



**International Convention for
the Protection of All Persons
from Enforced Disappearance**

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Committee on Enforced Disappearances

**Information provided by Colombia on the follow-
up to the concluding observations on the
supplementary information submitted by
Colombia under article 29 (4) of the Convention^{*, **}**

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** The annex to the present report is available on the Committee's web page.



Introduction

1. Colombia submitted its second periodic report under the International Convention for the Protection of All Persons from Enforced Disappearance on 17 January 2020 and presented it to the Committee on Enforced Disappearances on 19 and 20 April 2021. At the end of this process, the Committee issued its concluding observations on 2 June 2021 and requested the State, in paragraph 37 of the concluding observations, to submit information, by 7 May 2022, on action taken in follow-up to the recommendations made in paragraphs 17, 19 and 27.
2. Colombia hereby submits to the Committee, within the set time period, information on the implementation of the recommendations contained in paragraph 17, on statistical information on enforced disappearances, paragraph 19, on the investigation of cases of enforced disappearance, and paragraph 27, on the search for disappeared persons, of the Committee's concluding observations, which are contained in document [CED/C/COL/OAI/1](#) of 2 June 2021. These observations are related to articles 1, 2, 3, 6, 12, 24 and 25 of the Convention.
3. The present report is based on information submitted by the following entities: the Ministry of Defence; the Disappeared Persons Investigative Commission; the Commission for the Clarification of Truth, Coexistence and Non-Repetition; the Attorney General's Office; the Colombian Family Welfare Institute; the Special Jurisdiction for Peace; the National Institute of Forensic Medicine and Science; the National Centre for Historical Memory; the Counsel General's Office; the Comprehensive Victim Support and Reparation Unit; and the Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict.
4. In order to address the points raised by the Committee, Colombia will submit observations on each of the relevant recommendations. With respect to the recommendation contained in paragraph 17 of the concluding observations, the State will provide information on measures taken in relation to the collection of data on enforced disappearance, inter-agency coordination to consolidate that information and data gathered in the context of the reconstruction of historical memory.
5. With respect to the recommendation in paragraph 19, the State will present the principal lines of inquiry and methods followed in judicial investigations into cases of enforced disappearance, the main advances made by the Special Jurisdiction for Peace and the efforts made to shed light on the facts of such cases through inter-agency collaboration.
6. Lastly, with respect to the recommendation in paragraph 27, the State will present the main developments resulting from the regional search plans and the general efforts made to search for persons deemed disappeared and to ensure the return of remains, where possible, through the competent entities.
7. All these measures, which will be discussed in more detail below, reflect the State's commitment to preventing cases of enforced disappearance, investigating, prosecuting and punishing the perpetrators of this offence and ensuring the right to truth and reparation of the victims of such serious human rights violations.

A. Follow-up information relating to paragraph 17 of the concluding observations ([CED/C/COL/OAI/1](#))

8. First of all, the State considers it relevant to refer to the sociopolitical situation in the country, which is marked by several armed conflicts involving multiple organized armed groups. This situation gives rise to various forms of criminal activity relating to the disappearance of persons.¹ Consequently, although there has been a significant decrease in cases of enforced disappearance over the last decade, the registration of new cases and old

¹ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

cases that had not previously been brought to the attention of the State is an ongoing task for the entities that operate the information systems on disappeared persons.²

9. For that reason, the Committee's recommendation that the process of cleansing the National Register of Disappeared Persons should be completed is not feasible, as the constant updating of information, the inter-agency verification procedures and the ability of the relevant institutions to engage with relatives of disappeared persons, which is achieved by fostering confidence in the search efforts, are all part of an ongoing process of building trust and updating the information.³

10. Nevertheless, the National Institute of Forensic Medicine and Science is working continually to clean up the National Register of Disappeared Persons and the Disappeared Persons and Recovered Bodies Information Network through the following activities: (i) merging duplicate entries in these information systems; (ii) monitoring the information entered in the Information Network with regard to unidentified bodies; and (iii) measures relating to the registration of information and data quality.⁴

11. The process of merging duplicate case entries in the Disappeared Persons and Recovered Bodies Information Network is carried out by: (i) verifying that the duplicates involve the same person; (ii) merging the information into a single file where appropriate; and (iii) supplementing the information with input provided by other agencies on request. The process also involves alphanumeric searches, technical consultations, cross-referencing and dissemination of information on the case to the regional offices of the National Institute of Forensic Medicine and Science. Between January and December 2021, the Institute consolidated the information on 84 cases.⁵

12. The information entered in the Disappeared Persons and Recovered Bodies Information Network on unidentified bodies is monitored on a weekly, monthly, quarterly and annual basis, and the results are recorded and sent to the regional directors and subdirectorates of the forensic services. Between January and December 2021, the National Institute of Forensic Medicine and Science monitored a total of 4,123 cases.⁶

13. Regarding the registration of information and the quality of data on cases involving persons deemed disappeared and unidentified bodies, the National Institute of Forensic Medicine and Science issues guidelines and updates and facilitates access to documents in its quality management system, which allows for inter-agency coordination between the entities that are involved in maintaining the National Register of Disappeared Persons.⁷

1. Follow-up information relating to paragraph 17 (a) of the concluding observations

14. As the administrator of the National Register of Disappeared Persons and the Disappeared Persons and Recovered Bodies Information Network, the National Institute of Forensic Medicine and Science has been strengthening the system in order to improve the recording of information when persons who have been reported as disappeared are registered and thus: (i) make it easier to compare that information with the data compiled on bodies that have undergone a forensic autopsy; (ii) guide the search; (iii) follow up on cases; and (iv) activate the urgent search mechanism.⁸

15. According to the 2021 management report of the National Institute of Forensic Medicine and Science, the work carried out with the Unit for the Search for Persons Deemed

² Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

³ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

⁴ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

⁵ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

⁶ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

⁷ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

⁸ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

Disappeared in the Context of and Due to the Armed Conflict and the Special Jurisdiction for Peace has made it possible to join forces to support the search for disappeared persons, the identification of bodies, follow-up on reports of disappearances and the activation of the urgent search mechanism.⁹

16. The National Register of Disappeared Persons contains specific information on each reported case and on the identity of the persons concerned; it is therefore possible to determine the total number of disappeared persons.¹⁰

17. As regards the classification of cases, each year the National Institute of Forensic Medicine and Science publishes a document entitled “Forensis” that includes a chapter on enforced disappearance in Colombia, in which the demographic characteristics of the relevant population groups are identified. This information can be used as inputs for the formulation of public policies.¹¹ In addition, every five years the Institute publishes a document entitled “Masatugo”,¹² in which the figures on violence against women and girls in Colombia, including women reported disappeared and recorded in the National Register of Disappeared Persons, are consolidated and analysed.¹³

2. Follow-up information relating to paragraph 17 (b) of the concluding observations

18. The National Register of Disappeared Persons and the Disappeared Persons and Recovered Bodies Information Network include the following variables: sex, age, nationality, ethnic group, place, date and type of disappearance. This makes it possible to record whether it is presumed to be an enforced disappearance, based on the account of the person reporting the case. The Information Network does not include information about gender identity or sexual orientation, as this is a matter of self-identification. However, if the person reporting the case states that the disappeared person is a member of the lesbian, gay, bisexual and transgender community, this information is included in the report and can subsequently be recorded as a factor of increased vulnerability.¹⁴ It is therefore deemed that the Committee’s recommendation has effectively been implemented.

3. Follow-up information relating to paragraph 17 (c) of the concluding observations

19. In accordance with the Committee’s recommendation, the Disappeared Persons and Recovered Bodies Information Network includes variables such as date of exhumation, authority, official record, grave number and case identifiers. In the event that the person is found to be deceased, information about the claimant and the final disposition of the body or remains is recorded.¹⁵

20. In addition, the Attorney General’s Office is in the process of cleaning and consolidating data on cases of enforced disappearance. This exercise is being carried out by the Office in cooperation with the National Institute of Forensic Medicine and Science.¹⁶

21. As part of the cleaning and consolidation process, a mechanism is being used to collect and standardize the information that has been recorded by the national and district directorates of the Attorney General’s Office and by other agencies authorized to investigate cases of enforced disappearance. This information is being gathered from the physical files that are kept in each office. The Office is also cleaning the information that is stored in the

⁹ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹⁰ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹¹ Available at: <https://www.medicinalegal.gov.co/cifras-estadisticas/forensis>.

¹² Available at: <https://www.medicinalegal.gov.co/documents/20143/696494/9+Desaparicion+Masatugo+sep+7-21.pdf>.

¹³ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

¹⁴ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹⁵ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹⁶ Attorney General’s Office, official letter No. 20221700024311 of 5 April 2022.

Justice and Peace Information System by analysing it and checking it against the information reported by the National Institute of Forensic Medicine and Science.¹⁷

22. As a result of this process, primary information on the universe of victims of enforced disappearance is obtained. When the corresponding statistical universe has been determined, the Attorney General's Office proceeds to identify duplicate records of victims, verify the identification documents of those victims and cross-check the information available on bodies that have been identified and handed over by the Group for the Search, Identification and Handover of Disappeared Persons and the reports of the National Institute of Forensic Medicine and Science. The Office is also working to classify the cases according to whether victims have been found alive or dead and those in which the victims are still missing. In some cases, it adds information on how, when and where the disappearance occurred.

