

IRB – Immigration and Refugee Board of Canada

Colombia: Police and Office of the Attorney General [Office of the Prosecutor General] (Fiscalía General de la Nación) reports, including content, appearance, security features, and samples; whether the police and the Office of the Attorney General provide a copy or receipt for complaints filed; requirements and procedures for obtaining a copy of a complaint filed with these agencies; availability of fraudulent police and Office of the Attorney General reports (2018–January 2022) [COL200921.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Police and Office of the Attorney General Reports

According to the website of the Office of the Attorney General, an individual can file a report for themselves or a third party

- In person at the following locations:
 - Rapid Response Units (Unidades de Reacción Inmediata, URI);
 - Office of the Attorney General Service Centres (Centros de Atención de la Fiscalía, CAF);
 - Houses of Justice (casas de justicia) of the Ministry of Justice and Law;
 - National Police (Policía Nacional) stations; or
 - Police inspectorates (*inspecciones de policía*);
- In writing in the following ways:
 - [translation] "at the one-stop correspondence offices of the Sectional Directorates at the national level"; or
 - By email;
- By telephone to the Office of the Attorney General's contact centre; or
- Through the "¡ADenunciar!" online reporting system (Colombia n.d.a).

The website of the Office of the Attorney General further states that

[translation]

once the complainant or victim reports a criminal act, a complaint is created, which is given a unique criminal notification number (Número único de noticia criminal, NUNC) and the [Oral Accusatory System of Criminal Justice (Sistema Penal Oral Acusatorio)] SPOA mission system automatically assigns a prosecutor who will evaluate the information and determine whether the acts have the characteristics of a crime. If the acts are deemed criminal, the corresponding investigation will be initiated. (Colombia n.d.b)

authorities. You may also file a report at a police station but it will not have the same validity for legal procedures and it is recommended that victims go to the URI to file a formal report. Also, it is best to file the report in the jurisdiction where the crime occurred, if possible. (US n.d.)

1.1 Appearance, Content, and Security Features

In correspondence with the Research Directorate, a representative of the Colombian Commission of Jurists (Comisión Colombiana de Juristas), a non-profit organization in Colombia that offers assistance with civil, political, economic, social and cultural rights in Colombia (Comisión Colombiana de Juristas n.d.), provided the following information:

[translation]

The reports received from the National Police are characterized by specifying the file number of the request in the header; this is a serial number with a unique number assigned to the document by the police for handling the request internally. All responses issued include the logo, file number, description of and response to the request, and all reports received are documents in a standard format ... [and] mainly includ[e] the review, approval, and signature by more than three officials.

As for reports or responses to requests for information issued by the Office of the Attorney General, the documents have an assigned serial number printed together with a unique bar code that identifies the document and placed on a sticker or printed on the first page of the document. The bar code is followed by the logo of the institution, the headers containing the information of the appropriate recipient, the requests required and finally a response to each [request]. Most of them are signed by an official who includes their electronic signature at the end of the document. (Comisión Colombiana de Juristas 28 Jan. 2022)

In correspondence with the Research Directorate, a representative of the Santiago de Cali Metropolitan Police indicated that reports from the Judicial Police (Policía Judicial) unit [translation] "can be downloaded from the web portal of the Office of the Attorney General" and "do not contain special security, authenticity, or originality characteristics" (Colombia 29 Jan. 2022). A blank sample of a Judicial Police report, sent to the Research Directorate by the Captain of the Legal Affairs team of the Santiago de Cali Metropolitan Police is attached to this Response. Other samples of police and Office of the Attorney General reports could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Whether the Police and the Office of the Attorney General Provide a Copy or Receipt for Complaints Filed

According to the US Embassy in Colombia, individuals should "[b]e sure to receive a copy of the report before departing" the police station where the complaint is filed (US n.d.). The Colombian Commission of Jurists stated that [translation] "[o]btaining a copy of this type of complaint is only possible through a request from the victim or their legal representative, since this type of document contains confidential information per the Habeas Data Law (*Ley de habeas data*) and third parties can only obtain information on general statistics" (Comisión Colombiana de Juristas 28 Jan. 2022). On its website, the government initiative Urna de Cristal, which promotes citizen engagement in online forums and government transparency (Colombia n.d.c), indicates that for online claims,

[translation]

[the applicant] will be sent by email the number generated for the incident. The incident is subject to verification and within 24 hours [the applicant] will be informed of the [NUNC]. Then, within five working days of that communication, [the applicant] will be informed by email of the basic case information (prosecutor in charge of the investigation, address, email and contact telephone number). (Colombia 10 Nov. 2018)

