



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Distr.: General
22 January 2026
English
Original: Spanish
English, French and Spanish only

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

List of issues in relation to the fourth periodic report of Colombia*

I. General information

1. Please provide up-to-date information on the measures taken to ensure that the national regulatory framework on migration, including Act No. 2136 of 2021, document No. 4100 of 2022 of the National Council on Economic and Social Policy, Decree No. 216 of 2021 and Act No. 1465 of 2011, is fully in compliance with the provisions of the Convention. Please explain, in particular, how the State Party ensures that the definition of “migrant worker” in domestic law covers all the categories set out in article 2 (2) of the Convention, and specify the mechanisms established to review and update this regulatory framework in accordance with applicable international standards.
2. Please state how recent legislative reforms and constitutional case law recognizing the human rights of migrants, including their rights to health, social security, work and equal treatment, have been incorporated into the domestic policies, procedures and guidelines of the competent agencies, including Migration Colombia, the Ministry of Health and Social Security, the Ministry of Labour, the Ministry of Education and the respective competent departmental and municipal authorities. Please provide information on the updated protocols and oversight mechanisms established, the status of cases relating to acts of discrimination and xenophobia mentioned in the State Party’s report¹ and the progress made in investigating, processing and resolving such cases.
3. Please provide information on the measures taken to improve the collection, analysis and availability of disaggregated statistical data on all areas covered by the Convention, including those relating to migrant workers and members of their families in an irregular situation. Please indicate whether the Central Register of Victims has been adapted to include migrants, irrespective of their nationality or migration status, as victims of the internal armed conflict, in accordance with Act No. 1448 of 2011, and provide information on any measures taken to guarantee their access to truth, justice, comprehensive reparation and guarantees of non-repetition.
4. Please provide information on any measures taken to withdraw the reservations made to articles 15, 46 and 47 of the Convention and to make the declarations provided for in articles 76 and 77 in the light of the Committee’s concluding observations on the third periodic report.² Please provide information on the measures taken to strengthen the independence, mandate and resources of the Ombudsman’s Office, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

* Adopted by the Committee at its forty-first session (1–11 December 2025).

¹ CMW/C/COL/4.

² CMW/C/COL/CO/3, para. 14.



II. Information relating to the articles of the Convention

A. General principles

5. Please provide up-to-date information on how the comprehensive policy set out in the National Development Plan 2022–2026 and the establishment of the Ministry of Equality and Equity and the Directorate for Migrants have resulted in concrete measures to ensure, in law and in practice, that all migrant workers and members of their families, including migrants with disabilities, irrespective of their gender, nationality or migration status, enjoy the rights recognized in the Convention and other human rights treaties in force in the State Party.

6. Please include information on the inter-institutional coordination mechanisms responsible for implementing migration policy and other related policies in a holistic and comprehensive manner, including in the areas of health, education, labour, children, gender and justice, from a rights-based perspective. Specify the intersectoral coordination mechanisms and the mechanisms for promoting coordination with departmental and municipal governments that are responsible for guaranteeing the rights set out in the Convention, and other treaties, throughout Colombia.

B. Part II of the Convention

Article 7

7. Please specify all the regulatory and operational measures taken at the national, departmental and local levels to prevent and eradicate xenophobia and to promote the social inclusion of all migrant workers and members of their families, as well as intercultural integration among all inhabitants. Indicate how these policies incorporate an intersectional approach that includes migrant women; lesbian, gay, bisexual, transgender and intersex persons; Indigenous Peoples; people of African descent; persons with disabilities; older persons; migrant children and adolescents; and persons of different ethnic and racial origins.

8. Please provide information on the measures taken to ensure that laws, public policies, and administrative practices guarantee that migrant workers and members of their families enjoy the rights set out in the Convention without any discrimination, including discrimination based on sex, age, sexual orientation, gender identity, ethnic and racial origin, nationality, migration status, disability or religion. Please provide quantitative and qualitative information, disaggregated by sex, age, nationality, ethnic origin, migration status and disability, on cases of discrimination and xenophobia documented in the last five years and on the measures taken to investigate them, punish the perpetrators and provide redress to the victims.