23. The records of the Attorney General's Office include the following categories:

- (i) Proceedings: information on the location and status of the investigation;
- (ii) Victims: information on individual victims associated with investigations relating to enforced disappearance. Recording this information involves describing the victim's profile, checking whether it is appropriate to apply a differentiated approach and defining the victim's place of residence;
- (iii) Status of victims of enforced disappearance: information on whether the person has been found alive or dead or remains missing;
- (iv) Date and place of the events.¹⁸

24. The Attorney General's Office and the National Institute of Forensic Medicine and Science work together to check the information provided by the Office against the information recorded in the Disappeared Persons and Recovered Bodies Information Network and the National Register of Disappeared Persons. This exercise has shown that more than 30,000 cases have been recorded in the Register and the Information Network. Furthermore, this inter-agency coordination exercise has made it possible to specify the cases in which the victims have been found alive or dead and thus to define the universe of victims of enforced disappearance more clearly.¹⁹

25. As regards including the status of the relevant procedures in the disappeared persons registration systems, the Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict plans to include a "search status" variable (found alive/found dead/not found) in the Universe of Persons Deemed Disappeared and the National Register of Disappeared Persons. It should be noted that these information systems are still under development.²⁰

26. In accordance with the above and in response to the Committee's recommendation, the State continues to move forward with its inter-agency coordination work with a view to identifying cases that are skewing the figures, as well as opportunities for improvement, such as the possibility of including new categories that could be used to record other victim characteristics.²¹

4. Additional information on State action to promote inter-agency coordination with respect to data on enforced disappearance

27. Several government institutions record data on disappeared persons for various purposes, including the search for disappeared persons, the granting of administrative reparation to victims and the construction of historical memory. For this reason, the State promotes inter-agency coordination in order to improve the quality of the information stored in the databases on disappeared persons.

¹⁷ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁸ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

²⁰ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

²¹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

28. The Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict is an extrajudicial humanitarian entity within the Comprehensive System of Truth, Justice, Reparation and Non-Repetition that directs, coordinates and contributes to the search for persons deemed disappeared in the context of the armed conflict.²²

29. The Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict has a register known as the Universe of Persons Deemed Disappeared that contains information on the demographic and other characteristics of these persons. The aim is to ensure that information indicating that discrimination or other forms of social and political exclusion may have led to the disappearance is taken into account in the planning of search operations. The relational database that feeds into the register therefore includes information on age, ethnicity, sex assigned at birth, gender identity, sexual orientation and nationality.²³

30. The National Register of Disappeared Persons has a public interface that can be used to search for persons deemed disappeared by demographic characteristics and a map of the territorial distribution of cases.²⁴ As regards the entry on the act of disappearance itself, the Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict is currently discussing with the National Institute of Forensic Medicine and Science the possibility of including more than one circumstance associated with disappearance due to and in the context of the armed conflict.

31. The Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict continues to work on the identification of individual characteristics of persons deemed disappeared using existing information. This work includes removing duplicate records from the Universe of Persons Deemed Disappeared and cross-checking information with the databases of the National Civil Registry Office in order to fully identify persons deemed disappeared whose personal identification number and sex are known.²⁵

32. Meanwhile, the Comprehensive Victim Support and Reparation Unit – in the framework of Act No. 1448 of 2011 and through its National Information Network, whose aim is to ensure the efficient and systematic interoperability of institutional information for the purposes of policy development and implementation – has been engaged in cooperation with the National Institute of Forensic Medicine and Science since 2015, under inter-agency agreement No. 001-SG-1260, which was renewed on 10 June 2021 for the period up to 31 December 2022.²⁶

33. The purpose of this inter-agency agreement is to enable the Comprehensive Victim Support and Reparation Unit and the National Institute of Forensic Medicine and Science to pool their technical, technological, logistical, human and administrative resources and to exchange reports, data and other information that helps them to perform their functions in accordance with the regulations in force.²⁷

34. These two entities have also signed a technical document that regulates and formalizes the exchange of information on bodies, sources of clinical information, sexual offences and persons registered as disappeared in the Disappeared Persons and Recovered Bodies Information Network. These information exchanges are carried out on a biannual basis. In addition, the Comprehensive Victim Support and Reparation Unit submits information from

²² Legislative Act No. 01 of 2017. Information available at:

<https://ubpdbusquedadesaparecidos.co/acerca-de-la-ubpd/que-es-la-ubpd/>.

²³ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBDP-2-2022-000585 of 6 April 2022.

²⁴ Available at: <https://www.medicinalegal.gov.co/rnd-registro-de-desaparecidos>.

²⁵ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBDP-2-2022-000585 of 6 April 2022.

²⁶ Comprehensive Victim Support and Reparation Unit, official letter No. 20221106497361 of 15 March 2022.

²⁷ Comprehensive Victim Support and Reparation Unit, official letter No. 20221106497361 of 15 March 2022.

the Central Register of Victims to the National Institute of Forensic Medicine and Science each month.²⁸

35. An agreement on the exchange of information between the Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict and the Comprehensive Victim Support and Reparation Unit was formalized in August 2018.²⁹

36. The Disappeared Persons Investigative Commission is constantly engaged in data cleaning activities. In this context, it has reported 71 duplicate entries in the Disappeared Persons and Recovered Bodies Information Network to the National Institute of Forensic Medicine and Science and has corrected 1,507 first names and surnames by cross-checking the National Register of Disappeared Persons with the Central Register of Victims.³⁰

37. The Disappeared Persons Investigative Commission has undertaken inter-agency consultations with the National Council to Combat Kidnapping and Other Attacks on Personal Liberty in order to cross-check 189 reports of alleged kidnappings entered in the National Register of Disappeared Persons, of which 21 have been confirmed. It has also requested the Inter-Agency Committee to Combat Trafficking in Human Beings to cross-check 94 reports of alleged trafficking in persons entered in the Register and has requested the Intersectoral Commission for the Prevention of Forced Recruitment of Children to cross-check 1,049 reports of alleged illegal recruitment entered in the Register.³¹

5. Additional information on State action relating to the collection of data on enforced disappearance for the reconstruction of historical memory

38. Under Act No. 1448 of 2011, the State established the National Centre for Historical Memory, whose role is to contribute to the reconstruction of the national historical memory through the realization of the right to truth and full reparation and to guarantees of non-repetition. With respect to enforced disappearance in the context of the internal armed conflict, the Centre has helped to shed light on such events and to give victims a voice through research and through symbolic reparation, cultural, academic and other activities that have been conducted on behalf of Colombian society.³²

39. The National Centre for Historical Memory has taken steps to clean and consolidate statistical information on enforced disappearance. These activities fall within the mandate of the Memory and Conflict Observatory, which has contributed to the production of statistics on the number of disappeared persons and the proportion of those persons who may have been subjected to enforced disappearance.³³

40. The Memory and Conflict Observatory project was launched in 2014 and led to the creation of the System of Information on Violence during the Colombian Armed Conflict as a platform for recording information about violent events and acts and direct victims of the armed conflict for the period from 1958 to the present. This initiative has entailed the inclusion of social and institutional sources and the use of standardized criteria for recording and classifying how, when and where the events took place, the perpetrators and the victims of the armed conflict. To date, the Observatory has documented a total of 651 (166 institutional and 485 social) sources of information on the 11 categories of violence that it covers (including enforced disappearance) corresponding to a total of 33,136 documents and databases in the System.³⁴

²⁸ Comprehensive Victim Support and Reparation Unit, official letter No. 20221106497361 of 15 March 2022.

²⁹ Comprehensive Victim Support and Reparation Unit, official letter No. 20221106497361 of 15 March 2022.

³⁰ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

³¹ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

³² National Centre for Historical Memory, official letter No. 202203311003116-1 of 31 March 2022.

³³ National Centre for Historical Memory, official letter No. 202203311003116-1 of 31 March 2022.

³⁴ National Centre for Historical Memory, official letter No. 202203311003116-1 of 31 March 2022.

41. The Memory and Conflict Observatory has a database that is disaggregated by sex, age, gender, date and place of disappearance.³⁵ It is important to keep in mind that the cases recorded by the Observatory are constantly being updated. For this reason, the data presented here may differ from the data retrieved in the future. According to the database, as at 28 February 2022, there are a total of 80,737 victims of enforced disappearance.³⁶

42. The Memory and Conflict Observatory has entered into agreements on the exchange of information with entities that form part of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, including the Comprehensive Victim Support and Reparation Unit, and has held working group meetings with the Disappeared Persons Investigative Commission and the National Institute of Forensic Medicine and Science.³⁷

43. The Observatory has also organized training on the System of Information on Violence during the Colombian Armed Conflict for members of the Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict with a view to helping to shed light on the whereabouts of victims.³⁸

B. Follow-up information relating to paragraph 19 of the concluding observations

1. Follow-up information relating to paragraph 19 (a) of the concluding observations

44. This recommendation relates to two mechanisms that, within the scope of their current areas of competence, work together on the investigation and adjudication of cases of enforced disappearance and the sentencing of those responsible: the Attorney General's Office – as the investigating body for the ordinary courts – and the Special Jurisdiction for Peace. In response to the recommendation, remarks about each of these bodies are set out below.

