

Colombia

LABYRINTHS OF CHANGE

Human Rights, Peace, and Democracy.

A year of progress and challenges

EXECUTIVE SUMMARY

For years, the country's three human rights platforms¹ have been preparing an annual and jointly prepared *National Human Rights Report*. This year, the publication lays out the progress, obstacles, and achievements of the Colombian state to guarantee the population's rights during the first year of President Gustavo Petro and Vice President Francia Márquez's administration.

The publication has four chapters and recommendations. The first chapter takes stock of the legacy left by former president Iván Duque

and highlights the challenges taken on by the Gustavo Petro administration. The second chapter presents an assessment of the government, one year after taking office, in terms of security, peace, the situation of women, water, foreign policy, and challenges related to government opposition. The third chapter is an analysis of the Congress of the Republic and its relationship with fulfilling the current Government Program. The fourth chapter is a reflection on the control bodies and the Comprehensive Peace System. Finally, the publication provides a set of recommendations from the human rights platforms.

CHAPTER I

MASS ACCUMULATED SOCIAL DEBT

In Colombia, inequality has increased in recent years. At the end of Iván Duque's administration, daily food consumption was not guaranteed for 54% of the population; 500,000 children under five years of

age suffered from chronic malnutrition, Latin America's highest labor informality was recorded (57.5%); poverty increased from 26.9% to 39.3%, the Gini index exceeded 0.508, and 23.6% of the youth in Colombia could neither study nor work.

The increase in inequality and poverty was due to manifold factors, including pandemic management, rampant corruption, spending focused on population groups with the

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1. The three platform are: Coordinación Colombia-Europa-Estados Unidos, Alianza de Organizaciones Sociales y Afines, and the Plataforma Colombiana de Derechos Humanos, Democracia y Desarrollo.

greatest purchasing power, and an implementation of social policies that marginalized a majority of the country's inhabitants. Paying off this huge social debt will require enormous efforts and bold social reforms, which will be difficult to achieve in a single term.

This chapter presents four of the conditions that were inherited from the previous administration, which Gustavo Petro's government must address:

- Extreme debt and a commitment of future resources. Public debt went from 36% of the GDP in January 2019 to 57 % in 2022. In parallel, the fiscal deficit went from negative 4.65% of the GDP in 2018, to negative 7.1% in 2021. That has meant that Gustavo Petro's mandate started as the most indebted government in Colombian history.

- Deteriorated security and expanding humanitarian crisis: Non-compliance with the 2016 Peace Agreements signed between the

Colombian State and the FARC insurgency during the Duque administration as well as a reconfiguration of the armed conflict have exacerbated the humanitarian crisis. This is particularly true in ethnic and peasant communities.

- Expansion of drug trafficking and other illegal economies: By the end of the Duque administration, coca crops had increased by 43% and the potential cocaine production rose to 1,400 tons, the highest figure recorded in the last 22 years. Under these conditions, combating drug trafficking and other illegal economies, which are supported by illegal armed groups, is an exhausting legacy.

- Setbacks in the Peace Agreement's implementation: The Duque administration developed the *O*strategy, with minimal connections to the 2016 Peace Agreement. This strategy instead strengthened military powers and demonstrated its aim to paralyze the Agreement's implementation.

CHAPTER II

The second chapter presents an assessment of the government, one year after taking office; in terms of security, peace, the situation of women, water, foreign policy, and challenges related to the opposition.

Narratives and realities on human rights policies in the Petro government

This chapter looks at some of the discussions on the human rights, peace, and security policies that emerged during the first year of the Gustavo Petro and Francia Márquez administration. It assesses the

different interpretations on the policies promoted by the government; it differentiates the actors and their implicit motivations, in addition to noting the obstacles that hinder reforms designed to guarantee citizen rights in Colombia.

