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→ Colombia: Fact-Finding Mission Report

Colombia: Fact-Finding Mission Report

Conflict Dynamics in the Post-FARC-EP Period and State Protection

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Source: UN Mar. 2016

▶ Alternate format

Glossary

AGC

Autodefensas Gaitanistas de Colombia (Gaitanist Self-Defense Forces of Colombia)

AUC

Autodefensas Unidas de Colombia (United Self-Defense Forces of Colombia)

BACRIM

Bandas Criminales (Criminal Organizations)

CERREM

Comité de Evaluación de Riesgo y Recomendación de Medidas (Committee for Risk Assessment and Recommendation of Measures)

CLAP

Comités Locales de Abastecimiento y Producción (Local Supply and Production Committees)

COCE

Comando Central (Central Command) [of the ELN]

CODHES

Consultoría para los Derechos Humanos y el Desplazamiento (Consultancy for Human Rights and Displacement)

COP

Colombian peso

CTRAI

Cuerpo de Recolección y Análisis de la Información (Technical Unit for Compilation and Analysis of Information)

ELN

Ejército de Liberación Nacional (National Liberation Army)

EPL

Ejército Popular de Liberación (Popular Liberation Army)

FARC

Fuerza Alternativa Revolucionaria del Común (Common Alternative Revolutionary Force)

FARC-EP

Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (Revolutionary Armed Forces of Colombia – People's Army)

FBL

Fuerzas Bolivarianas de Liberación (Bolivarian Liberation Forces)

FGN

Fiscalía General de la Nación (Office of the Attorney General)

FUDRA

Fuerza de Despliegue Rápido (Rapid Deployment Force)

GNB

Guardia Nacional Bolivariana (Bolivarian National Guard)

GUP

Guerrillas Unidas del Pacífico (United Guerrillas of the Pacific)

GVP

Grupo de Valoración Preliminar (Preliminary Assessment Unit)

ICETEX

Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior (Colombian Institute of Educational Credit and Technical Studies Abroad)

IED

Improvised Explosive Device

IRB

Immigration and Refugee Board of Canada

JEP

Jurisdicción Especial para la Paz (Special Jurisdiction for Peace)

LVRT

Ley de Víctimas y Restitución de Tierras (Victims and Land Restitution Law)

NGO

Non-Governmental Organization

OCHA

United Nations Office for the Coordination of Humanitarian Affairs

Pares

Fundación Paz y Reconciliación (Peace and Reconciliation Foundation)

PGN

Procuraduría General de la Nación (Office of the Inspector General)

QR Code

Quick Response Code

RAD

Refugee Appeal Division [of the IRB]

RPD

Refugee Protection Division [of the IRB]

RUV

Registro Único de Víctimas (Registry of Victims)

SAT

Sistema de Alertas Tempranas (Early Warning System)

SEBIN

Servicio Bolivariano de Inteligencia Nacional (Bolivarian National Intelligence Service)

SMLMV

Salario Mínimo Legal Mensual Vigente (Current Legal Minimum Monthly Wage)

SNARIV

Sistema Nacional de Atención y Reparación Integral a las Víctimas (National System for Comprehensive Victim Support and Reparation)

TAM

Tribunal Administrativo Migratorio (Administrative Tribunal of Immigration) of Costa Rica

UARIV

Unidad para la Atención y Reparación Integral a las Víctimas (Victim Assistance and Comprehensive Reparation Unit)

UBPD

Unidad de Búsqueda de Personas Dadas por Desaparecidas (Search Unit for Presumed Disappeared Persons)

UNP

Unidad Nacional de Protección (National Protection Unit)

UP

Unión Patriótica (Patriotic Union)

Methodology

From 4 to 8 March 2019, a joint fact-finding mission (hereafter, the mission) was carried out in Colombia by representatives of the administrative tribunals of Canada and Costa Rica that deal with matters of international protection. The Administrative Tribunal of Immigration (Tribunal Administrativo Migratorio, TAM) of Costa Rica and the Immigration and Refugee Board of Canada (IRB) determined the topics for the research based on the information needs of both countries. Additionally, the mission was also a Canadian capacity-building initiative to support COI research development in partner countries. The mission took place in Bogotá, Buenaventura and Cúcuta.

The mission consisted of a series of meetings with experts and officials from relevant governmental, non-governmental, academic, and research-focused organizations. Interlocutors were identified by the delegation based on their position and expertise. However, due to time constraints, the list of sources should not be considered exhaustive in terms of the scope and complexity of human rights issues in Colombia and Venezuela. Meetings with interlocutors were coordinated by the Consultancy for Human Rights and Displacement (Consultoría para los Derechos Humanos y el Desplazamiento, CODHES) and took place in the interlocutors' offices. All interviews were conducted in Spanish.

The purpose of the mission was to collect information on the following topics:

- The main armed groups in the period since the signing of the peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia – People's

Army (Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo, FARC-EP) in 2016;

- The main profiles of people targeted by armed groups and recourse available to them;
- The situation of internal displacement; and
- Venezuelan migration to Colombia.

These areas were identified in consultation with mission participants, and IRB decision-makers from the Refugee Protection Division (RPD) and the Refugee Appeal Division (RAD). Interviews were conducted using a semi-structured approach to adapt to the expertise of the interlocutor(s) being interviewed. Interlocutors' responses to these questions varied depending on their willingness and preparedness to address them, and the length of time granted for the interview.

In accordance with the Research Directorate's methodology, which relies on publicly available information, interlocutors were advised that the information they provided would form the basis of Country-of-Origin Information (COI) reports on country conditions in Colombia and Venezuela. In this regard, interview notes were sent to interlocutors for their approval. Furthermore, interlocutors were asked to consent to being cited by a professional title or by their institution for the information they provided. They were informed that the COI reports would be publicly accessible and may be used by decision-makers adjudicating refugee claims in Canada.

This report is based on the information gathered by the IRB during the mission to Colombia, as well as publicly available documentary sources, which were included to give context to the information gathered during the mission.

This report contains information regarding the conflict dynamics in the period since the signing of the peace agreement between the Colombian government and the FARC-EP 2016. The first section provides brief background information about developments since the signing of the 2016 peace agreement, as well as statistics on crime and armed violence. The second section describes the main armed groups, including areas of operation, activities, and structure. The third section addresses the main profiles of people targeted by armed groups in the current context of the conflict. The fourth section provides a brief description of the internal displacement situation. The fifth section provides information about some of the protection measures available for victims of the armed conflict, as well as for the main targeted profiles identified in the third section.

This report should be read in conjunction with other IRB publications, including the following Responses to Information Requests:

- [COL106338](#) of July 2019: Colombia: Update to COL106087 of 1 May 2018 on the investigation of criminal complaints, including time limits, expiry of criminal proceedings, and setting aside of complaints; the Office of the Attorney General's database used to consult the status of a criminal complaint, including the definition of the different statuses (2017-July 2019)
- [COL106086](#) of April 2018: Colombia: The presence and activities of Los Rastrojos, including in Buenaventura; information on their relationship with the Gaitanist Self-Defense Forces of Colombia (Autodefensas Gaitanistas de Colombia, AGC) [also known

as Gulf Clan (Clan del Golfo) or Úsuga Clan (Clan Úsuga), and formerly known as Los Urabeños]; state response (2017-April 2018)

- [COL106085](#) of April 2018: Colombia: The National Liberation Army (Ejército de Liberación Nacional - ELN), including number of combatants and areas of operation; activities, including ability to track victims; state response and protection available to victims (2016-April 2018)
- [COL106084](#) of April 2018: Colombia: The Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC), including demobilization of former combatants; information on dissident groups, including number of combatants, areas of operation, activities and state response (2016-April 2018)
- [COL105773](#) of April 2017: Colombia: Paramilitary successor groups and criminal bands (bandas criminales, BACRIM), areas of operation and criminal activities, including the Clan del Golfo (also known as Urabeños or Autodefensas Gaitanistas de Colombia); state response, including reintregation of, and assistance to, combatants (May 2016-March 2017)
- [COL105772](#) of May 2017: Colombia: Requirements and procedures to submit a complaint to the police, the Fiscalía General de la Nación, and the Defensoría del Pueblo, including types of complaints; standardization and appearance of documents; requirements and procedures to obtain a copy of the complaint and investigative report for each organization, both from within the country and from abroad

The IRB would like to thank the Embassy of Canada in Bogotá, TAM, CODHES, the American Friends Service Committee (AFSC), and the United Nations High Commissioner for Refugees (UNHCR) for providing logistical support and assistance during the mission.

Overview of the Security Situation

1.1 Peace Agreement of 2016

In 2016, the government of Colombia signed a peace agreement with the Revolutionary Armed Forces of Colombia - People's Army (Fuerzas Armadas Revolucionarias de Colombia - Ejército del Pueblo, FARC-EP). ¹ The peace agreement included assistance to victims of the armed conflict and the creation of several institutions, such as the Special Jurisdiction for Peace (Jurisdicción Especial para la Paz, JEP); the Commission for the Clarification of Truth, Coexistence, and Non-Repetition (Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición), also called the Truth Commission (Comisión de la Verdad); and the Search Unit for Presumed Disappeared Persons (Unidad de Búsqueda de Personas Dadas por Desaparecidas, UBPD). ²

The Truth Commission was created to investigate the events that took place during the armed conflict and contribute to revealing infractions or violations committed during the conflict. ³ The UBPD was created to undertake the search for disappeared persons in the context of the armed

conflict and is limited to victims of forced disappearance, kidnapping, illegal recruitment, and combatants of both the armed forces and irregular armed groups. ⁴

In September 2017, the demobilized FARC-EP created the Common Alternative Revolutionary Force [Revolutionary Alternative Force of the Common People] (Fuerza Alternativa Revolucionaria del Común, FARC) political party. ⁵ Some of the leaders of the FARC are currently serving as members of Congress. ⁶ Since the signing of the peace agreement, as of June 2019, 133 former guerrilla members of the FARC-EP have been killed and 11 have been forcibly disappeared. ⁷

1.2 Evolving Conflict Dynamics

The implementation of the peace agreement has been difficult due to the polarization of the complex political context in Colombia. ⁸ Additionally, since the signing of the peace agreement, violence and forced displacement have persisted. ⁹ The peace process is only partially complete as numerous [armed] actors are still present and active in the country such as other guerrilla groups, paramilitary groups, and drug trafficking organizations. ¹⁰ The Colombian government is involved in armed conflicts with the National Liberation Army (Ejército de Liberación Nacional, ELN) and criminal organizations ([referred to by the government as] *bandas criminales*, BACRIM). ¹¹

The territories in which the FARC-EP used to operate have been taken over by other armed groups, including the ELN, ¹² FARC-EP dissidents, ¹³ paramilitary groups, and drug trafficking organizations. ¹⁴ The presence of armed groups in these territories has led to confrontations over the control of areas that represent strategic sources of income, drug trafficking routes, and military advantage and, in the case of the dissidents of the Popular Liberation Army (Ejército Popular de Liberación, EPL), to press for a peace negotiation with the Colombian government. ¹⁵ These contested territories are experiencing renewed violence, including an increase in forced displacement, particularly in the departments of Nariño, Cauca, Valle del Cauca (particularly Buenaventura), Chocó, Arauca, and Norte de Santander, and the region of Bajo Cauca. ¹⁶

The mission heard that military operations against armed groups have affected communities living in or around conflict areas. The UN Office for the Coordination of Humanitarian Affairs (OCHA) notes that armed groups have responded to actions carried out by the armed forces by deploying anti-personal mines, which has reduced access to education and other social services. ¹⁷

1.3 Security Forces Operations

The Colombian government has deployed thousands of troops to combat armed groups. ¹⁸ In January 2018, the government deployed 2,000 troops to Tumaco, Nariño, as part of Operation Exodus 2018 to combat drug trafficking in the area. ¹⁹

The Office of the Ombudsperson (Defensoría del Pueblo) notes that the national government has deployed security forces in the area of Catatumbo to combat illegal armed groups. The Rapid Deployment Force (Fuerza de Despliegue Rápido, FUDRA) III and four battalions were mobilized to the city of Ocaña in October 2018 for this purpose.²⁰ A report produced by the Colombian Ministry of National Defense (Ministerio de Defensa Nacional) provides the following statistics on the results of the various military operations carried out by security forces:

Results of Security Operations by Colombian Armed Forces ²¹

Illegal Armed Groups (Individuals)	Jan.-Mar. 2019	2018	2017	2016	2015
Demobilized	106	732	933	951	1,018
Captured	208	794	766	1,237	2,325
Killed	8	41	46	59	186

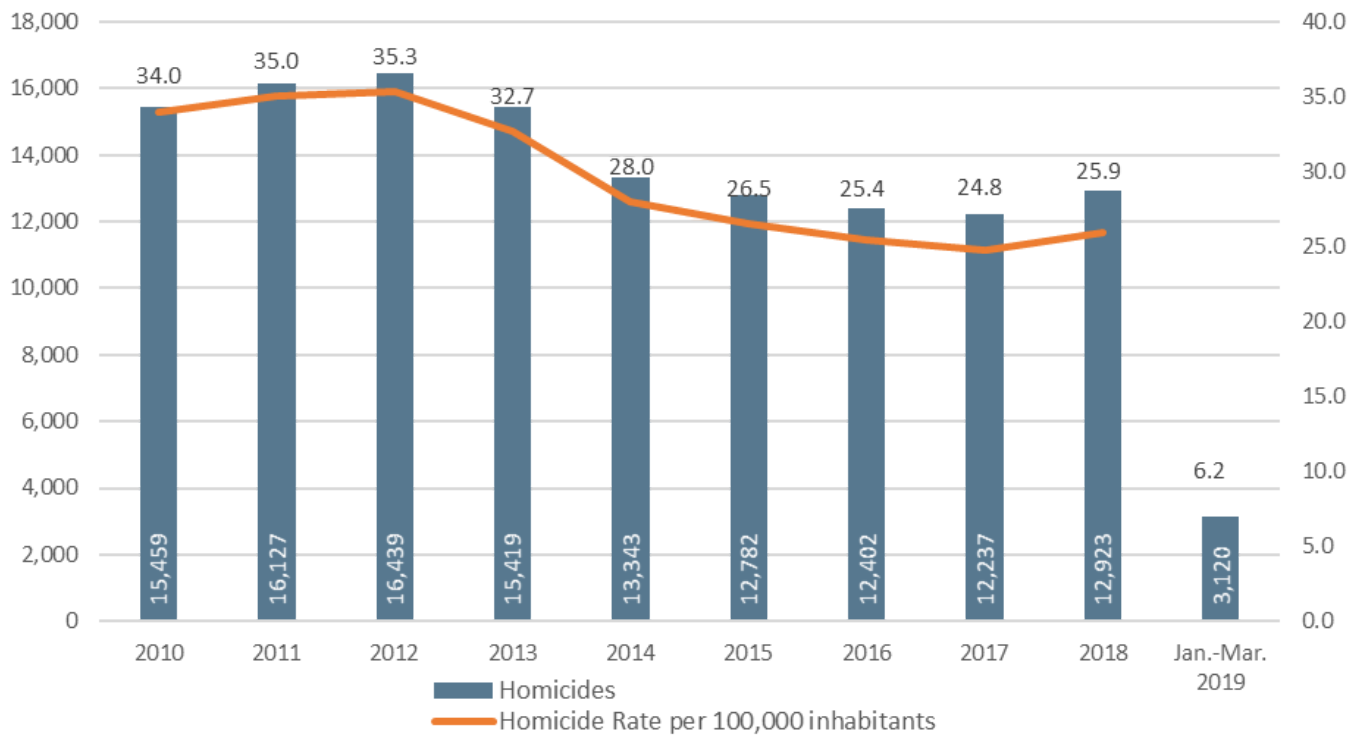
Organized Criminal Organizations (Individuals)	Jan.-Mar. 2019	2018	2017	2016	2015
Captured	1,129	4,610	3,113	3,396	3,073
Killed	63	143	76	44	37