9. Please provide detailed information on the available mechanisms that enable migrant workers and members of their families, including those with an irregular migration status, to report acts of discrimination, xenophobic violence, trafficking in persons, smuggling of migrants, disappearance, internal displacement, labour exploitation and other violations of the rights recognized in the Convention, and to obtain effective redress. Please indicate how the guidelines, protocols and training modules developed by the Ministry of Justice and Law, the Attorney General's Office (including the Directorate for User Services, Early Intervention and Assignments), the Counsel General's Office and other institutions have been incorporated into the practices of the competent authorities at the national and local levels. Please include disaggregated statistical data on complaints, investigations and disciplinary, administrative and criminal proceedings initiated as a result of acts of discrimination and violence against migrant workers and members of their families, as well as data on the outcome of these proceedings relating to convictions, disciplinary sanctions, measures of reparation and guarantees of non-repetition.

10. Please explain how the campaigns and measures mentioned in the State Party's report, including the "Companies with Open Arms" campaign, the "There's Space for Us All Here" campaign, the circulars and directives issued by the Counsel General's Office, and the actions

taken by the Ministry of Labour and other agencies³ contribute to preventing and combating xenophobia, hate speech and other forms of discrimination against migrant workers and members of their families. Please specify the criteria used to select target territories and groups, the resources allocated and the mechanisms for evaluating outcomes, and state how the meaningful participation of migrants and civil society is ensured.

C. Part III of the Convention

Articles 8–15

11. Please provide information on any cases detected in the State Party of migrant workers and members of their families, in both regular and irregular situations, who have been subjected to abusive employment conditions, including cases of labour exploitation, forced labour and occupational accidents for which no reparation is provided. Please explain how the measures taken by the Ministry of Labour, including the actions carried out by the Directorate for Inspection, Oversight and Control at the local level and by the competent courts, have helped to protect migrant workers in the last five years, specifying, among other things, whether sufficient resources have been allocated to provide adequate protection to migrant workers. Please provide information on any measures taken to ensure that migrant workers have effective access to means of bringing complaints against their employers, including in the informal and domestic labour sectors, that all violations are investigated and that, where appropriate, the perpetrators are punished. Please include specific information on the complaints submitted and their outcome.

12. Please provide up-to-date information on any measures taken to ensure respect for the rights of migrant children, in particular those who are unaccompanied or separated from their parents, those who are in an irregular situation or in transit through the State Party, and Colombian children in other States. Please explain how appropriate procedures for identifying, registering and referring children to the competent protection authorities are ensured at entry points and transit areas, including procedures to ensure coordination between these authorities to assess the best interests of the child and to take measures to protect and restore their rights accordingly. Indicate whether mechanisms for facilitating cooperation between child protection authorities at the local, departmental and national levels, as well as with other countries in the region, have been developed in order to implement measures arising from best-interests assessment and determination procedures. Please provide detailed information on all measures taken since the adoption of Decision No. 2032 of 2024 of the Colombian Family Welfare Institute, pursuant to which the National Committee on Migrant Children and Adolescents of the National Family Welfare System was established and the regulations to implement it were adopted. Indicate the resources allocated to effectively implement these measures throughout the country. Please provide disaggregated data on unaccompanied or separated migrant children and adolescents who have been identified in Colombia.

13. In view of the risks identified in the migration corridors of Necoclí, Turbo, Chocó, La Guajira, Norte Santander and the Amazon tri-border area, please provide information on the measures taken to protect migrant workers and members of their families from situations of violence, extortion, forced recruitment by actors linked to the armed conflict, internal displacement, enforced disappearance, trafficking in persons and sexual exploitation. Please state how prevention, inter-agency coordination, humanitarian assistance and immediate response measures have been implemented in these situations, noting the main challenges encountered in ensuring effective protection and the resources allocated, results obtained and measures taken to strengthen institutional capacity in these territories.

Articles 16–22

14. Please indicate whether there are regulations or other measures allowing for deprivation of liberty for reasons related to migration status. If there are, please provide disaggregated data on their implementation. Please also state how the initiatives taken by the

³ CMW/C/COL/4, paras. 84–86.

