



# General Assembly

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## Human Rights Council

### Fifty-sixth session

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Agenda item 10

### Technical assistance and capacity-building

**Albania, Australia,\* Austria,\* Belgium, Chile, Colombia,\* Costa Rica, Croatia,\* Cyprus,\* Czechia,\* Denmark,\* Ecuador,\* Estonia,\* Finland, France, Greece,\* Iceland,\* Ireland,\* Italy,\* Latvia,\* Lithuania, Luxembourg, Malta,\* Montenegro, Netherlands (Kingdom of the), New Zealand,\* North Macedonia,\* Norway,\* Poland,\* Portugal,\* Romania, Slovakia,\* Slovenia,\* Spain,\* Sweden,\* Ukraine,\* United Kingdom of Great Britain and Northern Ireland\* and United States of America: draft resolution**

### **56/... Enhancement of technical cooperation and capacity-building in the field of human rights in Colombia to implement the recommendations of the Commission for the Clarification of Truth, Coexistence and Non-Repetition: follow-up to Human Rights Council resolution 53/22**

*The Human Rights Council,*

*Guided by the purposes and principles of the Charter of the United Nations,*

*Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocols thereto, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention for the Protection of All Persons from Enforced Disappearance and other relevant international human rights conventions and instruments,*

*Recognizing the importance of the recommendations made by the Commission for the Clarification of Truth, Coexistence and Non-Repetition regarding the need to identify and clarify the patterns and causes of human rights violations and abuses as well as grave breaches of international humanitarian law in the context of the armed conflict in Colombia, and of promoting the recognition of victims and survivors and guarantees of non-repetition and contributing to coexistence,*

*Recalling the importance of advancing promptly in the implementation of the above-mentioned recommendations in order to put an end to threats and attacks against human rights defenders, social leaders, ex-combatants and political opposition by public servants, non-State actors and armed groups,*

*Acknowledging the commitment and efforts made by the Government of Colombia, national institutions and civil society in the promotion and protection of human rights and*

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\* State not member of the Human Rights Council.



the consolidation of peace in Colombia, and their commitment to bringing those responsible to justice and prosecuting violations of human rights and breaches of international humanitarian law, and recalling the need to strengthen cooperation and technical assistance to improve policy planning and national, technical and financial capacities to provide effective guarantees, including inter alia through a gender- and ethnic-based approach on the basis of dialogue and consensus with the different sectors and groups,

*Expressing concern* about the obstacles to the effective implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, signed in November 2016 between the Government of Colombia and the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP), and reiterating the importance of the continued and broad support of the international community to the implementation of the Final Agreement,

*Reaffirming* that the effective implementation of the Final Agreement is key to the effective enjoyment of human rights and fundamental freedoms in Colombia,

*Expressing concern* about the continued recruitment and use of children by non-State armed groups and organized crime, including children from indigenous and Afro-Colombian communities and refugee and migrant children, for activities that include extortion, transporting substances or weapons, fighting and sexual exploitation, while noting with appreciation the endorsement of the Safe Schools Declaration by the Government of Colombia and its subsequent adoption of a plan of action for the implementation of the Declaration,

*Noting with concern* that, in his annual report on the situation of human rights in Colombia presented to the Human Rights Council at its fifty-fifth session, the United Nations High Commissioner for Human Rights reported that violence, including sexual and gender-based violence, disproportionately affected rural communities, Indigenous Peoples, people of African descent, and their leaders, as well as human rights defenders,<sup>1</sup>

*Acknowledging* the important work carried out by the United Nations Verification Mission in Colombia, whose mandate was established by the Security Council in its resolution 2366 (2017) of 10 July 2017 and extended by resolution 2673 (2023) of 11 January 2023, and duly noting the reference to obstacles to the implementation of the Final Agreement contained in the report of the Secretary-General on the Verification Mission,<sup>2</sup>

*Welcoming* the first report of the High Commissioner on the enhancement of technical cooperation and capacity-building in the field of human rights in Colombia and his recommendations,<sup>3</sup> presented to the Human Rights Council at its present session, and the report of the international human rights expert and her recommendations on the obstacles to the implementation of the Final Agreement,<sup>4</sup> presented to the Human Rights Council at its fifty-fifth session,

*Recalling* the recommendation made by the human rights expert that the Government of Colombia make every effort to ensure the comprehensive implementation of the Final Agreement, especially with regard to ethnic gender perspectives, in line with the recommendations made by the High Commissioner and those made by United Nations human rights mechanisms,

*Noting* that the international human rights expert recommends the establishment of an entity at the highest governmental level and different from the institution responsible for new dialogues with armed groups, with the authority to lead implementation, convene all institutions and ministries and ensure adequate inter-institutional coordination as well as coordination between different transitional justice public policies, and that it be provided with the human and financial resources necessary to fulfil its mission, while recalling that the Security Council recommended the creation of a dedicated office within the Office of the Presidency to advance the implementation of the Final Agreement,

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<sup>1</sup> A/HRC/55/23.

