Criminal Justice System (SRPA) from 18 to 16 years. This initiative arose after the assassination of a political leader by a teenager, a case that was used to justify the need for harsher penalties. However, this measure disregards fundamental principles of the juvenile justice system, such as the best interests of the child, the restorative approach, and proportionality. Such a reform fails to address the structural causes of youth violence—such as exclusion, poverty, and lack of opportunities—and reinforces the logic of selectively criminalizing vulnerable adolescents.

Simultaneously, another legislative proposal seeks to ease gun ownership restrictions for civilians by lifting the presidential decree that currently limits it. Its proponents argue that citizens must have the means to defend themselves against rising crime. However, this easing of restrictions contradicts available evidence: the increase in firearms in circulation raises the risk of lethal

violence, especially for children and adolescents. It also undermines the international commitments assumed by Colombia after ratifying the Arms Trade Treaty in 2025, whose purpose is precisely to limit the proliferation of weapons and prevent their impact on vulnerable populations.

These legislative initiatives reveal a twofold erosion of protection: while measures against adolescents in conflict with the law are being tightened, state control over firearms in society is being weakened. This combination is especially harmful to children and adolescents, who not only face a greater risk of becoming victims of violence, but are also more susceptible to being exploited in criminal networks. Given this situation, it is urgent that the Colombian State reaffirm its commitment to restorative justice and to public policies that prioritize prevention, inclusion, and the comprehensive protection of children and adolescents. The Committee should urge the State to refrain from regressive reforms that distort juvenile justice or facilitate the proliferation of weapons, and to guarantee mechanisms for meaningful participation by children in legislative debates that directly affect their lives and dignity.

CHAPTER 3. DIGITAL MARKETING OF ULTRA-PROCESSED FOODS AND BEVERAGES: VIOLATION OF THE HUMAN RIGHT TO FOOD AND FOOD SOVEREIGNTY IN CHILDREN

This chapter is based on input provided by FIAN Colombia, stemming from its analysis of the impacts of digital marketing of ultra-processed food and beverages (ULBs) on guaranteeing the rights of children. The document examines how these marketing strategies, which have rapidly migrated to digital environments, constitute a structural threat to the Human Right to Adequate

Food (HRAF) and Food Sovereignty (FSS), in a context marked by the absence of effective regulation and the normalization of hyperconsumption.

The findings systematized here are directly related to the concerns raised by the Committee on the Rights of the Child, especially regarding the use of personal data and the exposure of children and adolescents to harmful content in digital media, particularly with Question 6(g) of the List of Preliminary Issues, which requests information on the measures taken to guarantee the protection of children and adolescents in the digital environment, including the adoption of a relevant legislative framework. And, although the Pre-session questions do not directly address the right to adequate food or food sovereignty of children and adolescents, Question 32 mentions that access to food for poor children is a structural problem, and inquiries about the existence of a national strategy to combat poverty, its actual impact, and the associated monitoring mechanisms. This observation confirms the Committee's concern about the material conditions that affect the full enjoyment of the right to adequate food and nutrition, especially in contexts of inequality.

This chapter presents a critical analysis of algorithmic segmentation logic, the illegitimate use of personal data, emotional exploitation, and business models that prioritize profit over fundamental rights. Furthermore, it calls upon the Colombian State to adopt robust, coherent, and effective legislation that prohibits the commodification of children in the digital ecosystem and guarantees the primacy of their rights over commercial interests.

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COLLECTION OF PERSONAL DATA AND DIGITAL SEGMENTATION: A PRACTICE THAT VIOLATES FUNDAMENTAL RIGHTS

Digital marketing aimed at children and adolescents relies on the mass collection of personal data, which is processed to build profiles and target highly personalized and persuasive content. This dynamic is particularly problematic in the case of ultra-processed food and beverage products (UPBs), where the collected data is used to design behavioral advertising campaigns that encourage overconsumption and disrupt children's eating patterns.