The year's political events have given rise to interpretations from both the forces opposing the government and allied political sectors. Others are grounded in the feelings and thoughts of ordinary citizens, or from those who interpret reality from a human rights perspective. The government's political detractors and their perception of the ongoing democratization processes have built a conservative and



catastrophic vision of the government's actions. This narrative responds to the re-arrangement of a right "expelled from the paradise of power" and a sector that has the necessary means to impede the efforts of the "change" government. Government allied sectors have recognized mistakes and that these must be corrected but also emphasize that the government is on a favorable path to transform many of the discriminations and inequities that affect the majorities. An example of this progress is the commitment to fully implement the Truth Commission's recommendations and adopt a National Development Plan that embraces the agendas of Colombia's social movements. The interpretation of the human rights movements and sectors of the grassroots that are fluctuating or undecided regarding the government's actions is similar to the perspective described above, but with a component of concern regarding certain methods used by the government and its allies to advance.

Peace and Security in the Petro Administration

The new government's program has a human rights perspective that is focused on three fundamental areas: The Total Peace Policy, social justice, and environmental justice. The following presents the advances and tensions surrounding the Total Peace Policy, the security and defense policy, and the situation of human rights defenders.

The **Total Peace Policy** is a strategy that seeks to include all actors who exercise violence in the territories. The policy proposes two methods: promoting negotiations with groups of a political nature and establishing socio-legal talks or processes to succumb to the law with high-impact criminal structures. The search for total

peace is an ambitious goal of the current government, with support from broad sectors of the population. However, there is an opposition that seeks to hinder the establishment of the legal framework that is required to advance with these talks, especially with illegal structures that lack a political nature. The legal framework they oppose is expressed in the Subjection Law, the Law to Humanize Prisons, and in sentence reductions.

The **Security and Defense Policy** seeks to change the model of "persecuting the internal enemy" that, thus far, has oriented the idea of security. The change is focused on "human security," which seeks a comprehensive protection of people, nature, and sentient beings. The Minister of Defense has promoted the human security approach in military and police institutions and has managed to stop and reduce deforestation used for criminal activities. However, the implementation of a civilian police force, a commitment included in the Government Program for life and human security, has encountered notable resistance from the state security forces, putting into question the viability of its implementation during this four-year term.

Regarding the **situation of human rights defenders**, the implementation of the Emergency Plan for their protection, in addition to the protection of social leaders and peace signatories, has been slow and incomplete. The government accepted the plan, but there has been a lack of coordination and limited interest from state bodies to implement the plan at the local, regional, and national levels. In the first 12 months of the current administration, **168 social leaders and human rights defenders were murdered**. This means that a social leader is murdered every two days. In the same period, **34 ex-combatants who signed the Peace Agreement were also murdered**. De-



spite the measures in the Emergency Plan and voluntary declarations from several armed groups regarding compliance with a ceasefire, violence against peace leaders and defenders has not diminished.

Women in Colombia: A world power of life

During the Iván Duque administration, the women's agenda faced two trends: invisibility and instrumentalization. Women were used to back a restrictive perspective regarding rights. For the election of Gustavo Petro and Francia Márquez, a discourse focused on equality and a recognition of historically excluded populations helped to secure women's votes.

In the first year of government, structural aspects are emerging in the political agenda that seek to reduce inequality and the oppression of women. This is an opportunity to strengthen and ensure their rights. Noteworthy advances include:

- Incorporating the women's rights agenda in the National Development Plan in the section "Change happens with women."
- Creating the Ministry of Equality and Equity, the functions of which include the management and coordination of efforts to eliminate all forms of violence against women.
- Establishing gender parity in the Cabinet, complying with the gender quota and a 20% increase above what is required by law.
- Approving the statutory bill that seeks to establish national measures to prevent, address, reject, and punish violence against women in politics.