The Peace and Reconciliation Foundation (Fundación Paz y Reconciliación, Pares) notes that the armed group made up of FARC-EP dissidents from Fronts 1 and 7 has suffered several losses and seizure of weapons during military operations. In May 2017, one of the treasurers was killed during a joint operation between the National Police and the army; in September 2017, the army killed Alfonso Lizcano Gualdrón, one of the leaders of Front 1; and in March 2018, nine members were killed in a military operation.²²

1.4 Criminality and Armed Violence Trends

Although rates of homicides and forced displacement have declined since 2012 or since the agreements with the FARC,²³ crimes such as extortion and drug trafficking continue.²⁴ The incursion of new armed actors in the armed conflict and the expansion of those that were already present are creating new conflict dynamics,²⁵ particularly the increasing rates of homicides in 2018 of social leaders and aggressions against ex-combatants.²⁶

Number of Homicides and Homicide Rate ²⁷

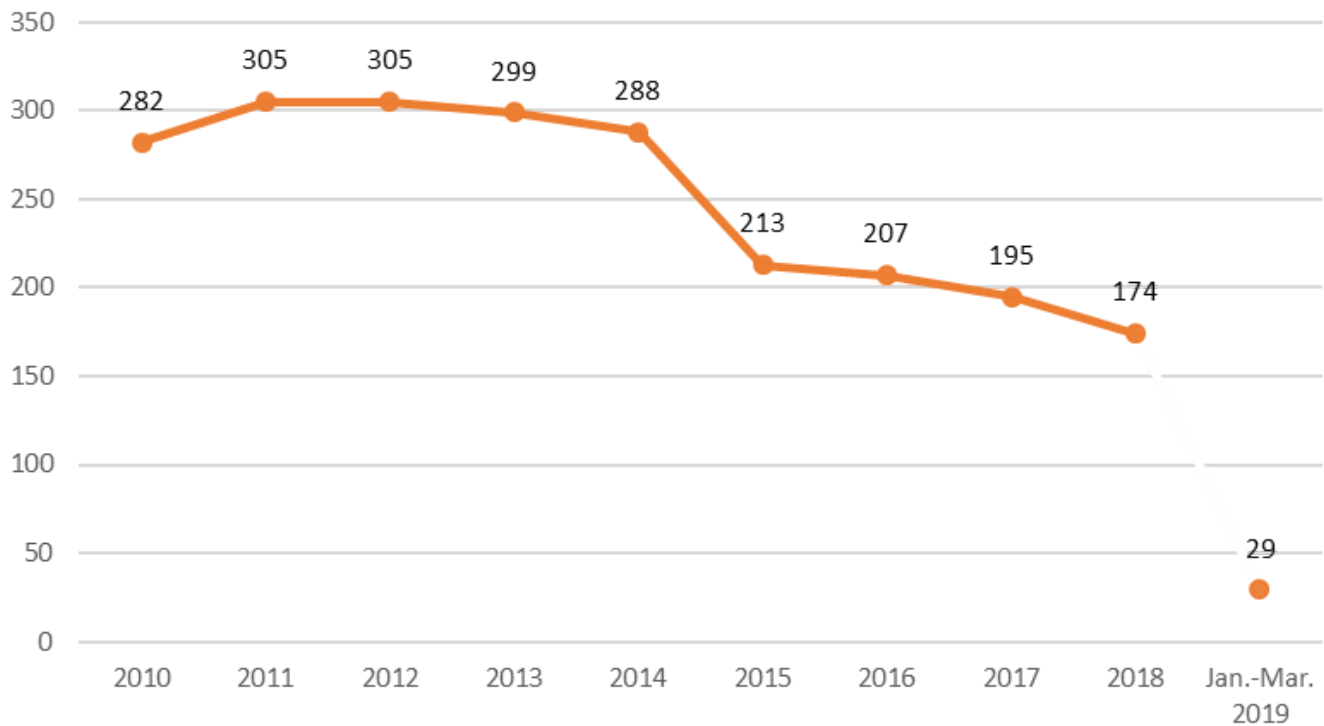


Source: National Police

► Alternate format

Pares notes that rates of forced disappearances and kidnappings have decreased over the years. While for 2002 there were 16,026 disappearances reported, numbers progressively dropped to 137 in 2015, 74 in 2016, 72 in 2017, and 39 in 2018. ²⁸ Similarly, at the end of the 1990s, over 3,000 kidnappings were reported, while in 2017 and in the first half of 2018 these numbers dropped to 193 and 92 cases, respectively. ²⁹ The Ministry of National Defense provides similar numbers:

Number of Kidnappings ³⁰

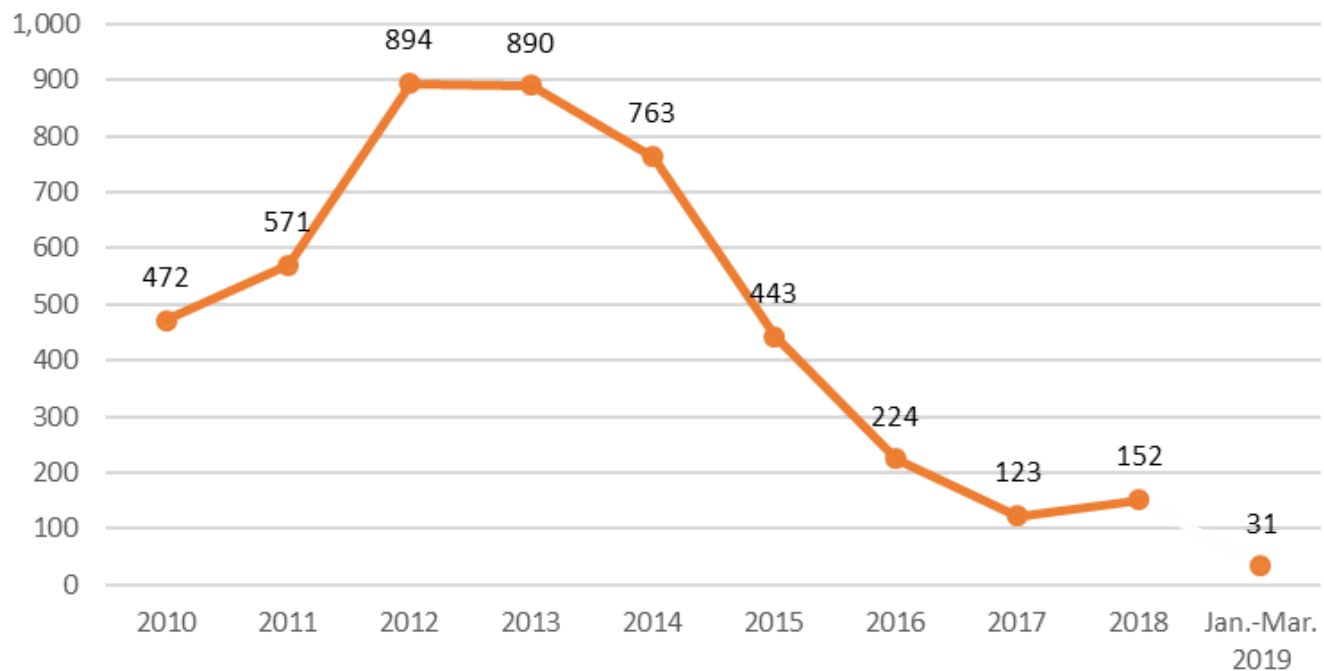


Source: National Police

► Alternate format

Regarding [translation] "terrorist acts" ³¹ and "subversive acts" ³² committed by armed groups, the National Police provides the following statistics:

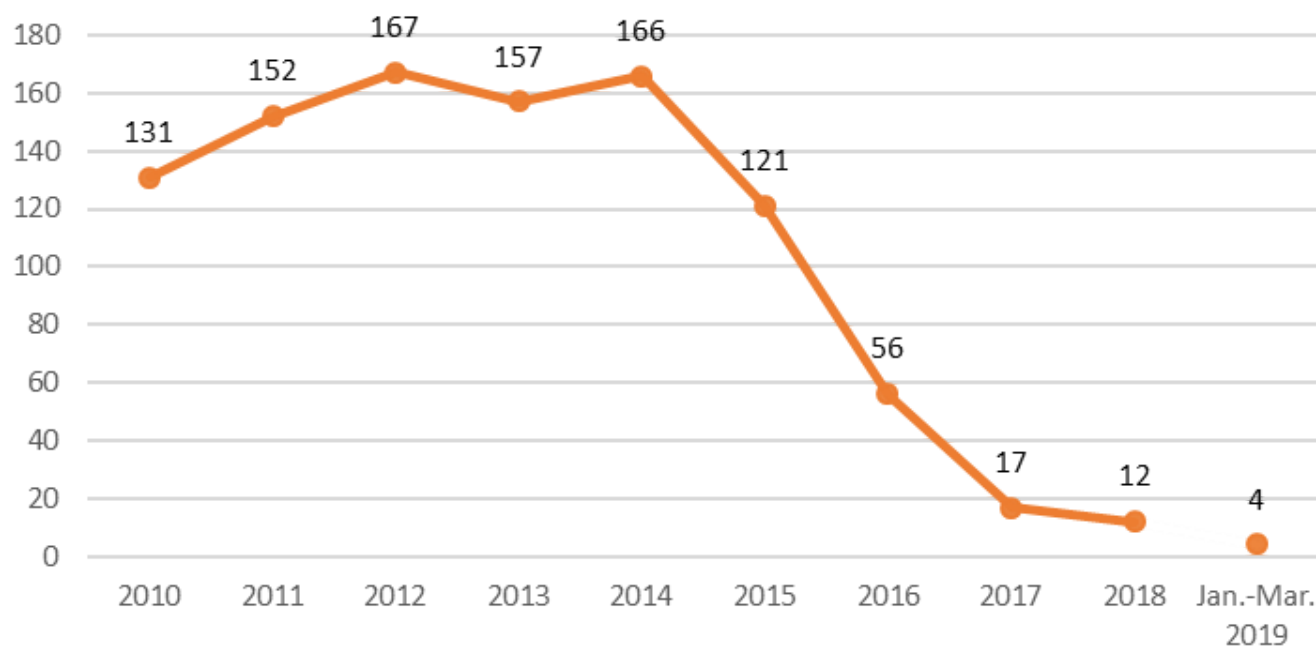
"Terrorist Acts" Reported by the National Police ³³



Source: National Police

► Alternate format

"Subversive Acts" Reported by the National Police ³⁴



Source: Armed Forces, National Police, ISA and ECOPETROL

► Alternate format

CODHES provides the following statistics on warlike actions: ³⁵

Warlike Actions (*acciones bélicas*) ³⁶ - 1 January 2019 to 28 February 2019

Department	Number of Events	Warlike Actions	Warlike Actions that Led to Violations of International Humanitarian Law ³⁷	Violations of International Humanitarian Law
Total	111	45	25	41
Nariño	19	14	3	2
Cauca	17	7	5	5
Antioquia	14	4	4	6
Norte de Santander	14	4	2	8
Valle del Cauca	9	1	-	8
Chocó	8	1	4	3
Arauca	7	4	2	1
Putumayo	5	1	4	-

Department	Number of Events	Warlike Actions	Warlike Actions that Led to Violations of International Humanitarian Law ³⁷	Violations of International Humanitarian Law
Magdalena	4	2	-	2
La Guajira	2	1	-	1
Tolima	2	1	-	1
Atlántico	1	-	-	1
Bogotá	1	-	1	-
Bolívar	1	-	-	1
Caldas ¹	1	-	-	1
Caquetá	1	1	-	-
César	1	1	-	-
Córdoba	1	1	-	-
Cundinamarca	1	-	-	1
Guaviare	1	1	-	-
Huila	1	1	-	-

Warlike Actions - 1 January 2018 to 31 December 2018

Department	Number of Events	Warlike Actions	Warlike Actions that Led to Violations of International Humanitarian Law	Violations of International Humanitarian Law
Total	1161	579	139	443
Antioquia	251	126	48	77
Nariño	137	76	10	51
Cauca	132	62	14	56
Norte de Santander	88	36	15	37
Chocó	63	24	15	24

Department	Number of Events	Warlike Actions	Warlike Actions that Led to Violations of International Humanitarian Law	Violations of International Humanitarian Law
Tolima	45	11	0	34
Bolívar	44	25	7	13
Córdoba	42	13	6	23
Meta	38	25	1	12
Valle del Cauca	35	17	3	15
Arauca	33	21	3	9
Atlántico	31	18	1	12
Caquetá	31	20	1	10
Huila	30	19	0	11
César	25	4	5	16
Putumayo	25	17	1	7
Sucre	24	10	5	9
Guaviare	16	13	1	2
Bogotá	13	8	1	4
Magdalena	11	7	0	4
Casanare	10	5	1	4
Risaralda	7	7	0	-
Cundinamarca	5	1	1	3
La Guajira	5	2	0	3
Amazonas	4	4	0	-
Boyacá	4	2	0	2
Caldas	3	1	0	2
Vichada	3	3	0	-

Department	Number of Events	Warlike Actions	Warlike Actions that Led to Violations of International Humanitarian Law	Violations of International Humanitarian Law
Guainía	2	1	0	1
Santander	2	1	0	1
San Andrés	1	1	0	-
Vaupés	1	-	0	1

2. Armed Groups

A report produced by several government agencies, including the Office of the Ombudsperson and the Office of the Inspector General (Procuraduría General de la Nación, PGN), on the monitoring and oversight of the implementation of Law 1448 of 2011, the Victims and Land Restitution Law (*Ley de Víctimas y Restitución de Tierras, LVRT*), between 2014 and 2018, indicates that territorial control by armed groups is being reconfigured in different parts of the country. ³⁸ In some areas, this dynamic of territory disputes between armed groups has included threats and attacks against human rights advocates and leaders of social and political organizations. ³⁹

The OCHA indicates that attacks against the population in 2018 were committed by the following groups:

- unknown actors (59 percent);
- the EPL (11 percent);
- the ELN (10 percent);
- organized armed groups, including the Gaitanist Self-Defense Forces of Colombia (Autodefensas Gaitanistas de Colombia, AGC) and the Gulf Clan (Clan del Golfo) (9 percent);
- other armed groups (7 percent);
- dissidents of the FARC-EP (2 percent);
- and clashes among other armed actors (3 percent).

