



REPORT OF THE VIII VISIT OF THE INTERNATIONAL CARAVAN OF JURISTS TO COLOMBIA, 2024

**CHALLENGES IN ACCESSING JUSTICE: ANALYSING ETHNIC AND GENDER APPROACHES IN VICTIM
COMMUNITIES**

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Introduction

The Caravan visited Colombia in August 2024. It focused its efforts on documenting human rights violations in five regions of the country, in a context marked by the intensification of the armed conflict. The delegation was made up of twenty-two jurists from eight European countries, including the United Kingdom, Canada and South America. It focused on challenges to accessing justice, examining the issue using gender and ethnic perspectives and from the viewpoint of victims and peasant communities. The delegation visited regions marked by persistent conflict, including the cities of Tibú and Cúcuta and the departments of Cauca, Valle del Cauca, Magdalena and Bolívar.

The overall objective of the Caravan was to illustrate the challenges faced by lawyers, human rights defenders and the communities they represent as they fight to practice the law freely, pursue justice and construct peace. It aimed to amplify their voices with the intention of supporting them in their concrete actions both in the international sphere and before the Colombian state.

To this end, an analysis was conducted that applied a gender and ethnic perspective to an examination of the challenges in accessing justice, focusing on issues such as the exacerbation of the conflict, persistent impunity, ineffective protection of lawyers and human rights defenders at risk, and the ongoing violation of human rights.

Similarly, a mapping of legal and illegal armed actors involved in human rights violations and the obstruction of justice was conducted in order to evaluate the capacity of the institutions to respond to these dynamics. Finally, the Caravan addressed the actions that lawyers, human rights defenders and their communities are undertaking to resist the conflict and the human rights violations they suffer and to empower grassroots organisations to build peace from below: a positive, albeit imperfect, peace.

Context of the Caravan, with reference to the visit of the seventh mission in 2022

The Caravan visited Colombia in 2024 in a context that showed marked continuity with the situation encountered by the VII Caravan in 2022. At that time, the delegation highlighted the persistence of high levels of violence against human rights defenders and social leaders, the criminalisation of social protest, the risks to judicial independence and the incomplete implementation of the 2016 Peace Accords with the guerrilla group the Revolutionary Armed Forces of Colombia (FARC). Despite the commitment of Gustavo Petro's incoming government to advance with the comprehensive implementation of the Accords, the 2022 Caravan witnessed a reality marked by territorial violence, the wielding of political influence over the justice system and weaknesses in the protection of human rights defenders and legal professionals.

In 2024, the VIII Caravan used gender, ethnic and victim-oriented perspectives to document new dynamics that impede access to justice. Although the Petro government has prioritised its *Paz Total* ("Total Peace"), negotiation processes with a range of armed

groups have been marked by crises, leading to a perception in affected communities that the situation is worsening (INDEPAZ, 2024). The fragility of the justice system, impunity for crimes against social leaders and human rights defenders that oscillates between 87% and 91%, and territorial conflicts in rural and urban areas are still core problems. Together with insufficient resources for the transitional justice system, this generates an uncertain outlook for the consolidation of peace and justice in the country.

The findings of the VIII Caravan highlight an intensification of violence and the exploitation of ecosystems by armed groups and economic actors. However, they also underline community resistance, such as the ecofeminist approach pursued in Santa Marta, the *mujeres buscadoras* (“searching women”) or proponents of indigenous justice in the Valle del Cauca, all of which provide examples of continued struggle in the face of complex territorial conflict and the relative absence of the state.

Methodology

To address the challenging problem of the limited access to justice in Colombia from the perspective of vulnerable populations, a qualitative approach was employed, drawn from critical ethnography. The ethnographic experience was based both on the knowledge and narratives of defence lawyers and the communities involved in the Caravan, as well as on the knowledge of Caravan members who in most cases have worked on human rights in Colombia and in other countries affected by conflicts. The research process combined theory and method to overcome the debate between both (Madison 2011).

The Caravan used tools drawn from Participatory Action Research (Rappaport, 2020 and Lewin et al., 1946) to develop in-depth and semi-structured interviews with lawyers, indigenous and Afro-descendant leaders, academics, judges, government ministers, grassroots human rights defenders and NGOs. Secondary data was collected from national statistical archives, databases on victims, international organisations, media and online maps, notwithstanding the cultural limitations inherent to this data.

The report’s findings are condensed into 2 chapters and the recommendations section. The first chapter presents the challenges affecting access to justice and summarises the experiences of the individuals and organisations that participated in the Caravan in the five regions it visited and at national level. It addresses the principal challenges, including impunity, lack of human rights protection, institutional weakness, the presence of both state and non-state actors and the continual violation of human rights. The second chapter focuses on amplifying the voices of resistance in the five regions visited. It presents emblematic that represent appeals for justice made by grassroots organisations and community empowerment processes, in which the voices of women and indigenous communities are highlighted

Chapter I. Challenges to accessing justice in Colombia

The following sections provide an analysis of the information obtained in the regions and nationally, which enabled us to understand the challenges lawyers, human rights defenders and the communities they represent face when they seek to access justice. Challenges were identified in relation to persistent impunity, risks associated with the defence of human rights, institutional weaknesses, human rights violations and the powerful presence and reconfiguration of armed actors that have impeded access to justice in the country and, as a result, the consolidation of a lasting peace.

1. THE PERSISTENCE OF IMPUNITY

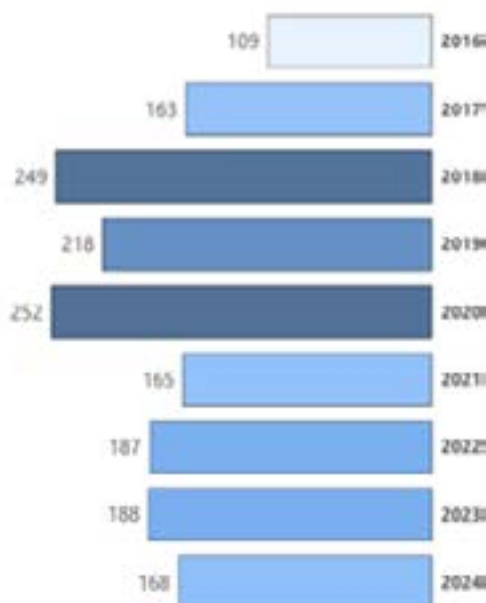
The Caravan witnessed the alarming levels of violence committed against defence lawyers and the communities they represent, which, combined with high levels of impunity for human rights violations committed against this population group undermines ability of victims both to access the judicial system and secure adequate legal representation.



Illustration 1, International Caravan 2024

Figures compiled by INDEPAZ (2024) show that between January 2022 and December 2024, some 356 human rights defenders were murdered: 188 in 2023 and 168 in 2024.

Number of cases per year



Source: INDEPAZ Observatory of Human Rights and Conflicts

A slight decrease in murders is apparent from these figures¹. However, aggressions in general—which include illegal surveillance, the interception of communications and searches of premises—continue to seriously affect human rights defenders and their organisations.

For its part, the Colombian Commission of Jurists has published worrying figures about the persistent levels of impunity for murders and forced disappearances suffered by human rights defenders. The lack of precise details about the perpetrators and the reasons the crimes were commit-

ted, together with the limited number of convictions, demonstrates the absence of significant progress in investigations (CCJ 2024).

Though the messaging of the current government on human rights is positive, its actions do not match its words. In December 2023, the Constitutional Court declared that the violations of the human rights of human rights defenders represented an Unconstitutional State of Affairs because of structural failures in the state's response, such as the lack of effective investigation, and impunity. Additionally, in an October 2023 judgement the Inter-American Court of Human Rights (IACtHR) identified a systematic pattern of risk, which ordered the Colombian state to implement more effective prevention and protection measures (OIDHACO 2024).

Similarly, the 2024 report by the United Nations High Commissioner for Human Rights (OHCHR, 2024) highlights a worrying pattern in which non-state armed groups murder human rights defenders they believe are affecting their interests in an attempt not only to eliminate individual barriers to their goals but also to destroy social projects by fomenting fear in communities and weakening resistance to the social control they exercise.



¹ <https://indepaz.org.co/lideres-sociales-defensores-de-dd-hh-y-firmantes-de-acuerdo-asesinados-en-2024/>

1.1. The justice system is failing women

The Consultoría para los derechos humanos y el desplazamiento (CODHES) analysed the eighth report of the Constitutional Court's Monitoring Committee for Orders 092 of 2008, 009 of 2015, and 515 of 2018 on impunity in cases of sexual violence against women in the context of armed conflict and forced displacement. The report highlights continual and serious violations, revealing an alarming stagnation in the ordinary and transitional justice systems, with 97% of cases remaining in impunity. Only 2% have culminated in convictions, while there has been some progress in 15.6% of cases, principally under the Justice and Peace jurisdiction, which was established as part of the negotiation process with the paramilitaries under the government of Alvaro Uribe Vélez. Of even greater concern is that 47.5% of cases in the ordinary justice system remain inactive and that 66% of proceedings for sexual crimes have not progressed beyond the preliminary stages of investigation (CODHES, 2024).

The Monitoring Committee expressed concern about the failure to identify the perpetrators in 82.6% of cases, noting major inconsistencies, in particular when the Security Forces are implicated, when the perpetrators are still frequently categorized as undetermined. This underscores the difficulty of attributing responsibility for crimes and making progress in judicial proceedings.

In addition, the CODHES report criticises the lack of clarity and coordination between the bodies that are responsible for implementing the Court's orders, indicating that even 16 years after the first order, there is still no clear understanding of the total number of victims. This situation is complicated by poor data collection and ineffectiveness in the protection and rep-



Illustration 2, female leader at the meeting in Cartagena

aration measures ordered.

A similar situation was brought to light by women who attended the Caravan's meetings in the department of Bolívar. In this region, women continue to face multiple forms of revictimisation resulting from the absence of a gender approach both during the investigation phase and in reparation measures. There is a common denominator in the forms of violence against women in the region, reflecting the intrinsic relationship between land dispossession, forced displacement, and sexual violence.