Colombian jurisprudence establishes explicit limits on this type of data processing. Article 7 of Statutory Law 1581 of 2012 prohibits the processing of personal data of children and adolescents, except for data of a public nature. Likewise, Decree 1074 of 2015 stipulates that any use of this data must comply with two essential requirements: respecting the best interests of the child and ensuring respect for their fundamental rights. Despite this, commercial practice demonstrates a systematic tendency to disregard these safeguards.

The Constitutional Court, in its ruling C-748 of 2011, clarified that the exceptional processing of data concerning children and adolescents can only occur if it serves the best interests of the child, respects their fundamental rights, takes into account their maturity to express their opinions, and complies with the general principles of data protection. Under these conditions, the collection of

information for advertising segmentation purposes by PCBUs not only violates the law but also directly and deliberately infringes upon the rights of this population.

Digital marketing agencies, in collaboration with social media networks and digital platforms, extract sensitive information about children and adolescents' routines, emotions, tastes, and digital interactions to target them with tailored advertising messages. These ads often incorporate gamification strategies, instant rewards, and animated characters, aiming to stimulate compulsive responses and foster consumer loyalty. Such mechanisms not only contravene the principle of evolving autonomy but also create manipulative consumer environments that emotionally exploit children and adolescents.

The regulatory vacuum is even more evident when it comes to foreign companies that argue they are not based in Colombia and, therefore, are not obligated to comply with its laws. This situation leaves Colombian children vulnerable to a system of commercial exploitation without guarantees or effective protection mechanisms, in clear violation of the principle of the primacy of their rights. In this context, the Committee on the Rights of the Child has drawn attention to the need to adopt legislative frameworks that regulate digital advertising aimed at children and limit data exploitation. Through Question 6(g) of the List of Preliminary Issues, the Committee requests information from the Colombian State on the measures adopted in this area. The lack of legislation and the absence of state action reveal a structural deficiency that continues to leave children and adolescents unprotected in digital environments.

DIGITAL MARKETING OF ULTRA-PROCESSED PRODUCTS: A STRUCTURAL THREAT TO THE HUMAN RIGHT TO FOOD AND FOOD SOVEREIGNTY

The constant exposure of children and adolescents to digital advertising of ultra-processed food and beverage products (UPFPs) constitutes a direct threat to the Human Right to Adequate Food (HRAF) and Food Sovereignty (FSS). This situation is exacerbated when such advertising employs highly persuasive mechanisms that condition children's tastes, habits, and food preferences, progressively replacing real food with artificial products that are high in empty calories and low in nutrients.

Various studies have documented that the advertising of UPFPs targeted of marketing to children employs sophisticated emotional design strategies—such as animated characters, digital challenges, gamified rewards, and child influencers—which, in addition to increasing appeal, aim to cultivate loyalty from a young age among potential consumers of ultra-processed products. These campaigns create an environment in which the consumption of PCBs is normalized as part of everyday life, blurring the line between play, entertainment, and commercial consumption.

En Colombia se evidencia que la exposición a este tipo de publicidad está asociada con un aumento en el consumo de PCBUs y con tendencias crecientes de sobrepeso y obesidad infantil. Estas transformaciones dietéticas implican, en términos estructurales, un retroceso en la garantía del DHANA, al romper el vínculo con prácticas alimentarias saludables, culturalmente relevantes y basadas en sistemas locales de producción.

Furthermore, digital marketing introduces homogenized consumption patterns that weaken socially responsible food systems (SOBAL), understood as the right of peoples to define their food

policies according to their territorial, cultural, and productive characteristics. The hegemony of the “corporate diet”—based on industrialized, standardized, and highly profitable processed foods—displaces traditional foods, fragments community-based agri-food systems, and erodes the culinary knowledge of rural and urban working-class children.

This impact has not gone unnoticed on the international agenda. The World Health Organization and the Norwegian Consumer Council have warned about the harm caused by the digital commodification of children and have urged states to adopt comprehensive regulatory frameworks that restrict the advertising of unhealthy products aimed at minors. Similarly, General Comment No. 25 of the Committee on the Rights of the Child has indicated that the digital environment must be governed by the principle of the best interests of the child, which implies ensuring strict regulation to prevent their commercial exploitation.