These attacks included threats (725 cases), murder of a [translation] "protected person" (672), kidnappings (111), massacres (27), and other categories including forced recruitment, forced disappearance, torture, use of civilians as shields during combat, hostage taking, sexual violence, and the killing of civilians during armed confrontations (530). ⁴⁰

A document prepared by the Research Directorate based on information provided by CODHES on the presence of armed groups as reported in all 1,122 municipalities in Colombia is attached to this report. The attached document provides information on the 10 most significant armed

groups by department and departmental capital. For information on presence of armed groups in a particular municipality as of December 2018, please contact the Research Directorate.

► Presence of Armed Groups by Department and Departmental Capital, December 2018

2.1 ELN

The ELN, which emerged in 1964 and was inspired by the Cuban revolution, ⁴¹ is one of the "two main guerrilla armies with left-wing political ideologies operating in Colombia." ⁴² The ELN has been weakened militarily in recent years, with the number of combatants dropping from approximately 5,000 in the mid-1990s (in addition to "at least" 15,000 sympathizers that included students, union activists and political supporters), ⁴³ to current estimates of 1,700 ⁴⁴ or 2,500. ⁴⁵

The ELN is divided into Fronts (*Frentes*) and also has urban militias in some major cities and in many small towns. ⁴⁶ The ELN has six Fronts, six companies, and two urban Fronts which have [translation] "at least" 639 combatants. ⁴⁷ The ELN's National Directorate (Dirección Nacional) consists of 23 members, and the Central Command (Comando Central, COCE) is made up of five commanders who are in charge of a different area: military affairs, political affairs, international affairs, finance, and communications (between the COCE and the ELN's Fronts). ⁴⁸ The members of the COCE are Nicolás Rodríguez Bautista, also known as "'Gabino'," [who is the leader of the ELN ⁴⁹]; Gustavo Aníbal Giraldo, also known as "'Pablito'"; Eliécer Herlinton [Herlinto] Chamorro, also known as "'Antonio García'"; Israel Ramírez, also known as "'Pablo Beltrán'"; and Rafael Sierra Granados, also known as "'Ramiro Vargas'." ⁵⁰

The ELN is considered a [translation] "federative guerilla" organization with a horizontal chain of command, and it is the most experienced among current guerrilla groups. ⁵¹ The ELN is also reported to have a diffuse chain of command. ⁵²

The ELN operates in 99 municipalities ⁵³ in nine departments, particularly in the northeast of Colombia. ⁵⁴ It has a strong presence in the city of Cúcuta, being superior to Los Rastrojos, Los Pelusos and the Front 33 of the dissidents of the FARC-EP. ⁵⁵ InSight Crime notes that the ELN is also present in the departments of Arauca and Norte de Santander, as well as Apure in Venezuela, which represents a strategic area to control drug trafficking routes and flows between the two countries. With the demobilization of the FARC-EP, the ELN increased its presence in the border area in Venezuela, particularly through the Fronts Domingo Laín Sáenz, one of the most powerful structures of the ELN, and Carlos Germán Velasco Villamizar, which is based in Cúcuta and extends its operations to surrounding areas. ⁵⁶

Activities of the ELN include kidnapping, extortion, attacks on economic infrastructure, drug trafficking-related activities, ⁵⁷ [translation] "selective homicides," threats, looting, armed strikes, recruitment of children and adolescents, deployment of anti-personnel mines, and deployment of improvised explosive devices (IEDs) next to protected areas, military and police stations, and oil infrastructure. ⁵⁸

The Office of the Ombudsperson identified the following targeted profiles by the ELN in the department of Arauca: social leaders, directors of communal associations and victims' organizations, human rights advocates, public servants, drug users, sex workers, homeless people, Venezuelan citizens [crossing into Colombia], women who are perceived to have relationships with members of the armed forces, and children and young people for the purposes of forced recruitment. ⁵⁹

In the area of Catatumbo, Norte de Santander, the ELN has presence with Front Nororiental, and Fronts Camilo Torres Restrepo, Carlos Armando Cagua Guerrero, Compañero Héctor, and the Companies Comandante Diego, Héroes del Catatumbo, and other clusters called [translation] "'public order' commissions" that operate along the border with Venezuela. ⁶⁰

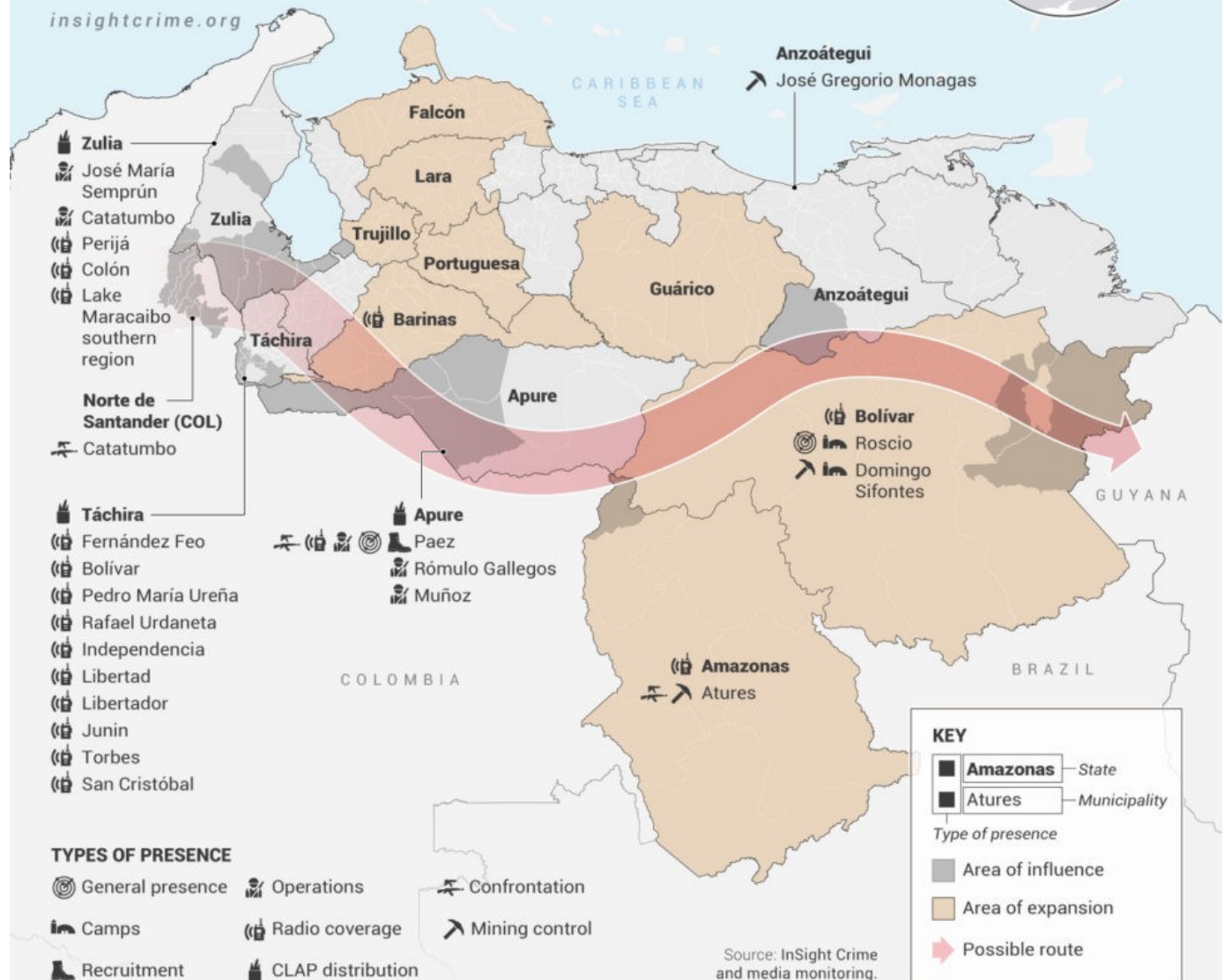
In February 2017, the Colombian government launched a peace process with the ELN in Quito, Ecuador. ⁶¹ However, in April 2018 the Ecuadorian government withdrew its support claiming security concerns, with the President of Ecuador indicating that Ecuador will not host peace negotiations as long as the ELN continues to engage in [translation] "terrorist acts." ⁶² The negotiations were moved to Cuba, ⁶³ but on 17 January 2019, the ELN detonated a car bomb against a police training centre in Bogotá, killing 20 police officers. ⁶⁴ As a result, President Duque suspended negotiations with the ELN, reactivated the arrest warrants against the delegation participating in the negotiations, and demanded Cuba extradite them to Colombia. ⁶⁵ The Colombian government and the ELN had previously attempted peace negotiations in 2002 and 2004-2005. ⁶⁶

2.1.1 The ELN in Venezuela

Interlocutors stated that the ELN is increasing its presence and operations capacity in Venezuela. A map produced by InSight Crime indicates the Venezuelan states in which this group is present: ⁶⁷

ELN Presence in Venezuela

InSight Crime registered ELN presence in more than 12 Venezuelan states during 2018 in different forms and with different means of entry. While in some cases the group gains control of criminal markets first, in others it starts off with community outreach. Common throughout is its receipt of government support



► Alternate format

Activities in which the ELN has reportedly engaged in Venezuela include kidnapping, extortion, cross-border drug trafficking, and gasoline smuggling.⁶⁸ The ELN has also been involved in the distribution of food boxes known as Local Supply and Production Committees (Comités Locales de Abastecimiento y Producción, CLAP),⁶⁹ which is a social program of the Venezuelan government.⁷⁰ According to InSight Crime, the ELN has also worked with the Bolivarian National Intelligence Service (Servicio Bolivariano de Inteligencia Nacional, SEBIN), the Bolivarian National Guard (Guardia Nacional Bolivariana, GNB), and the Bolivarian Liberation Forces (Fuerzas Bolivarianas de Liberación, FBL) [also called the Patriotic Forces of National Liberation -- Fuerzas Patrióticas de Liberación Nacional, FPLN], although it has engaged in clashes with the FBL for territorial control in the state of Apure. The ELN also uses Venezuelan territory as a hideout, including for its leader.⁷¹

2.2 Dissidents of the FARC-EP

According to lists provided by the FARC-EP in August 2017 in the context of the peace negotiations, the number of members of the FARC-EP was 15,001. However, according to the Colombian government's Office of the High Commissioner for Peace (Oficina del Alto Comisionado para la Paz), the list included duplicate or erroneous entries, and formally recognized a total of 13,049 as members of the FARC-EP, including demobilized guerrilla fighters, militia operatives, foreign members, and members serving prison sentences. ⁷²

FARC-EP dissidents started to operate during the peace negotiations. ⁷³ On 10 June 2016, the dissidents of Front 1 refused to demobilize, stating that the State only seeks [translation] "the disarmament and demobilization of guerrillas, and is not trying solve the country's social and economic problems." ⁷⁴ A BBC article, however, reports that the interest behind the refusal to demobilize is to keep the sources of income of illicit activities such as coca cultivation and illegal mining. ⁷⁵ For example, it is reported that approximately 300 members of Fronts 1 and 7 of the FARC-EP abandoned peace negotiations and continued activities in the departments of Guaviare, Guainía and Vaupés. ⁷⁶ About half of these 300 members joined other groups such as Gente de Orden, United Guerrillas of the Pacific (Guerrillas Unidas del Pacífico, GUP), and the Óliver Sinisterra Front. ⁷⁷

According to Pares, during the last decade of its activities, the FARC-EP was present in 242 municipalities out of the 1,122 in Colombia. ⁷⁸ In 2018, 22 armed groups made up of ex-FARC-EP dissidents were operating in 58 municipalities in 13 departments. ⁷⁹ It is estimated that these armed groups have approximately 1,600 combatants, including 1,280 former FARC-EP combatants. ⁸⁰

On 28 February 2018, the Office of the Ombudsperson issued *Alerta Temprana* ⁸¹ No. 026-18 which indicates the following regarding the presence of FARC-EP dissidents in the country:

- Central-Eastern Colombia: Dissidents of Fronts 1, 3, 7, 16 and 39 are present in the departments of Vaupés and Guaviare, the municipalities of La Macarena and San Vicente del Caguán (Meta), western Cundinamarca, and alongside the Orinoco River on the border with Venezuela.
- Departments of Amazonas, Nariño, Cauca, Caquetá, Huila, Putumayo: Dissidents of Fronts 1, 6, 7, 14, 15, 29, 32, 40, 48, 49 and 63 form groups such as GUP, La Gente del Orden, Los Comuneros and [translation] "others with no clear designation."
- Departments of Arauca and Norte de Santander: Ex-combatants of the FARC-EP's Front 33 have formed dissident groups, particularly in Norte de Santander where they have established ties with an EPL group in the municipality of Tibú.
- Pacific Coast: In the department of Nariño, FARC-EP dissidents are disputing the influence in the Port of Tumaco with the ELN and the AGC. Confrontations with the ELN have intensified in the north of the department of Cauca (including the municipalities of Miranda, Caloto, Corinto, Buenos Aires and Morales), and in the south of Valle del Cauca (including the municipalities of Jamundí, Pradera and Florida).