The case of Estebana illustrates this reality: A victim of sexual violence, forcibly displaced on more than one occasion having lost many members of her family to murder, Estebana is an example of how women have to deal not only with direct violence but also institutional negligence. Despite receiving a small amount of financial compensation in 2015, her rights as a displaced person were not recognised, nor was any progress made in investigating those responsible. This perpetuates a system of impunity and injustice. In addition, there is no comprehensive system of care and reparation, the focus being on financial compensation to the exclusion of psychosocial care and symbolic measures with a gender perspective.



The Caravan was able to confirm that access to justice for women victims of sexual violence in Colombia is extremely limited and that it is characterised by inaction and a lack of effective responses, thus perpetuating impunity and negatively impacting the life plans of women and their families.

2. INSUFFICIENT PROTECTION FOR LAWYERS AND HUMAN RIGHTS DEFENDERS AT RISK

Since its foundation in 2008, the Caravan has identified a series of patterns that negatively affect the practice of law and the defence of human rights in Colombia. These are exacerbated by the prolonged social, political and armed conflict, as well as by high rates of impunity. In addition to the lack of jurisdictional and protection guarantees, the judicial backlogs caused by inadequate financial and human resources mean that the fundamental rights to life, liberty, security and integrity of lawyers and of the victims they represent are compromised.

Despite the reduction in the number of attacks and murders against legal professionals since 2016 and the Petro government's commitment to peace, significant challenges persist that hinder the free practice of human rights defence.

An example of the systematic nature of these patterns was observed in the southern part of the department of Valle del Cauca and the northern part of neighbouring Cauca. These contiguous regions are characterised by some of the highest levels of conflict in the country. According to the International Committee of the Red Cross, the department of Cauca recorded one of the highest levels of violent events related to the armed conflict the country during the first five months of 2024², while the Human Rights Ombudsman's Office reported that in 2023³ Valle del Cauca was among the ten departments with

2 ICRC, "La situación humanitaria en Colombia ha seguido deteriorándose en 2024", available at: <https://www.icrc.org/sites/default/files/2024-07/CICR%20Colombia%20-%20Actualizacio%CC%81n%20Balance%20Humanitario%202024.pdf>.

3 Defensoría del Pueblo, "El 2023, un año en que se incrementaron en 43% los conflictos sociales en Colombia", available at: <https://www.defensoria.gov.co/-/el-2023-un-a%C3%B1o-en-que-se-incrementaron-en-43-los-conflictos-sociales-en-colombia#:~:text=Los%20diez%20departamentos%20que%20concentraron,con%20el%204%25%20cada%20uno>



Illustration 3, Meeting in the Nasa reservation (Valle del Cauca)

the highest number of social conflicts in the country. Human rights defenders in the region, including lawyers, face significant risks, threats, stigmatisation and, frequently, isolation.

Lawyers and other human rights defenders working with ethnic communities are placed under surveillance, followed, harassed and threatened by armed groups whose interests their activities affect.

An emblematic case where the defence of collective ethnic rights by ethnic authorities endangers not only the safety of individuals but also the collective wellbeing of communities is that of Rafael Ulcué Perdomo, the Maximum Governor of the Nasa indigenous people. Rafael, who leads territorial defence processes and supports displaced indigenous communities, is an advisor to the indigenous communities of Valle del Cauca and one of the founders of the Organización Regional Indígena del Valle. His life is at serious risk



Illustration 4, Rafael Ulcué, Nasa leader Caravan members

and he has been the target of multiple attacks. He is a beneficiary of precautionary measures ordered by the Inter-American Commission on Human Rights (IA-CHR) in 2010⁴, while the Colombian Constitutional Court and the Council of State⁵ have ruled more than once in his favour in response to tutela actions (writs of amparo) filed to request protection measures with a differential ethnic focus. However,

to date, the relevant state bodies have failed to comply with these orders⁶, with the result that Rafael does not have any effective protection measures in place.

The threats followed the presentation of reports about the ethnocide and forced displacement of the Uka Wesx Thaj indigenous communities of Cali and Kwet Wala of Pradera, Cauca, before the Truth Commission, established under the terms of the 2016 Peace Accords. Rafael and other indigenous leaders have been subjected to surveillance, threats and judicial persecution in an attempt to obstruct their work in defence of ancestral Nasa territories against the mega-projects being developed in the Central Cordillera in which they live. He has also been threatened as a result of his advocacy work on behalf of the displaced indigenous population whose rights to legal recognition and to relocation or return were recognised by the Constitutional Court in its Sentence T-282 of 2021.



In some cases, the provision of legal advice to indigenous communities and raising awareness of the patterns of discrimination they face produces professional risks for lawyers, as certain business sectors seek to discredit activities of this kind to protect their economic interests, even by recourse to the judicial system.

The delegation that travelled to Tibú observed that some human rights defenders have been assigned state protection measures by the National Protection Unit (UNP, for its initials in Spanish). However, these mechanisms are insufficient, as is clear from the numerous targeted killings of community leaders reported in the region each year. The protection measures do not respond adequately to the true context in which human rights defenders operate. For example, mobile phones are delivered in rural areas where there is no coverage, demonstrating a lack of planning and a failure to understand the geographical realities of the region where these leaders operate. Furthermore, evidence has emerged that the UNP has monitored and exerted control over the very people it is meant to protect.



4 Precautionary Measure MC 97-10 (ordered on 13 August 2010), and other orders from the IACHR

5 Judgements of the Council of State and the Constitutional Court (T-525 of 2014 and T-666 of 2017)

6 <https://prensarural.org/spip/spip.php?article26381>



Illustration 5, social leader at the meeting in Tibú

2.1. Disinformation and criminalisation

In some cases, human rights defenders are the targets of disinformation campaigns on social media carried out anonymously or by individuals who enjoy open links with paramilitary groups and state intelligence agencies. This is compounded by the systematic criminalisation of their activities: lawyers, social leaders and human rights defenders are victims of fabricated judicial proceedings, false accusations, arbitrary detentions and even torture, actions that constitute a retaliatory strategy intended to discourage them from engaging in their struggle for justice and fundamental rights.

The case of one of the members of the Equipo Jurídico Pueblos (EJP) demonstrates the ineffectiveness of protection measures. For security reasons, their name is being kept anonymous in this report. Their life and career have been deeply marked by the genocidal process in Colombia. A child of peasant farmers displaced by paramilitaries in the 2000s, their work has been dedicated to defending political prisoners and farmers who—for the most part—have been falsely accused of being guerrilla fighters. From a young age, they have faced numerous barriers to their work as a human rights defender. They have received death threats

from individuals who identify themselves as paramilitaries, threats that increase in number in particular when their work has demonstrated that a case has involved fabricated judicial proceedings. These threats have been extended to their family members, intensifying both the risk and pressure on their personal and professional life

On two occasions, attempts to criminalise them have escalated in an extreme manner. During a protest in 2021, they were tortured and subsequently falsely accused of different crimes, including damage to property, terrorism, riot and personal injury. Despite filing a complaint against the police officers involved, the case was shelved, denying them justice and leaving them in an even more vulnerable position. Furthermore, they are frequently stigmatised as a “guerrilla lawyer”, accused without foundation of passing information to insurgent groups.

This situation highlights several systemic problems in the Colombian justice system, especially for human rights defenders. The presumption of innocence is rarely applied; instead, the accused must prove their innocence, often against unfounded hypotheses advanced by the prosecution. Additionally, they face the problem of ‘overcharging’, when the prosecuting authorities inflate charges by adding serious accusations such as terrorism or subversion. This strategy frequently leads to unfavourable plea-bargaining agreements associated with a slow and overwhelmed judicial system. This situation leaves the accused in a judicial limbo, waiting years for a trial or the possibility of conditional release.



In general, members of the EJP have been subjected to profiling by Colombian state intelligence agencies, with intelligence reports prepared in particular by the National Police’s Criminal Investigation Section (the Sijín) a factor that suggests that judicial proceedings may be being planned.

Another example of high levels of impunity and the absence of appropriate protection measures was observed in the situation of Hugo Escobar a *magistrado auxiliar* [auxiliary magistrate] at the Special Jurisdiction for Peace (JEP)—the transitional justice system established under the 2016 Peace Accords. He is responsible for macro-case No.3, covering extrajudicial executions committed by the Security Forces. The case includes a focus on the municipal cemetery in the town of Dabeiba (department of Antioquia), which is emblematic because it has involved the discovery of mass graves containing the bodies of victims who had been falsely presented as guerrilla fighters by the army. Twenty-two bodies have been recovered and identified in a process that has been deeply emotional and challenging for those who loved them.

The case has also attracted high levels of risk, direct pressures having been applied to the judges involved, including murder attempts, attacks and death threats. Although progress has been made on the case, the officials involved have received scant protection and there has been no progress in the investigations of the threats made against them.

Hugo Escobar and his role in the JEP Hugo Escobar is an auxiliary magistrate at the JEP, whose work is central to Colombia’s peace process. Despite its efforts, peace has been hampered by difficulties in negotiations with other guerrilla groups such as the National Liberation Army (ELN) and by the actions of FARC dissidents. In this volatile context, the JEP has defined 11 macro-cases, each one of which addresses mass violations rather than individual cases, given the vast number of victims (more than 9 million). Recently, Hugo Escobar has been working on macro-case No. 3, investigating the so-called “false positives”, a term that refers to the extrajudicial assassination of at least 6,500 innocent civilians by the army, who were then falsely reported to be guerrilla fighters. His work included supervising exhumations and the identification of bodies, culminating in the delivery of remains to families,

a task that attracted national attention and significantly increased his public profile. Since the army high command began testifying about false positives, Hugo and his colleague have faced serious threats, ranging from intimidating messages to acts of direct violence, such as a shot fired at his colleague in Medellín and the delivery of a mourning wreath to his own place

of residence. These events underscore the extreme risks faced by JEP officials and have resulted in the inclusion of 41 of its judges and prosecutors in the protection schemes run by the UNP.

Not only has this situation impacted Hugo's personal, work and family life, but also his mental health. He continues to live under strict security measures, including the use of a bulletproof vehicle. Although the level of risk he faces has been classified as extraordinary, the UNP has communicated that his protection measures might be removed.