According to the representative of the Santiago de Cali Metropolitan Police, if an individual has submitted a report via ¡ADenunciar! or via email, [translation] "a copy of the complaint is sent in PDF format to the email that [the applicant] provided for notification purposes" (Colombia 29 Jan. 2022). The same source notes that to request a copy [of a past complaint], the request [translation] "must be submitted to the service centre of the Office of the Attorney General in the city or municipality

Information on the availability of fraudulent police and Office of the Attorney General reports was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

Regarding the availability of fraudulent documents, the representative of the Metropolitan Police of Santiago de Cali indicated that

[translation]

the Office of the Attorney General has created the [SPOA], which assigns a unique and unrepeatable 21-digit number for each complaint or criminal report. In order to contribute to the construction of a more efficient, transparent, and participatory State, which is the purpose of the Government Online Strategy, and in order to provide citizens with better services through the use of information and communication technologies (tecnologías de la información y la comunicación, TIC), the Office of the Attorney General has set up a mechanism for electronic consultation of the complaints registered in the SPOA database. (Colombia 29 Jan. 2022)

However, the Colombian Commission of Jurists stated that

[translation]

these documents contain security elements that are easy to access and falsify, among them the logos or symbols of the entities [which] are available on the [National Police and Office of the Attorney General] websites. In the case of stamps, bar codes, seals and digital signatures, these are easily falsifiable elements and do not have security features that allow an adequate distinction between a genuine document and a fraudulent one.

Both entities could be asked to validate the veracity of these documents by sending a right of petition, including the reference document and requesting its validation. (Comisión Colombiana de Juristas 28 Jan. 2022)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Colombia. 29 January 2022. Policía Metropolitana Santiago de Cali. Correspondence from a representative to the Research Directorate.

Colombia. 10 November 2018. Iniciativa Presidencial Urna de Cristal. "[Conoce el nuevo Sistema Nacional de Denuncia Virtual](#)." [Accessed 17 Jan. 2022]

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Colombia. N.d.b. Fiscalía General de la Nación. "[Dónde y cómo denunciar](#)." [Accessed 17 Jan. 2022]

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Comisión Colombiana de Juristas. 28 January 2022. Correspondence from a representative to the Research Directorate.

[Comisión Colombiana de Juristas. N.d. "Origen."](#) [Accessed 28 Jan. 2022]

United States (US). N.d. US Embassy in Colombia. "[Victims of Crime](#)." [Accessed 17 Jan. 2022]

W Radio. 20 April 2021. Andrés Felipe Lara Molano. "[Téngalo en cuenta: Esto es lo que tiene que](#)

who researches police and security in Colombia; professor of law at an American university who specializes in national security law in Colombia; US – Embassy in Bogotá; Washington Office on Latin America.

Internet sites, including: ACAPS; Al Jazeera; Amnesty International; Associated Press; Australia – Department of Foreign Affairs and Trade; BBC; Belgium – Commissariat général aux réfugiés et aux apatrides; Bertelsmann Stiftung; Bogotá – Alcaldía de Bogotá; Brookings Institution; CNN Español; Center for Strategic and International Studies; Colombia – Defensoría del Pueblo, Ministerio de Defensa; Ministerio de Justicia, Policía Nacional de Colombia, Unidad Nacional de Protección; Council on Foreign Relations; Deutsche Welle; ecoi.net; *El Comercio*; *El País*; *El Tiempo*; EU – Agency for Asylum; Federación Nacional de Personerías de Colombia; Fédération internationale pour les droits humains; France – Office français de protection des réfugiés et apatrides; Freedom House; *The Guardian*; Human Rights Watch; InSight Crime; Institute for War and Peace Reporting; International Crisis Group; INTERPOL; Médecins sans frontières; Netherlands – Ministry of Foreign Affairs; The New Humanitarian; Norway – Landinfo; Organisation mondiale contre la torture; Organisation suisse d'aide aux réfugiés; Organization for Security and Co-operation in Europe; Organization of American States; PAX Protection of Civilians; Profamilia; Proyecto Migración Venezuela; Pulzo; Reporters sans frontières; Reuters; *Semana*; Transparency International; UK – Home Office; UN – Committee Against Torture, Committee on Enforced Disappearances, Office for the Coordination of Humanitarian Affairs, Office of the High Commissioner for Human Rights, Refworld, UNDP, UNHCR, UN Women; Universitat Autònoma de Barcelona; US – Department of State, Library of Congress; Washington Office on Latin America; Wilson Center; World Bank.

Attachment

Colombia. N.d. Policía Nacional, Policía Judicial. Blank sample of a Judicial Police report. Sent to the Research Directorate by the Captain of the Legal Affairs unit of the Policía Metropolitana Santiago de Cali, 1 February 2022. Translated by the Translation Bureau, Public Services and Procurement Canada.

ecoi.net summary:

Query response on
Colombia: Reports by the
police and the Office of the
Attorney General (2018 -
January 2022)



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