- The dissidents of the FARC-EP are also reportedly operating in the departments of Boyacá and Casanare. ⁸²

Pares notes that FARC-EP dissident groups are reportedly engaging in extortion, kidnapping, deploying IEDs against security forces, selling coca paste, and controlling drug trafficking routes, including to Venezuela and Brazil. In the department of Guaviare, FARC-EP dissidents have reportedly limited the access of humanitarian organizations to rural areas. ⁸³

2.3 Dissidents of the EPL

The EPL emerged in 1967 as the armed wing of the Colombian Communist Party and adopted a Maoist ideology. ⁸⁴ InSight Crime indicates that in March 1991, 2,200 members of the EPL demobilized and formed a political party called Hope, Peace and Liberty (Esperanza, Paz y Libertad). However, a group of guerrilla fighters from the EPL rejected the peace agreement and formed a dissident group, which is called "Los Pelusos by authorities." ⁸⁵ The dissidents of the EPL are classified by authorities as BACRIM. ⁸⁶ Similarly, the ELN considers the EPL a non-revolutionary group due to its ties with narco-paramilitary organizations. ⁸⁷ The EPL is commanded by "Pepe" (for political matters) and "Pácora" (for military matters). ⁸⁸ The estimated number of combatants varies among sources, ranging between 200 ⁸⁹ and 400 ⁹⁰; most of them are young people under the age of 25 with little military or political training. ⁹¹

Although the dissident movement of the EPL has better weaponry than the ELN due to its ties with drug trafficking organizations, it has less offensive capacity due to the weakening of its structure. ⁹² After the death of its leader "Megateo," the EPL failed to consolidate as a group and its structure is made up of small groups, with differences among them. ⁹³ The EPL is composed of six [translation] "armed commissions" with presence in several municipalities in the department of Norte de Santander, and an "urban commission" in the city of Cúcuta. ⁹⁴

2.4 Paramilitary Groups

The precursors of modern paramilitary groups emerged in the 1980s as self-defence groups for drug lords against guerrilla kidnapping and extortion. ⁹⁵ In 1997, the United Self-Defence Forces of Colombia (Autodefensas Unidas de Colombia, AUC) emerged as a right-wing umbrella confederation of paramilitary groups operating in Colombia, ⁹⁶ with linkages to the army and some political circles. ⁹⁷ In 2003, the AUC signed an agreement with the government to demobilize, and although 32,000 paramilitary troops demobilized, some of them joined new paramilitary successor groups, referred to as BACRIM by the government. ⁹⁸ These groups continue to engage in widespread abuses such as killings, disappearances and rape. ⁹⁹

The Office of the Ombudsperson's Alerta Temprana No. 026-18 indicates that paramilitary groups are present in [translation] "vast areas" of the departments of Antioquia, Caldas, Casanare, Cauca, Chocó, Córdoba, Guaviare, Magdalena, Meta, Nariño, Putumayo, Risaralda,

Sucre, Valle del Cauca, and Vichada, and in the metropolitan area of Cúcuta and the region of Magdalena Medio. There are also a variety of groups that exploit legal and illicit economic activities and are responsible for human rights violations. ¹⁰⁰

The same source indicates the following regarding the presence of paramilitary groups in the country:

- Caribbean region: Los Pancheca, which operates in Santa Marta and Sierra Nevada de Santa Marta, and has established alliances with paramilitary groups from other regions in Colombia, such as Los Paisas, Águilas Negras and Los Rastrojos, to control territory and trafficking routes along the border with Venezuela, particularly the departments of Guajira, César and Bolívar.
- North-West: Expansion of the AGC in the departments of Chocó, Antioquia, Risaralda and Caldas, where it took over regional organizations such as La Oficina de Envigado and La Cordillera.
- South-West: Presence of the AGC in Valle del Cauca, La Constru in Putumayo, and other local paramilitary organizations in Cauca, Caquetá, Nariño, Putumayo and Valle del Cauca.
- Centre-East: Expansion in the outskirts of metropolitan areas and rural areas of the departments of Meta, Vichada and Guaviare of the AGC, Águilas Negras, Puntilleros, Bloque Meta, Libertadores del Vichada, and Autodefensas de Meta, Guaviare and Vichada.
- North-East: Consolidation of armed groups in Norte de Santander, and dispute of border areas between AGC, Los Rastrojos, and ELN.
- Magdalena Medio: Expansion of the AGC's Bloc Herlin Pinto Duarte and Luis Fernando Gutiérrez Front in the municipalities of Barranco de Loba, San Martín de Loba, Pinillos, Tiquiso, Achí, Montecristo and San Jacinto del Cauca.
- Casanare: Presence of a variety of paramilitary groups, including Autodefensas Campesinas de Casanare, Águilas Negras, Los Carranceros, Renacer de los Buitragueños, Los Rastrojos, Libertadores del Vichada, Bloque Meta and Los Puntilleros. ¹⁰¹

3. Main Targeted Profiles

According to Human Rights Watch, since the demobilization of the FARC-EP, "[h]uman rights defenders, trade unionists, journalists, indigenous and Afro-Colombian leaders, and other community activists face death threats and violence, mostly from guerrillas and successor groups. Perpetrators of these abuses are rarely held accountable." ¹⁰²

The situation of social leaders and human rights advocates is described as [translation] "critical" or "serious" by the Office of the Ombudsperson. ¹⁰³ The Office of the Ombudsperson's Alerta Temprana No. 026-18 listed 345 organizations operating in Colombia that are [translation] "at risk" of violence being committed against them. ¹⁰⁴

The main targeted profiles are of social leaders who denounce the presence of armed groups, ¹⁰⁵ promote the substitution of [illicit] crops, advocate for land restitution, promote the rights of sexual minorities, participate in politics, ¹⁰⁶ advocate for the implementation of the peace accord, ¹⁰⁷ community leaders, former members of the FARC-EP, witnesses before the JEP, and environmentalists. ¹⁰⁸

In its Alerta Temprana No. 026-18, the Office of the Ombudsperson identified the following as the [translation] "most vulnerable groups" due to their activities in the context of the armed conflict, notwithstanding stating that social leaders in Colombia cover a wide range of areas and a "leader" can refer to individuals who belong to one or more organizations at the local or national levels, for example:

- Communal leader (*líder comunal*)
- Community leader (*líder comunitario*)
- Land restitution leaders
- Leaders of peasant (*campesino*) organizations
- Leaders of women's organizations
- Leaders of Afro-Colombian organizations
- Indigenous leaders
- Union leaders
- Environmental leaders
- Social leaders
- Leaders of victims and displaced persons
- Leaders of youth organizations
- Leaders of cultural organizations
- Leaders of sexual and gender minorities' organizations
- Leaders of health organizations
- Leaders of artisanal miners
- Human rights advocates and lawyers
- Leaders of NGOs
- Student leaders
- Public servants who work in the area of defending human rights, such as municipal ombudspersons (*personeros*). ¹⁰⁹

Targeting of these profiles by armed actors is motivated by the drive to eliminate threats to their interests by social leaders whose social/community involvement concerns issues such as:

- Conflicts associated with changes in the use of land and natural resources, including the protection of the environment and the exploitation of mineral resources.
- Implementation of the peace accord [between the national government and the FARC-EP], especially the components on the substitution of illicit crops and the creation of local development plans.
- Land restitution and the return of displaced people to their lands.
- Defense of the land vis-à-vis private interests.
- Complaints or reports related to drug dealing, the presence of armed actors, and the utilization and recruitment of children and adolescents in peripheral areas of urban

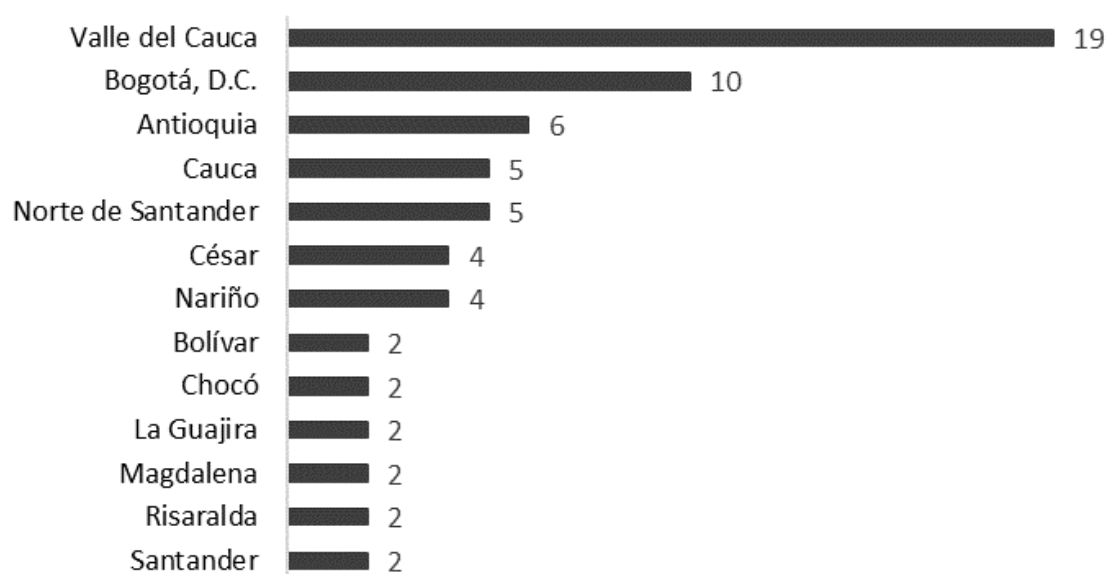
centres.

- Complaints regarding the use of public funds.
- Access to political participation in elections. ¹¹⁰

3.1 Statistics on Attacks and Threats

CODHES reported that between 1 January 2019 and 28 February 2019, 72 attacks ¹¹¹ were reported against social leaders. ¹¹² The highest numbers by department are as follows:

Departments with the Highest Number of Reported Attacks Against Social Leaders 1 January 2019 to 28 February 2019 ¹¹³

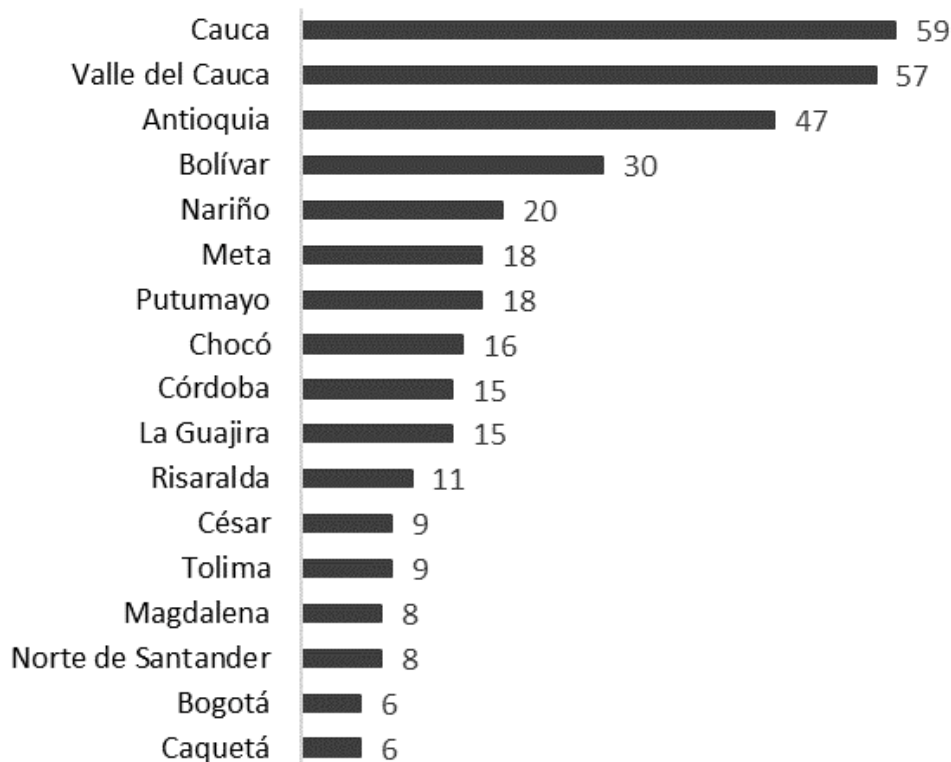


Source: CODHES (SISDHES)

► Alternate format

In 2018, 378 attacks were reported against social leaders, including 49 against Afro-Colombians and 94 against indigenous leaders. ¹¹⁴ The departments with the highest numbers of reported attacks were as follows:

Departments with the Highest Number of Reported Attacks Against Social Leaders 1 January 2018 to 31 December 2018 ¹¹⁵



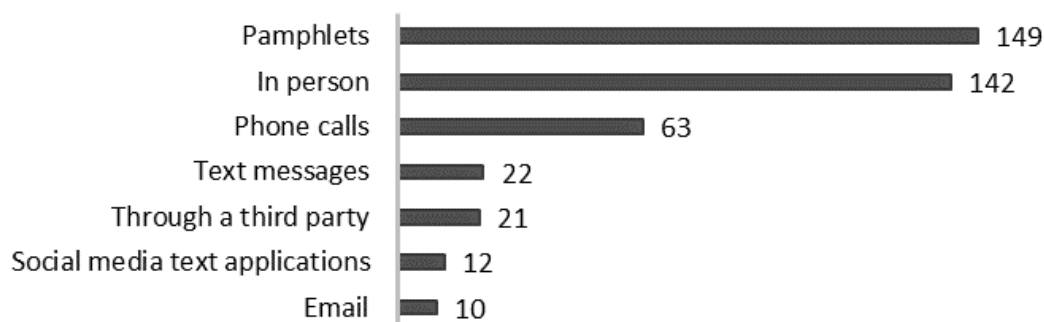
Source: CODHES (SISDHES)

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In 2017, the Office of the Ombudsperson received 480 complaints regarding threats against social leaders and human rights defenders, the majority of which were in the Urabá region (72), Cauca department (49), Antioquia department (31), Bogotá (28), Magdalena department (27), Cundinamarca department (26), César department (23), Boyacá department (23), Magdalena Medio region (22), and Sucre department (22). ¹¹⁶