Ilustración 6, Hugo Escobar and Maria Van de Schepop

2.2. Ordinary justice at risk

In the department of Bolívar, the Caravan witnessed the difficult situation facing the judicial branch. In Cartagena, the justice system faces significant challenges, which are exacerbated by the persistent armed conflict and by administrative complexities. In a meeting in Cartagena, the acting mayor, the Administrative Director of the Judicial Branch and the dean of the law faculty at the University of Sinú, highlighted the intersection of human rights with political and social interests, espe-

cially in areas affected by gender-based violence, labour conflicts and the repression of trade unions.

The department faces specific security problems that directly affect judges and the judicial process, particularly in the context of land restitution. Arnaldo Ario, administrator of the justice system in Bolívar, oversees security logistics in 14 municipalities, where judges work with limited support from the police and army.

Despite special protection measures, such as bulletproof vehicles and bodyguards for high-risk judges, violence generated by mining activities and monocrop production is an obstacle to the exercise of rights and precludes access to justice.

Regarding land restitution processes, the Specialized Court of Cartagena faces significant delays in cases that can take more than five years due to their complexity and the insufficiency of formal claims. These delays are aggravated by the scarcity of judges and financial resources, further hindering effective access to justice for people who have been dispossessed of their land and forcibly displaced. In addition, the influence exerted over certain

areas by organised illegal armed groups fosters parallel systems of justice and complicates the administration of the official system. In areas including Montes de María in the north of the department and San Pablo and other locations in the south, where judges and prosecutors have specific protection measures such as bulletproof vehicles, it is impossible to challenge the territorial power exercised by drug traffickers. In the worst cases, judges have to gather evidence in cases in which cartels, drug traffickers and powerful businesspeople are implicated. This has put their lives and personal integrity at risk and evidently impedes the reach of justice.

2.3. The challenge of human rights defence in the area of informational self-determination.

The Caravan confirmed the important work of CAJAR in achieving a judgement of the IACtHR in the case of Members of the “José Alvear Restrepo” Lawyers’ Collective (CAJAR) v. Colombia. This judgement is a milestone in the protection of human rights and the defence of lawyers, establishing a significant precedent in the field of informational self-determination.

This decision recognises the responsibility of the Colombian state for serious human rights violations committed against CAJAR members and their families, including persecution, harassment, threats, intimidation and gender-based violence .

The Court highlighted the importance of the right to informational self-determination from a human rights perspective, defining it as the ability to control and access personal data. This right guarantees other rights including privacy, honour

and access to information, and protects human dignity. The Court indicated that the protection of personal data must be managed through the informed consent of the individual or under a regulatory framework that explicitly authorises data use by public bodies.

One of the most critical aspects identified by the Court is the arbitrary exercise of information gathering, which has been employed to instrumentalise intelligence work against human rights defenders. The Court questioned the legitimacy of intelligence activities, indicating that, though permitted, they should be strictly regulated according to international standards to ensure they do not violate human rights.

The measures ordered by the Court include the purging and declassification of information illegally collected on human rights defenders and their families by the state. Purging should be understood

as an archival practice and as a process to update and correct information, while files produced by state intelligence agencies must be declassified; classification is acceptable only in exceptional cases.

The judgement also orders that all information produced by intelligence agencies should be public, in line with the Transparency Law, except in cases where the classification of information is justified by public interest concerns. These changes are intended to prevent the use of intelligence files to stigmatise, persecute and criminalise human rights defenders.

In conclusion, the judgement not only highlights the importance of protecting lawyers who work in risky circumstances but also establishes a crucial precedent with global reach on the importance of informational self-determination for the defence of human rights. The Inter-American Court has emphasized that archives that are significant in terms of historical memory belong to the affected person, and decisions about their use should be based on the right to informational self-determination.

2.4. Gender gaps in human rights defence

In a meeting in Bogotá between the Asociación Colombiana de Abogados/as Defensores de Derechos Humanos (ACADEHUN) and the Caravan, the challenges that female lawyers encounter in the defence of human rights in Colombia were discussed. Female lawyers face numerous professional challenges, including sexual harassment, both in academia and in the workplace.



Illustration 7, ACADEHUN and Caravan members

Despite a significant presence of women in the judiciary, gender equality remains elusive, evidenced by the normalisation of harassment and gender-based violence. Moreover, there are no specific protections for women engaged in the defence of human rights, reflecting a formulation of these rights from a predominant-

ly male perspective. Although protocols against workplace harassment have been adopted, the effective implementation of policies that guarantee true gender equity is essential if a more just and equitable judicial system is to be achieved.

In a meeting held with several women

human rights defenders, the challenges faced by female lawyers in the field of human rights were expressed. Although the international human rights system encompasses numerous conventions, surprisingly none specifically protects the work of women in the defence of human rights. This gap reflects how, historically, the human rights narrative has been dominated by male figures, leaving female contributions in the background.

The IACHR recognises several obstacles faced by women in the field, including segregation, a notable gender pay gap and gender discrimination, particularly when they also have domestic responsibilities. These barriers are not only unfair but also limit the effectiveness of human rights defence from a gender perspective.

Dora Lucy Arias argues that human rights should serve as containment mechanisms against those who abuse power, regardless of the gender of the defender. She observes that the abuse of power is manifested not only in interactions with communities, but also within human rights organisations themselves and that it disproportionately affects female colleagues.

In this context, the fight for justice must go beyond the simple tool of litigation; it requires a perspective that recognises and addresses gender differences. This implies not only defending rights themselves, but also fighting for justice that is truly inclusive and representative of all who seek it.



2.4.1. Lack of protection from a gender perspective

In the department of Magdalena, the Caravan found that protection measures are granted without applying a gender perspective. In particular, women face constant threats from illegal groups, including paramilitary and guerrilla forces and criminal gangs. Despite the fact that some female lawyers and leaders are included in UNP protection schemes, these are underfunded or scarcely implemented. The lawyers of the *Colectivo de Mujeres al Derecho (COLEMAD)* who represent the women of the *Asociación de Mujeres Productoras del Campo (ASOMUPROCA)*, for example—lawyers who are involved in legal battles for land restitution that exposes them to death threats, making their work increasingly dangerous—do not receive the same protection as their male counterparts.

In Bolívar, the case of Laura Camargo Mercado highlights the absence of protection with a gender perspective. Laura is a prominent leader and human rights defender in Colombia, who faces a situation of extreme risk that underscores the lack of effective protection guarantees for female human rights defenders in the Caribbean region. Laura has been targeted because of her activist role as spokesperson and representative for family members of victims of dispossession and violence perpetrated by the FARC and paramilitary groups. During the conflict, three of her cousins were murdered. At the age of 16, she was a victim of sexual violence perpetrated by an ex-paramilitary fighter, who subsequently made death threats against her and her family. These continuous and explicit threats have deeply marked her and underscore the brutality to which female human rights defenders are exposed. In response to these threats, Laura joined the youth volunteer programme of the Red Cross and later moved to the Fundación Paz Ventura in Montes de María. Despite her return to her community, with protection from UNP bodyguards and a vehicle, the effectiveness of these measures is questionable. The vehicle provided is not bulletproof, leaving Laura and her team in a state of constant vulnerability.

Currently, Laura is threatened by the paramilitary group the Autodefensas Gaitanistas de Colombia (AGC)/Clan del Golfo. Her case highlights the critical need to improve protection strategies and support for human rights defenders, especially female leaders in rural and conflict-affected areas.



In southwestern Colombia, the case of Sofía López, a lawyer and member of the human rights organisation *Corporación Justicia y Dignidad (CJD)*, highlights the lack of a differential gender approach to protection. Sofía is the target of surveillance and continuous aggression due to her advocacy and journalism work.

In previous reports the Caravan has documented the difficult situation that Sofía faces because of her defence of ethnic communities. We have witnessed the lack of progress in effective and differentiated protection measures that, despite judicial orders and Court judgements, have not been implemented.

Sofía López is a beneficiary of precautionary measures granted by the IACHR in 2011⁷. Similarly to other beneficiaries of precautionary or other protection measures granted by the Commission or by other judicial bodies⁸, she reports systematic non-compliance by the state⁹.

On 5 September 2024, the Constitutional Court ordered the UNP to urgently adopt provisional protection measures in favour of Sofía and the leaders of the indigenous community of San José de Julumito, whom she represents, in response to increased threats against the community¹⁰. After nine situations of threat were identified between May and July 2024 and following the filing by the applicants of demands for urgent relocation and security measures¹¹, the UNP was ordered to inform the Court about the effective implementation date of this transitional protection scheme.¹² However, the Caravan found that all the measures provided by the UNP lack a differential character, as they do not respond to the collective needs of the indigenous community, nor to those of Sofía as a female human rights lawyer.¹³



Illustration 8, Sofía López and Nasa authorities

The cases taken on by Sofía include those of victims of gender-based violence (including adolescents); peasant leaders who defend their communities and therefore suffer threats and violence from FARC dissidents; and forcibly displaced indigenous communities seeking to recover their lands and protect their rights and resources.

Sofía also represents victims of disappearances and arbitrary detentions that took place in Cali during the social uprising of 2021, an event characterised by intense state repression and numerous obstacles to accessing justice.¹⁴ At the time, Sofía and her colleagues at the CJD were targets of surveillance and harassment, especially during the period between August and October 2021, including through the use of drones that monitored their offices so closely that the team decided to vacate them.



7 MC-359-100 granted on June 28, 2011 by the IACHR in favour of the members of the Corporación Justicia y Dignidad
8 IACHR Hearing [<https://www.oas.org/en/iachr/sessions/hearings.asp>]

9 Examples in Caravan Reports and letters -

<https://www.colombiancaravana.org.uk/wp-content/uploads/2013/04/CC-Report2.compressed.pdf>

<https://www.lrwc.org/colombia-protections-for-colombian-lawyer-sofia-lopez-mera-letter/>

https://lawyersforlawyers.org/wp-content/uploads/2019/03/Report_Colombian_Caravana_6th20Delegation.pdf (p20)

<https://www.colombiancaravana.org.uk/news-confronting-impunity-protection-legal-profession-judicial-independence-haciendo-frente-la-impunidad-proteccion-para-la-abogacia-y-la-independencia-judicial/>

10 Auto 1486 de 2024 de la Corte Constitucional, Sala Segundo de Revisión, (septiembre 5 de 2024) Expediente T-10.172.656

11 Cited in Auto 1486 of 2024

12 Auto 1486, p. 11.

13 Despite Sofía having requested the implementation of differential approaches

14 See the IACHR report on this matter: <https://www.ohchr.org/en/press-releases/2024/09/colombia-experts-gravely-concerned-lack-truth-justice-and-accountability>

Finally, the CJD observed an increase in episodes of harassment as a result of their work denouncing cases of forced recruitment of Children and Adolescents (children and adolescents).