- Regarding peace, a participatory process to build the National Action Plan for United Nations Resolution 1325. Also, the presence of women in the National Participation Council created for dialogues with the ELN insurgency.
- Promoting a participatory process to build the action plan for the new term of the Comprehensive Program on Guarantees for Women Defenders and Leaders. In addition, the inclusion of a feminist perspective in the public policy bill for the National Commission for Security Guarantees.
- Showing interest in creating a feminist foreign policy, co-constructed with parts of the women's movement.

Even with this progress, the need remains to improve aspects that seek to ensure women's broad participation and full enjoyment of their rights. It is recommended:

- Value and incorporate women in all Total Peace initiatives, recognizing their practical skills for negotiation and dialogue, as well as the lessons learned from previous experiences.
- Increase women's participation in the implementation of the Security and Defense Policy.
- Move beyond discussions and preparation to implement the 2016 Peace Agreement, start showing results for women. Specifically, concerning the gender measures.

The road forward for this administration relative to the women's agenda will not be easy: it must address technical, political, and budgetary challenges to make all the proposals a reality.



Water: A living asset for life. The National Development Plan 2022 - 2026

Water is a central aspect of the National Development Plan (NDP) 2022 - 2026, “Colombia, A world power of life.” Its importance is analyzed in five very distinct yet interdependent dimensions.

- **Water as a subject of special protection:** Legal measures arise from the environmental justice area. Of these measures, three can be identified: one is strategic, focused on knowledge and planning; another is the recovery of seriously deteriorated sources; and the third, the prevention of damage.
- **Water as a determining factor in territorial planning and management** (development planning). One of the “Transformation Areas” defined by the NDP notes that “land use planning regarding water” is a determining factor, both in environmental protection and in the areas of greatest interest relative to food production. In addition, water cycles are recognized as decisive in land use planning.
- **Guarantee of access to water (protection of life).** The effort to guarantee access to water is noteworthy in the NDP. It contains measures that seek effective subsidies, program financing, a diversification of means, the prioritization of vulnerable sectors, and a focusing of measures.
- **Community water management (participatory territorial management).** This component seeks to directly benefit social organizations with public procurement methods.

For example, Public-Grassroots Associations and Public-Grassroots Initiative Associations. It also establishes guidelines for the community management of water and basic sanitation.

- **Water, a central issue in the fight against poverty (socioeconomic inclusion).** The prior points constitute pieces of the journey to fight poverty and are measures aimed at overcoming inequality.

Each dimension helps to address water in a comprehensive way and to create a holistic view of this essential element for life in any expression. Each stands alone but in turn and in the respective order, responds to the need for environmental sustainability, development planning, the protection of life, participatory management, and socioeconomic inclusion.

Pillars and Achievements of Colombia’s New Foreign Policy

One year after Gustavo Petro became president, Colombia’s foreign policy shows remarkable changes compared to previous administrations. The president has developed and established an agenda consisting of at least six pillars, marking the difference. Although they are just beginning, positive impacts for the country and the region can already be seen:

- **Reactivation of relations with Venezuela.** A progressive reestablishment of diplomatic, commercial, and cooperation ties between both countries.
- **Climate crisis.** The importance of this issue has been positioned in the common international agenda, highlighting the preservation of the Amazon rainforest.



- **Regional integration.**
- **Strengthening of relations with other countries.** A leading role is being played in calling for the promotion of integration in Latin America as a strategy to face humanity's contemporary crises. Leadership that translates, for example, into being named Presidency of the Community of Latin American and Caribbean States (CELAC) in 2025.

Change in the prohibitionist paradigm of the country's anti-drug policy.

Dynamics in the relationship with the United States. The government has been critical of the United States's current and historic dynamics, but is also aware of its status as a principal partner in many areas.

- **Human Rights.** The Human Rights Council (HRC) approved resolution A/HRC/RES/53/22 to strengthen the guarantee of human rights in Colombia and promote peacebuilding in the country. In addition, the mandate of the UN Mission in charge of verifying the bilateral ceasefire between the government and the ELN guerrilla was extended by means of the UN Security Council Resolution.