3.1.1 Methods

Threats to targeted persons are issued in different ways. According to the Office of the Ombudsperson, the following were among the ways social leaders received threats reported in 2017: ¹¹⁷



Source: Office of the Ombudsperson, SAT

► Alternate format

A former official of the Office of the Ombudsperson indicated that, based on her previous work experience, one of the ways armed actors threaten people is by visiting them and informing them that they have a certain amount of time to leave. The same source also indicated that threats against some teachers have consisted of the delivering of funeral wreaths, sometimes to their schools. ¹¹⁸

3.2 Killings

The Office of the Ombudsperson indicates that 462 social leaders and human rights advocates were killed between 1 January 2016 and 28 February 2019. ¹¹⁹

CODHES reported the killing of 24 social leaders between 1 January 2019 and 28 February 2019. The numbers of homicides of social leaders by department were as follows: Antioquia (5), Nariño (4), Norte de Santander (3), Valle del Cauca (2), and Bolívar, Caquetá, Cauca, Chocó, Córdoba, La Guajira, Magdalena, Meta, Putumayo and Santander (1 each). ¹²⁰ In 2018, 145 killings were reported against social leaders, including 21 against Afro-Colombians and 30 against indigenous leaders. ¹²¹ The killings took place in the following departments:

Killings of Social Leaders in 2018 by Department ¹²²

Department	Number of Homicides of Social Leaders
Antioquia	30
Cauca	26
Putumayo	15
Córdoba	10
Nariño	8
Valle del Cauca	8
Norte de Santander	7
Meta	6
Caquetá	5
César	4
Chocó	4
Bolívar	3
Sucre	3

Department	Number of Homicides of Social Leaders
Huila	2
Magdalena	2
Quindío	2
Tolima	2
Arauca	1
Atlántico	1
Boyacá	1
Guaviare	1
La Guajira	1
Risaralda	1
Santander	1
Vichada	1
Total	145

The Office of the Ombudsperson's Alerta Temprana No. 026-18 indicates that between 1 January 2017 and 27 February 2018, 148 social leaders were killed in the country. ¹²³

Number of Homicides of Social Leaders 1 January 2017 to 27 February 2018 ¹²⁴

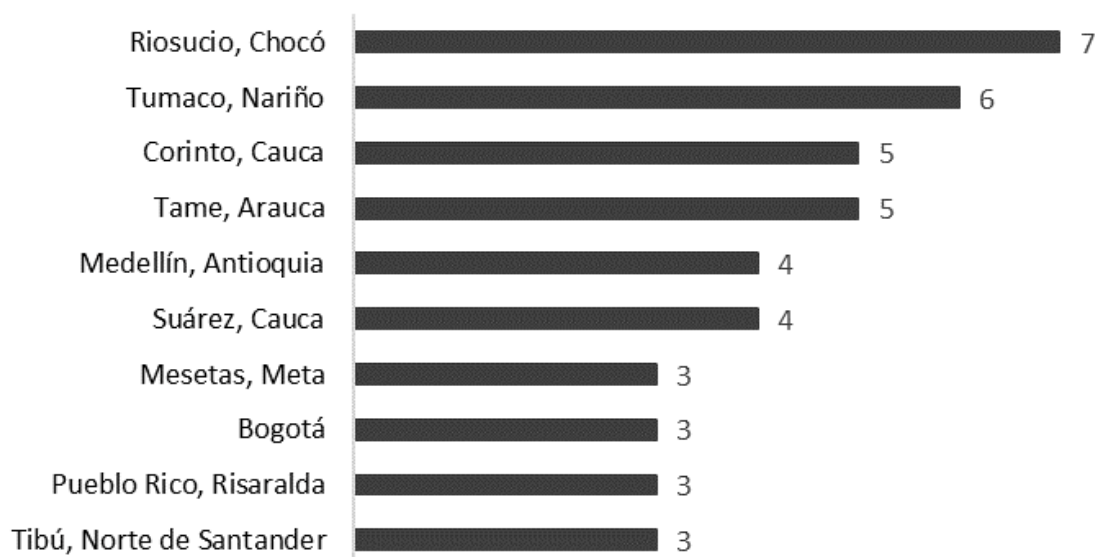


Source: Office of the Ombudsperson, SAT

► Alternate format

The majority of homicides occurred in remote rural areas (47), followed by rural areas (36), semi-rural areas (33), metropolitan districts (18), and cities (14). ¹²⁵ The municipalities with the highest number of homicides of social leaders during the same period were as follows:

Localities with the Highest Number of Homicides of Social Leaders January 2017 to February 2018 ¹²⁶



Source: Office of the Ombudsperson, SAT

► Alternate format

Bolívar, Cartagena and Cúcuta, Norte de Santander each had 2 homicides recorded for the same period of January 2017 to February 2018. ¹²⁷

4. Displacement

According to Human Rights Watch, Colombia has had a long history of displacement: "[v]iolence associated with the conflict has forcibly displaced more than 7.7 million Colombians since 1985, generating the world's largest population of internally displaced persons (IDPs)." ¹²⁸

The representative from the Victim Assistance and Comprehensive Reparation Unit (Unidad para la Atención y Reparación Integral a las Víctimas, UARIV) explained that displacement is a phenomenon that is difficult to detect in part because some people do not file complaints and because some consider it a [translation] "common" occurrence. Forced displacement occurs more often in rural areas. However, there is significant underreporting of urban displacement because this type of displacement is more [translation] "surreptitious" and people prefer to remain silent about it. ¹²⁹

According to the OCHA, the causes of mass displacement in 2018 included confrontations among armed actors not involving the armed forces (32 percent), confrontations between the ELN and EPL (33 percent), unilateral actions by the ELN (7 percent), confrontations among armed actors involving the armed forces (7 percent), unknown actors (7 percent), unilateral actions by the dissidents of the EPL (5 percent), unilateral actions by the dissidents of the FARC-EP (3 percent), and other armed groups (6 percent). ¹³⁰

Targeted individuals often move between urban areas. ¹³¹ In affected communities in the Pacific coast area, for example, when an armed actor creates displacement, displaced persons move for short periods of time with relatives or friends living in neighbouring areas and eventually go back to their communities. ¹³² There have been reports of persons being threatened or killed when they return to their place of origin. ¹³³

In urban and metropolitan areas, paramilitary groups operate through local gangs, which have the knowledge of the territory and the capacity to monitor and exercise control of the places where these gangs operate. ¹³⁴

It is estimated that approximately 60,000 people were displaced in 2018, the lowest figure since 1994 and approximately 10 percent as much as in 2002, considered the [translation] "worst year" of the conflict, during which 700,000 people were forcibly displaced. ¹³⁵

Internal Mass Displacement by Year, Numbers and Department, According to the Office of the Ombudsperson ¹³⁶

Year	Mass Displacements	People Displaced	Families Displaced	Departments
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Year	Mass Displacements	People Displaced	Families Displaced	Departments
2017	51	12,841	3,602	Antioquia, Cauca, Chocó, Córdoba, Nariño, Norte de Santander, Risaralda, Tolima, Valle del Cauca.
2018	95	32,190	9,670	Antioquia, Arauca, Cauca, Chocó, Córdoba, Guaviare, Meta, Nariño, Norte de Santander, Putumayo, Valle del Cauca.
[January-February] 2019	8	2,567	824	Antioquia, Cauca, Magdalena, Nariño, Norte de Santander.

Internal Mass Displacement by Numbers and Department Between 1 January and 28 February 2019, According to CODHES ¹³⁷

Department	Number of Displacement Events	People Displaced	Families Displaced
Total	24	9,831	2,039
Nariño	7	816	176
Antioquia	6	6,979	1,405
Norte de Santander	4	1,689	376
Chocó	2	3	3
Caquetá	1	1	1
Cauca	1	200	50
Tolima	1	25	5
Valle del Cauca	1	108	21
Bolívar	1	10	2

Internal Mass Displacement by Numbers and Department Between 1 January and 31 December 2018, According to CODHES ¹³⁸

Department	Number of Displacement Events	People Displaced	Families Displaced
Total	184	53,650	13,326
Norte de Santander	50	16,286	4,394
Nariño	41	9,882	2,480
Antioquia	39	13,947	3,447
Chocó	12	2,566	526
Córdoba	10	2,475	630
Valle del Cauca	8	4,638	955
Cauca	5	2,640	637
Putumayo	5	51	13
Bolívar	4	25	5
Arauca	1	60	15
Boyacá	1	15	3
Caquetá	1	1	0
César	1	1	0
Guaviare	1	70	18
Huila	1	6	1
Magdalena	1	86	19
Meta	1	50	13
Risaralda	1	850	170
Tolima	1	1	0

The Office of the Ombudsperson indicates that displacement also occurs after a social leader is killed. After the killing of Plinio Pulgarín Villadiego, the president-elect of the communal association of Alto Mira San Pedrito (Córdoba), in January 2018, an unidentified armed group summoned its inhabitants to tell them that they had to leave the town by noon. As a result, 425 persons from 133 families from the area were displaced. ¹³⁹

5. Protection

5.1 Victims and Land Restitution Law (*Ley de Víctimas y Restitución de Tierras, LVRT*)

Law 1448 of 2011, also known as the *LVRT*, entered into force on 10 June 2011 to provide assistance and reparation to persons who, individually or collectively, have been victims of the armed conflict since 1 January 1985. ¹⁴⁰ The *LVRT* covers persons who, in the context of the armed conflict, have been victims of the following:

- forced dispossession of lands;
- terrorist acts, attacks, combats, clashes, and assaults;
- threats;
- sexual violence during an armed confrontation;
- forced disappearance;
- forced displacement;
- homicides and massacres;
- landmines, unexploded munitions, and improvised explosive devices;
- kidnapping;
- torture;
- child recruitment;
- bodily injury; and
- psychological mistreatment. ¹⁴¹

The *LVRT* provides for the following assistance to persons recognized as victims:

- Humanitarian assistance, which includes the provision of food, personal hygiene needs, temporary housing and transportation, and emergency medical and psychological assistance.
- Access to elementary and middle schooling, as well as lines of credit with the Colombian Institute of Educational Credit and Technical Studies Abroad (Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior, ICETEX) to pursue post-secondary studies.
- Access to healthcare and services such as hospitalization, medicines, laboratory tests, imaging, transportation, sexual and reproductive rights, and abortion under the terms stipulated by Colombian law. ¹⁴²

Additionally, the *LVRT* provides emergency humanitarian assistance to persons who have become victims within the previous three months [preceding their declaration] ¹⁴³ and provide a declaration before the Public Ministry (Ministerio Público). ¹⁴⁴ The emergency assistance consists of temporary shelter, food assistance, and assistance to return to the place of origin or relocation. ¹⁴⁵

5.2 Victim Assistance and Comprehensive Reparation Unit (UARIV)

The *LVRT* created the UARIV, which coordinates the National System for Comprehensive Victim Support and Reparation (Sistema Nacional de Atención y Reparación Integral a las Víctimas, SNARIV) ¹⁴⁶ and the resources allocated to provide assistance and reparations to victims of the armed conflict. ¹⁴⁷

5.2.1 Assistance Provided to Victims

In order to access benefits under the *LVRT*, the person must be registered with the Registry of Victims (see section 5.2.2). ¹⁴⁸ Assistance consists of five components: rehabilitation, compensation, reparation, restitution, and guarantees of no repetition. ¹⁴⁹

Rehabilitation: Includes psychological assistance for adults, adolescents and children between 6 and 12 years old. It also provides psychological and social assistance for victims who live in other countries through sessions organized by the UARIV. During sessions, the UARIV carries out symbolic acts to give letters of acknowledgement (*cartas de dignificación*) to victims. This component also provides psychological support to the families of victims of homicide and forced disappearance, including during the search and return of bodies. ¹⁵⁰

Compensation: Consists of a monetary payment made to the victim or the family of the victim, according to the type of the crime committed against them, as follows: ¹⁵¹

Victimizing Act	Amount in COP	Payable to
Homicide	40 SMLMV ¹⁵²	Family members
Forced disappearance	40 SMLMV	Family members
Kidnapping	40 SMLMV	Victim after being released
Injuries with permanent disability	Up to 40 SMLMV	Victim
Injuries that led to [temporary] disability	Up to 30 SMLMV	Victim
Recruitment of children and adolescents	30 SMLMV	Victim

Victimizing Act	Amount in COP	Payable to
Sexual violence, including children and adolescents born from a rape during the armed conflict	30 SMLMV	Victim
Torture or cruel, inhumane or degrading treatment	10 SMLMV; up to 40 SMLMV if the person sustained injuries	Victim
Forced displacement	Between 17 and 27 SMLMVs, up to 40 SMLMVs if the person sustained more than one of the violence act covered	Victims and their families

Someone who is a victim of multiple violations can receive a maximum total compensation of 40 SMLMV. ¹⁵³

Reparation: Consists of measures aimed at [translation] "rebuilding the truth, promoting historical memory and dignifying the victims." These measures include the issuing of letters of acknowledgement and compensation letters, which recognize the condition of the addressee as a [translation] "victim"; exemption from compulsory military service, or cessation if already serving in the military; assistance in the search for disappeared relatives, or identification of the bodies of relatives found; and support to carry out local initiatives related to the commemoration of historical memory. ¹⁵⁴

Restitution: Consists of providing the victim with reparation and restitution of land, housing, lines of credit, and training. It also provides assistance to return to the place from where the victim was displaced, relocation to another part of the country, and integration into the new area of residence. ¹⁵⁵

Guarantees of no repetition: Consists of measures to prevent further violation of victims' rights and [translation] "eliminate and overcome the structural causes of mass violations of human rights." It consists of programs such as demining, prevention of forced recruitment, education on human rights, and effective application of these measures. ¹⁵⁶

A document produced by the UARIV indicates that the UARIV also provides [translation] "humanitarian assistance" to Colombians returning from abroad to re-establish residence. This assistance is provided only to persons who were victims of forced displacement. The assistance can be requested at either a Colombian consulate abroad or at any of the UARIV offices in Colombia. ¹⁵⁷