In the same vein, the support that Lina Tabares provides in Jamundí (Valle del Cauca) to vulnerable communities has led to serious risks for her and her family. Lina lives under armed escort as a result of her testimony in a false positives case involving 39 members of the armed forces.¹⁵ Recently, she inadvertently avoided an attempt on her life by deciding not to participate in an oral hearing connected with this case. These threats represent a series of violations and attacks suffered by the defender, which not only involve her, but have also put her son at risk: he has suffered two kidnapping attempts carried out by unknown men.

The impact of her security situation and the protection and self-protection measures with which Lina and her son must live is reflected in their physical and psycho-social wellbeing, preventing them from maintaining a normal social life.



Ilustración 9, Lina Tabares and a member of the Caravan



For their part, the women who make up the Corporación Colectivo de Abogados Luis Carlos Pérez (CCALCP), who have played a prominent role in representing victims of human rights violations in the Catatumbo region of northeastern Colombia, face threats, harassment and extortion because of their collaboration with the JEP. Although CCALCP has contributed to historic judgements and transformative reparation proposals, they have felt obliged to give up their official protection because they have no confidence in the UNP's protection schemes.



Illustration 12, meeting between the Caravan and the JEP

¹⁵ <https://www.semana.com/nacion/cali/articulo/la-vida-de-lideresa-lina-tabares-esta-en-riesgo-este-era-el-plan-para-asesinarla-por-su-testimonio-en-juicio-de-falsos-positivos/202451/>

3. INSTITUTIONAL WEAKNESS AND DISARTICULATION

The Caravan continues to note a lack of institutional articulation which, together with the limited state presence in parts of the country, plays a crucial role in limiting access to justice and in protecting the human rights of the most vulnerable population.

In its jurisprudence on the Unconstitutional State of Affairs concerning the victim population, the Constitutional Court has identified in several of its Orders, particularly those related to victims belonging to ethnic groups (376/16, 266/2017, 620/17 among others), the persistence of institutional obstacles and/or unconstitutional practices that merit the intervention of the Constitutional Court on the grounds that other branches of government or institutions have failed to fulfil their constitutional obligations. Both lead to a massive violation of fundamental rights. Institutional obstacles are the result of administrative paralysis and a lack of institutional coordination, while unconstitutional practices are a consequence not only of the discriminatory treatment to which victim (and especially ethnic) communities are exposed, but also the failure of the state to recognise their rights.

By 2010 the Court had already determined that obstacles cannot be considered in the abstract, such that progress in institutional articulation and coordination, as well as in the implementation of a relevant budget, do not matter if they are not reflected in the rights of the victims. Thus:

“It may only be considered that institutional obstacles have been removed and adequate budgetary allocations made when both translate into and are materialised in the guarantee of rights”¹⁶

In line with the above, a fragile state presence was evident in the rural areas visited by the Caravan, manifested in the state's inability to maintain control and order in several regions, thus allowing organised illegal armed groups to exert their influence.

According to the United Nations High Commissioner for Human Rights, the lack of effective and consistent state presence in remote and conflict-affected areas has left vulnerable communities without adequate protection against human rights violations and devoid of real avenues to seek justice (Human Rights Council, 2024).¹⁷ This power vacuum not only facilitates impunity, but also hinders the efforts of human rights defenders, who face constant threats to their personal and professional security. Exacerbated by this state weakness, the scarcity of resources and the presence of corruption within the judicial system prevent an effective judicial response, perpetuating a cycle of violence and injustice that challenges the fundamental principles of the rule of law.

¹⁶ Auto 373 de 2016

¹⁷ <https://www.hchr.org.co/wp/wp-content/uploads/2024/02/02-28-2024-Informe-Anual-Advance-Espanol-2023.pdf>

3.1. Failure to implement laws and judicial orders

The Caravan observed that, in the Ciénaga Grande de Santa Marta (hereafter “Ciénaga Grande”)¹⁸ and the foothills of the Sierra Nevada de Santa Marta, the failure to implement laws and judicial orders has produced a powerful process that has resulted in the revictimisation of rural women. Despite the fact that Colombia has enacted legislation such as the Land Restitution Law and the Victims’ Law, these are not being adequately implemented, leaving communities such as ASOMUPROCA devoid of justice or reparation. Although the courts have published judgements and judicial resolutions in their favour, these women have gone 20 years without receiving psychosocial support.



Illustration 11, The Caravan in la Ciénaga Grande

A delegation from the Caravan visited Belinda’s house in Ciénaga Grande where, along with ASOMUPROCA leaders who accompany her, she spoke of the human rights violations suffered by the women of Montes de María. These women faced difficulties following what is known as “the Catastrophe of the Ciénaga Grande” in 1995, caused by alterations to the course of the Fundación river by landowners, which led to environmental destruction and disease in the community. Faced with this crisis, they managed to get the state to allocate land to them in the Playón de Pibijay, obliging them to transform their lives from fisherwomen to farmers.

Rubí’s story illustrates how the state, represented by politicians with paramilitary links, handed over lands to the community in areas controlled by the ELN guerrilla group, who intimidated the families before they were subsequently displaced by paramilitaries who perpetrated massacres and engaged in sexual violence. Isabel, affected by chronic diseases since then, and Edilma, whose son was murdered, illustrate the profound impact of this violence.

¹⁸ Translator’s note: ciénagas are shallow freshwater lakes that undergo seasonal flooding associated with the lower course of river systems. They are essential elements of the complex biodiversity of Colombia’s Caribbean lowlands.

Many women have died waiting for justice and the restitution of their lands. However, those who remain indicate that they intend to continue to fight for the future of their children.

The allocation of land in 1999 in an area controlled by armed groups resulted in mass displacements and, years later, in a land restitution judgement in favour of ASOMUPROCA. This entire process illustrates institutional inaction and the state's failure to guarantee the effective application of legal and constitutional protections, reflecting a wider problem of bureaucratic delays, corruption and an absence of political will.

In the same vein, fieldwork in Cartagena exposed the ineffectiveness of judicial resources to resolve land restitution conflicts and guarantee protection to victims. Judges and lawyers pointed to the lack of resources, constant threats and the complexity of the processes involved in a region still marked by violence.



3.2. Challenges to the transitional justice process

The Caravan was able to glimpse several significant challenges for Colombia's ambitious transitional justice system, which seeks to find a balance between reparation, restitution and reconciliation by using innovative mechanisms, including *sanciones propias* (special sanctions). For example, judge Hormiga of the JEP indicated that the biggest challenge it faces is the lack of resources, which limits coordination between justice systems and puts the implementation of reparative sentences at risk. In macro-cases No.s 3 and 8, local authorities have limited capacity, while the JEP has taken on tasks that originally belonged to the executive branch. The challenges inherent to the restorative approach known as *Trabajos, Obras y Actividades con Restitución* (commonly abbreviated to TOAR: Works, Actions and Activities with Restitution) have been enormous, as the JEP has had to build its own dedicated team to formulate the projects associated with these activities.



Illustration 12, meeting between the Caravan and the JEP

According to Sandoval, Martínez-Carrillo and Cruz-Rodríguez (2022), the implementation of special sanctions in Colombia presents numerous challenges, especially in terms of the provision of retribution, reparation, participation and reincorporation within the framework of the peace process. These challenges reflect the inherent tensions between expectations of justice and the country's institutional realities. These tensions translate into:

- **Design and implementation complexity:** Although innovative, the system is difficult to implement due to its complexity and the involvement of numerous actors and institutions. A more simplified approach is needed to ensure viability without compromising victims' rights.
- **Institutional coordination:** Effective reparations require strong links between the institutions making up the Comprehensive System, such as the JEP, the Victims' Unit and the Agency for Reincorporation and the Land Unit. Lack of coordination can fragment efforts and undermine the objectives of reparation.
- **A territorial and victim-centred approach:** Ensuring local ownership and the meaningful participation of victims, civil society and local institutions remains a major challenge, since, despite the existence of participation spaces at local, regional and national levels, these rarely result in tangible actions.
- **A balance between restorative and retributive justice:** There are various interpretations of harm and punishment that seek to reconcile reparative objectives with accountability. Special sanctions aim to redefine punishments, focusing on restoring the social fabric damaged by crimes and emphasising non-repetition and reparations beyond traditional imprisonment.
- **The participation of perpetrators in reparation processes:** The system was designed to ensure that non-state actors, such as demobilised members of armed groups, would actively contribute to reparations. This approach challenges traditional state-centred models of reparation while introducing the potential to rebuild social cohesion.
- **Avoiding impunity:** Without addressing these challenges, Colombia runs the risk of perpetuating impunity and failing to provide meaningful reparations or participation for victims, as has happened in other transitional justice systems.

For the women of Montes de María, the implementation of transitional justice frameworks is weak. This is reflected in a lack of political will and the government's inability to enforce laws. Despite the robust transitional justice framework initiated in 2005 with the Justice and Peace Law and developed through favourable judgements from both national courts and the IACtHR, judicial orders and decisions are not implemented. The women of ASOMUPROCA continue to wait for the implementation of judicial decisions that would allow them to recover their lands or receive reparations, albeit symbolic ones.

3.3. Failure of accountability mechanisms for perpetrators of human rights violations

The Caravan witnessed a lack of community confidence in accountability mechanisms for perpetrators of human rights violations, environmental crimes and the displacement in the Caribbean region. For example, in Magdalena department, paramilitary and guerrilla groups and large landowners operate with impunity and, generally, with the tacit support of local and national authorities. The inability to bring these actors to justice undermines the foundations of human rights protection in the region.

COLEMAD believes that the JEP is far from overcoming the challenges it faces in its efforts to guarantee justice and truth for many victims. It focuses on selecting and sanctioning the individuals who are “most responsible” for egregious and highly representative crimes committed during the armed conflict in Colombia. This includes persons who, from leadership positions, ordered or facilitated policies and actions that led to serious human rights violations or International Humanitarian Law (IHL) infractions (CCJ, 2021).