Despite this, the Colombian State has not adopted robust measures to limit the digital marketing of PCBUs or to actively protect the DHANA and SOBAL of children and adolescents. This regulatory vacuum allows national and foreign companies to collect data on minors, segment them, and target them with highly persuasive messages that normalize the consumption of products that threaten their present and future health.

Consequently, state inaction in the face of this form of digital marketing not only violates fundamental rights but also perpetuates a food model based on inequality, imposed consumption, and technological subordination. It is essential that Colombia move toward a regulatory framework that comprehensively protects children from the bombardment of digital advertising and guarantees access to healthy, sustainable, and sovereign food.

STATE OBLIGATIONS AND REGULATORY GAPS: TOWARDS EFFECTIVE REGULATION OF DIGITAL MARKETING OF ULTRA-PROCESSED FOOD PRODUCTS (UPFPS)

The Colombian State has the legal, ethical, and political obligation to guarantee the fundamental rights of children and adolescents, including the Human Right to Adequate Food (HRAF), Food Sovereignty (FSS), and protection from all forms of commercial exploitation. This responsibility is especially urgent given the rise of digital marketing strategies that, through the collection of personal data and algorithmic segmentation techniques, promote the consumption of ultra-processed food and beverage products (UPFPs), directly violating these rights.

The national legal framework establishes explicit limits on the processing of personal data of minors. Statutory Law 1581 of 2012 and its implementing decree prohibit the use of personal data of children and adolescents, except when it serves the best interests of the child and respects their fundamental rights. However, in practice, this principle has been interpreted ambiguously, and its application is weak in the face of technological and commercial advances in digital marketing.

Constitutional jurisprudence (Judgment C-748 of 2011) has established that the processing of data concerning children and adolescents must comply with exceptional conditions, including informed participation according to their level of maturity, respect for their rights, and adherence to the principles of legality, purpose, necessity, and proportionality. However, the absence of a specific regulatory framework for the use of data for advertising purposes targeting minors allows

companies—including multinationals operating without a legal presence in the country—to exploit legal loopholes to continue with intrusive and harmful commercial practices.

In this context, the Colombian State has not adopted a comprehensive public policy to address the expansion of digital food marketing. Nor has it established effective monitoring mechanisms or sanctions against the misuse of children's personal data by companies that market processed food products. This omission constitutes a systematic violation of the Human Rights of Children and Adolescents (HRCA) and the Right to Health and Well-being (SOBAL), and jeopardizes Colombia's compliance with the international commitments it has undertaken under the Convention on the Rights of the Child and the 2030 Agenda. Given this situation, it is imperative that the State adopt a series of urgent regulatory measures.

In short, regulatory inaction and institutional weakness regarding digital marketing of child pornography (CPBUs) are not mere technical oversights, but rather manifestations of structural negligence that exposes children to abusive commercial practices. Ensuring the comprehensive protection of children and adolescents in the digital environment implies acknowledging that CPBU marketing not only affects their physical health, but also undermines their dignity, autonomy, and development. Regulating it decisively and with a rights-based perspective is an urgent obligation of the Colombian State.

STRUCTURAL CONVERGENCES: THE DIGITAL ENVIRONMENT AS SPACE FOR VIOLATION OF RIGHTS

Throughout the three thematic areas developed—recruitment, use, and exploitation of children and adolescents in armed conflict; access to and circulation of weapons; and digital marketing of ultra-processed food and beverages—an alarming common pattern emerges: the central role of digital platforms, social networks, and virtual environments play in the reproduction and exacerbation of violence affecting children and adolescents in Colombia. Far from being neutral or merely recreational spaces, digital spaces have become functional tools for practices that seriously violate children's rights.