Counsel General's Office and the Attorney General's Office, as well as the services provided by the Justice Houses and the "Integrate" centres,⁴ have helped to ensure access to justice through the filing of effective appeals against decisions taken as well as access to consular assistance, free legal aid, interpretation services in a language that migrants understand and communication with members of their families, also stating whether disaggregated information comparable to that included in annex 9 of the State Party's report is collected.

15. Please update the information on the steps taken, within the framework of bilateral agreements or dialogues and consular protection, to ensure that Colombian migrant workers and members of their families, irrespective of their migration status, are not arbitrarily detained or deported and to urge countries of transit and destination to fully observe procedural safeguards, including free legal assistance and the right to an effective remedy, and substantive safeguards, such as the right to family life and the principle of non-refoulement. Please also provide information on the follow-up given to cases reported since 2019 of persons affected in this regard, specifying the cases in which access to consular assistance and protection mechanisms has been facilitated, decisions have been revoked and, where this has not occurred, effective redress has been provided, in accordance with the Committee's previous recommendation.⁵

16. Please describe the types of criminal or administrative penalties handed down to migrant workers and members of their families for violations of migration regulations, specifying whether reforms or administrative criteria have been adopted in recent years to ensure the proportionality of the penalties, the issuance of properly reasoned decisions and the availability of effective remedies to challenge them. Please explain how the State Party ensures that administrative procedures relating to migration are carried out with full respect for due process, ensuring that delays in the issuance or renewal of temporary residence documents do not lead to situations of irregularity, denial of access to essential services or inconsistencies in the recognition of such documents by local authorities, healthcare providers and other public and private actors, and specify the measures taken to ensure uniform recognition of such documents throughout the country.

Article 23

17. Please provide information on the measures taken to strengthen consular protection for Colombian migrant workers and members of their families abroad, including those with irregular migration status, particularly in the United States of America. Please provide information on the measures taken to provide them with legal assistance in detention and deportation proceedings, and to protect them against deportation and arbitrary detention. In view of the increased use of measures to detain and expel migrant workers and members of their families, including those in a regular situation, in the United States of America, please specify which authorities are responsible for protecting their rights. Please specify the measures taken by each of these authorities, including the Ministry of Foreign Affairs, the Counsel General's Office and the Colombian Family Welfare Institute. Please indicate the measures taken to facilitate access to transnational justice mechanisms for migrants who have been arbitrarily detained and deported or subjected to other violations of their rights in such proceedings. Please state whether there are administrative or judicial mechanisms to protect the right to family reunification of deported persons, in the country concerned, on the basis of the principle of the best interests of the child and other rights at stake in each case. Please provide disaggregated statistical data on the measures taken by each authority and the results obtained. Lastly, please explain how the State Party has strengthened coordination with the Ombudsman's Office to exchange information on the aforementioned expulsions and to follow up on complaints of alleged violations of the rights of the persons concerned.

⁴ CMW/C/COL/4, paras. 99–102.

⁵ CMW/C/COL/CO/3, para. 35.

Articles 25–30

18. Please provide up-to-date information on the measures taken to ensure, in practice, the right to equal treatment of migrant workers and members of their families in respect of remuneration and working conditions, including the right to receive the national minimum wage and to enjoy working hours and rest periods on equal terms and effective access to social security services, including maternity benefits, in accordance with applicable national laws, in particular Act No. 2136 of 2021, Decree No. 216 of 2021, the Substantive Labour Code, and the provisions introduced under Act No. 2466 of 2025. In this connection, please explain how article 37 of the last of these laws is being implemented and what impact it has had on access to formal employment, the reduction of informal employment and the expansion of social security coverage, especially for women migrant workers. Please also describe the measures taken to strengthen labour inspection and other oversight mechanisms in sectors with higher levels of informal employment, and specify the complaint and protection mechanisms available, in particular for migrant workers in an irregular situation, as well as the number of complaints received, processed and resolved since 2019 and the measures taken in response to them.