Although the JEP has made significant progress, such as the recognition of responsibility for atrocity crimes and the search for disappeared persons, it still faces significant criticism related to delays in defining the legal situation of those appearing before it and in imposing sanctions (Dejusticia 2024).

In Bolívar, there was also evidence of a lack of trust and disappointment in transitional

justice on the part of communities that have been forced off their lands and displaced. Community leaders stated that landowners and businesspeople used paramilitary groups to dispossess and displace communities from their ancestral territories, but that the individuals they accuse are yet to be called before the JEP as “civilian third parties”.

According to an analysis carried out by Dejusticia (2023), the JEP faces several challenges regarding the role of economic actors in the armed conflict. In its transitional justice processes, it investigates those alleged to be most responsible for serious violations, including economic actors as ‘civilian third parties’ are investigated as “civilian third parties” who, without belonging organically to the contending sides, contributed to crimes committed during the conflict. However, their appearance before the JEP is voluntary, with cases remaining in the ordinary justice system if they do not wish to submit to this jurisdiction.

This dual system creates challenges for the JEP, which must create incentives for economic actors to submit to its jurisdiction, while guaranteeing truth, reparation, and non-repetition for victims. Additionally, it faces interpretive and operational difficulties, such as defining the direct or indirect participation of these actors in crimes, and managing information associated to them.

4. INCREASE IN HUMAN RIGHTS VIOLATIONS

“The principal obstacle to access to justice in Colombia is the armed conflict.”

Hernando Toro, Deputy Attorney General of the Nation¹⁹

The Caravan documented serious human rights violations that reflect the complex dynamics of the armed conflict, alongside persistent challenges in the implementation of the peace process and in access to justice. In each region, communities continue to face forced displacement, the strengthening of paramilitary groups, gender-based violence, land dispossession, recruitment of children and adolescents, threats and targeted killings of social leaders and human rights defenders. These violations are closely linked to the proliferation and presence of organised illegal armed groups, structural impunity, and the absence of guarantees from the state.

4.1. Forced displacement

Colombia continues to face alarming levels of forced displacement. The Human Rights Ombudsman's Office (Defensoría del Pueblo, 2024)²⁰ reported that in 2023 approximately 121,000 people were victims of mass forced displacement and confinement, a 7% increase on 2022. Likewise, confinement events in 2023 increased by 63%, compared to 2022. According to the Norwegian Refugee Council, internationally, Colombia has the fourth highest level of internally displaced people in the world, (2024),²¹ behind only Sudan, Syria, and the Democratic Republic of Congo. The UN Office for the Coordination of Humanitarian Affairs²² reports that between December 2024 and January 2025 alone, 50,566 people were affected by forced displacement, 34,641 of whom were from the department of Norte de Santander.

Despite efforts to achieve a lasting peace following the election of President Petro in 2022, the country has seen little progress in this area, because of the territorial control exercised by organised illegal armed groups, which impose severe restrictions that limit the mobility and the response capacity of the Security Forces, leaving communities in situations of permanent vulnerability.

In meetings held in the department of Magdalena, community members reported that displacements were occurring at that very time in areas such as the Ciénaga Grande

¹⁹ In a meeting held between the Caravan and officials from the Prosecutor's Office, Dr. Hernando Toro described the exacerbation of the conflict as the main obstacle to strengthening the investigations of the Public Prosecutor's Office

²⁰ <https://www.defensoria.gov.co/-/durante-el-2023-en-colombia-cerca-de-121.000-personas-fueron-v%C3%ADctimas-de-desplazamiento-forzado-masivo-y-confinamiento>

²¹ <https://www.nrc.no/global-figures>

²² Humanitarian Situation Colombia, data from 20 December 2024 to 20 January 2025 <https://monitor.unocha.org/colombia>

and Montes de María as a result of the territorial control exercised by organised illegal armed groups and drug traffickers seeking to exploit the land in activities such as palm oil production, mining, and drug trafficking. Frequently, displaced families find themselves without adequate protection or support from the state.

In Valle del Cauca, forced displacement also persists, affecting in particular indigenous, Afro-descendant, and peasant communities. Here, the phenomenon is linked to territorial conflicts and has severely affected indigenous communities, such as the Nasa, who are forced to relocate due to constant threats, the murder of leaders and holders of spiritual knowledge and the continued dispossession of ancestral territories.

4.2. Land seizures

Paramilitary groups and landowners with political connections have systematically dispossessed communities of their lands, particularly in the rural areas that the Caravan visited in Ciénaga Grande Montes de María, the Canal del Dique, and Tibú. Despite legal victories ordering land restitution,

communities continue to face delays and obstructions in recovering their lands. This is linked to the fear of recovering them given the presence of organised illegal armed groups that demand protection money from farmers, fisherfolk and others involved in the fishing industry.

4.3. Gender-based violence

Gender-based violence is a structural problem that has been normalised in the lives of women human rights defenders, and which impacts on the nuclear family and community identity. As may be seen from this report, women continue to be victims of threats, intimidation, and gender-based

violence organised illegal armed groups use sexual violence as a tool of control, particularly against women who are advocating for justice. Many cases go unreported due to fear of reprisals and the lack of adequate protection for victims.

4.4. Recruitment of children and adolescents by armed groups

Sadly, the Caravan heard stories about the forced recruitment of children and adolescents by organised illegal armed groups, particularly in rural areas in the regions it visited. Children in Colombia continue to be recruited to serve as fighters, drug couriers or informants. We heard several reports of armed groups using social networks such as TikTok for this purpose.

In Valle del Cauca, where the forced recruitment of children and adolescents continues to be a critical problem, the Caravan delegation witnessed the serious situation that characterises the region directly. Since the signing of the Peace Accords in 2016, forced recruit-



Illustration 13, Nasa children, Sek Ukwe Reservation

ment has increased dramatically, despite attempts to implement protection policies and reintegration programmes for underage former combatants. State efforts have been insufficient, and FARC dissidents have adapted their tactics to evade what it does do and continue recruitment, as have other armed groups.

The situation in 2023 was particularly alarming, with a significant increase in recruitment levels, in response to military operations and pressures from other armed groups. Indigenous communities have denounced the exploitation and abuse of children who have been recruited, and point to a lack of adequate state protection, exacerbated by corruption and the complicity of some local officials. In the first half of 2024, matters got no better, and the government's pursuit of its Total Peace policy seems empty given the reality of the control maintained by armed groups and the persistence of forced recruitment. This situation reflects a failure to implement the Peace Accords and con-

tinual violence that affects indigenous and rural communities in Cauca particularly severely.

To date, the total number of cases recorded between 2016 and the first half of 2024 is 515 in this region of Colombia alone, demonstrating that, far from decreasing, the phenomenon has evolved and intensified, complicating efforts for lasting and effective peace in the region.

According to research conducted by Emma Graham-Harrison (2024) in the municipality of Caloto in northern Cauca, armed groups turn to the communities with which they are in conflict to meet their recruitment needs. In the last four years, more than 850 children and adolescents have been recruited as fighters in the region. Hundreds are still missing. While some children are forced to fight, many others are seduced by promises of easy jobs, goods such as new phones or clothes, and even plastic surgery or dental care. In a historically marginalised area with

few economic opportunities for youth, these promises are difficult to resist.

Another factor linked to the recruitment of children and adolescents is school dropout rates and threats to teachers, which were reported in regions such as the Sierra Nevada de Santa Marta, the Middle Magdalena, and the Catatumbo.

Teachers are the focus of threats and harassment that prohibit them from fulfilling their role as educators. Teachers are at the heart of these communities, playing a fundamental role in trying to protect children and adolescents from being sucked into criminal activities. However, this also makes them targets for illegal groups, which they see as interfering with the control they exercise over the region.

4.5. Environmental destruction in the regions visited by the Caravan

The Caravan documented alarming environmental destruction in several regions of Colombia, which exacerbates the already deep social and humanitarian crises local communities face. The excessive exploitation of natural resources, incentivised by the lack of regulation and the link between economic actors, multinationals and armed groups has generated a devastating impact both on ecosystems and on the livelihoods of the most vulnerable communities.

The Caravan visited ethnic territories where environmental destruction is clearly apparent. In Colombia, indigenous peoples and their ancestral territories are at the heart of the armed conflict. Their struggles and resistance against dispossession, confinement, and the illegal use of their lands not only by armed actors—illegal groups, military forces, and drug traffickers—but also by multinational corporations, have contributed dramatically to environmental destruction and as a result to the extermination of indigenous communities throughout the country. In this regard, the Grupo de Memoria Histórica (Sánchez et. al, 2013) has pointed out that,

“The ancestral territories of ethnic groups have been at the centre of the armed conflict in Colombia. Dispossession, confinement, and displacement not only the responsibility of armed actors, but also of multinational companies, have contributed dramatically to their extermination. This is a violence rooted in a way of understanding the land, of seeing the world, and of understanding the relationships between [human beings] and nature: one that sees land as a commodity that makes development possible, and the other, that sees it as the mother, who permits social, spiritual, and cultural existence.”



Illustration 14, Oil Palm region visited in the Catatumbo

In the Catatumbo, massive deforestation driven by large-scale oil palm cultivation and other extractive activities has led to the degradation of water sources and wetlands essential for environmental balance and the lives of communities. The links between local economic agents, multinationals, and paramilitary groups aggravate this situation, highlighting the role of paramilitarism as a facilitator of ecological destruction. A human rights defender's statement summarises the destructive impact of these dynamics:

“Neither nature nor the animals were safe from paramilitarism.”



Illustration 15, Ciénaga Grande, from Belinda's house

In the Ciénaga Grande, the pollution caused by large-scale industry has devastated fishing and agricultural activities, the historical bases of the regional economy. State inaction in the face of these environmental crimes underscores the lack of political will to address the serious socio-environmental consequences that affect these communities. Likewise, in the Páramo de Santurbán, in Norte de Santander, illegal mining has not only

had negative ecological impacts but also obliging local communities to defend their interests against mining companies who are backed by armed actors, exposing them to violence.

In this regard, the Corporación Defensora del Agua, Territorio y Ecosistemas (CORDATEC) has denounced the environmental impacts of extractive activities and has advocated for a democratic energy transi-

tion. However, environmental leaders face heightened risks caused by the dynamics of fracking and pressure from extractivist companies.