Government Opposition: Obstructing without leading

In constitutional terms, the President of the Republic is head of state, head of government, and supreme administrative authority. These functions reflect the president's important capacity for institutional action and decision-making in relation to the four common routes of state action: legitimate coercion, public spending, state knowledge, and the creation of legal norms.

The election of Gustavo Petro and Francia Márquez is often characterized as the first leftist government in Colombia. It was also seen as an event that meant that the political forces that traditionally lead the Executive Branch had lost influence in decision making. The opposition has not waited and has gained ground, above all, using three resources: the scandals of the Petro administration, the objective governance problems, and miss steps that have impacted the image of the president and his government.

However, the opposition political forces lack clear leadership and have neglected the creation of an alternative coalition. Instead of formulating a project of their own, they have focused on hindering the government's progress. In other words, while they have the tactical capacity to wear down the government, they also face strategic attrition.

The opposition has used four strategies to hinder the government's actions:

- **The right takes to the streets:** This political strategy of public demonstrations by the opposition has had a slow and cumulative character. However, it is not yet possible to determine whether the opposition will be consistent and maintain the necessary support to erode the government's popularity.
- **Business discourse, reactionary rhetoric:** Business sectors have used a reactionary rhetoric that seeks to prevent the approval of reforms that guarantee rights.
- **Headless micro-politics:** The opposition has made gradual advances in its discourse and on the streets. However, this has not been complemented by a unified opposition coalition,



nor with the emergence of a leader capable of channeling government disapproval.

- **Immobility and instability:** The current opposition, in this context, is a

symptom of two aspects of the political regime that will surely define the future of the nation in the medium term: a trend towards immobility and potential instability.

CHAPTER III

CONGRESS: BETWEEN ALLIANCES AND EFFECTIVENESS

On 13 March 2022, Congress was elected for the next four years. This generated an expectation of renewal, represented in both chambers by an increase in the number of seats elected under a discourse of change. A total of 57 seats were added. Of these, 29 are new. Women's participation also increased by 9.1% compared to the previous Congress and the traditional parties experienced a significant reduction in the number of seats held. However, even with this new situation, the elected government did not achieve an absolute majority in the Legislative Branch.

In the first months of government, a tax reform and its modification, the expansion and extension of Law 418 of 1997, also known as the Total Peace Law, were approved. However, in April 2023, the majorities in the Legislature broke down.

At the close of the first year of this Congress, different moments in the relationship between the Executive and Legislative branches can be seen. The agenda discussed during this first legislature shows at least three waves of bills:

First wave: Congress received, amid the context of the 2021 social uprising, elev-

en bills presented by the National Strike Committee (CNP) and by the congressional coalition in opposition to the Iván Duque government. Of these, **only one was approved.**

Second wave: After the 2022 elections, Congress received 15 bills, presented during the initial months of the government. **Five bills were approved in the first legislature:** two are legislative acts (the agrarian jurisdiction and peasants as a subject of rights). The authors rescinded the other three bills, including the **political reform.**

Third wave: Bills associated with the government's reform push, in the context of the "Colombia: A world power of life" program. There were 18 new bills for legislative acts and laws but **only two** were approved (the National Development Plan and the 2023 budget addition). Three bills have seen some progress in the debate phase, such as the **pension reform and healthcare reform;** four (**labor reform**, subjugation law, humanizing prisons, and railway code) were shelved due to a lack of progress in the legislature. Congress is a central scenario for political debate regarding the progress or setbacks in the fulfillment of the program proposed by the elected government.



CHAPTER IV

The fourth chapter is a reflection on the judicial and control bodies and the Comprehensive Peace System.

Judicial, investigation, and control bodies in opposition to democratic reforms

The Colombian political system has been said to have excessive control from the Executive. However, in its 212 years as a republic, the legislative and judicial branches have been characterized by endorsing presidential initiatives and at times for not acting with independence and impartiality in relation to the Executive. This meant that the parties that channeled the demands of the dominant economic and political sectors, especially the Liberal Party and the Conservative Party, were never at risk.