5.2.2 Registry of Victims

The UARIV manages the Registry of Victims (Registro Único de Víctimas, RUV), which was created in 2011 with the *LVRT* and absorbs an earlier registry of displaced persons ¹⁵⁸ created in 2000. ¹⁵⁹ The RUV includes the declarations made by persons seeking recognition as a [translation] "victim" within the framework of the *LVRT*, as well as information related to the armed conflict produced since 1985. ¹⁶⁰ The declaration is made before the Public Ministry, the Office of the Ombudsperson, and the PGN throughout the country, or at Colombian consulates abroad. ¹⁶¹ For acts that occurred between 1 January 1985 and 10 June 2011, the victims had until 10 June 2015 to file a declaration. For acts committed after 10 June 2011, the victims must file the declaration within two years after the act(s) took place. ¹⁶²

Declarations can be made online, or in paper format where there is no access to the internet. ¹⁶³ Persons filing a declaration are encouraged to present any available documentation as evidence of the commission of the crime. ¹⁶⁴ Local Ombudspersons receive the largest number of declarations (about 82 percent) despite their limited resources. ¹⁶⁵ Small municipalities are particularly affected as they do not have as many resources, unlike cities where there are more places to file the declaration. ¹⁶⁶ The statements, both taken within Colombia and in consulates abroad, are sent to the UARIV in Bogotá where they are given a number and a code. ¹⁶⁷

As of 1 February 2019, 8,771,850 persons have been registered as victims in the RUV. Of this total, 7,026,717 have been deemed eligible for assistance by the national government. ¹⁶⁸

Main Segments of the Population Included in the RUV ¹⁶⁹

By Gender	Number of Victims	Percentage
Female	4,397,018	50.13
Male	4,370,966	49.83
Sexual and gender minorities	3,857	0.04

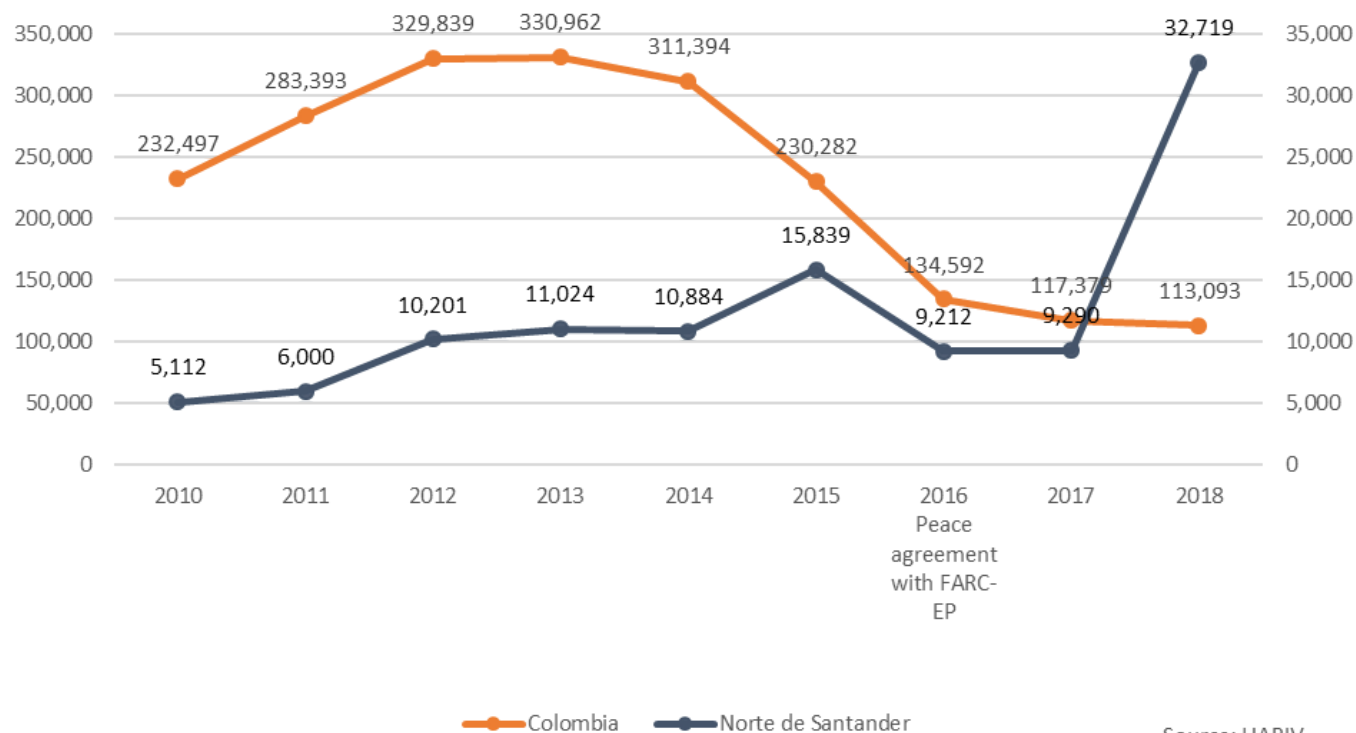
By Age	Number of Victims	Percentage
29-60	3,275,039	37.34
18-28	2,019,720	23.03
12-17	1,076,575	12.27
6-11	881,374	10.05
61-100	881,374	10.01

By Ethnic Group	Number of Victims	Percentage
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By Ethnic Group	Number of Victims	Percentage
None	7,667,527	87.41
Afro-Colombian	841,930	9.60
Indigenous	219,011	2.50

Presumed Perpetrator	Number of Victims
Guerrilla groups	3,465,471
Unknown	3,305,925
Paramilitary groups	1,739,999
Other groups	915,175
BACRIM	448,447
Armed Forces	69,168

The OCHA indicates that, according to statistics provided by the UARIV, the number of persons registered as victims in 2018 was 113,093, which represents an all-time low since 1994. However, the same source indicates that in the department of Norte de Santander, for example, due to the reconfiguration of actors in the armed conflict after the peace agreement with the FARC-EP, the number of persons registered as victims increased from 9,290 in 2017 to 32,719 in 2018: ¹⁷⁰



► Alternate format

Concerning applications submitted from abroad, between the creation of the RUV in 2011 and January 2019, the UARIV has received 12,159 applications for inclusion in the RUV from victims residing in 45 countries. From these applications, 24,501 people were registered in the RUV. The countries with the highest number of persons registered in the RUV are Ecuador (7,310 persons), Venezuela (3,901), Canada (3,175), the US (2,463), Spain (2,562), and Panama (1,377). ¹⁷¹

According to the UARIV, a [translation] "considerable" number of victims do not identify the suspected perpetrator in their declarations as the alleged perpetrators can identify as another actor or not provide any identity of the group at all, depending on the security situation in the area, and the actual perpetrator may strategically change its name when committing acts of violence or a crime. ¹⁷²

Evaluation of the Declaration:

The evaluation of the application takes into account the time, circumstances and place of the events that are narrated in the declaration. ¹⁷³ The UARIV cross-references the information with its own observatory which possesses repositories of historical documentation on the armed conflict. ¹⁷⁴ On occasion, the UARIV contacts the victim so they can provide further details on the declaration. ¹⁷⁵

The UARIV representative indicated that armed actors sometimes seize the identity documents of their victims in order to make it difficult to file complaints. However, the Constitutional Court has ruled that the Public Ministry and Colombian consulates abroad must take the statement of the victim, even when the victim does not have identity documents. The UARIV confirms the identity of the person later. ¹⁷⁶ It is estimated that around 871,699 victims do not have their

identity documents. ¹⁷⁷ The Constitutional Court has also ruled that the UARIV must presume the declarant's good faith, and unless the UARIV proves irrefutably that the declaration is false, the person must be included in the RUV; rejected applicants may also appeal this decision. ¹⁷⁸ The Constitutional Court has further indicated that the UARIV can only recognize a victim as such, without ruling whether an event occurred or not. ¹⁷⁹

The UARIV has 60 working-days to evaluate the declaration and applicants have the right to receive humanitarian assistance provided by municipalities or governorates. ¹⁸⁰ If the applicant is included in the RUV, he or she will be eligible to enter the [translation] "Assistance Road-Map" (*Ruta de Atención*) to access benefits under the *LVRT*. ¹⁸¹ It also indicates that in cases where the application is rejected, the person can file an appeal before the UARIV which will decide within five days. If the appeal is rejected, the person can appeal before the director of the UARIV who will have an additional five days to decide on the second appeal. Whether the application is approved or rejected, the person receives a document that indicates the decision taken by the UARIV. ¹⁸²

The UARIV representative indicated that if a person registers in the RUV fraudulently, the UARIV proceeds with an administrative investigation to exclude the person. As of March 2019, approximately 4,500 people have been excluded from the RUV and there are approximately 33,000 applications being investigated for containing erroneous information which may constitute fraud. ¹⁸³

5.2.3 Effectiveness

The report produced by several government agencies, including the Office of the Ombudsperson et al., indicates that between 2014 and 2017, the Colombian government invested 2.1 trillion COP [C\$809 million] to provide emergency humanitarian assistance to low-income victims of forced displacement. ¹⁸⁴

Between 2014 and 2018, the government assigned 61.2 trillion COP [C\$23.5 billion] for the implementation of the *LVRT*, which was distributed as [translation] "assistance" (76 percent), compensation (14 percent), and institutional costs (7.9 percent). ¹⁸⁵ The national government increased the budget to provide health services and education to victims under the *LVRT* between 2014 and 2017, and eliminated the costs associated with obtaining identity documents for victims. ¹⁸⁶ The report produced by the Office of the Ombudsperson, et al. indicates, however, that the resources to finance the implementation of the *LVRT* are [translation] "insufficient" as the budget required to finance the *LVRT* between 2018 and 2021 is approximately 129 trillion COP [C\$50 billion], which exceeds the government's [projected allotment] of 28.4 trillion COP [C\$11 billion]. ¹⁸⁷

The Office of the Ombudsperson's Alerta Temprana No. 026-18 identified the following regarding the effectiveness of the "Assistance Road-Map":

- Difficulties coordinating national and territorial agencies in order to set procedures for providing assistance to social leaders who are considered at risk, as there is a

[translation] "lack of clarity" regarding the responsibilities for each agency, as well as officials' lack of knowledge on the implementation of these road-maps.

- Contingency plans that are offered by municipalities and governorates [to prevent human rights violations and provide assistance to victims], including emergency relocation programs, are outdated or do not have a budget.
- In some cases, investigations are archived as no perpetrator or criminal motive were found. ¹⁸⁸

The UARIV representative indicated that people sometimes prefer not to file a complaint with the FGN because doing so launches a judicial investigation that may lead to new threats ¹⁸⁹ (see section 5.4 on the Judicial System).

The report produced by the Office of the Ombudsperson, et al. indicates that the number of displaced persons who are returning to their places of origin is unknown and government's initiatives to implement sustainable programs for returnees are [translation] "lacking." ¹⁹⁰ The report estimates that 3,472,453 victims require psychological and social assistance; however, the number of victims who reside in rural areas and may need access to such assistance has not been determined. ¹⁹¹

The report produced by the Office of the Ombudsperson, et al. notes improvements in the housing program for victims under the *LVRT*, which gives preferential access for displaced persons. Under this program, the national government has granted 41,418 housing subsidies to displaced families (56 percent of the total number of subsidies allocated by the national government) and 33,572 housing units (80 percent of the total number assigned). However, the same source notes that due to lack of institutional capacity, 143,412 families who were approved to receive urban housing since 2004 have not yet benefited from the program. ¹⁹² Regarding rural housing, the report indicates that the national government has granted 3,995 housing subsidies out of the 23,000 that were budgeted. The same source notes, however, that the national government does not have an information system that identifies the beneficiaries at each stage of this program. ¹⁹³ Out of the 15,000 families that have been identified under land restitution programs, 10,305 have received their restitution. 63 percent of applications for land restitution have been rejected, the majority of them under legal categories such as [translation] "abandonment" of the process, [lack of] "nexus," and that the situation has been resolved (*hecho superado*). ¹⁹⁴

The report produced by the Office of the Ombudsperson, et al. notes that the national government has a program to assist victims in accessing post-secondary education. However, out of the 80,136 who were registered in this program, 3,243 (4 percent) had access to a student loan. Some of the applicants had to apply for a line of credit with ICETEX, which usually carry higher financing costs [than the loans provided under the *LVRT*]. ¹⁹⁵

The same report further notes that programs to assist victims to generate income and find employment are [translation] "insufficient" as they only cover 19 percent of those in need of this measure. Additionally, programs aimed at strengthening the skills of registered victims only cover 3.5 percent of the population concerned. The report also states that 759,341 displaced persons

under the *LVRT* have received compensation from the national government and that compensation is pending for 6,207,189. Compensation for victims is dependent on the budget assigned rather than on the right to access it. ¹⁹⁶

5.3 National Protection Unit (Unidad Nacional de Protección, UNP)

5.3.1 Protection Program

The National Protection Unit (Unidad Nacional de Protección, UNP) is a government agency created in 2011 that is responsible for providing protection to individuals, groups or communities who are at risk as a [translation] "direct" consequence of their "activities or political, public, social or humanitarian roles." ¹⁹⁷ The main population groups that the UNP provides protection to are as follows:

- Leaders of political parties and the opposition;
- Human rights advocates;
- Union leaders and activists;
- Leaders or members of ethnic groups;
- Members of the [translation] "medical mission" ¹⁹⁸;
- Witnesses or victims of violations of human rights and international humanitarian law;
- Journalists;
- Victims of the armed conflict and land claimants;
- Current and former public servants responsible for activities related to human rights;
- Leaders of armed groups who demobilized in 1994 and 1998;
- Leaders of the Patriotic Union (Unión Patriótica, UP) party and the Colombian Communist Party (Partido Comunista Colombiano);
- Legal representatives in judicial processes related to the violation of human rights and international humanitarian law; and
- Teachers ¹⁹⁹

The UNP website indicates that protection measures are determined by the UNP based on the following levels of risk:

Ordinary Risk: The risk to which all persons face, under equal conditions, because they belong to a given social group. It generates for the Colombian state the obligation to adopt security measures for the public, but not the obligation to adopt [particular or individual] protection measures.

Extraordinary Risk: Risk that originates as a direct consequence of the person's exercise of their political, public, social or humanitarian activities or roles, or due to the nature of their position. The risk must meet the following criteria:

- Be specific and personal.