To move forward, fracking must be prohibited, protection for environmental leaders be guaranteed according to the standards of the Escazú Agreement and licences for extractive projects strictly monitored.

In Bolívar, the Caravan followed up on the case of the Canal del Dique, where the project *Restauración de los Ecosistemas Degradados del Canal del Dique* has been criticised for its adverse impacts and exclusionary approach. Approved without a process to ensure free, prior and informed consent, nor rigorous compliance with environmental regulations, this proj-

ect has deepened the vulnerability of Afro-descendant, indigenous and peasant communities in the region. Presented as an environmental restoration initiative, the project has been criticised for its intention to privatise and its impact on local agriculture and fishing. Communities fear that the project will not only aggravate socioeconomic inequalities, but also deepen the environmental destruction of the region.

In Montes de María, female leaders indicated that environmental degradation caused by large-scale oil palm cultivation, and the lack of basic infrastructure, including obstacles to accessing health care and education, coupled with abandonment by the state, have contributed to the ‘forced disappearance’ of an entire region.

“It feels as if the disappearance of the municipality of Zambrano was intentional, not only as a consequence of the flooding of the Magdalena River, but also because of the invisibility of our communities to the Colombian state.”

Raquel Pérez

Likewise, Belinda Márquez emphasised the fundamental role that human rights defenders play in defending the Ciénaga Grande ecosystem. The lagoon, contaminated and devastated by industrial activities, is crucial to the livelihood of the community. The state’s continued inaction in addressing these environmental crimes has worsened socioeconomic conditions in the region.

In conclusion, the environmental destruction documented by the Caravan not only reflects the impact of excessive exploitation of natural resources, but also a serious failure by the state to protect environmental and social rights. This context poses significant challenges for environmental justice and the construction of a sustainable and lasting peace.

5. THE ROLE PLAYED IN HUMAN RIGHTS VIOLATIONS BY DIFFERENT ACTORS

The human rights landscape in the regions visited by the Caravan is deeply influenced by the interaction between different state and non-state actors. This complex network of relationships, which

combines support, obstruction and negligence, intensifies human rights violations and hinders the development of measures for their prevention and resolution.

5.1. Overview of the department of Magdalena and the region of Montes de María

One of the most significant failures in remote rural regions, such as Montes de María and the Ciénaga Grande, is the weak or non-existent state presence. This vacuum allows illegal armed groups to operate with impunity. Local teachers, such as those represented by Ernesto, face threats and extortion because of the state's inability to guarantee their safety. The absence of basic services, such as education and health, further aggravates the vulnerability of these communities.

Organised illegal armed groups: Paramilitary groups, such as the AGC/Clan del Golfo and the Conquistadores de la Sierra, are the principal perpetrators of human rights violations in the region. These groups exercise control over vast territories, extorting local populations, including teachers, farmers and small traders. For example, teachers in rural areas are forced to pay protection money to avoid being killed, while communities in regions such as Montes de María and the Ciénaga Grande are routinely threatened by these groups and forced into displacement.

Criminal economies and “criminal extraction”: Illegal groups impose a system of “criminal extraction” on all economic activities in the areas they control, extorting farmers, fisherfolk and even motorcycle taxi drivers. They also infiltrate formally established businesses legitimate businesses, such as palm oil producers, further consolidating their control over land and resources. Their presence is deeply rooted in the social fabric of these regions, making it difficult for the state or civil society to challenge their dominance.

Obstruction and exploitation of vulnerable populations: These groups are responsible for large-scale dispossession of land, frequently working in collaboration with politically connected landowners. Members organisations such as ASOMUPROCA have been displaced from their lands, only to discover that the areas offered to them for resettlement are also controlled by these armed groups. The result is a cycle of exploitation in which displaced populations are left without sustainable livelihoods or protection.

Gender and socioeconomic inequalities: These actors use sexual violence as a weapon against women human rights defenders and community members and target women as a way to exercise control and intimidate communities into submission, perpetuating gender-based violence as a result.

The power dynamics in the region also reflect deep socioeconomic and gender inequalities. Women human rights defenders, particularly those from rural and indigenous communities, are disproportionately affected by violence and land grabs. In addition to the socioeconomic conditions in which they live, they face additional barriers to accessing justice because of their gender. Many are forced to remain silent or relocate due to the absence of protection and the constant threat of violence.

Criminal control over economic resources: Not only do armed actors exercise control over land but also over economic sectors that are key to the region's development, such as agriculture, mining and drug trafficking. Their control over these resources gives them significant power over local populations, who are forced to comply with their demands or face violent reprisals. This control over economic resources also undermines efforts to rebuild communities and restore livelihoods following experiences of displacement.

5.2. The unique nature of the Catatumbo

The Catatumbo region is an epicentre of economic and political conflicts because its wealth in natural resources and agricultural products such as coal, hydrocarbons and palm oil. Additionally, its strategic location near the Venezuelan border makes it a key corridor from a geostrategic point of view. These characteristics have attracted a range of actors who compete for control of the territory and resources, contributing to an intense dynamic of violence. Added to this dynamic are the interests of multinational companies motivated by the mining resources in which the Catatumbo is so rich.

At the time this report was being written, Colombia is in the midst of a complex humanitarian crisis, considered the most serious since President Petro came to power. The crisis was exacerbated, among other reasons, by confrontations between the ELN and FARC dissidents in the Catatumbo region. The situation is particularly alarming on the Colombian-Venezuelan border, an area our delegation visited in August last year at the time the international meeting of victims and survivors of genocidal processes was being held in La Pista, municipality of Tibú.

In response to the situation, the national government declared a State of Internal Commotion in January 2025. Although this includes social measures, reports from the communities located in the territory suggest that the region is being militarised.

Human rights organisations in the area have reported that communities currently face extremely difficult and painful circumstances. More than 80 people have been killed and approximately 32,000 displaced²³, including women, older adults and children and adolescents. This underscores the depth and severity of the human impact of this conflict.

23 See reports from the Ombudsman's Office: <https://www.defensoria.gov.co/web/guest/-/lo-que-se-est%C3%A1-presentando-en-el-catatumbo-es-de-extrema-gravedad-defensora-del-pueblo-1?redirect=%2Fnoticias>



Illustration 16, Caravan members at the International Meeting of Victims, Pista Tibú

State actors: Although the Security Forces maintain a strong presence in the Catatumbo, making it one of the country's most militarised regions, other state institutions have a more limited profile. For example, the *Fiscalía* (Public Prosecutor's Office) and the judicial branch face serious difficulties operating in the region. This results in a lack of access to justice for local communities and perpetuates a climate of impunity. Despite the ceasefire signed with the ELN in 2023 (suspended in January 2025 in response to the above events), the presence of armed groups is a constant in the territory.

Non-state actors: According to INDEPAZ, the ELN and FARC dissidents operate in the Catatumbo, where they are engaged in disputes over coca, coal and gold. However, it is the paramilitary groups, such as the AGC/Clan del Golfo that dominate the region, having taken advantage of the ceasefire to expand their influence through tactics such as the infiltration of legitimate industries and co-option of local institutions. These organisations also impose confinement orders, mark the

houses of human rights defenders as an act of intimidation and, in some cases, resort to the targeted killing of social leaders.

State complicity: Collaboration between elements of the Colombian Security Forces and paramilitaries is well documented in the Catatumbo. These alliances involve the exchange of intelligence, resources and infrastructure, which strengthens paramilitary control over the region. Cases have even been identified in which members of the army also participate in paramilitary activities.

Co-option of institutions and social movements: Paramilitary groups not only consolidate their power through recourse to direct violence, but by infiltrating social movements and creating false human rights organisations. These strategies generate distrust among activists and hinder community organisation. In parallel, they carry out "civil-military" actions, such as the construction of schools, to gain legitimacy and acceptance among the population.

5.3. Dynamics in Valle del Cauca and Northern Cauca

The catalogue of human rights violations and infractions of IHL in Valle del Cauca and northern Cauca includes several types of abuses. These include the recruitment of children and adolescents, even through social networks such as TikTok, and the forced displacement of communities. Forced disappearances are also common, which in most cases mask other violations such as deprivations of the right to life and torture. Additionally, in a context where ethnic communities—indigenous, Afro-descendant, and peasant—oppose the territorial control of armed groups, key community figures, such as members of the *Guardia indígena* (Indigenous Guard) and ancestral knowledge-holders.

Both the southern part of Valle del Cauca and northern Cauca are characterised by the presence of a large number of organised illegal armed groups that exercise powerful territorial control, especially in rural areas. According to testimonies heard by the Caravan delegation during

its visit, and to public reports from governmental and non-governmental organisations, such as the Human Rights Ombudsman's Office and the Peace and Reconciliation Foundation, most of the armed actors participating in the Colombian armed conflict are present in the territory, including the dissident FARC groups, the Central General Staff (made up of different fronts including the Carlos Patiño, Diomer Cortés and the Jaime Martínez) and the Segunda Marquetalia²⁴, the ELN and the Clan del Golfo. While these groups operate primarily in rural areas, there are reports placing them also in urban centres, for example, in the city of Popayán (Cauca) and in Jamundí (Valle del Cauca). The presence of criminal groups in centres where the Security Forces exercise control somehow exacer-

24 See for example the early warnings from the Ombudsman's Office regarding the municipalities of Jambalo, Miranda, Toribio, Caloto and Corinto (019-24 of July 30, 2024), available at: <https://alertastempranas.defensoria.gov.co/Alerta/Details/91917>) and Jamundí (005-24 of February 21, 2024), available at: <https://alertastempranas.defensoria.gov.co/Alerta/Details/91903>). See also the maps prepared by the Fundación Paz y Reconciliación at: <https://www.pares.com.co/mapas/paz/posconflicto/derechos/humanos>.



Illustration 17, Nasa Reservation Sek ukwe (Pradera)

bates the dynamics of violence due both to confrontations between these groups and their direct actions against the civilian population.

In rural areas, the relative absence of the state, determined both by the lack of human and economic resources necessary for institutions to reach the most isolated areas of these regions, as well as by the insecurity generated by the armed actors themselves, facilitates the exercise of territorial control by these illegal groups and forces the civilian population to submit to their dominance²⁵.

