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Technical assistance and capacity-building

Austria,* Belgium, Brazil, Colombia, Costa Rica, Croatia,* Cyprus, Denmark,* Ecuador,* Estonia,* Finland,* France, Germany, Greece,* Honduras,* Iceland, Ireland,* Italy,* Lithuania,* Luxembourg,* Montenegro,* Netherlands (Kingdom of the), Norway,* Portugal,* Slovakia,* Slovenia,* Spain, Sweden,* Switzerland, Ukraine* and United Kingdom of Great Britain and Northern Ireland*: draft resolution

59/... 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

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 signed and ratified by Colombia,

Recalling also Human Rights Council resolutions 53/22 of 13 July 2023 and 56/14 of 11 July,

Recognizing that the full and effective implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, signed in 2016 between the Government of Colombia and the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP), including the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, is essential to advancing human rights and fundamental freedoms in Colombia, and that implementation must be continued with a victim- and survivor-centred approach, through gender- and ethnic-responsive mechanisms, as enshrined in the Final Agreement,

Bearing in mind 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 breaches of international

* State not a member of the Human Rights Council



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,

Taking into consideration that the Commission for the Clarification of Truth, Coexistence and Non-Repetition recommended that national and local governments, as well as public authorities, promote local and regional dialogues that encourage the participation of the various sectors in a national discussion regarding their interests and the role they have played in the armed conflict, that they definitively reject violence as a means of conflict resolution as part of a national pact to exclude violence from politics, and that they seek consensus around the guarantees for a pluralistic, democratic and deliberative regime, which will allow the exercise of politics to be dignified,

Acknowledging the commitment and efforts of the Government of Colombia, national institutions and civil society in the promotion and protection of human rights and the consolidation of peace in Colombia, and their commitment to prosecuting violations of human rights law and breaches of international humanitarian law and bringing those responsible to justice, and recalling the need to strengthen cooperation and technical assistance to improve policy planning and national, technical and financial capacities in order to provide effective guarantees, including through the gender- and ethnic-responsive approach enshrined in the Final Agreement, on the basis of dialogue with different sectors and groups,

Expressing concern at the obstacles to the effective implementation of the Final Agreement, and also at the ongoing human rights violations and breaches of international humanitarian law documented in the report of the international human rights expert tasked with, among other things, identifying the obstacles to the implementation of the 2016 peace agreement,¹ and in the reports of the United Nations High Commissioner for Human Rights,² including the continued presence and territorial control exercised by illegal armed actors and criminal structures, the persistence of sexual and gender-based violence and conflict-related sexual violence, the high number of killings, threats and acts of intimidation against human rights defenders and social leaders, including women, Indigenous and Afrodescendent human rights defenders and social leaders, and former combatants, the widespread, regrettable and increasing forced recruitment and use of children by armed groups, and the persistence of forced displacement and confinement of communities, affecting in particular Indigenous Peoples and people of African descent,

Underlining the importance of ensuring the continuity of the process of enhancement of technical cooperation and capacity-building in the field of human rights in Colombia, in order to support the efforts of the Government of Colombia in addressing the structural causes of violence, by safeguarding rights, including through the implementation of a human security approach from a human rights standpoint, and by integrating the gender- and ethnic-responsive approach enshrined in the Final Agreement, taking into account the different needs while aiming to establish effective guarantees of non-repetition through the presence and comprehensive action of the State,

Underlining also the need for the Government of Colombia and all public authorities, including the legislative and judicial branches, the Special Jurisdiction for Peace and the Office of the Attorney General, to increase efforts to implement the recommendations contained in the above-mentioned reports,³

Emphasizing the importance of developing the Comprehensive Public Policy on Guarantees for the Defence of Human Rights in Colombia and implementing the National Policy for the Dismantling of Criminal Organizations, the 1325 National Action Plan, the Comprehensive Programme of Guarantees for Women Leaders and Human Rights Defenders and the Comprehensive Security and Protection Programme for Communities and

¹ A/HRC/55/18.

² A/HRC/58/24 and A/HRC/59/64.