- Be concrete, and based on particular and demonstrated actions or events and not on abstract assumptions.
- Be present, and not remote or possible.
- Be significant, that is, that threatens to violate protected legal rights.
- Be serious, of plausible materialization due to the circumstances of the case.
- Be clear and discernible.
- Be exceptional to the extent that it should not be borne by the wider population.
- Be disproportionate, compared to the benefits the person can have from the situation for which the risk is generated.

Extreme risk: Risk that occurs when all the criteria indicated for extraordinary risk are met and that is additionally serious and imminent. ²⁰⁰

The same source indicates that in order to request protection, the person must submit an application form (available online on the UNP website ²⁰¹), a copy of their national identity card (*cédula de ciudadanía*), evidence of membership to one of the population groups of concern for the UNP and, if applicable, the original copy of the complaint filed with relevant authorities. The application and accompanying documents can be submitted via email to the UNP or at any of the offices of the UNP. The estimated application processing times is three months. ²⁰²

The UNP website provides the following information on the process of the evaluation of an application for protection:

Once the application is received, the UNP first evaluates whether the person belongs to the population of concern, as well as the existence of the nexus between the risk and the activities carried out by the applicant. If these conditions are met, an analyst from the Technical Unit for Compilation and Analysis of Information (Cuerpo de Recolección y Análisis de la Información, CTRAI) starts the risk assessment by interviewing the applicant and obtaining signed consent from him or her. The CTRAI analyst performs a field study to verify and collect additional information. The CTRAI submits a report on its findings to the Preliminary Assessment Unit (Grupo de Valoración Preliminar, GVP), which assesses the applicant's level of risk. The risk assessment is completed in 30 days. The GVP submits a report to the Committee for Risk Assessment and Recommendation of Measures (Comité de Evaluación de Riesgo y Recomendación de Medidas, CERREM), which validates the level of risk and recommends to the Director of the UNP the provision of protection measures to the applicant. ²⁰³ In order to implement the protection measures, an agreement that indicates the protection measures assigned is concluded between the UNP and the applicant. Protection measures are subject to re-evaluation. ²⁰⁴

The Director of the UNP also has the ability to grant, without the need of a formal risk assessment, [translation] "emergency" protection measures when the risk is "imminent and exceptional." A formal risk assessment is done after the initial protection measures have been granted in order to adjust or modify the existing ones. ²⁰⁵

5.3.2 Protection Measures

Decree 4912 of 2011 (*Decreto 4912 de 2011*) outlines the following protection measures provided by the UNP:

[translation]

Article 11. The following are protection measures:

1. By virtue of risk.

a. Protection model: Composed of the physical and human resources granted to those protected by the Program for their protection.

Type 1: Current individual model to provide security to a single person. Includes:

- 1 regular vehicle
- 1 driver
- 1 bodyguard

Type 2: Individual armoured model to provide security to a single person. Includes:

- 1 armoured vehicle
- 1 driver
- 1 bodyguard

Type 3: Individual model reinforced with bodyguards, to provide security to a single person. Includes:

- 1 regular or armoured vehicle
- 1 driver
- 2 bodyguards

Type 4: Individual model reinforced with bodyguards and vehicle, to provide security to a single person. Includes:

- 1 armoured vehicle
- 1 regular vehicle
- 2 drivers
- Up to 4 bodyguards

Type 5: Group model, to provide protection to a group of two or more people. Includes:

- 1 regular or armoured vehicle
- 1 driver
- 2 bodyguards

Paragraph 1. Under no circumstances may personnel assigned by the National Police to carry out protection work drive the vehicles assigned to the model.

b. Physical resources to support the security models: These are the items necessary for providing the protection service to individuals, and consist of such things as armoured or regular vehicles, motorcycles, bulletproof vests, armoured shields, communication devices and other items that are relevant for this purpose.

c. Means of movement: This resource is granted to a protected person in an attempt to safeguard his/her life, integrity, freedom and security during travel, and may consist of the following:

- International air tickets. This consists of the assignment of an international air ticket to the person protected by the program and, if necessary, his/her family unit; this will be provided as an exceptional protection measure, and will be provided only once, when the level of risk is extreme and the person or family unit is admitted by the receiving country for a period of more than one year.
- National air tickets. This consists of the provision of air tickets on national routes that are granted to the protected person and, if necessary, to his/her family unit when he/she is faced with a situation of risk and must move to an area that offers better security conditions, or when his/her presence is necessary in administrative actions within the framework of his/her protection.
- Support of land, river or ocean transportation. This consists of sums given to the person protected under the program to defray the price of hiring transportation, [and] to provide conditions of security during transit. The amount given to the person protected by the Program to defray transportation costs may not exceed the amount corresponding to four times the current legal minimum monthly wage, for each approved month.

d. Temporary Relocation Support: This consists of a monthly allocation and delivery to the protected person of a sum amounting to one (1) to three (3) times the current legal minimum monthly wage, according to the particularities of the family group in question, to facilitate their settlement in a place other than the risk zone. This payment will be approved for up to three (3) months, and the amount will be determined based on the number of people in the family unit with which the protected person has relocated. This protection measure is in addition to minimum subsistence allowances granted by other government entities.

In exceptional cases, this support may be granted for an additional three months, and for half of the amount initially approved, provided that suitable supporting documents are provided in a timely manner to the effect that the risk situation is ongoing.

e. Moving support: This consists of moving the furniture and household goods of people who must move due to a situation of extraordinary or extreme risk.

f. Communication devices: Communication equipment delivered to the protected person to allow timely and effective contact with State agencies and the Prevention and Protection Program for the purpose of issuing warnings concerning emergency situations, or so that the individual can check in on an ongoing basis to report on his/her security situation.

g. Building security and installation of technical security systems: Consists of comprehensive security elements and equipment for controlling access to buildings owned by the organizations and at which their headquarters are located. In exceptional

cases, these elements may be provided for the residences owned by those protected by the Prevention and Protection Program.

In all cases, this measure will be implemented in accordance with the recommendations of an architectural assessment carried out by the National Protection Unit.

Paragraph 2. Protection measures other than those stipulated in this Decree may be adopted in light of a differential perspective, level of risk, and the territorial factor.

Psychosocial measures may also be implemented in accordance with the provisions of Article 16, paragraph 9, of Decree Law 4065 of 2011.

Paragraph 3. Each of the protection measures shall be delivered with a user manual and the National Protection Unit shall periodically monitor the timeliness, suitability and effectiveness of the measures, as well as the correct use thereof, for which purpose it shall design a suitable follow-up and monitoring system.

... ²⁰⁶

5.3.3 Effectiveness

The 2019 budget for the UNP is 688,747,241,558 COP [C\$275.7 million]. ²⁰⁷

Efforts by authorities to provide protection to social leaders and human rights advocates has been limited. ²⁰⁸

The Office of the Ombudsperson's Alerta Temprana No. 026-18 indicates that in 2017, the UNP received 6,094 applications for protection, of which the risk for 36 was considered [translation] "extreme," 3,773 "extraordinary," and 2,285 "ordinary." Most of the applications for protection were filed in Bogotá (841 applications), and the departments of Valle del Cauca (621), Cauca (566), Antioquia (508), Nariño (422), and Chocó (403). ²⁰⁹ The UNP only manages to provide protection to a [translation] "very low" percentage of those who request it. ²¹⁰

The report by the Office of the Ombudsperson, et al. indicates that the UNP has not established adequate criteria for evaluating the risk of threatened social leaders and human rights advocates, and that the implementation of protection measures has not become more efficient. ²¹¹ The UARIV indicated, however, that the UNP has evaluation parameters that have been modified and shortened over time to accommodate the most serious cases. ²¹²

Risk assessments undertaken by UNP analysts experience delays and, in many cases, the protection measures granted are not proportional to the risk faced by victims. ²¹³

There have been documented cases where the UNP qualifies the risk as [translation] "ordinary" and afterwards the person is attacked or killed by armed groups. ²¹⁴ There are also cases of persons who had been approved for protection measures and are killed while waiting for their implementation, such as the case of Alirio Antonio Arenas, councillor for the town of Convención,

Norte de Santander, who had been threatened by the ELN and was killed on 2 September 2018 while waiting for the implementation of the protection measures that had been approved a month before by the UNP. ²¹⁵

The most common protection measure include regular police check-ins (rounds). ²¹⁶Alerta Temprana No. 026-18 indicates that the application of protection measures is [translation] "inconsistent." The most common example is that of the police rounds which, even though they are supposed to be done daily, in some cases the police officers are absent for several days and when they make their presence, the person receiving protection measures is asked to sign the police round sheet for the missing days. ²¹⁷

5.4 Judicial System

An annual report produced by the FGN indicates that the budget for the FGN for 2018 was 3.3 trillion COP [C\$1.3 billion]. ²¹⁸ In August 2018, the FGN had 2,547,842 active cases, of which 48.9 percent were cases that had been active since before 2016 and 36.7 percent had seen progress (defined as at least one [translation] "important action") in the investigation proceedings. A [translation] "large number" of cases have been suspended and "temporarily inactivat[ed]", since there has not been any progress in the proceedings. ²¹⁹ The FGN annual report indicates that 34 percent of active cases on homicides and 27 percent on sexual violence had their last proceeding more than two years ago, while for the active cases of theft and bodily injury, 34 percent and 33 percent, respectively, had their last proceeding in the last year, which indicates that approximately a third of the active cases for these crimes have not seen any progress. ²²⁰

Evolution of Accusation and Sentencing Rates on Homicides ²²¹

Year	Percentage of cases that led to an accusation	Percentage of accusations that led to sentencing
August 2015-July 2016	23.3	66.7
August 2016-July 2017	27.9	68.2
August 2017-July 2018	26.8	53.7

Evolution of Accusation and Sentencing Rates on Sexual Violence ²²²

Year	Percentage of cases that led to an accusation	Percentage of accusations that led to sentencing

Year	Percentage of cases that led to an accusation	Percentage of accusations that led to sentencing
August 2015-July 2016	19.4	43.5
August 2016-July 2017	21.7	43.4
August 2017-July 2018	23.2	44

On 26 July 2017, the FGN launched ADenunciar, an online application for filing police reports ²²³ for crimes such as theft, break-ins, and extortion. ²²⁴ The FGN annual report indicates that since its launch until August 2018, the FGN received 200,000 complaints from 943 municipalities, of which 180,000 became *notitia criminis*. The complaints received through ADenunciar constituted 13 percent of all complaints received in the country for the same period of time. ²²⁵

The FGN report indicates that on 26 July 2017 it also launched the Contact Centre (Centro de Contacto), a hotline to file police reports without the requirement of appearing in person at an FGN office. The hotline is free of charge, operates 24/7, and covers the national territory through a national line as well as 13 international lines that cover the following countries: Spain, Chile, Mexico, Peru, Dominican Republic, China, Japan, Ecuador, Argentina, Paraguay, United Arab Emirates, Turkey, and the US and Puerto Rico. The Contact Centre has 19 criminologists, two lawyers, one psychologist, four investigators, and two officials working on transitional justice to work with victims of the armed conflict. ²²⁶

5.4.1 Investigation into Cases of Threats and Attacks on Social Leaders

The investigation and prosecution of cases of threats [against social leaders] is [translation] "basically non-existent" given the "high levels of impunity" around these cases. ²²⁷ Alerta Temprana No. 026-18 indicates that out of the 113 cases referred to the Atlántico division of the FGN, for example, only one case is under investigation and it is related to [translation] "alleged self-threats" by a member of the armed forces. ²²⁸

Notes on Interlocutors

Former Official of the Office of the Ombudsperson

Meeting held with the joint delegation in Cúcuta on 7 March 2019.

Jurisdicción Especial para la Paz, JEP (Special Jurisdiction for Peace)

The JEP is the mechanism of transitional justice to investigate former members of the FARC-EP, members of security forces and civilians who committed crimes within the context of the armed conflict. On 6 March 2019, the joint delegation held a meeting in Bogotá with judges of the JEP.

Unidad para la Atención y Reparación Integral a las Víctimas, UARIV (Victim Assistance and Comprehensive Reparation Unit)

The UARIV is a government agency that coordinates the National System for Comprehensive Victim Support and Reparation (Sistema Nacional de Atención y Reparación Integral a las Víctimas, SNARIV) and the resources allocated to provide assistance and reparations to victims of the armed conflict. On 4 March 2019, the joint delegation held a meeting in Bogotá with two officers from the Governance and International Relations Branch.

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Footnotes

- ¹ Colombia 4 Mar. 2019, interview with the UARIV; Human Rights Watch 18 Jan. 2018.
- ² Colombia 4 Mar. 2019, interview with the UARIV.
- ³ Colombia n.d.a.
- ⁴ Colombia n.d.b.
- ⁵ Human Rights Watch 18 Jan. 2018.
- ⁶ FARC n.d.

- 7 DW 22 June 2019; *El Colombiano* 25 June 2019.
- 8 Colombia 6 Mar. 2019, interview with the JEP.
- 9 Colombia 4 Mar. 2019, interview with the UARIV; Colombia 6 Mar. 2019, interview with the JEP.
- 10 Colombia 6 Mar. 2019, interview with the JEP.
- 11 RULAC 4 Dec. 2018.
- 12 InSight Crime 16 Oct. 2018; Colombia 28 Feb. 2018, 30.
- 13 Pares 8 Jan. 2019, 49-50; Colombia 28 Feb. 2018, 31.
- 14 Colombia 28 Feb. 2018, 30-32; Pares 8 Jan. 2019, 27.
- 15 Colombia 28 Feb. 2018, 30-33.
- 16 Colombia 4 Mar. 2019, interview with the UARIV.
- 17 UN 16 July 2019, 9.
- 18 InSight Crime 9 Jan. 2018.
- 19 Agencia EFE 8 Jan. 2018; InSight Crime 9 Jan. 2018.
- 20 Colombia 15 Feb. 2019.
- 21 Colombia Mar. 2019a, 51-57.
- 22 Pares 8 Jan. 2019, 51-53.
- 23 Colombia 6 Mar. 2019, interview with the JEP; Pares 8 Jan. 2019, 8.
- 24 Pares 8 Jan. 2019, 8.
- 25 Colombia 6 Mar. 2019, interview with the JEP.
- 26 Pares 8 Jan. 2019, 8.