In conclusion, it was observed that the interaction between state absence and the proliferation of non-state actors, combined with the complicity of some institutions, has created an environment of permanent vulnerability for the communities visited by the Caravan. The lack of access to essential services, institutional co-optation and constant threats makes it difficult to protect human rights, and perpetuate the crisis in these regions. These factors underscore the urgency of implementing effective measures for prevention, protection and reparation for affected communities.



25 Katerin Erazo, Insólitas prácticas de las disidencias de las FARC en Jamundí (5 de marzo de 2024) Fundación Paz y Reconciliación, available at: <https://www.pares.com.co/post/ins%C3%B3litas-pr%C3%A1cticas-de-las-disidencias-de-las-farc-en-jamund%C3%AD>



Chapter II. Amplifying voices: Community resistance

The Caravan has witnessed an escalation in levels of violence against lawyers, human rights defenders and communities, as well as the exacerbation of conflict and environmental destruction in the five regions visited. Nevertheless, voices of resistance emerge from the territories, bearers of an imperfect peace (Galtung 1996) that must be amplified. Imperfect peace²⁶ is a reality intrinsic to the human condition; the concept recognises the complexity of conflicts and the need to harmonise relationships between people, nature and the cosmos. It conceives of peace not as an absolute state but a continuous process built on the empowerment of peace movements and the peaceful management of conflicts. In this context, the Caravan witnessed initiatives of non-violent civil resistance that constitute key mechanisms in the struggle justice and defence of human rights, as well as transformative proposals for the construction of a possible peace. These experiences highlight the importance of building peace “from below”, in scenarios where communities lead efforts to achieve a fairer model of coexistence despite the abandonment of the state.

1. THE MAGDALENA REGION AND MONTES DE MARÍA

Local communities and human rights defenders in the Magdalena region and the foothills of the Sierra Nevada have developed actions of resistance against violence, dispossession and state neglect. Despite facing significant threats, these communities continue to resist violations and advocate for their rights through legal struggles, efforts to mobilise the population and grassroots activism. Women, indigenous groups and Afro-descendants are fundamental in these efforts, assuming leadership roles in their fight for justice and the protection of their lands and livelihoods.



Illustration 19, ASOMUPROCA, COLEMAD and Caravan members

Community-led resistance efforts: ASOMUPROCA provides a powerful example of efforts to build positive peace and reconstruct communities from the grassroots, without the support of state institutions. Their legal battles have reached the Constitutional Court and the IACtHR. Although the process has been slow, they have achieved significant victories, including court orders for land restitution and reparations. These successes are a testimony to the strength of collective action and the crucial support of feminist legal organisations such as COLEMAD, which has supported the women of ASOMUPROCA for more than 16 years.



Illustration 20, taken from *El Español* ENCLAVE DOS

Voices from exile: Luz Estella Romero Villalba, Coordinator of COLEMAD, joined the Caravan from exile to tell us her story and lay the groundwork for the Caravan's visit to Magdalena department by facilitating dialogue with the rural women of ASOMUPROCA and the members of her organisation. COLEMAD has been fundamental in defending the rights to land, territory and environment of more than 4,000 women of all ages and girls in rural areas of the Colombian Caribbean. Since its creation more than two decades ago, both the organisation and its members have faced continuous threats and attacks, largely attributable to state agents. These attacks have ranged from harassment and stigmatisation to forced detentions and obstruction of access to justice, in a permanent endangerment of the integrity and security of human rights defenders and of their families.

One of the most alarming events in COLEMAD's history occurred on 25 December 2019, when Luz Estella's 17-year-old son was the victim of an attempted kid-

napping and forced disappearance. During the experience, he suffered physical and psychological torture at the hands of police officers in Barranquilla. This act of violence not only represented a direct attack on his freedom and integrity, but also became a clear message of intimidation towards Luz Estella and her work in defence of human rights.

Despite the complaints that were filed, the response of the authorities fell short, forcing Luz Estella and her son into exile in 2021, where they remain due to the continued lack of protection guarantees that would enable them to return to Colombia safely.

Faced with these adverse circumstances, under the guidance of Luz Estella COLEMAD has tirelessly documented and denounced threats and attacks suffered by its members at local, national and international levels. These efforts not only seek to protect its members, but also to communicate the failure of the Colombian state to fulfil its duty to protect human rights defenders.

Luz Estella has demonstrated an unwavering commitment to justice and human rights, especially on critical issues such as the rights of rural women living in marginalised areas. Through her leadership of COLEMAD, she has worked tirelessly not only to defend these rights, but also to drive the legal and policy changes required to protect these vulnerable communities. Her courage and dedication continue to inspire many other women and young people to fight for their rights, despite the hostile and dangerous environments they face.



Protecting education in conflict zones:

People like Ernesto, a social sciences teacher from the teachers' union *Conciencia magistral* ("Teachers' Conscience"), have emerged as key figures in resistance to the control of illegal armed groups in rural regions. In areas where the presence of the state is weak, teachers constitute the heart of the community, providing not only education but also emotional support to children and adolescents affected by violence. Despite facing extortion and threats from paramilitary groups and criminal gangs, teachers have organised to resist the pressures they are subjected to and protect their students. Their goal is to prevent children from being recruited by armed groups and to raise the profile of their profession, advocating for

the education system to be recognised as a victim of the armed conflict through legal channels such as the JEP.

Community awareness-raising: Teachers have been instrumental in raising awareness about conditions in remote areas. They use their position to inform the wider community about criminal activities and violence that occurs, turning their schools into platforms of resistance. Despite the dangers entailed in these activities, they continue to advocate for justice and protection, aware that their voices are essential to curbing the influence of armed groups.

Women as key leaders: Both in ASO-MUPROCA and COLEMAD, women have played a central role leading movement

that resist the problems their communities face. Women human rights defenders not only advocate for land rights and environmental justice, but also confront gender violence and social inequities in their communities. For example, women like Belinda Márquez have led efforts to protect the environment of the Ciénaga Grande and ensure land restitution for displaced families. Despite facing death threats and violence, women continue to lead these movements with courage and determination.

Defence of environmental and land rights: Afro-descendant communities in regions such as Montes de María have been deeply affected by land seizures, environmental degradation and forced displacement. However, these communities have not remained passive. They have organised to resist the exploitation of their lands by large corporations involved in palm oil production and other extractive industries.

2. THE MUJERES BUSCADORAS AND GUARDIA INDÍGENA IN VALLE DEL CAUCA AND NORTHERN CAUCA

Faced with the alarming situation of documented violence, human rights violations and IHL infractions, forms of resistance have emerged that are led by different sectors of civil society. In northern Cauca, the indigenous movement has played a crucial role in defending the indigenous right to self-determination and protecting their ancestral territories. Through institutions such as the *guardia indígena* and zonal (territorial) organisations, these peoples have exercised territorial control and promoted alternative visions of justice, based on their *cosmovisión*, or understanding of the nature of the universe and their position within it. Prominent figures, such as lawyer and elder Rafael Ulcué, an expert in indigenous law, have been essential in the establishment of indigenous reservations in Valle del Cauca, thereby strengthening the autonomy of these communities in the face of threats from organised illegal armed groups.



Illustration 21, Woman from the Nasa guardia indígena.

2.1. The Movimiento nacional de madres y mujeres por la paz

The Movimiento nacional de madres y mujeres por la paz is a grassroots organisation composed primarily of women seeking a solution to the armed conflict, mainly through their advocacy work for the defence of children's rights. They play a fundamental role in the search for disappeared children and adolescents. The Caravan had the opportunity to listen to members of this organisation, mothers, sisters, and partners of those who have disappeared in the context of the armed conflict.

The case of the mujeres buscadoras demonstrates both the weakness of the state response to cases of disappearances and the general insecurity that characterises rural territories, but also represents a valuable example of the quest for positive peace. Grassroots and other civil society organisations work in coordination to seek alternative approaches to addressing violence, claiming their rights and making them effective.

Weaknesses of institutional mechanisms to search for disappeared persons: According to the mujeres buscadoras, the response of the police and the Public Prosecutor's Office to cases of forced disappearances displays serious shortcomings. There is evidence of poor training of police personnel and the Public Prosecutor's Office has an Urgent Search Mechanism at its disposal that allows it to act immediately when it receives a report of a person's disappearance. However, the mujeres buscadoras stated that the police personnel refuse to receive reports until 72 hours have elapsed following the disappearance. It is a common belief among many public servants that this period of wait is required, but here is no support for this in the law.

Obstacles to investigations by the Public Prosecutor's Office: The women stated that the Public Prosecutor's Office in Popayán has only one prosecutor responsible for cases of forced disappearance, who has hundreds of cases to handle. The lack of specialised personnel—not only prosecutors but also investigators—leads to stagnation in search processes and, in many cases, results in a complete lack of action by the authorities. Moreover, in several of the cases presented to the Caravan, the Public Prosecutor's Office had refused to receive evidence that had been made available freely by relatives of the disappeared.

Search initiatives led by mujeres buscadoras: Faced with inaction and delays in the response of state institutions, several of the women the Caravan spoke to have themselves tried to seek information about their disappeared relatives, even, in some cases, travelling to distant municipalities often in rural areas that are controlled by organised illegal armed groups. These journeys, besides being costly, expose the people who undertake them to situations of risk and insecurity. One woman, for example, told how unidentified men promised to give her information about her disappeared relative in exchange for a huge sum of money that she could not pay. Another woman expressed the physical danger women must face when they enter territories controlled by armed groups. These risks have repercussions at an organisational level, as the Movement itself has received threats as a result of its search work. For example, in November 2024 the IACtHR ordered the Colombian state to grant precautionary measures to protect the lives of Jazmín Elena Ortiz Ulcué, a member of the Movement, and her daughter, Erika Vanessa Trochez Ortiz, a victim of forced recruitment (Resolution 86/2024).

It is important to highlight how alliances with other sectors of civil society and rural communities have made it possible to overcome some of the obstacles mentioned above, especially those related to the security of access to territories. The guardia indígena, for example, has accompanied searches for disappeared relatives in rural areas, thereby guaranteeing the security of the search teams. The Movement is also seeking to forge alliances with teams of gravediggers in Popayán in order to include them in their search teams.