With the election of the first progressive president, a person who is outside of the traditional parties and who has a structural reform agenda, there has been a unanimous response from the elites to block this agenda.

This article has three sections on the judicial bodies and their actions in opposition to democratic reforms:

Judicial investigation and control bodies: Siege and deviation from their public role. The strategy of attacking social reforms has been present in recent years, with a counter-offensive from the elites against the agreement between the Colombian state and the FARC-EP, a systematic intensification of violence during the Iván Duque administration, the disapproval of the law to humanize the prisons and reduce sentences, as well as a lack of interest from the current Attorney General to: dismantle criminal structures, investigate cases that involve

political leaders and senior members of the state security forces, and the use of public resources for personal gain. Political, disciplinary, and criminal responsibilities should be assigned as a result of these events, as has happened with other public servants.

Autocracy of Attorney General Francisco Barbosa. This Attorney General plays a very aggressive role within the political opposition to the reformist mandate. He has not demonstrated political independence and has sought to discredit all of the new government's proposals.

Opposition from the Inspector General's Office and the Human Rights Ombuds Office. Both entities have tried to mobilize political parties to prevent the approval of reforms that Gustavo Petro promised to implement. They have acted by investigating, suspending, or dismissing elected public officials.² In addition, Ombudsman Carlos Camargo has been involved in corruption cases and has maintained a veiled campaign against the government's Total Peace proposal.

The high courts have issued decisions that are unfavorable regarding the advancement of the government proposed reforms.

The irruption of progressive forces into political life has prompted both the traditional sectors of state institutions and the de facto economic and media powers to configure a strategy based on concerted action that seeks to prevent the reforms and, above all, to annul any possibility of consolidating a reformist political force that questions the privileges and exclusion that has dominated the country's politics for more than two centuries.

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2. In a clear breach of the the InterAmerican Court of Human Rights (IACHR) mandates.



The Comprehensive Peace System. The 2016 Peace Agreement included the creation of a Comprehensive System composed of three institutions: The Truth Commission, The Search Unit for Disappeared Persons, and the Special Jurisdiction for Peace. The purpose of these institutions is to contribute to the transition from armed conflict to peace.

The Commission for the Clarification of Truth, Coexistence, and Non-Repetition (CEV- Truth Commission) was established as an extrajudicial mechanism, with the objective of contributing to a clarification of the events and causes of the armed conflict. The CEV presented its Final Report on 28 June 2022. The report is an important contribution to the recognition of victims as subjects of rights, making visible the repertoire of violence and its effects on both victims and society. The report formulated 67 recommendations that can operate as guarantees of non-repetition. However, there is a lack of clarity on the current government's plan to implement the recommendations.

The Search Unit for Disappeared Persons (UBPD), a humanitarian and extrajudicial mechanism, is responsible for **carrying out the search and identification of at least 103,955 people disappeared** in the context of the armed conflict. As of May 2023, the Unit has recovered **811 bodies, 12 living persons, and has returned in a dignified man-**

ner the remains of 187 individuals. However, the scope of the search and, above all, that of returning the remains has been minimal compared to the number of disappeared persons.

The Special Jurisdiction for Peace (JEP) is the system's judicial mechanism and its mandate is to investigate, try, and punish the most serious crimes committed during the armed conflict. To date, ten macro-cases have been opened, which group similar macro-criminal patterns based on territorial and behavioral criteria. Of these ten cases, case 001—corresponding to the crime of kidnapping perpetrated by the FARC-EP—and case 003—corresponding to murders and enforced disappearances illegitimately presented as combat casualties by former members of the National Army—have seen important advances. A resolution of conclusions was presented in both cases. However, there is major concern regarding the impunity that could result from the crimes that are not prioritized and/or selected.