³ A/HRC/55/18, A/HRC/58/24 and A/HRC/59/64.

Organizations in the Territories in order to ensure a coordinated and comprehensive response to strengthen prevention and protection for human rights defenders and communities,

Recognizing that the Government of Colombia maintains a policy of cooperation and collaboration with international human rights organizations and entities and that the Office of the United Nations High Commissioner for Human Rights has maintained a continuous presence in Colombia since 1997, with a mandate to monitor the human rights situation and provide technical assistance, and noting that the host country agreement signed in January 2023 extends the Office's presence until at least 2032 and entrusts it, inter alia, with fulfilling the role of international guarantor of the human rights approach to the implementation of the Final Agreement, through observation, technical assistance and participation in institutional monitoring mechanisms,

Expressing concern about the negative impact that the limited funding and the liquidity situation of the regular budget of the United Nations Secretariat has had on the capacity of the Office of the High Commissioner to fulfil its mandate in Colombia and, in particular, to step up its technical assistance and capacity-building in the areas identified by the Human Rights Council in its resolutions 53/22 and 56/14,

Having reviewed the report of the international human rights expert on the obstacles to the implementation to the peace agreement,⁴ and the report of the High Commissioner on the situation of human rights in Colombia,⁵

Welcoming the report of the High Commissioner on technical assistance and capacity-building in Colombia,⁶

Having noted in particular the contribution of the Office of the High Commissioner in advising the Government of Colombia on the integration of a human rights perspective into the National Development Plan 2022–2026, on the design of the policy for the dismantling of criminal organizations, and on the National Drug Policy (2023–2033) and incorporating a public health and human rights approach therein, and welcoming the Office's support for institutional measures to strengthen transitional justice, protect human rights defenders and promote a territorial approach that fosters accountability and combats impunity,

1. *Requests*, for a renewable period of two years, the Office of the United Nations High Commissioner for Human Rights to enhance its technical assistance and capacity-building for national and local authorities and other relevant actors, including in coordination with other specialized international entities, in order to assist Colombia in the implementation of the recommendations made by the Commission for the Clarification of Truth, Coexistence and Non-Repetition, which call for particular attention to be dedicated to victims and survivors, including children, by, with regard to the situation of human rights in Colombia, integrating the gender- and ethnic-responsive approach enshrined in the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, which considers the different needs of victims and survivors in the areas of investigations into human rights violations and abuses as well as into breaches of international humanitarian law and corruption, human rights and security sector reform, the protection of social leaders, human rights defenders, former combatants, and members of the political opposition, the protection of children, the definition and development of a public policy for a culture of peace and a drug policy, as stipulated in the Final Agreement;

2. *Also requests* the Office of the High Commissioner to provide technical assistance to the Government of Colombia and national electoral authorities, in accordance with international human rights standards, and in coordination with regional entities as relevant, with a view to adopting effective measures to prevent violence, discriminatory and hate speech, including online, against political leaders and to guarantee the safety and participation of all candidates, political activists and voters, including those belonging to

⁴ A/HRC/55/18.

⁵ A/HRC/58/24.

⁶ A/HRC/59/64.

groups in vulnerable situations and marginalized communities, in particular in regions affected by high levels of violence;

3. *Requests* the United Nations High Commissioner for Human Rights to provide, in relation to the implementation of the mandate on technical cooperation and capacity-building in the field of human rights in Colombia, an oral update to the Human Rights Council at its sixty-second session, and to submit a report to the Council at its sixty-fifth session, to be followed by an interactive dialogue;

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 the present resolution;

5. *Calls upon* the Government of Colombia to adopt appropriate measures to ensure effective inter-institutional coordination at all levels for the practical and comprehensive implementation of the Final Agreement, and in that regard continue to implement the recommendations of the Commission for the Clarification of Truth, Coexistence and Non-Repetition;

6. *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 Commission for the Clarification of Truth, Coexistence and Non-Repetition, the international expert on human rights and the United Nations High Commissioner for Human Rights;

7. *Decides* to remain seized of the matter.