The delegation that visited the Colombian-Venezuelan border found that the mujeres buscadoras in that region have identified clear operational weaknesses on the part of the state, increasing distrust in the Security Forces and other authorities. These women continue to be subjected to gender-based violence that takes the form of human trafficking, sexual violence, sexual exploitation and even forced disappearance.

3. VOICES OF RESISTANCE IN NORTE DE SANTANDER AND THE CATATUMBO

Despite the context of violence and human rights violations in Norte de Santander and the Catatumbo, the region is witness to persistent, organised community resistance. Various social organisations have adopted comprehensive and transformative approaches to defending human rights, promoting social justice and ensuring the needs of affected communities are made public.



Illustration 22, Indigenous leaders of the Bari people (Tibú)

The Comité de Integración Social del Catatumbo (CISCA) has played a central role in community organisation, highlighting the serious human rights violations in the region and addressing the lack of basic services. With an approach that encompasses food security, women's and youth rights, human rights and communication, CISCA carries out verification missions that highlight the reality of communities and denounce the dynamics of exploitation and impunity.

The Sixth International Meeting of Victims and Survivors of Genocidal Processes convened by the peasant organisations Juntas Unidas and Festival del Río, and held in La Pista, municipality of Tibú, commemorated the 1999 massacre perpetrated by paramilitary groups with the complicity of the state. Not only did the event honour the memory of the victims, it also served as a space to articulate the work of Colombian and international organisations in the search for justice and the fight against impunity.

The Asociación Campesina del Catatumbo (ASCAMCAT) has promoted crucial initiatives, such as the consolidation of the Peasant Reserve Zone and joint activities with the Barí people intended to protect the rights of peasant communities. Despite these achievements, ASCAMCAT faces challenges such as increased levels of

forced recruitment and extortion by armed actors, as well as environmental damage caused by extractive activities.

For its part, the **Colectivo de Abogados Luis Carlos Pérez (CCALCP)** has played a leading role in the legal defence of victims of human rights violations; its work has led to landmark judgements and proposals for transformative reparation processes. However, the risks its members face, such as threats and harassment, demand urgent protection measures and the strengthening of judicial coordination.

Among state institutions, the **Human Rights Ombudsman's Office of Norte de Santander** has documented the vulnerability of children and adolescents to forced recruitment, as well as the lack of access to basic services such as health and education in rural areas. Although it has been a key player in the defence of human rights, it faces significant limitations that hinder its work in the region, including a lack of articulation with other state institutions, low staff capacity or training, budgetary limitations and, finally, the failure of the state to respond to the early warning system for which it is responsible.

Finally, organisations such as **CORDATEC** have played a leading role denouncing environmental impacts related to extractive activities and promoting a democratic energy transition. However, environmental leaders face serious risks that demand the implementation of effective protection measures, as set out in the Escazú Agreement.

Resistance in Norte de Santander and the Catatumbo not only demonstrates the strength of communities in the face of adversity, but also underscores the need to increase the levels of state and international support to guarantee the sustainability of these initiatives and the construction of lasting peace.



Illustration 23, Monument erected in honour of the victims of the 1999 La Gabarra massacre

4. THE STRUGGLE FOR ENVIRONMENTAL JUSTICE IN BOLÍVAR AND CARTAGENA

Despite the complex panorama of human rights violations in Cartagena, the region is also the location of significant acts of resistance led by Afro-descendant and indigenous communities and women's and workers' organisations, which have developed strategies to respond to violence, land seizures, discrimination and job insecurity.

On the first day of the Caravan's visit to Cartagena and the department of Bolívar, the voices of community leaders and lawyers fighting to preserve historical memory and territories in the **Canal del Dique** were highlighted in the thematic panels held at the University of Sinú, the. These communities have resisted decades of dispossession of their lands and forced displacement caused by the pursuit of commercial interests and aided by the complicity of the state. The denunciations of leaders such as **Livia Sajonero Martínez**, who was dispossessed of her lands on Barú Island, stressed the urgent need to protect the 121 *puntos forenses* (forensic sites): locations where evidence related to conflict crimes may be found, such as clandestine burial sites, mass graves, or areas under forensic investigation for human remains

Afro-descendant women have played a leading role in the resistance to **gender violence and systematic discrimination**. Stories such as those of **Estebana Roa Montoya**, a survivor of sexual violence and forced displacement, and **Ana Iris Marrugo Castro**, who suffered a sexual attack, exemplify the strength of women who, despite the lack of justice and psychological support, continue to lead their



Illustration 24, Afro-descendant leader at the panel hosted by the University of Sinú, Cartagena

communities. Women's organisations have promoted initiatives to document these crimes, demand reparation and illustrate the disproportionate impacts of the armed conflict on their lives.

In the workplace, workers such as **Alicia Cordiales** and the nurses dismissed from the Blas de Lezo Clinic have led processes to denounce companies that systematically violate labour and union rights. These acts of resistance have strengthened demands for dignified working conditions and highlighted the harassment suffered by women workers in the region.

The **Casa de las Víctimas (Victims' House)** in **Clemencia** has been another key space for community organisation and resistance. This centre has served as a meeting place for the victims of the conflict, who, led by figures such as **Eidys Cervantes Pinto**, have denounced the constant threats from the Clan del Golfo and demanded the protection of their

rights. Through this network, communities seek international support and articulate efforts to guarantee their safety and access to justice.

Finally, resistance efforts have also been directed towards the preservation of **historical memory and environmental justice**, especially in relation to the Canal del Dique. Lawyers and local leaders have worked to document the environmental impacts of extractive projects in the region, while specialised judges have faced threats and suffered from a lack of resources as they work to ensure land restitution.

In Cartagena, these voices of resistance have demonstrated that, despite the adversities they face, communities are determined to confront injustice and build a future where historical memory, justice and human rights are respected and protected. These actions, supported by the Caravan, underscore the importance of strengthening international alliances to support local struggles in Bolívar.



RECOMMENDATIONS

1. Strengthening ordinary and transitional justice

Recommendations to the Colombian state:

- ◇ Advance processes of judicial reform, using an integrated approach that ensures the availability of resources for the regions that are most affected by conflict and impunity.
- ◇ Foster continuous and structured dialogue between the systems of ordinary, transitional and indigenous justice.
- ◇ Establish coordination platforms to ensure that decisions taken in each system are complementary and coherent, in order to strengthen peacebuilding in ethnic territories.
- ◇ Develop mechanisms that allow the knowledge and practices of indigenous justice to be included within the framework of ordinary and transitional justice, respecting indigenous autonomy and cosmovisions.
- ◇ Provide sufficient resources for the JEP to be able to emit judicial decisions, in order to maintain judicial integrity and ensure that its decisions contribute to reparation and reconciliation in affected territories.
- ◇ Comprehensively implement the 18 October 2023 judgement of the IACtHR in the case *Members of the “José Alvear Restrepo” Lawyers’ Collective (CAJAR) v. Colombia*, including measure C (paragraphs 1007-1014) relating to the right to informational self-determination in state intelligence tasks.

Recommendations to the international community:

- ◇ Provide support to strengthen coordination between justice systems: offer technical assistance and international expertise to improve interaction between Colombia’s different justice systems.
- ◇ Support processes for the monitoring of the implementation of JEP decisions, especially those affecting indigenous communities and rural women, to ensure they are fulfilled fairly and effectively.

2. Adequate protection for human rights defenders

Recommendations to the Colombian state:

- ◇ Comply with the Constitutional Court's order to implement a *Plan Integral de Garantías para los defensores de derechos humanos* (Comprehensive Plan of Protection Guarantees for Human Rights Defenders). This must include the allocation of adequate funds, the creation of effective monitoring and follow-up mechanisms, and the active involvement of human rights defenders in the design and evaluation of the plan.
- ◇ Establish a clear and transparent strategy to change the institutional culture that normalises threats and violence against human rights defenders, ensuring compliance with the IACtHR's reparation orders of 18 October 2023 in the case *Members of the "José Alvear Restrepo" Lawyers' Collective (CAJAR) v. Colombia*. In particular, ensure compliance with satisfaction measures E.1, relating to the celebration of a public act of recognition of international responsibility and apologies for the facts identified by the judgement, E.2 relating to the publication and dissemination of the Court's judgement, and E.3 relating to the production of an audiovisual product that recognises the importance of the work of human rights defenders and the facts of the case.

Recommendations to the international community:

- ◇ Provide technical and financial assistance to strengthen systems for the protection of human rights defenders in Colombia. This might include support for the development of protection technologies, training in the implementation of security protocols and the provision of legal advice on international law provisions.
- ◇ Establish independent international monitoring mechanisms that regularly assess the situation of human rights defenders in Colombia, and exert diplomatic pressure on the Colombian government to improve its policies and responses.
- ◇ Facilitate access to relocation programmes for human rights defenders at risk, providing legal assistance and establishing priority routes to ensure applicants can obtain the documentation required to enter recipient countries.

3. Promoting gender inclusion in the defence of human rights

Recommendations to the Colombian state:

- ◇ Create and enact specific legislation that protects women human rights defenders, recognising and mitigating the specific risks they face, especially in conflict areas.
- ◇ Incorporate a gender approach into protection programmes, ensuring that women participate in the development of protocols and self-protection measures, with an intersectional approach.

Recommendations to the international community:

- ◇ Promote programmes and policies at the international level that foster differential protection of women in human rights defence.
- ◇ Support initiatives that specifically address the challenges faced by women human rights defenders in conflict areas.

4. Prevention of child and adolescent recruitment

Recommendations to the Colombian state:

- ◇ Implement and strengthen national policies and programmes that prevent the forced recruitment of children and adolescents by armed groups. This should include education and awareness-raising campaigns aimed at communities at risk.
- ◇ Develop protection strategies in collaboration with women, community leaders and local organisations to monitor and report on any attempts by armed groups to recruit children and adolescents in the areas where they operate.
- ◇ Ensure the provision of support and reintegration services for children and adolescents who have been affected by recruitment, including access to education, psychological care and socioeconomic support.

Recommendations to the international community:

- ◇ Provide financial and technical support for the development of prevention and awareness programmes aimed at eradicating the recruitment of children and adolescents in Colombia.
- ◇ Promote cross-border cooperation initiatives to combat the recruitment of children and adolescents by armed groups, especially in vulnerable border areas.

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