(a) The work of the ordinary courts

45. First, in view of the State's commitment to investigating crimes of enforced disappearance wherever they may have been committed throughout the national territory, the Attorney General's Office has used various strategies for running investigations, for confirming reports of enforced disappearances and for identifying and finding perpetrators and/or participants so that they can be prosecuted and punished. In addition, a locally contextualized strategy has been developed for investigating these crimes.³⁹

46. The investigation of acts of enforced disappearance focuses on the gathering of material and physical evidence of the alleged perpetrators' membership in the armed groups that carry out these disappearances in order to have an impact on those groups and to focus investigative and prosecutorial capacity on these types of high-impact crimes.⁴⁰

47. Within the bounds of the autonomy and independence that specialist prosecutors enjoy in their work, once they become aware of the possible commission or omission of one or more acts that would constitute a punishable offence and have developed their investigation plan, they instruct the judicial police to gather material and/or physical evidence to determine the guilt or innocence of the alleged perpetrators. This ensures that each prosecutor on the case acts immediately, impartially, exhaustively, independently and with a differentiated approach during the investigation.⁴¹

48. Second, one of the strategies adopted for dealing with cases of enforced disappearance has been to expedite the investigation by streamlining the process and building up evidence by reading and cross-checking files in order to create a matrix for categorizing victims and

³⁵ The cases documented by the Memory and Conflict Observatory can be consulted at: <http://micrositios.centrodememoriahistorica.gov.co/observatorio/>.

³⁶ National Centre for Historical Memory, official letter No. 202203311003116-1 of 31 March 2022.

³⁷ National Centre for Historical Memory, official letter No. 202203311003116-1 of 31 March 2022.

³⁸ National Centre for Historical Memory, official letter No. 202203311003116-1 of 31 March 2022.

³⁹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴⁰ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴¹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

the variables that the cases have in common. Pursuing criminal investigations jointly enables cases to be linked on the basis of factors such as modus operandi, identified armed groups and geographical area. This facilitates the investigative work needed to determine whether given events took place and to identify possible perpetrators so that they can be brought to justice.⁴² Where a connection cannot be established between the cases, however, individual investigations are conducted.

49. Third, the Attorney General's Office has given new impetus to stalled cases by ordering the judicial police to take steps to discover the whereabouts of the persons reported as disappeared. It has also georeferenced the cases, taking into account the time during which different criminal organizations were active at different locations and information about their members. The main inputs for this process have been the records of trials and convictions for conspiracy, in which the facts are recounted and the persons who allegedly participated in the cases relating to offences of enforced disappearance in a given part of the country can be identified.⁴³

50. Fourth, the Attorney General's Office has proposed bringing charges against persons who are already in custody for other offences and who are members of criminal organizations, such as armed outlaw groups or illegal armed groups, and who, in the course of the criminal investigation, can be identified as participants in, or as having some degree of responsibility for, a case of enforced disappearance. Material and/or physical evidence is gathered by various means, including by reconstructing the situations existing in the neighbourhoods, districts, municipalities and cities where the most enforced disappearances have occurred, by conducting interviews and by exchanging information with other institutions.⁴⁴

51. Fifth, the Attorney General's Office has set out guidelines for the investigations that it conducts, in which a large number of prosecutors, investigators, analysts and forensic scientists throughout the nation participate; they partner with highly qualified investigators from multiple disciplines tasked with supporting the investigation in a timely and diligent manner, with particular emphasis on taking urgent action and carrying out the necessary investigative work. Technical and scientific resources have been made available to assist in obtaining material and/or physical evidence in the shortest possible time, in line with the duty of due diligence.⁴⁵

52. Sixth, the Attorney General's Office follows a differentiated approach that incorporates a gender perspective in cases where the victims have been identified as children, adolescents, lesbian, gay, bisexual, transgender or intersex persons, members of an ethnic minority or persons with disabilities. In addition, the Attorney General's Office has adapted its physical premises by introducing accessible features; interpreter support, where required; staff trained in sign language; telephone and virtual access for reporting crimes; and the *A Denunciar* (To Report) platform on the Office's website. All of these enhancements help to provide immediate and timely access for persons seeking justice.⁴⁶

53. Seventh, through agreements with local authorities, the Attorney General's Office has paired up psychosocial and legal advisers to work as a team to provide support in regions where access to reporting mechanisms is limited in order to avert the withdrawal of charges and encourage participation in the investigations. It has also established memorandums of understanding with women's organizations, community councils and indigenous reserves with a view to identifying barriers to access to justice and establishing working groups to review and follow up on specific cases in which a differentiated approach incorporating the gender perspective could be introduced.⁴⁷

54. As regards actions taken in respect of persons belonging to ethnic minorities, victims' support pathways have been enhanced by establishing lines of communication with their communities to facilitate the reporting of disappearances. In addition, a system for periodic

⁴² Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴³ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴⁴ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴⁵ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴⁶ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴⁷ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

follow-up on reporting has been put in place that has helped the relevant authorities to learn more about the territorial distribution of indigenous and Afrodescendent communities in each department. Thus, when specific cases of the enforced disappearance of a person belonging to a given ethnic group arise, the authorities are immediately able to develop an investigation plan and issue instructions to the judicial police so that, because the geographical area where the search should be conducted has already been established, the disappeared person's whereabouts can be determined in the shortest time possible.⁴⁸

55. Finally, coordination exercises have been conducted with the Ombudsman's Office, governors' offices, the Special Administrative Unit for Migration, indigenous authorities, community leaders and leading figures in society in an effort to establish closer ties with indigenous communities in order to raise awareness of the importance of reporting acts of violence and provide the support necessary to establish the facts and prosecute the perpetrators.⁴⁹

(b) The Special Jurisdiction for Peace

56. Through its Special Jurisdiction for Peace, the State has highlighted the various cases opened by the Judicial Panel for Acknowledgement of Truth, Responsibility and Determination of Facts and Conduct, which include instances of enforced disappearance. Although it is true that, to date, there is no macro-case for exclusively addressing this victimizing act, some of the macro-cases that have already been prioritized are addressing it.

57. By means of Order No. 5 of 2018, the Judicial Panel exercised reach-down jurisdiction over Case No. 03, renamed *Asesinatos y desapariciones forzadas presentadas como bajas en combate por agentes del Estado* (Murders and enforced disappearances presented as cases of persons killed in combat by State agents), for which the Judicial Panel has received 37 reports from victims' and human rights defenders' organizations and 5 from State agencies.⁵⁰

58. The Special Jurisdiction for Peace has also opened subsidiary cases based on the number of disappearances and victims and on the potential impact of these criminal practices in relation to the problem existing at the national level. These subsidiary cases have been initiated in six critical locations: the Departments of Antioquia, Meta, Norte de Santander, Casanare and Huila and the Caribbean coast region.⁵¹

59. In this macro-case, by means of Determination of Facts and Conduct Orders 125 and 128 of 2021 issued by the Judicial Panel, the Special Jurisdiction for Peace charged persons who had been members of law enforcement agencies in the Catatumbo region of Norte de Santander⁵² and in the Caribbean coast region with the crime against humanity of enforced disappearance, among other offences.⁵³

60. In addition, the Judicial Panel exercised reach-down jurisdiction over Case No. 04 by Order No. 40 of 2018, which prioritizes the Urabá area of Antioquia Department and the Bajo Atrato and Darién areas of Chocó Department with respect to crimes allegedly committed by members of the defunct Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (Revolutionary Armed Forces of Colombia – People's Army) (FARC-EP), members of law enforcement agencies, State agents not belonging to law enforcement agencies and civilian third parties who turned themselves over voluntarily to the Special Jurisdiction for Peace between 1 January 1986 and 30 November 2016.⁵⁴

61. The events involved in Case No. 04 have been identified and grouped into nine broad categories, which include enforced disappearance, methods prohibited under international

⁴⁸ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁴⁹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁵⁰ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁵¹ Judicial Panel for Acknowledgement of Truth, Responsibility and Determination of Facts and Conduct Order 33 of 2021.

⁵² Judicial Panel for Acknowledgement of Truth, Responsibility and Determination of Facts and Conduct Order 125 of 2021.

⁵³ Judicial Panel for Acknowledgement of Truth, Responsibility and Determination of Facts and Conduct Order 128 of 2021.

⁵⁴ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

humanitarian law, omissions by law enforcement agencies and damage to the environment and private property.

62. In Case No. 5, which deals with the situation in northern Cauca Department and southern Valle del Cauca Department, precautionary measures have been initiated with a view to searching for and recovering the unidentified bodies or identified but unclaimed bodies of alleged victims of enforced disappearances committed in the context of armed conflict. These measures focus on the following locations: (i) the cemetery for the poor in the Municipality of Aguachica, Cesar Department (ii) the cave of Hoyo Malo in the Municipality of San Vicente de Chucurí, Santander Department; (iii) the municipal cemetery in Cimitarra, Santander Department; and (iv) the village of Musanda, Rionegro Municipality, Santander Department. The investigations conducted by the Special Jurisdiction for Peace have resulted in the location and recovery of the skeletal remains of unidentified persons. Orders have been issued to ensure that these critical sites where the evidence of enforced disappearances have emerged are not to be disturbed.⁵⁵

63. In addition, the Counsel General's Office of the State of Colombia intervenes in proceedings wherever necessary to defend the legal order, State property and fundamental rights and freedoms. Even if the Counsel General's Office is not a party to criminal proceedings, as part of its assigned functions within the parameters set out in Decision No. 372 of 9 September 2020, it has actively participated through the offices of the prosecuting attorneys in its capacity as a special participant, as provided for by legal provisions applicable to the Special Jurisdiction for Peace,⁵⁶ in proceedings launched in respect of offences of enforced disappearance. It has done so according to the regular procedures applying to such cases in 1,077 proceedings, through special units in 96 cases and in 3 priority cases.