<sup>2</sup> S/2024/267.

<sup>3</sup> A/HRC/56/71.

<sup>4</sup> A/HRC/55/18.

*Highlighting* the recommendation made by the international human rights expert that the Attorney General's Office prioritize the investigation into the complaint filed by the Special Jurisdiction for Peace in March 2023 and determine the possible criminal responsibilities within a reasonable time, by creating a group of independent experts to assist and provide technical support during the investigation, including through analyses and possible recommended actions, while noting the recommendation made by the international human rights expert that the Attorney General's Office publicly report on the progress and results of the investigation within a year of the publication of the report thereon, without prejudice to legal reserve or deadlines,

*Emphasizing* the recommendation made by the international human rights expert that the Attorney General's Office implement recommendation 32 made by the Truth Commission in its report on installing, with the support of the Office of the United Nations High Commissioner for Human Rights, an independent mechanism to make recommendations on strengthening the integrity, autonomy and independence of the institution, to make a diagnosis of the work of the specialized investigation unit in prosecuting and sanctioning cases, and of its contribution to dismantling criminal organizations, and to make recommendations on improving compliance with its mandate, as defined in the Final Agreement,

*Highlighting* the recommendation made by the international human rights expert that the international community continue to support efforts to comprehensively implement the Final Agreement and the recommendations made by the Truth Commission in its report, ensuring the participation of victims, their centrality, and a gender and ethnic-based approach in all cooperation programmes and actions,

*Welcoming* the technical advice provided by the High Commissioner on international human rights norms, standards and good practices to the Colombian authorities, including during the process of drafting the country's public policy on dismantling criminal organizations that attack the construction of peace, including the so-called successors of paramilitary groups and their support networks; and acknowledging the country's promotion of a territorial approach, which seeks the active engagement of populations of the territories and communities of Colombia to strengthen accountability and to fight impunity, which are fundamental elements in enhancing the protection of children, social leaders and human rights defenders, and in the development of a culture of peace,

*Recognizing* that the public policy on dismantling criminal organizations is of the utmost importance in addressing the structural causes of violence, by safeguarding rights, including a human security approach from a human rights standpoint, and by integrating, inter alia, a gender- and ethnic-based approach, taking into account their different needs while aiming to establish effective guarantees of non-repetition through the presence and comprehensive action of the State,

*Recognizing* that the liquidity situation of the regular budget of the United Nations Secretariat has negatively affected the capacity of the Office of the High Commissioner to step up its technical assistance and capacity-building in the four areas identified by the Human Rights Council in its resolution of 13 July 2023,

1. *Invites* Member and observer States, civil society organizations and all relevant stakeholders to continue to actively contribute to the efforts of the Government of Colombia in the effective implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, including by supporting the work of all institutions involved in the truth, justice, reparation and non-repetition system, and in particular to the efforts to implement the recommendations made by the Truth Commission, the international expert on human rights and the United Nations High Commissioner for Human Rights;
2. *Invites* the High Commissioner to accompany, through the Office of the High Commissioner in Colombia, the implementation of the recommendations made by the international human rights expert in her report, as well as those recalled in the present resolution, and include, in the report to be presented to the Human Rights Council at its fifty-ninth session pursuant to Council resolution 53/22, follow-up to the implementation of those recommendations and of those made in his first report on technical cooperation and capacity-building in Colombia, to be followed by an interactive dialogue;

3. *Also invites* the High Commissioner to include in his report an analysis of the technical assistance and capacity-building provided to national and local authorities and other relevant actors; in line with Human Rights Council resolution 53/22, the High Commissioner, in his report, should pay particular attention to victims and survivors, integrating inter alia a gender- and ethnic-based approach that considers their different needs in the areas of investigations of human rights violations and abuses, breaches of international humanitarian law and corruption, human rights and security sector reform, the protection of social leaders and human rights defenders, ex-combatants and members of the political opposition, the protection of children, the definition and the development of a public policy for a culture of peace with regard to the situation of human rights in Colombia, as stipulated by the Final Agreement;
4. *Reiterates* its request to the Secretary-General that he ensure that the Office of the High Commissioner is provided with all the resources necessary to facilitate the technical assistance envisaged by the Human Rights Council in its resolution 53/22 and in the present resolution;
5. *Decides* to remain seized of the matter.

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