Upon reviewing the Comprehensive Peace System's operation, progress in the fulfillment of each entity's mandate is evident. Undoubtedly, this translates into a reduction of some burdens experienced by the victims. However, it is not yet possible to clearly verify the impact that these advances will have on overcoming the armed conflict

RECOMMENDATIONS

RECOMMENDATIONS TO THE NATIONAL GOVERNMENT:

Regarding the Total Peace Policy:

1. Persist in the fulfillment of the 2016 Final Agreement for the termination of the conflict and the construction of a stable and lasting peace, 2016

(hereinafter, Final Peace Agreement). Place special emphasis on the Comprehensive Rural Reform (point 1).

2. In relation to point 1, define, with civil society participation, the objectives



- and implementation of the “System to progressively guarantee the right to food” (numeral 1.3.4.)
3. Comply with the gender measures established throughout the Final Peace Agreement.
 4. Advance in updating the Framework Plan for the Agreement’s Implementation (PMI, numeral 6.1.1).
 5. Effectively implement the Ethnic Chapter with effective and binding participation from High-Level Bodies of ethnic peoples (numeral 6.2.3. f) and women’s initiatives.
 6. Urgently approve, within the framework of the National Commission for Security Guarantees (CNGS, numeral 3.4.3), the public policy and action plan to dismantle structures and behaviors responsible for the murder of human rights defenders, social leaders, and peace signatories.
 7. Maintain and strengthen community dialogue and participation in the territories most affected by the armed conflict and violence for the Final Peace Agreement’s implementation.
 8. Advance in and improve coordination among different policies: Total Peace, the dismantling of criminal structures and behaviors, security, defense and citizen coexistence, and human rights to ensure the non-repetition of violence against the civilian population, especially against the most vulnerable groups.
 9. Ensure that proposals to bring armed criminal structures to justice include full guarantees of truth, justice, reparation, and non-repetition for the victims.
 10. Demand that the armed organizations that are willing to participate in the process completely cease aggressions against civilians, including the recruitment of children, the confinement of communities, and other human rights and international humanitarian law violations.
 11. Take into account several elements related to the National Participation Committee, created in the context of the negotiation with the ELN, to design a citizen participation methodology: first, that protocols for individual and collective reactions be established in its work plan, the importance of which is a function of the risks that may affect civil society participation. The second element is that the approved methodology must guarantee the Committee’s autonomy.
 12. Advance and materialize the *human security* vision that has been emphasized by the women’s and feminist movements.
 13. Advance in a new drug policy for Colombia, with the aim of reducing vulnerabilities associated with the production and use of psychoactive substances and with the capacities of multi-crime organizations.
 14. Generate pedagogical dynamics about the ELN ceasefire in the territories.
 15. Recognize the *humanitarian agendas* created from the territories and include them in the protocols and as urgent humanitarian relief; promptly develop the Peace Regions, the Regional Dialogues, and the Peace Missions.



16. Comprehensively implement the *Emergency Plan to protect the life and integrity of leaders*, taking into account the recommendations from human rights platforms.

To strengthen democracy:

1. Prioritize the relationship and alliances with social movements, they should be pillars in the new national agreement, to promote reforms, and to implement measures for change.
2. Decisively advance in guaranteeing citizen participation.
3. Prioritize the fight against corruption in the management agenda, executing concrete measures.
4. Resume the legislative and public management initiatives contemplated in the seven points of the *Referendum against corruption* to achieve their approval and implementation.
5. Hold a public discussion on the need for a structural reform of state security.
6. In particular, overcome the scenarios of police self-reform. This entity must question its regulatory autonomy on sensitive matters such as regulating the use of force. A public debate should be promoted to critically analyze the previous government's actions on the police transformation, such as the Citizen Security Law, the disciplinary statute, and the creation of the rank of patrol officer.
7. Protect and promote freedom of press and freedom of expression.
8. The Ministry of Foreign Affairs should develop a nomination procedure for appointments to United Nations special procedures and bodies. Also,

provide nominations for positions in the Inter-American Court and Commission on Human Rights and other tribunals.