64. The opening and prioritization of cases is the exclusive prerogative of the Special Jurisdiction for Peace. Nevertheless, on 3 August 2021, the Counsel General's Office, in its capacity as a special participant and in accordance with its role as the guarantor of the legal order and of victims' rights, petitioned the Judicial Panel to open a macro-case in respect of acts of enforced disappearance that took place in the context of armed conflict.

65. Pursuant to that request, the Judicial Panel, at its meeting of 8 September 2021, approved the amalgamation of three cases in which the crime of enforced disappearance was to be investigated: (i) crimes committed by the defunct FARC-EP; (ii) crimes committed by members of law enforcement agencies, other State agents or in association with paramilitary groups or civilian third parties; and (iii) crimes committed against ethnic minority peoples and territories in several emblematic locations.⁵⁷

66. Consequently, by means of Order No. 7 of 2022, the Judicial Panel organized hearings to hear what victims had to say. The Counsel General's Office has participated in these hearings, during which the advisability of prioritizing a macro-case for the exclusive purpose of investigating enforced disappearances was reiterated.⁵⁸

67. The Counsel General's Office has intervened in 16 proceedings to put forward its views regarding: (i) the macro-case; (ii) the transfer of documents compiled by victims or other parties to the proceedings; and (iii) the list of questions to be asked of persons voluntarily submitting statements (*versiones libres*). It also took part in all the scheduled proceedings, participating actively in the over 20 in-person proceedings that have been conducted, including those held in the field, and in the virtual proceedings as well.⁵⁹

68. In addition, the Special Jurisdiction for Peace and, in particular the Judicial Panel, have set out guidelines for: (i) grouping cases together; and (ii) prioritizing them.⁶⁰ Given these guidelines and in view of the participatory forums that have been established to bring together the agencies, victims and civil society organizations involved in the process of

⁵⁵ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁵⁶ Act No. 1922 of 2018.

⁵⁷ Counsel General's Office, official letter No. 449 of 18 March 2022.

⁵⁸ Counsel General's Office, official letter No. 449 of 18 March 2022.

⁵⁹ Counsel General's Office, official letter No. 449 of 18 March 2022.

⁶⁰ Special Jurisdiction for Peace, *Criterios y metodología de priorización de casos y situaciones*, Available at: <https://www.jep.gov.co/Documents/CriteriosYMetodologiaDePriorizacion.pdf>.

prioritizing macro-cases, the Government asks the Committee not to limit the implementation of this recommendation to the opening of a specific macro-case on enforced disappearances. Instead, the Government asks the Committee to take into account the fact that, guided by the principle of judicial independence, the approach to this form of victimization taken by the Special Jurisdiction has cut across all the macro-cases that have already been opened and those that will be prioritized in the coming days.

2. Follow-up information relating to paragraph 19 (b) of the concluding observations

69. The State is committed to investigating crimes of enforced disappearance throughout the country. In the course of the prosecution and investigation of perpetrators of this crime, the Attorney General's Office diligently investigates cases involving members of law enforcement agencies.

70. With a view to identifying common patterns of behaviour and determining direct and command responsibility, the Attorney General's Office has provided specialized training to prosecutors regarding the illegal armed groups concerned, in particular in connection with cases in which deaths had unlawfully been presented as instances of persons killed in combat by members of law enforcement agencies. In addition, the Attorney General's Office has sought to assign each prosecutor to investigations concerned with the participation of a specific tactical unit.⁶¹

71. For example, in cases involving deaths that were unlawfully represented as instances in which persons were killed in combat by members of law enforcement agencies, including cases in which primary or secondary crime is enforced disappearance, the investigative strategy followed by the prosecutors responsible for these proceedings entails, as a first step, determining the responsibility of the direct perpetrators of these acts. This is why a large proportion of the persons identified to date are professional soldiers, since the investigations have gradually been moving up the chain of command to senior ranks, such as the colonels and lieutenant colonels who were in command of battalions and were members of the General Staff at the time of the events.⁶²

72. Furthermore, in relation to the investigation of conduct subject to disciplinary measures, the Counsel General's Office of the State of Colombia investigates and punishes any public servants found guilty of committing acts or failing to take action in connection with enforced disappearances as provided for in article 48 (8) of Act No. 734 of 2002 and in article 3 of Act No. 1952 of 2019.⁶³

73. Pursuant to the Constitution and other laws of Colombia, the natural judge established by law for public servants is each agency's internal disciplinary office or any agency acting on its behalf. However, pursuant to article 3 of Act No. 734 of 2002 and article 3 of Act No. 1952 of 2019, the Counsel General's Office may, under very exceptional circumstances, take over any proceeding, regardless of what stage it has reached. That provision was further developed by means of Decision No. 456 of 2017, which laid down certain rules for its implementation.

74. The Office of the Specialized Counsel for Human Rights is currently conducting 24 disciplinary proceedings for alleged crimes of enforced disappearance. It is proceeding with the utmost rigour in order to safeguard the rights of the victims and the accused at every stage of the proceedings.

75. In addition, in the exercise of its role as a party to the relevant criminal proceedings, on 10 February 2022 the Counsel General's Office, acting through the Office of the Specialized Counsel for the Coordination of Interventions before the Special Jurisdiction for Peace, filed its observations concerning the voluntary statements submitted in the Casanare subsidiary case of Macro-Case No. 003 with the Special Jurisdiction.⁶⁴

⁶¹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁶² Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

⁶³ Counsel General's Office, official letter No. 0449 of 18 March 2022.

⁶⁴ Counsel General's Office, official letter No. 449 of 18 March 2022.

76. The document containing those observations set out an analysis of the accounts provided in 109 voluntary statements referring to various tactical units of the Sixteenth Brigade of the Colombian Army. It presented the facts that the Public Legal Service believes the Judicial Panel should take into account when issuing its findings concerning the facts and actions taken in the instant case. The findings set forth in the Panel's decision will serve as the basis for bringing charges in respect of murders and enforced disappearances that had been represented by that brigade as instances in which persons had been killed in combat.⁶⁵

77. In addition, the Special Jurisdiction for Peace, working through the Judicial Panel, has taken a significant number of voluntary statements concerning the events that took place in the areas prioritized for Case No. 3. In July 2021, it issued its first two findings, which concerned the facts and actions taken in the subsidiary cases corresponding to Norte de Santander Department and the Caribbean coastal region.⁶⁶

78. As a result, the Special Jurisdiction for Peace charged 11 persons with war crimes and crimes against humanity for their instrumental role in the murder of at least 120 defenceless persons in the El Catatumbo region; those persons had been recorded as killed in combat between January 2007 and August 2008. The persons charged include a brigadier general, two colonels, two lieutenant colonels, a major, a captain, two sergeants, a corporal and a civilian. In view of their similarly instrumental role, two lieutenant colonels, six officers, four non-commissioned officers and three privates of La Popa Battalion were also charged with the murder of 127 persons in northern Cesar and southern La Guajira Departments between 2002 and 2005.⁶⁷

79. In addition, by Order No. AT-114 of 2020 and other decisions, the trial division for cases involving non-recognition of truth issued precautionary measures that included measures for protecting the bodies buried in the overflow cemetery in the Municipality of El Copey (Cesar Department), ordered the mayor's office in the municipality to compile information on the case, called on the mayor's office to comply with the Order and brought the Governor's Office of Cesar, the National Police and the Ministry of the Interior into the process. The Judicial Panel also decided to open ancillary proceedings in respect of correctional measures against the Mayor of El Copey by means of Order No. OPV-038 of 2021, whereby a judicial investigation was also ordered with a view to gathering information on the current status of the plots making up the cemetery in El Copey. As regards the Dabeiba subsidiary case, the Judicial Panel returned the fully identified remains of two persons with due respect for their dignity (Mr. Jairo Manco Úsuga and a minor of 14 years of age).⁶⁸

80. Throughout the investigation of Case No. 05 while taking voluntary statements from defendants and witnesses, the Special Jurisdiction for Peace has conducted inquiries into alleged acts of enforced disappearance committed in the prioritized municipalities. Its focus in so doing has been to establish the circumstances surrounding those acts in terms of time, method, place, perpetrators, participants and culprits. Joint proceedings have also been conducted with the Special Unit for Investigation and Indictment and the Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, in order to locate the bodies of victims. Those proceedings included interviews and topographic analyses which have already yielded the victims' approximate location.⁶⁹

3. Follow-up information relating to paragraph 19 (c) of the concluding observations

81. As part of its commitment to the investigation and prosecution of the crime of enforced disappearance and other crimes committed during the armed conflict, the State has established the conditionality regime as one of the cornerstones of the Special Jurisdiction for Peace.⁷⁰

⁶⁵ Counsel General's Office, official letter No. 449 of 18 March 2022.

⁶⁶ Special Jurisdiction for Peace, official letter No. 202202004419 of 18 March 2022.

⁶⁷ Special Jurisdiction for Peace, official letter No. 202202004419 of 18 March 2022.