- 27 Colombia Mar. 2019a, 8.
- 28 Pares 8 Jan. 2019, 35.
- 29 Pares 8 Jan. 2019, 38.
- 30 Colombia Mar. 2019a, 13.
- 31 Law 599 of 2000 defines [translation] "terrorism" as "the act of provoking or maintaining in a state of anxiety or terror the population or a part of it, through acts that endanger the lives, physical integrity or the freedom of persons or buildings or means of communication, transport, processing or conduction of fluids or motive power, using means capable of wreaking destruction" (Colombia Mar. 2019a, 37).
- 32 The report provided by the Ministry of National Defense indicates that even though a [translation] "subversive act" is not a type of crime, it is a concept used to describe "hostile actions committed by illegal armed groups against the National Police and, in some cases, against the civilian population. These actions include: attacks to police stations, attacks on aircrafts, urban attacks, armed clashes, ambushes, harassment, raids into towns and attacks on towns" (Colombia Mar. 2019a, 39).
- 33 Colombia Mar. 2019a, 37.
- 34 Colombia Mar. 2019a, 39.
- 35 CODHES n.d.a.
- 36 CODHES defines "warlike actions" as: [translation] "a type of violence exerted by insurgent groups or antagonistic factions that fight against the State or against the current social order, where the perpetrated violence is in accordance with the laws or customs of war. This type of action has the objective of maintaining, modifying, replacing or destroying a model of State or society." Actions recognized within this category include road blockings, bombardments, attacks on military objectives, sabotage, captures, ambushes, combats, forced disappearance of agents of the State, and seizures (CODHES n.d.b, 6-7).

- 37 International Humanitarian Law related to armed conflicts [translation] "is an instrument that regulates the conduct of war, limiting the means and methods of warlike actions during conflicts." It includes [translation] "infractions" such as gender-based violence, threats, attacks on road infrastructure, occupations, attacks on religious or cultural assets, kidnapping, torture, arbitrary detention, massacres, taking hostages, and indiscriminate attacks (CODHES n.d.b, 11-13).
- 38 Colombia 17 Aug. 2018, 15, 33.
- 39 Colombia 17 Aug. 2018, 33.
- 40 UN Dec. 2018, 4.
- 41 RCI 22 Jan. 2019; InSight Crime 16 Oct. 2018.
- 42 InSight Crime 16 Oct. 2018.
- 43 InSight Crime 16 Oct. 2018.
- 44 *El Tiempo* 25 Jan. 2019.
- 45 InSight Crime 16 Oct. 2018.
- 46 InSight Crime 16 Oct. 2018.
- 47 La Opinión 20 Jan. 2019.
- 48 InSight Crime 16 Oct. 2018.
- 49 DW 26 Jan. 2019.
- 50 Agencia EFE 9 May 2019; DW 26 Jan. 2019.
- 51 La Silla Vacía 16 Dec. 2018.
- 52 RCI 22 Jan. 2019.
- 53 Pares 8 Jan. 2019, 24.
- 54 InSight Crime 16 Oct. 2018.

- 55 La Opinión 20 Jan. 2019
- 56 InSight Crime 11 Mar. 2019.
- 57 InSight Crime 16 Oct. 2018.
- 58 Colombia 15 Jan. 2018.
- 59 Colombia 15 Jan. 2018.
- 60 Colombia 15 Feb. 2019.
- 61 *El País* 19 Apr. 2018; InSight Crime 16 Oct. 2018.
- 62 *El País* 19 Apr. 2018; DW 18 Apr. 2018.
- 63 InSight Crime 16 Oct. 2018.
- 64 RCI 22 Jan. 2019; DW 21 Jan. 2019.
- 65 DW 21 Jan. 2019.
- 66 InSight Crime 16 Oct. 2018.
- 67 InSight Crime 11 Mar. 2019.
- 68 InSight Crime 11 Mar. 2019.
- 69 For further information on the CLAP, see Response to Information Request VEN106113 of May 2018.
- 70 InSight Crime 11 Mar. 2019; Fundaredes [2018], 15.
- 71 InSight Crime 11 Mar. 2019.
- 72 Colombia 15 Nov. 2018.
- 73 Colombia 15 Feb. 2019.
- 74 Pares 8 Jan. 2019, 49; BBC 8 July 2016.

- 75 BBC 8 July 2016.
- 76 Pares 8 Jan. 2019, 46.
- 77 Pares 8 Jan. 2019, 46.
- 78 Pares 8 Jan. 2019, 24.
- 79 Pares 8 Jan. 2019, 15.
- 80 Pares 8 Jan. 2019, 47.
- 81 An *Alerta Temprana* (Early Warning Communication) is a communication issued by the Office of the Ombudsperson's Early Warning System (Sistema de Alertas Tempranas, SAT) to the national government to advise the possible commission of human rights violations or risk situations faced by groups such as human rights advocates, social leaders, communal associations, women's rights advocates, land restitution advocates and LGBT populations. There are two types of Alertas Tempranas: those of imminent risk, for urgent cases where the Office of the Ombudsperson carries out a risk assessment and requests the government to implement protection measures to mitigate that risk; and cyclical (*coyunturales*), which consists of a set of measures that the government can implement in order to mitigate the risk (Colombia 6 Mar. 2019b, interview with the Office of the Ombudsperson).
- 82 Colombia 28 Feb. 2018, 31-32.
- 83 Pares 8 Jan. 2019, 50-51.
- 84 InSight Crime 14 Mar. 2018.
- 85 InSight Crime 14 Mar. 2018.
- 86 InSight Crime 5 Oct. 2017.
- 87 Colombia 15 Feb. 2019.
- 88 La Silla Vacía 16 Dec. 2018.
- 89 FIP July 2017, 33.

- 90 La Opinión 20 Jan. 2019; La Silla Vacía 16 Dec. 2018.
- 91 La Silla Vacía 16 Dec. 2018.
- 92 Colombia 15 Feb. 2019; La Silla Vacía 16 Dec. 2018.
- 93 La Silla Vacía 16 Dec. 2018.
- 94 La Opinión 20 Jan. 2019.
- 95 BBC 29 Aug. 2013.
- 96 BBC 29 Aug. 2013.
- 97 BBC 29 Aug. 2013.
- 98 BBC 29 Aug. 2013.
- 99 Human Rights Watch 18 Jan. 2018.
- 100 Colombia 28 Feb. 2018, 32-33.
- 101 Colombia 28 Feb. 2018, 33-34.
- 102 Human Rights Watch 18 Jan. 2018.
- 103 Colombia 17 Aug. 2018, 33; Colombia 28 Feb. 2018, 20.
- 104 Colombia 28 Feb. 2018, 20.
- 105 Colombia 4 Mar. 2019, interview with the UARIV.
- 106 Pares 8 Jan. 2019, 15-16.
- 107 Colombia 6 Mar. 2019, interview with the JEP.
- 108 Colombia 6 Mar. 2019, interview with the JEP.
- 109 Colombia 28 Feb. 2018, 20, 28-29.

- 110 Colombia 28 Feb. 2018, 44.
- 111 Attacks include homicides, individual and collective threats, injuries, sexual violence and forced disappearance (CODHES n.d.b, 67-68).
- 112 CODHES n.d.a.
- 113 CODHES n.d.a.
- 114 CODHES n.d.a.
- 115 CODHES n.d.a.
- 116 Colombia 28 Feb. 2018, 47-48.
- 117 Colombia 28 Feb. 2018, 48.
- 118 Former official of the Office of the Ombudsperson 7 Mar. 2019.
- 119 Colombia n.d.c.
- 120 CODHES n.d.a.
- 121 CODHES n.d.a.
- 122 CODHES n.d.a.
- 123 Colombia 28 Feb. 2018, 43.
- 124 Colombia 28 Feb. 2018, 43.
- 125 Colombia 28 Feb. 2018, 42.
- 126 Colombia 28 Feb. 2018, 41.
- 127 Colombia 28 Feb. 2018, 41.
- 128 Human Rights Watch 18 Jan. 2018.
- 129 Colombia 4 Mar. 2019, interview with the UARIV.

- 130 UN Dec. 2018, 3.
- 131 Colombia 4 Mar. 2019, interview with the UARIV.
- 132 Colombia 4 Mar. 2019, interview with the UARIV.
- 133 Colombia 6 Mar. 2019, interview with the JEP.
- 134 Colombia 28 Feb. 2018, 33-34.
- 135 Pares 8 Jan. 2019, 33.
- 136 Colombia n.d.d.
- 137 CODHES n.d.a.
- 138 CODHES n.d.a.
- 139 Colombia 28 Feb. 2018, 44-45.
- 140 Colombia 2011a, Arts. 1-3.
- 141 Colombia n.d.e.
- 142 Colombia 2011a, Arts. 47-54.
- 143 Colombia 3 Feb. 2016, 16.
- 144 Colombia n.d.e.
- 145 Colombia 3 Feb. 2016, 16.
- 146 The SNARIV is made up of public and private agencies that design plans and programs to provide assistance to victims of the armed conflict (Colombia, Mar. 2019b, 20).
- 147 Colombia 2011a, Art. 166, 168.
- 148 Colombia 4 Mar. 2019, interview with the UARIV.

- 149 Colombia n.d.f.
- 150 Colombia n.d.g.
- 151 Colombia n.d.h.
- 152 Current Legal Minimum Monthly Wage (Salario Mínimo Legal Mensual Vigente, SMLMV). For the year 2019, the SMLMV is 828,116 COP [C\$320] (Colombia, 12 Apr. 2019).
- 153 Colombia n.d.h.
- 154 Colombia n.d.i.
- 155 Colombia n.d.j.
- 156 Colombia n.d.k.
- 157 Colombia June 2018, 8-9, 11.
- 158 Colombia 2011a, Art. 154.
- 159 Colombia 2000, Art. 4.
- 160 Colombia 4 Mar. 2019, interview with the UARIV.
- 161 Colombia 4 Mar. 2019, interview with the UARIV.
- 162 Colombia n.d.i.
- 163 Colombia 4 Mar. 2019, interview with the UARIV.
- 164 Colombia n.d.j.
- 165 Colombia 4 Mar. 2019, interview with the UARIV.
- 166 Colombia 4 Mar. 2019, interview with the UARIV.
- 167 Colombia 4 Mar. 2019, interview with the UARIV.

- 168 Colombia Mar. 2019b, 7.
- 169 Colombia Mar. 2019b, 8-10, 15.
- 170 UN n.d., 3.
- 171 Colombia Mar. 2019b, 17.
- 172 Colombia Mar. 2019b, 14.
- 173 Colombia 4 Mar. 2019, interview with the UARIV.
- 174 Colombia 4 Mar. 2019, interview with the UARIV.
- 175 Colombia 4 Mar. 2019, interview with the UARIV.
- 176 Colombia 4 Mar. 2019, interview with the UARIV.
- 177 Colombia 17 Aug. 2018, 45-47.
- 178 Colombia 4 Mar. 2019, interview with the UARIV.
- 179 Colombia 4 Mar. 2019, interview with the UARIV.
- 180 Colombia n.d.e.
- 181 Colombia 4 Mar. 2019, interview with the UARIV.
- 182 Colombia n.d.e.
- 183 Colombia 4 Mar. 2019, interview with the UARIV.
- 184 Colombia 17 Aug. 2018, 43.
- 185 Colombia 17 Aug. 2018, 28.
- 186 Colombia 17 Aug. 2018, 47.
- 187 Colombia 17 Aug. 2018, 27.

- 188 Colombia 28 Feb. 2018, 25-26, 51-52.
- 189 Colombia 4 Mar. 2019, interview with the UARIV.
- 190 Colombia 17 Aug. 2018, 47-48.
- 191 Colombia 17 Aug. 2018, 52.
- 192 Colombia 17 Aug. 2018, 55, 57.
- 193 Colombia 17 Aug. 2018, 57.
- 194 Colombia 17 Aug. 2018, 53-54.
- 195 Colombia 17 Aug. 2018, 59-60.
- 196 Colombia 17 Aug. 2018, 61-63.
- 197 Colombia 26 Apr. 2019.
- 198 The "medical mission" (*misión médica*) is [translation] "the set of goods, facilities, institutions, land, air, fluvial and maritime transport, equipment and materials necessary to carry out the activities for the provision of health services, such as health care, preventive health, health education, administration and support in the provision of health services, pre-hospital and out-of-hospital care, formed in turn by professionals in the health care area and other disciplines, with employment or civil relationship, who perform health care functions, within the context of humanitarian missions in situations or zones of armed conflict or other situations of violence that affect public safety, natural disasters and other calamities" (Colombia 29 May 2019).
- 199 Colombia 26 Apr. 2019.
- 200 Colombia 26 Apr. 2019.
- 201 Available at <https://www.unp.gov.co/wp-content/uploads/2019/03/ger-ft-96-v2-formulario-de-solicitud-de-inscripcion-a-los-programas-de-proteccion-liderados-por-la-unidad-nacional-de-proteccion-ruta-individual.pdf> , accessed 18 Mar. 2020.
- 202 Colombia 23 May 2019.

- 203 Colombia 22 May 2019.
- 204 Colombia n.d.m.
- 205 Colombia 22 Apr. 2019.
- 206 Colombia 2011b.
- 207 Colombia 2 Jan. 2019, preamble.
- 208 Colombia 17 Aug. 2018, 33; Colombia 6 Mar. 2019, interview with the JEP.
- 209 Colombia 28 Feb. 2018, 50.
- 210 Colombia 4 Mar. 2019, interview with the UARIV.
- 211 Colombia 17 Aug. 2018, 34.
- 212 Colombia 4 Mar. 2019, interview with the UARIV.
- 213 Colombia 28 Feb. 2018, 52.
- 214 Colombia 17 Aug. 2018, 34.
- 215 *El Tiempo* 3 Sept. 2018.
- 216 Colombia 28 Feb. 2018, 52.
- 217 Colombia 28 Feb. 2018, 52.
- 218 Colombia 23 Nov. 2018, para. 285.
- 219 Colombia 23 Nov. 2018, paras. 242-243.
- 220 Colombia 23 Nov. 2018, para. 244.
- 221 Colombia 23 Nov. 2018, para. 115.
- 222 Colombia 23 Nov. 2018, para. 129.

- 223 Colombia 23 Nov. 2018, para. 205.
- 224 Colombia 26 July 2017.
- 225 Colombia 23 Nov. 2018, para. 205. For further Information on *notitia criminis* and investigation of criminal complaints, see Response for Information Request COL106338 of July 2019.
- 226 Colombia 23 Nov. 2018, para. 208-209.
- 227 Colombia 28 Feb. 2018, 51.
- 228 Colombia 28 Feb. 2018, 51.
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