On guaranteeing human rights:

1. Make political and administrative decisions on social investment, including results-based budget management.
2. Review the legal and constitutional rigidity of the National General Budget.
3. Promptly begin the operations of the Ministry of Equality and its respective specialized vice-ministries. The Ministry should be focused on ensuring an institutional framework that guarantees assistance and a promotion of rights for vulnerable and historically excluded population groups.
4. In relation to the previous point, allocate a budget to each relevant entity so that the regulations and policies can favor gender equality and advance in reducing equality gaps.
5. Design and implement actions related to a feminist foreign policy.
6. Adopt the *recommendations from the Truth Commission report* by means of ministries and other state entities, as an important focus of their work.
7. Encourage the active and effective citizen participation in political decision-making by facilitating grassroots consultations, referendums, prior consultations, and other direct participation mechanisms.
8. Strengthen transparency in public management and access to public information through an online disclosure of relevant information, such as



- budgets, government expenditures, and public contracts.
9. Strengthen effective accountability mechanisms from public officials and public entities of all kinds, including impartial investigations of corruption.
 10. Maintain support to reparations programs for victims of the armed conflict, ensuring their active participation in reconciliation and transitional justice processes and the promotion of dialogue and reconciliation spaces in communities affected by the conflict, fostering trust-building and peaceful conflict resolution.
 11. Advance in agreements on the Comprehensive Public Policy on Guarantees for human rights defenders and social leaders and ensure that the prevention and protection public policy is in line with the prior. Promote the full implementation of the “Emergency Plan for the protection of social leaders, human rights defenders, and peace signatories” and ensure effective coordination among different state agencies at the local, regional, and national levels. Strengthen the National Guarantees Process and the Territorial Guarantees Roundtables, in addition to advancing in their formalization.
 12. Promote the Appeal from Civil Society Organizations on the protection model in Colombia.
 13. Accelerate the implementation of measures to attack hunger in the short term. Overcoming poverty, inequality, and socio-spatial segregation must be the priority of national public policy.
 14. Recognize citizens and social organizations as active agents in the implementation of food and agriculture systems in the 27 food recovery zones announced by the national government through the Colombian Institute of Family Welfare. Include system monitoring and the construction of alternative solutions within this protagonist role.
 15. Continue towards a labor reform that advances Colombian labor rights, guaranteeing social dialogue and democracy in labor relations, stable contracts and formal labor relations for sectors historically excluded from employment opportunities as populations that currently do not enjoy a practical application of their labor rights due to illegal labor intermediation.
 16. Comply with the international recommendations from the International Labor Organization (ILO), the Organization for Economic Cooperation and Development (OECD), the Labor Action Plan with the United States, and the agreements with Canada and the European Union on freedom of association, strengthening labor inspection, and eliminating labor intermediation.
 17. Ensure that the Statutory Law for the Right to Education has components of integration with the bills currently before Congress.
 18. Advance in the issuance of the bill on the Statutory Law to guarantee the right to participation and social protest, as established in the 2016 Peace Agreement.



RECOMMENDATIONS TO CONGRESS:

1. Provide an effective, informed, and public revision of social reforms and legislative initiatives that seek to advance civil, political, economic, social, cultural, and environmental rights in Colombia. For no reason can Colombia approve legislative initiatives that go against ratified international human rights conventions, or others that would signify setbacks in the guarantee of rights.
2. Advance with the legislative initiatives required to effectively and comprehensively implement the Final Peace Agreement.
3. Use the political control work of Congress to monitor the implementation of laws and the fulfillment of functions by state entities to advance in terms of rights and social development.
4. Take up the Truth Commission's call in relation to major electoral issues that are before Congress—such as the Police reform, the profile of the Attorney General's Office, or issues related to drugs—which should be accompanied by effective and solid citizen participation.
5. Honor territorial commitments.
6. Supervise the National Development Plan's implementation, with its indicators of change and social transformation, identifying progress in real time, investment in social policies, and permanent citizen dialogues to assess implementation.
7. Act as guarantors in Accusation Commission, to ensure that all guarantees, celerity, and clarity are granted to the investigations led by that Commission.