⁶⁸ Special Jurisdiction for Peace, official letter No. 202202004419 of 18 March 2022.

⁶⁹ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁷⁰ Legislative Act No. 01 of 2017. Act No. 1957 of 2017. Act No. 1922 of 2018.

82. Under that regime, parties to the proceedings before the Special Jurisdiction for Peace undertake to help to discover the truth and to contribute to redress for victims and to the non-repetition of the serious acts that were committed in the context of the armed conflict with a view to obtaining and preserving the benefits envisaged in the transitional justice model.⁷¹

83. It is therefore the duty of parties to the proceedings to tell the whole truth, which entails “providing, wherever possible, an exhaustive and detailed account of the acts committed and the circumstances surrounding their commission, along with sufficient information to permit the assignment of responsibility in order to so guarantee that the victims’ rights to redress and non-repetition will be respected”.⁷²

84. Given the importance of the conditionality regime, the legal framework provides for mechanisms for follow-up to ensure that the parties to the proceedings honour their commitments and for possible consequences that could, taking account of the principles of graduality and proportionality, result from potential breaches.⁷³

85. In particular, Act No. 1922 of 2018 establishes criteria for determining the degree of a breach on the part of persons subject to the Special Jurisdiction for Peace and to any of the conditions established in the regime or to penalties imposed by the Jurisdiction. Those penalties may consist of the loss of special treatments, benefits, waivers, rights or safeguards, as appropriate. Act No. 1922 also provides that the Jurisdiction will thoroughly verify compliance on a case-by-case basis, with due account being taken of criteria of proportionality and reasonableness in accordance with the applicable legal framework.⁷⁴

86. As demonstrated by the foregoing discussion, the Special Jurisdiction for Peace cross-checks the information it receives to ascertain the veracity of the statements provided by parties to the proceedings. That information is checked against other evidence in the case file, such as reports provided by State bodies and civil society organizations.⁷⁵

87. In Case No. 05, in conducting its investigation and prioritizing certain matters in the course of that investigation, the Special Jurisdiction for Peace is reviewing the judicial proceedings and the reports concerning all parties to the proceedings filed by public bodies such as the Attorney General’s Office, the National Police and the National Army and by victims’ and human rights organizations.⁷⁶

4. Follow-up information relating to paragraph 19 (d) of the concluding observations

88. The State, by means of Decree-Law No. 588 of 2018 establishing the Commission for the Clarification of Truth, Coexistence and Non-Repetition, granted the Commission special powers to request and access any information in the possession of State bodies that it may require in the performance of its duties and mandate. The Commission is currently preparing its final report, which will provide information on the cooperation provided by such bodies in supplying access to this information.⁷⁷

89. Within the framework of its extrajudicial mandate to discover the truth surrounding these events and in the preparation of its final report, the Commission has considered enforced disappearances to be one of the principal types of acts of violence to be investigated. As part of these investigations, as of 23 March 2022, the Commission has conducted a total of 2,946 individual and group interviews in which mention has been made of acts of enforced disappearance or related events; a total of 5,732 individuals were interviewed.⁷⁸

⁷¹ Legislative Act No. 01 of 2017. Act No. 1957 of 2017. Act No. 1922 of 2018.

⁷² Legislative Act No. 01 of 2017, transitional articles 5, 11 and 13; Act No. 1957 of 2019, articles 19, 20, 52 and 62.

⁷³ Act No. 1922 of 2018. Ancillary proceedings in respect of compliance.

⁷⁴ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁷⁵ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁷⁶ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁷⁷ Commission for the Clarification of Truth, Coexistence and Non-Repetition, official letter No. 00-2-2022-001410 of 25 March 2022.

⁷⁸ Commission for the Clarification of Truth, Coexistence and Non-Repetition, official letter No. 00-2-2022-001410 of 25 March 2022.

90. It has also recorded interviews with 1,846 victims of the crime of enforced disappearance. In that connection, the Commission has received input from organizations, institutions and persons in the form of reports and cases submitted directly to it and to the Comprehensive System of Truth, Justice, Reparation and Non-Repetition. As of 23 March 2022, of the reports and cases submitted to the Commission, 210 mention this act of violence. As of September 2021, some 68 databases maintained by 39 different agencies or organizations that include references to enforced disappearance have been amassed.⁷⁹

91. The Special Jurisdiction for Peace underscores Order No. AT-001 of 2018, issued by the Judicial Panel, in which it adopted a precautionary measure to ensure the preservation of information in the files on human rights violations produced, compiled, possessed or held by eight public agencies. It also reminded the authorities that “the classified nature of information or of given documents shall not be binding on judges of the Special Jurisdiction for Peace, the prosecutors of the Special Unit for Investigation and Indictment or anyone performing the duties of the judicial police”, pursuant to article 20 of Act No. 1922 of 2018.⁸⁰

92. The Ministry of National Defence has worked to ensure that all authorities participating in the investigation of crimes of enforced disappearance, including those that come under the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, have effective and timely access to all relevant documentation that sheds light on events relating to alleged crimes of enforced disappearance.⁸¹

C. Follow-up information relating to paragraph 27 of the concluding observations

1. Follow-up information relating to paragraph 27 (a) of the concluding observations

93. The State reiterates its commitment to mobilizing its institutions in the search for disappeared persons. The Unit for the Search for Persons Deemed Disappeared has developed a series of guidelines and protocols based on the guiding principles for the search for disappeared persons, the principles of international humanitarian law and criteria that reflect its humanitarian and extrajudicial nature.⁸²

94. These guidelines and protocols were developed in accordance with the mandate of the Unit for the Search for Persons Deemed Disappeared and the Committee’s guiding principles for the search for disappeared persons, which have been incorporated into the Unit’s daily extrajudicial humanitarian work to ensure that searches for persons deemed disappeared in the context of and due to the armed conflict are based on lessons learned and best practices in effective search techniques.⁸³

95. Dynamic participatory planning instruments have been established in the form of regional search plans. These plans are not designed to be final, formal documents, but rather are intended, in terms of both their scope and their implementation, to be participatory in nature and to be inclusive of persons searching for their loved ones, civil society organizations, ethnic peoples and communities, public institutions, the international community in Colombia and social actors in order to make searches more efficient and more agile. As planning instruments, regional search plans are aimed at helping to design strategies that facilitate and expedite the conduct of humanitarian searches for persons deemed disappeared, including the stages of information-gathering, site location, exploration,

⁷⁹ Commission for the Clarification of Truth, Coexistence and Non-Repetition, official letter No. 00-2-2022-001410 of 25 March 2022.

⁸⁰ Special Jurisdiction for Peace, official letter No. 202202004419 of 28 March 2022.

⁸¹ Ministry of Defence, official letter No. RS20220412035856 of 12 April 2022.

⁸² Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁸³ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

recovery, reunion and dignified return, in specific geographic areas. This contributes, in turn, to realizing the priorities and strategies defined in the National Search Plan.⁸⁴

96. The Search Unit currently has 22 active regional search plans. The following advances have been made with regard to their implementation: Under the regional search plan for central eastern Meta, which comprises the areas of Villavicencio, San Carlos de Guaroa, Puerto López and San Martín, the Search Unit has organized collection drives to gather biological samples, applying a differentiated approach that takes into account the age of the persons who have come forward to assist with search efforts. This regional search plan was designed in collaboration with various organizations, including Pastoral Social Villavicencio, Comité Cívico por los Derechos Humanos, Fundación Agape por Colombia and Corporación Yo Puedo.⁸⁵

97. Under the regional search plan for central Caquetá, which comprises the areas of La Montañita, Milán, Morelia, Solano and Florencia, the Search Unit is investigating the disappearance of indigenous persons, especially persons of Ko'rebaju and Uitoto origin. It is also making progress in the identification of bodies that were transferred to the Florencia cemetery during military operations in the Department of Caquetá and in the area between San Vicente del Caguán and La Macarena. Work on determining and mapping the activities of combatants has been launched, and the identification of bodies recovered by the Search Unit and the Special Jurisdiction for Peace is under way. To this end, information has been provided by former members of the now defunct Bloque Sur (Southern Bloc of the FARC-EP).⁸⁶

98. The regional search plan for southern Caquetá, which comprises the areas of Belén de los Andaquíes, San José del Fragua, Curillo, Albania, Solita and Valparaíso, has received support from such organizations as Nuevo Amanecer and Asociación de Familiares y Víctimas de Desaparición Forzada en el Caquetá (the Caquetá Association of Families of Victims and Victims of Enforced Disappearance). The Search Unit is working on the identification of unidentified bodies and bodies that have been recovered but not yet identified.