Children's and adolescents' human rights. In the context of armed conflict, social media and online platforms are used by illegal armed groups as mechanisms for recruiting, indoctrinating, emotionally controlling, and recruiting children and adolescents through promises, simulated emotional bonds, and psychological manipulation. In the realm of weapons, these same platforms function as channels for illegal trade, normalizing violence, and symbolically validating gun ownership among adolescents, often in contexts of exclusion and criminalization. And in the area of food, large food corporations deploy digital marketing campaigns targeting minors, exploiting their personal data, designing hyper-persuasive content, and promoting the consumption of ultra-processed products that threaten their health, autonomy, and food sovereignty.

This convergence reveals that digital environments, in addition to mediating violence, amplify, refine, and conceal it under narratives of entertainment, connectivity, or the “free market.” In this sense, the digital vulnerability of children increases without the help of carrier families trying to educate responsible adolescents in future. This is a structural problem that permeates all public

policies, and addressing it requires coherent regulation, a comprehensive rights-based approach, and a firm political will. Any effort to prevent, redress, or guarantee the rights of children and adolescents in Colombia that ignores the digital dimension of these violations will be doomed to ineffectiveness.

RECOMMENDATIONS TO THE COLOMBIAN STATE

Pillar 1: Children, Armed Conflict, and State Negligence

- Adopt a comprehensive, intersectional, and territorially focused public policy for the prevention of forced recruitment, one that moves beyond the reactive approach of early warnings and is developed with the participation of affected communities.
- Strengthen support and reintegration mechanisms for children and adolescents who have left armed groups, with real guarantees of comprehensive reparations, differentiated pathways for Indigenous and Afro-descendant communities, and sustained psychosocial follow-up.
- Effectively prohibit the direct or covert participation of the Public Forces in activities involving children in armed conflict contexts, and guarantee civilian leadership in all state actions in at-risk areas.

Pillar 2: Children, Weapons, and Institutional Violence

- Implement a robust system for monitoring, preventing, and controlling children's access to firearms, including measures to combat illicit trafficking and trace movement routes within the country.

- Establish a strict prohibition on direct or indirect support for companies involved in the illegal arms trade that have contributed to human rights violations in the country.
- Reject any attempt at legal reform that lowers the age of criminal responsibility for adolescents or relaxes gun ownership regulations for civilians, as these contradict international child protection standards.

Pillar 3: Children, Digital Marketing, and the Right to Food

- Regulate the digital marketing of ultra-processed food and beverages (UPBs) targeting children and adolescents, including prohibiting the processing of their personal data for advertising purposes, in accordance with the best interests of the child.
- Establish regulatory frameworks that restrict the advertising of unhealthy products on digital platforms, in line with the recommendations of the WHO and other international organizations.
- Strengthen public policies that promote healthy eating, critical food education, and food sovereignty, prioritizing the consumption of real, local foods over the corporate diet imposed by the industry.
- Formulate and implement a national strategy for the protection of children and adolescents in digital environments, coordinating actions among the child protection system, regulatory authorities, the education sector, and technology platforms.

- Require technology and advertising companies —national and foreign— to comply with the principles of personal data protection of children and adolescents, establishing sanctions for the misuse of their information for commercial purposes or illegal recruitment.
- Integrate a cross-cutting digital approach into policies for preventing violence against children and adolescents, recognizing that virtual environments are now critical settings for rights violations and require an urgent state response.
- Enact specific regulations that expressly prohibit the use of children's and adolescents' personal data for commercial purposes in the digital environment, especially for advertising ultra-processed food and beverage products.
- Establish an independent authority responsible for monitoring compliance with these regulations, with the power to impose sanctions on offending companies, including transnational corporations without a presence in Colombia.
- Develop critical digital literacy campaigns aimed at children and adolescents, educators, and families to raise awareness of the risks of digital marketing and promote healthy eating habits.
- Incorporate a rights-based approach and the protection of the best interests of the child into all public policies related to food, technology, communications, and advertising.

- Ensure that digital platforms, social networks, and technology companies establish filters and control mechanisms to prevent children and adolescents from being exposed to harmful content or content aimed at promoting harmful substances.