RECOMMENDATIONS TO THE INVESTIGATION AND CONTROL BODIES:

1. Coordinate your investigation efforts to lead the state's punitive capacity to impact the criminal networks that economically and politically sustain the armed structures.
2. Facilitate contact, dialogue, and negotiations between the Government and armed organizations, by exercising your constitutional responsibilities.
3. Build, together with the victims of the armed conflict, strong and lasting strategies to investigate the highest responsible parties in serious human rights violations.
4. Fully depoliticize the exercise of your functions and limit relationships with members of Congress to the dialogue held between your offices and the boards of the committees and plenary sessions of the legislative body.
5. Constructively participate in the state coordination spaces to construct the state's criminal policy. In particular, in the Superior Council of Criminal Policy and the National Commission of Security Guarantees.
6. Privilege the guarantee of conventionally recognized human rights, instead of insisting on the defense of institutions that do not recognize fundamental guarantees by design.
7. Acknowledge the systematic nature of violence against human rights defenders, social leaders, women leaders, peace signatories, and historically marginalized communities.
8. It is recommended that the Special Investigation Unit of the Attorney Gen-



eral's Office, as an essential action, present reports on the investigatory advances on attacks against former members of the FARC-EP, homicides against leaders, and massacres; in addition, present an action plan to strengthen investigations and contribute to the dismantling of criminal organizations, in accordance with JEP rulings.

9. Adopt a directive to address hate crimes and violence due to sexual orientation or gender identity.

RECOMMENDATIONS TO THE INSPECTOR GENERAL'S OFFICE:

1. Strengthen ethical and disciplinary oversight of public officials by promoting high standards of behavior and effectively sanctioning ethical misconduct and abuse of power.
2. Ensure an active role in the protection and promotion of human rights by intervening in cases where fundamental rights are at risk.
3. Encourage citizen participation in control and oversight processes, so that citizens can file complaints and be informed about ongoing investigations.

RECOMMENDATIONS TO THE COMPTROLLER GENERAL'S OFFICE:

1. Advance rigorous and periodic audits of public entities to ensure the efficient and transparent use of public resources.
2. Promote transparency in public contracting procedures by facilitating access to information on bids, awards, and contract execution.

3. Invest in education and training for the Comptroller General's Office staff to ensure a solid knowledge of control regulations and procedures.

RECOMMENDATIONS TO THE HUMAN RIGHTS OMBUDS OFFICE::

1. Carry out more follow-up on recommendations from early warnings.
2. Expand the participation of social organizations in the creation of early warnings and invite these organizations to spaces to share information about the early warnings.
3. Strengthen early warning teams in the territories

RECOMMENDATIONS TO THE SOCIAL MOVEMENTS:

1. Sustain and strengthen mobilizations regarding the importance of negotiated solutions to the armed and social conflict in the territories.
2. Use the oversight role to monitor funds allocated to implement strategic transformation programs, such as the peace fund; also, follow up on the monitoring system on the fulfillment of the peace agreements and report favoritism and corrupt practices rooted in the contracting procedures, as well as the allocation and reception of resources.
3. Activate coordination mechanisms between territorial social initiatives. Also, participate in institutional consultation and decision-making spaces, as well as in autonomous spaces, contributing to the execution of programs and public policies on issues included in the National Development Plan.



- 4. Manage expectations related to whether or not this government will be able to overcome structural barriers to access rights.
- 5. Train leaders who will be characterized by having sufficiently collective and inclusive practices.