99. Under the regional search plan for northern Caquetá, which comprises the areas of San Vicente del Caguán, Cartagena del Chairá, Puerto Rico, El Doncella and El Paujil, work is under way on the community cemeteries project and on the analysis of information collected in the framework of that project with the support of Los Que Faltan (Those Who Are Missing), municipal victims' round tables, Asociación de Desplazados de Peñas Coloradas y Veredas Circunvecinas (the Peñas Coloradas and Neighbouring Villages Displaced Persons Association), community groups from Cartagena del Chairá, ASOPREDOC and indigenous community councils.⁸⁷

100. Under the regional search plan for Montes de María and Morrosquillo, humanitarian investigations into enforced disappearances and the recruitment of minors have continued. Progress has also been made under the regional search plans for: upper and central Atrato; Catatumbo; the Pacific regions of Nariño: central Cesar: Magdalena and central Caldense: lower Putumayo: central Pacifico: southern Huila: eastern Cauca: central Cauca: southern Antioquia: the Cúcuta Metropolitan Area and its neighbouring border area; south-western Casanare; El Sarare; southern Nariño and its neighbouring border area; southern Valle and northern Cauca; and Valle del Patía and Colombian Macizo. Information regarding these plans is presented in annex I to the present report. In each regional search plan, the Unit for the Search for Persons Deemed Disappeared has established principal and subsidiary lines of investigation into cases of enforced disappearances in coordination with other agencies such

⁸⁴ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁸⁵ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁸⁶ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁸⁷ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

as, for example, the Special Jurisdiction for Peace. This has allowed for triangulation and the comparison of data to determine the possible location of persons deemed disappeared.⁸⁸

101. Regarding inter-institutional coordination, the Unit for the Search for Persons Deemed Disappeared is promoting a strategy of visibility and coordination through the conclusion and implementation of regional search pacts which are intended to promote coordination between institutions, churches, other organizations, the international community, the media, social movements, academics and regular citizens in search efforts and the provision of support to the relatives of persons deemed disappeared. Regional search pacts are also intended to draw attention to and support the Search Unit's humanitarian activities under the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace and to raise awareness of the issue of disappearance and its dynamics in each region.⁸⁹

102. The Unit for the Search for Persons Deemed Disappeared has so far coordinated the adoption of 11 regional search pacts.⁹⁰ To this end, it has received support from the Special Jurisdiction for Peace and the Truth Commission. It also received technical and financial support from the Office of the United Nations High Commissioner for Human Rights in respect of nine pacts signed in 2021.^{91, 92}

103. The content of regional search pacts varies, since each is prepared in the light of the local situation, according to a differentiated approach. They include a cross-cutting analysis that highlights the issue of disappearance, its context and its dynamics in each region, and the impact that it has had on specific population groups.⁹³

104. The Unit for the Search for Persons Deemed Disappeared and the National Institute of Forensic Medicine and Science concluded Inter-Agency Cooperation Agreement No.159 on 11 August 2020. Under the terms of that agreement, the two agencies pool their efforts to promote effective coordination in the process of conducting humanitarian, extrajudicial searches and of locating, recovering, identifying and arranging for the dignified return of the remains of persons deemed disappeared in the context of and due to the armed conflict.⁹⁴

105. To ensure the proper performance of the agreement, guidelines have been established in such areas as the following: (i) an inter-institutional working methodology; (ii) the return of bodies and remains recovered by the Unit for the Search for Persons Deemed Disappeared; (iii) the procedure for the reception, handling and return of biological reference samples collected by the Unit for the Search for Persons Deemed Disappeared; (iv) the promotion of efforts to determine the identity of unidentified bodies in Colombia; and (v) the procedure for gaining access to information held by the National Institute of Forensic Medicine and Science that is necessary to determine the fate and whereabouts of persons deemed disappeared.⁹⁵

106. Within the framework of their coordination, these two agencies have undertaken to establish and maintain a special section in the National Register of Disappeared Persons and

⁸⁸ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁸⁹ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁹⁰ In Meta, Magdalena, Antioquia, Bogotá-Cundinamarca, Buenaventura, Puerto Berrío, Caquetá, Norte de Santander, Nariño, Cesar and Barrancabermeja.

⁹¹ In Magdalena, Antioquia, Bogotá-Cundinamarca, Buenaventura, Valle del Cauca, Caquetá, Norte de Santander, Nariño, Cesar and Barrancabermeja.

⁹² Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁹³ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁹⁴ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁹⁵ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

to conduct other activities as appropriate in the light of the functions established in Decree-Law No. 589 of 2017.⁹⁶

107. The Search Unit regularly takes steps to facilitate the identification of bodies through forensic analysis, takes biological samples from the relatives of disappeared persons at the various offices of the National Institute of Forensic Medicine and Sciences throughout Colombia, and conducts genetic matching processes to verify the identity of persons found alive. It has been carrying out the Project to Promote the Identification of Unidentified Corpses in Colombia since 2019. The Unit has also established inter-institutional coordination mechanisms allowing for the transfer of the bodies that it recovers to the National Institute of Forensic Medicine and Science for analysis and identification with a view to the dignified return of the remains of victims to their families.⁹⁷

108. On 21 April 2021, an information exchange protocol was concluded between the Commission for the Clarification of Truth, Coexistence and Non-Repetition and the Unit for the Search for Persons Deemed Disappeared, under which information-exchange sessions have been held. These efforts have resulted in the development of Nvivo coding trees.⁹⁸ The Search Unit has also maintained relations with the Commission in the framework of the Inter-Institutional Coordination Committee of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition. During the aforementioned sessions, the Committee's rules of procedure and a system coordination protocol were approved.⁹⁹

109. Under Inter-Agency Cooperation Agreement No. 0030 of 2 May 2019, the Unit for the Search for Persons Deemed Disappeared and the Attorney General's Office agreed to pool their efforts to establish terms of access to and provision of information, especially information that is necessary for the search, location and identification of persons deemed disappeared in the context of and due to the armed conflict, while ensuring the confidentiality of such information.

110. Consequently, the Unit for the Search for Persons Deemed Disappeared has been strengthening its relations with the Attorney General's Office, having submitted written requests for information in 1,091 cases, established 13 expert committees, coordinated the dignified return and burial of human remains on 53 occasions and contributed to the systematic review of inactive files held by the Attorney General's Office. In all, 44,026 files have been reviewed to contribute to the search for persons deemed disappeared.¹⁰⁰

111. In addition to their agreement on the exchange of information, the Attorney General's Office and the Unit for the Search for Persons Deemed Disappeared have established an expert committee for the review of specific cases. This committee makes decisions on how to proceed in relation to the search for disappeared persons or the return of bodily remains and determines which entity will take the lead in coordinating the humanitarian measures necessary in each case. The committee has received support from the Criminalistics Department of the Technical Investigation Corps and the Group for the Search, Identification and Handover of Disappeared Persons of the Office for Transitional Justice. Its work is carried out in coordination with the National Institute of Forensic Medicine and Science.¹⁰¹

112. The main activities carried out in the framework of the above-mentioned agreement between 3 September 2021 and 2 January 2022 were: (i) the continued processing of information requests submitted by the Unit for the Search for Persons Deemed Disappeared; and (ii) the organization of expert committee meetings. In order to expand on the inter-institutional work carried out within the framework of the agreement, several expert

⁹⁶ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁹⁷ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

⁹⁸ Nvivo coding trees demonstrate how cases should be coded, so that the code can be replicated by the Search Units' internal local working groups.

⁹⁹ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹⁰⁰ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹⁰¹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

committee meetings have been held to resolve concerns regarding the flow of information and to agree on procedures regarding specific cases. Within the framework of these meetings, more than 25 proceedings for the dignified return of the remains of persons deemed disappeared have been jointly coordinated by the two agencies.¹⁰²

113. Within the framework of the general expert committee established pursuant to the agreement, inter-institutional coordination mechanisms have been established. They include, for example, a committee on the National Search Plan, a committee on the dignified return of remains, a subcommittee established by order of the Special Jurisdiction for Peace to take precautionary measures in San Onofre, in the Department of Sucre, a subcommittee established by order of the Special Jurisdiction for Peace to take precautionary measures in the San Lorenzo reservation, in the Department of Caldas, and a coordinating body established by order of the Special Jurisdiction for Peace to take precautionary measures in the San Antonio estuary.¹⁰³

114. Through the above-mentioned coordination mechanisms, the Attorney General's Office works together with the Unit for the Search for Persons Deemed Disappeared on humanitarian searches for such persons, shares information on exhumations, explorations and samples registered in the genetic databank, and proposes coordination schedules to facilitate the dignified return of remains and compliance with court orders related to precautionary measures decreed by the Special Jurisdiction for Peace, in which the Attorney General's Office and the Unit for the Search for Persons Deemed Disappeared are encouraged to work together.¹⁰⁴

115. Another of the main activities carried out within the framework of the above-mentioned agreement is an initiative to systematically review inactive files to contribute to efforts to search for persons deemed disappeared in the context of the armed conflict. This process was started in the Medellín Branch Office, after a pilot phase conducted by the Norte de Santander and Nariño branches in 2020 and early 2021. Through this initiative, a total of 8,409 files were reviewed, contributing to efforts to collate information on persons deemed disappeared.¹⁰⁵

116. In 2020 and 2021, the Transitional Justice Investigation Group of the Judicial and Investigative Police Directorate cooperated with and provided support to the Directorate for Transitional Justice of the Attorney General's Office, setting up 15 judicial support commissions for the exhumation of 66 unidentified bodies and the dignified return of 20 fully identified bodies in 2020, and 25 judicial support commissions for the exhumation of 125 unidentified bodies and dignified return of 17 fully identified bodies in 2021.¹⁰⁶

117. The Unit for the Search for Persons Deemed Disappeared has been participating in various coordination mechanisms with the Special Jurisdiction for Peace with regard to macro-cases, defining mechanisms for dialogue with the offices that are handling the cases in order to gain access to information on persons summoned to appear before the Special Jurisdiction in relation to disappearances and the facts and the context of each case and on participation in voluntary testimony proceedings. These agencies have also been coordinating their responses to requests submitted to both institutions by organizations and family members in relation to specific cases. As guarantors of the right to truth, the agencies that make up the Comprehensive System for Peace follow up on the contributions of the persons summoned to appear before the Special Jurisdiction for Peace in accordance with transitional article 1 of Legislative Act No. 01 of 2017.¹⁰⁷

118. The Unit for the Search for Persons Deemed Disappeared has been granted access to information held by the Special Jurisdiction for Peace that facilitates humanitarian searches for such persons. This information includes full or partial registers of cases of persons

¹⁰² Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁰³ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁰⁴ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁰⁵ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁰⁶ Ministry of Defence, official letter No. RS20220412035856 of 12 April 2022.