19. Please provide information on the measures taken to ensure that migrant workers and members of their families, including those with irregular migration status or in the process of regularizing their status, have equal access to health and social welfare services, in accordance with national laws and public policies in force. Please explain what steps are taken to ensure ongoing affiliation with the General Health and Social Security System and access to services for persons subject to delays in the issuance or renewal of temporary residence documents and for asylum-seekers and persons holding special permits or subject to interim measures. In addition, please provide information on programmes for reducing financial, territorial and documentation-related barriers affecting migrants, including up-to-date statistical data on affiliations, access to services and identified obstacles.

20. Please provide detailed information on the measures taken to ensure that the children of migrant workers have access to education and other essential public services on terms no less favourable than those available to nationals, irrespective of their or their parents' migration status. Please state what measures are taken to ensure the uniform application of provisions allowing for enrolment and ongoing attendance without undue documentation requirements, as well as the steps taken to remedy practices that hinder access to extracurricular activities, educational support and complementary services. Please include disaggregated statistical information on enrolment, retention and dropout rates among migrant children and adolescents and on measures taken to guarantee their access to secondary education, to prevent discrimination and to ensure their effective access to basic services in border areas, peripheral urban areas and areas with limited institutional capacity.

21. Please provide information on the measures taken to guarantee the right to a name, birth registration and nationality for the children of all migrant workers born in Colombia and the children of Colombian migrant workers abroad. Please explain the impact of the application of article 4 of Act No. 2332 of 2023, which provides that persons born in Colombia to migrant parents will be granted Colombian nationality only if their parents can prove that they have held, for three continuous or uninterrupted years, a valid visa authorizing them to settle in the national territory. Please indicate to what extent this provision has helped to ensure that all children born in the State Party acquire a nationality, irrespective of their migration status or their parents' period of residence, and to prevent and remedy all situations of statelessness. Please state whether there have been any judicial decisions analysing this article in the light of the Convention, the Convention on the Rights of the Child and other treaties in force.

Articles 31–33

22. Please provide up-to-date information on any measures taken to ensure that migrant workers and members of their families receive appropriate, accessible and understandable information about their rights, regularization procedures, institutional protection pathways and the risks associated with migrant trafficking and smuggling, especially for those who do not speak Spanish or who come from Caribbean countries, Asia or Africa. Please indicate whether such information is available in several languages and specify the mechanisms used to disseminate it in border areas, transit points and host communities.

D. Part IV of the Convention**Articles 36–56**

23. Please provide up-to-date information on the measures taken to ensure effective access to formal employment for migrants in a regular situation, including asylum-seekers whose applications have been accepted and who have been granted a safe conduct pass (SC-2), in accordance with Decree No. 89 of 2025 and the case law of the Constitutional Court. In particular, please explain how the State Party ensures that such persons can exercise their right to work by obtaining a temporary protection permit without being required to renounce their asylum application, and provide information on how the time limit for resolving such applications is determined, ongoing administrative and practical obstacles to obtaining and renewing work permits, and the measures taken to ensure that lack of formal employment or administrative delays do not result in the loss or downgrading of migration status.

24. Please provide detailed information on the measures taken to expedite and simplify procedures for recognizing qualifications and the professional skills of migrant workers in a regular situation, including those with temporary protection permits and other types of visa, and to ensure their equal access to regulated professions. In particular, please specify the average processing times, the criteria used to conduct assessments, the remedies available to persons whose applications are rejected, and the measures taken to prevent the lack of timely recognition of qualifications from pushing migrant workers into informal employment. Please provide statistical data for 2019 onward, broken down by nationality, sex, educational level and professional sector, on submitted, approved and rejected applications for recognition.

25. Please provide up-to-date information on any measures taken to protect the unity of migrant workers' families and to facilitate reunification with their spouses or partners, as recognized by national law, as well as with their children, including their unmarried adult children, irrespective of the type of residence or work permit that they hold. In particular, please explain the substantive and formal criteria applied to family reunification, the actual processing times, the financial requirements and the measures taken to ensure that delays, disproportionate demands or changes in migration policy do not result in the prolonged separation of families.