¹⁰⁷ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

deemed disappeared associated with kidnappings (case No. 01) in the areas of Ricaurte, Tumaco and Barbacoas, in the Department of Nariño (case No. 02), executions illegitimately represented as casualties in combat (case No. 03) and the recruitment of children and adolescents (case No. 07), as well as information related to voluntary statements, interviews with the persons summoned before the Special Jurisdiction, humanitarian search actions, and research strategies and their links to regional search plans.¹⁰⁸

119. In 2020, the Judicial and Investigative Police Directorate of the Ministry of Defence and the Transitional Justice Investigation Group provided support to the Attorney General's Office by establishing 15 judicial support commissions for the exhumation of 66 unidentified bodies and the dignified return of 20 fully identified bodies. In 2021, 25 such commissions were established, resulting in 125 exhumations and the dignified return of 17 bodies.

120. As part of a joint inter-institutional undertaking with the judicial authorities to identify the whereabouts of disappeared uniformed personnel, the Ministry of Defence has consolidated and cross-checked information with the Attorney General's Office, the Unit for the Search for Persons Deemed Disappeared, the Transitional Justice Investigation Group of the Judicial and Investigative Police Directorate and the Police Unit for Peacebuilding, resulting in the identification of 114 disappeared police officers (2 of whom were women), broken down as follows: 1 major, 3 captains, 1 commissioner, 1 sergeant, 3 superintendents, 22 deputy superintendents, 4 corporals, 17 privates first-class, 14 patrol officers and 48 officers.¹⁰⁹

121. Close collaboration between authorities made it possible to identify cases of the enforced disappearance of members of the security forces in the Central Register of Victims (45 cases included, 15 not included and 54 undeclared). FARC-EP was identified as the presumed perpetrator in 23 cases, the Autodefensas Unidas de Colombia (United Self-Defence Forces of Colombia) in 1 case, the Movimiento 19 de Abril (M-19) in 1 case, the Ejército de Liberación Nacional (National Liberation Army) in 2 cases and other guerrilla forces in 6 cases. It was not possible to identify possible perpetrators in 81 cases.¹¹⁰

122. The National Institute of Forensic Medicine and Sciences organizes events at which comprehensive assistance is offered to the relatives of persons deemed disappeared in different regions of the country. At those events, it collects information, updates and supplements forensic interviews for identification purposes in the National Register and takes biological samples. In coordination with the Unit for the Search for Persons Deemed Disappeared, 1,049 biological samples were taken in 70 municipalities, 4,707 cases were entered by the Unit into the Disappeared Persons and Recovered Bodies Information Network and support was provided to improve the technology underpinning the system.¹¹¹

123. The National Institute of Forensic Medicine and Sciences receives bodies exhumed by the Unit for the Search for Persons Deemed Disappeared as part of its comprehensive forensic work, as well as to facilitate future identification efforts. This work is supported by, and conducted in extensive collaboration with, an inter-institutional working group composed of representatives of various bodies including the National Institute of Forensic Medicine and Sciences, the Attorney General's Office, the Ombudsman's Office, the Victims Unit and the Unit for the Search for Persons Deemed Disappeared, which allows for a better reception of victims' relatives, who are thereby able to resolve their concerns (complaint, statement, reparation) and track the progress of each case.¹¹²

124. The Attorney General's Office participated in two coordination meetings with the Unit for the Search for Persons Deemed Disappeared, with the two agencies working together to guarantee the rights of victims to truth, justice, reparation and non-repetition. The

¹⁰⁸ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹⁰⁹ Ministry of Defence, official letter No. RS20220412035856 of 12 April 2022.

¹¹⁰ Ministry of Defence, official letter No. RS20220412035856 of 12 April 2022.

¹¹¹ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹¹² National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

following topics were addressed: (i) national and regional search plans; (ii) information-exchange agreements between the Unit for the Search for Persons Deemed Disappeared and other entities that possess information relevant to the Unit's mandate; (iii) establishment of a special section on disappeared persons in the National Register of Disappeared Persons, and (iv) compliance with the conditionality regime and coordination of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition.¹¹³

125. The Disappeared Persons Investigative Commission designed the National Plan on the Search for Disappeared Persons to serve as an inter-institutional methodological tool for assigning activities and tasks to participating entities with a view to finding disappeared persons alive, or locating their remains and returning them to their relatives. This document was issued in 2017 and compliance with it is mandatory.¹¹⁴

2. Follow-up information relating to paragraph 27 (b) of the concluding observations

126. The Ministry of Finance and Public Debt distributes resources from the general government budget to publicly financed institutions. Every year, all entities must submit a preliminary draft budget with substantiated proposals concerning revenues and expenditures. The legal basis for their activities must be stated and the method of calculation used must be indicated in accordance with the Constitution and Decree No. 111 of 1996.

127. In 2022, the Unit for the Search for Persons Deemed Disappeared was allocated an operating budget of \$82,806,200 and an investment budget of \$59,296,278,250, which ensures that it has the necessary financial resources to carry out its work.¹¹⁵

128. The National Institute of Forensic Medicine and Science has used its allocated budget to provide scientific and technical support for initiatives to: (i) build national capacity to search for and identify disappeared persons, apply a differentiated approach and provide psychosocial support to victims; (ii) build national capacity to process DNA tests; (iii) strengthen procedures related to the forensic investigation of violations of human rights and international humanitarian law at the national level; and (iv) improve procedures and response capacity in forensic pathology services at the national level.¹¹⁶

129. The National Institute of Forensic Medicine and Science has led various technical cooperation projects to meet the need to strengthen forensic services and facilitate the search for disappeared persons. In 2021, in collaboration with other national institutions, X-ray equipment was obtained for exhumations at the Neiva anthropology headquarters, while in 2020 reagents and a computer support system for information on disappeared persons and bodies were acquired from the Unit for the Search for Persons Deemed Disappeared.¹¹⁷

130. By Resolution No. 2889 of 2007, the Attorney General's Office established the Group for the Search, Identification and Handover of Disappeared Persons, which is composed of prosecutors from throughout the country who work exclusively on the search for persons who disappeared during the armed conflict. Subsequently, the Attorney General issued Resolution No. 3481 of 2016, whereby he empowered the Group to take the necessary steps to support the national and regional directorates in the conduct of the National Search Plan within the framework of the procedures regulated by Acts No. 600/2000 and No. 906/2004.¹¹⁸

131. The above-mentioned group is made up of 16 prosecutors who work exclusively on the search for disappeared persons. In coordination with the Technical Investigation Corps, the National Institute of Forensic Medicine, the Judicial and Investigative Police Directorate and the Comprehensive Victim Support and Reparation Unit, the group carries out activities aimed at identifying victims of enforced disappearance, searching for disappeared persons,

¹¹³ Counsel General's Office, official letter No. 449 of 18 March 2022.

¹¹⁴ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

¹¹⁵ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹¹⁶ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹¹⁷ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹¹⁸ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

mounting exploratory operations and performing exhumations, conducting investigations to identify bodies, organizing the dignified return of bodies to the persons' relatives according to their cultural traditions and religious beliefs, and carrying out victim support events throughout the country. These activities are carried out in support of the permanent and transitional justice authorities responsible for criminal investigations.¹¹⁹

3. Follow-up information relating to paragraph 27 (c) of the concluding observations

132. The State has established a road map for the search for disappeared persons that covers the process of reporting an enforced disappearance to the criminal investigation police or the judicial authorities, which activate the various mechanisms established by law.¹²⁰

133. In these cases, the Attorney General's Office activates the urgent search mechanism in order to take urgent action to locate the person as soon as possible. It does so by means of a resolution and issues orders to the criminal investigation police to immediately carry out the necessary investigative work.¹²¹

134. Once the urgent search mechanism has been activated, the National Institute of Forensic Medicine and Science receives a request through the National Forensic Pathology Group, which is then reviewed to establish the type of query that should be conducted in the case. Queries may be alphabetical, if there is no information on distinguishing features, or technical if there is reliable information on distinguishing features or other relevant information. In 2021, the National Institute of Forensic Medicine and Sciences conducted 355 alphabetical queries and 97 technical queries.¹²²

135. In line with its nature and mandate, the Unit for the Search for Persons Deemed Disappeared handles disappearances that occurred before 1 December 2016 in the context of and due to the armed conflict. As an extrajudicial, humanitarian mechanism, the Unit's role is to search for and locate living persons deemed disappeared and, in the event that an individual has died, to recover and identify the victim's remains, where possible, and deliver them to his or her relatives in a dignified manner.