26. Please explain what measures the State Party has taken to ensure that the migration status and rights arising from the residence and employment of migrant workers and members of their families are not affected by the high level of informal employment, involuntary loss of employment or the inability to meet certain administrative or financial requirements (such as ongoing affiliation with the social security system or minimum income levels). In this connection, please provide disaggregated statistical information on migration and international protection procedures currently pending resolution, indicating the average processing times and the breakdown by nationality, sex, age and migration status. Please specify any measures taken to ensure effective access to these procedures and to expedite their resolution, particularly with regard to the issuance or renewal of temporary residence documents. Please also indicate whether the State Party has established, or plans to establish, maximum time limits for the resolution of applications, in accordance with the provisions of ruling No. SU-543 of 2023 of the Constitutional Court.

E. Part VI of the Convention

Articles 64–71

27. Please provide up-to-date information on any measures taken, including consultations and bilateral, regional and multilateral cooperation, to promote satisfactory, equitable, humane and lawful conditions for the international migration of migrant workers and members of their families. Please describe the progress made under recent agreements with States in the region, including the memorandum of understanding with Panama (2024) and the memorandum entered into with the Bolivarian Republic of Venezuela (2023), in the areas of rights protection, family reunification, regularization, and the reduction of risks in transit corridors, as well as the results obtained in strengthening institutional coordination at the national and local levels.

28. Please provide detailed information on the measures taken to manage transit flows and the growing reverse-migration movements toward the State Party along border crossing corridors such as the Costa Rica–Panama–Colombia route. Please include information on the protective measures taken to prevent persons transiting through the Darién Gap from becoming victims of disappearance and, in general, from being subjected to abuse, sexual or labour exploitation, and trafficking in persons, including information on the lack of authorities in other migration transit points such as Necoclí. Please indicate how coordination is undertaken with States in the region to ensure the effective presence of institutions, humanitarian assistance, the identification of persons in vulnerable situations and access to documentation and regularization channels. Please also provide information on the availability of basic services at comprehensive migrant care centres and other reception and transit points, including services such as temporary accommodation, food, water, sanitation, healthcare and the referral of persons with specific protection needs, and report on preventive campaigns targeted at migrants that address the risks associated with these routes.

29. Please provide up-to-date information on the measures taken to ensure the dignified and safe return of Colombian migrant workers and members of their families, including those who return voluntarily and those who do so as part of deportation proceedings from Spain, the United States, Mexico and other countries. Please describe the protocols for receiving, identifying and supporting persons in vulnerable situations, including unaccompanied children, persons with disabilities and women who have experienced gender-based violence or sexual exploitation. Please also provide information on programmes relating to voluntary returns and sustainable socioeconomic reintegration, including those provided for in Act No. 1565 of 2012, specifying the number of beneficiaries, the types of support offered, the sustainability of the projects and the results obtained.

30. Please provide up-to-date information on measures taken to prevent and combat trafficking in persons and the smuggling of migrants, including any progress made under the National Strategy to Combat Trafficking in Persons, the outcome of complaints, including those received through the LibertApp application, and disciplinary proceedings relating to the smuggling of migrants (the 77 cases identified by the Counsel General's Office). Please also provide information on the functioning of the Anti-Trafficking in Persons Operations Centre, the 265 victims assisted in 2023, the role of Migration Colombia in identifying and referring victims, and measures to strengthen early detection, the protection of vulnerable persons and the punishment of criminal networks. Please provide information on the number of convictions secured for the offences of trafficking in persons and the smuggling of migrants committed against migrant workers and their families, broken down by year, offence and sentence handed down.

31. Please provide detailed and disaggregated data on the implementation of the temporary statute for the protection of Venezuelan migrants established by Decree No. 216 of 2021 and regulated by Decision No. 971 of 2021, as well as data on the granting of temporary protection permits. Please provide the available estimates of the number of persons who have not yet been able to regularize their migration status and the measures planned to enable them to do so. Please provide information on the number of applications received and permits issued on the basis of the special residence permit for the legal representatives or guardians of children and adolescents, known as PEP-TUTOR, established by Decree

No. 1209 of 2024 and regulated by Decision No. 2451 of 2025. Please describe the measures taken and planned to facilitate the regularization of migrants of other nationalities.