136. The Unit's objective is to satisfy victims' rights to truth and reparations pursuant to the Final Agreement. To that end, it has taken expeditious search measures, processing individual and collective requests and complying with the provisions of principle 6 (2) of the Committee's guiding principles for the search for disappeared persons, according to which, "the authorities responsible for the search should launch and conduct the search for the disappeared person on their own initiative, even when no formal complaint or request has been made".¹²³

4. Follow-up information relating to paragraph 27 (d) of the concluding observations

137. According to the National Plan on the Search for Disappeared Persons, which was prepared by the Disappeared Persons Investigative Commission, searches must be carried out on the basis of an analysis of the context and particularities of the case. All institutional procedures are conducted within this framework.¹²⁴

138. The Unit for the Search for Persons Deemed Disappeared carries out its extrajudicial humanitarian work using a psychosocial, differentiated and gender-based approach in keeping with the "do-no-harm" principle, the definition¹²⁵ of which indicates that: "All the teams involved in the process of searching for disappeared persons and forensic

¹¹⁹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹²⁰ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

¹²¹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹²² National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹²³ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹²⁴ Disappeared Persons Investigative Commission, official letter No. 2022-0225 of 30 March 2022.

¹²⁵ Definition proposed in the International Consensus on Principles and Minimum Standards for Psychosocial Work in Search Processes and Forensic Investigations in Cases of Enforced Disappearance or Arbitrary or Extrajudicial Execution.

investigations must, above all, ensure that no further harm is inflicted on victims and must promote actions of a reparatory nature. The purpose and ultimate goal of all actions taken must be to fulfil the expectations of victims and their families and to provide opportunities for their inclusion and participation in the search processes, forensic investigation and return of their loved ones without re-traumatization.¹²⁶

139. To this end, the Unit for the Search for Persons Deemed Disappeared has developed guidelines for ensuring the use of a differentiated, gender-based and psychosocial approach. It has also defined guidelines and procedures for the return of bodies and burials which are designed to facilitate the organization of dignified ceremonies and burials, together with families, organizations and loved ones, based on a differentiated and gender-based approach and the culturally sensitive return of bodies, taking into account the worldview and philosophy of the ethnic peoples concerned. These documents are aimed at employees of the Search Unit and other entities involved in the dignified return of remains.¹²⁷

140. The Unit for the Search for Persons Deemed Disappeared also provides advisory and orientation services along with capacity-building measures that support the development of methodologies that are then applied to the search participation process. These methodologies include techniques for fostering dialogue and technical and scientific search procedures, as well as other capacity-building measures that are carried out in parallel with the dialogues and that seek to guarantee the conditions necessary for participatory searches.

141. The guiding principles reaffirm the key role that victims play in the search for disappeared persons. Special emphasis is placed on the right to form and participate freely in organizations and associations that seek to establish the circumstances of enforced disappearances and the fate of disappeared persons and to assist victims.¹²⁸

142. In cases where the disappeared person is found dead, the National Institute of Forensic Medicine and Sciences carries out an interdisciplinary, comprehensive medical forensic autopsy, which may be performed on skeletal remains or on corpses at various stages of decomposition. It also conducts technical and scientific work in order to put together documentary background information, taking diagnostic X-ray images, gathering identifying data and estimating the deceased's age, sex and height in order to construct a biological profile. The Institute also takes bone samples, which it compares with family reference profiles and/or enters into the Disappeared Persons Genetic Profile Bank to facilitate the identification of unidentified bodies.¹²⁹

143. The National Institute of Forensic Medicine and Science provides technical and scientific support to the Unit for the Search for Persons Deemed Disappeared and the Special Jurisdiction for Peace in their efforts to search for, recover, identify and return the bodies of victims of enforced disappearance in a dignified manner. The Strategic Institutional Plan 2023–2026 was prepared on the basis of a differentiated approach and proposes innovative measures for continuing to raise awareness of the importance of mainstreaming a gender perspective, rights and differentiated care models among public servants of the Institute of Forensic Medicine and building their capacities in that regard.¹³⁰

5. Follow-up information relating to paragraph 27 (e) of the concluding observations

144. The national mechanisms set up by the State also deal with cases involving minors, although such cases are unusual in Colombia. Pursuant to inter-institutional collaborative commitments, and in view of the need to protect the rights of children and adolescents, the

¹²⁶ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹²⁷ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹²⁸ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹²⁹ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹³⁰ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

National Institute of Forensic Medicine and Science provides expert and scientific support to the competent authorities as required, often in relation to the identification of minors.¹³¹

145. Whenever a missing child is located, an interdisciplinary technical team from the Colombian Family Welfare Institute starts to take the necessary steps to achieve the full restoration and protection of the child's rights.¹³²

146. The Unit for the Search for Persons Deemed Disappeared applies guidelines for a differentiated approach to searching for children, adolescents and young people deemed disappeared in the context of and due to the armed conflict. The Search Unit always takes due account of the principle of the best interests of the child, which is understood as a substantive right, a fundamental, interpretative legal principle and a procedural rule. This means that this right will be upheld whenever a decision is to be made that will affect a specific child, an identified group of children or children in general. The decision-making process must include an evaluation of the possible (positive or negative) impact of the decision on the child or children concerned.¹³³

147. Although the Unit is not currently aware of any disappearances that might suggest the systematic recruitment of minors by armed forces, there have been cases of kidnappings, irregular adoptions and other irregular situations associated with the informal delegation and performance of caregiving roles by third parties. That is why the Unit's guidelines point to the need to undertake a legal review and to weigh the rights implicated in each case, taking into consideration the Unit's humanitarian and extrajudicial nature and ensuring the centrality of the best interests of the child at all times.¹³⁴

148. With regard to the technical and scientific identity verification procedures used in cases where disappeared persons are found alive, it is important to clarify how the Committee's recommendation to "ensure that ... their true identity ... is re-established" applies, since the victim's desire to recover his or her true identity, if this identity has been lost, must be taken into account. Decisions regarding the re-establishment of identity should be made in the light of the best interests of the child. In one reunion situation, for example, the adolescent concerned expressed a desire to meet her biological mother yet continued to recognize the person in whose care she had been placed as a child, with whom she built a trusting relationship, as her primary caregiver.¹³⁵

6. Follow-up information relating to paragraph 27 (f) of the concluding observations

149. In accordance with national and international norms, in Colombia the crime of enforced disappearance is not subject to a statute of limitations; investigations and the search for disappeared persons are therefore pursued and the case remains open in the National Register of Disappeared Persons until the facts are established and the perpetrators are identified. The National Institute of Forensic Medicine and Sciences conducted 3,565 targeted searches in the Disappeared Persons Genetic Profile Bank and detected 259 matches between the genetic profiles established in respect of discovered human remains and those of members of the families of disappeared persons. In addition, 10 automatic searches were performed using the different categories of genetic profiles set up within the Genetic Profile Bank, including the genetic profiles of family members grouped into family trees.¹³⁶

150. According to the records, the Disappeared Persons Genetic Profile Bank has contributed to the identification of 508 previously unidentified bodies. The administrative team responsible for the Genetic Profile Bank works with medical experts, dental specialists,

¹³¹ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹³² Colombian Family Welfare Institute, electronic communication of 20 April 2022.

¹³³ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹³⁴ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹³⁵ Unit for the Search for Persons Deemed Disappeared in the Context of and Due to the Armed Conflict, official letter No. UBPD-2-2022-000585 of 6 April 2022.

¹³⁶ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

anthropologists and other experts, in coordination with the Unit for the Search for Persons Deemed Disappeared and the Special Jurisdiction for Peace, thereby taking a comprehensive approach to the identification of unidentified bodies. Staff from the National Institute of Forensic Medicine and Science and the Disappeared Persons Genetic Profile Bank have held joint meetings to organize the timely processing of cases and establish communication agreements. Their work has resulted in the creation of a dynamic inter-institutional Excel document that has allowed for a continuous flow of information regarding persons deemed disappeared who are registered in the Disappeared Persons and Recovered Bodies Information Network and the National Register of Disappeared Persons.¹³⁷

151. The Group for the Search, Identification and Handover of Disappeared Persons of the Attorney General's Office provides support to prosecutors' offices in the search for victims of enforced disappearances whenever a disappearance is reported. When such a report is received, the National Plan on the Search for Disappeared Persons is applied in accordance with the guidelines established in Act No. 589 of 2000 and Decree No. 1862 of 2014. The phases established in the Plan – from the collection, analysis and verification of information to the recovery and identification of bodies and their transfer to their final resting place – allow the searches to be carried out in a systematic and coordinated manner throughout the country.¹³⁸

152. The Plan is applied in accordance with the following phases:

(i) Information-gathering: The primary sources are victims' relatives, who are interviewed to determine the time, circumstances and location of the events under investigation, ante-mortem information regarding the disappeared person and biological reference samples taken from relatives. Other sources of information include deponents under the Justice and Peace Act (No. 975 of 2005), persons deprived of liberty requesting privileges in exchange for effective cooperation (Act No. 600 of 2000, art. 413), prosecutors working for the regular justice system who discover the location of victims of enforced disappearance during their investigations, civilian representatives of victims' relatives, non-governmental organizations, participants in victim support events and the general public;

(ii) Data analysis and verification: Information obtained from different databases (Justice and Peace Information System, Disappeared Persons and Recovered Bodies Information Network, Judicial Information System of the Attorney General's Office, Oral Adversarial Criminal Justice System Database, other public and private databases) is checked in order to establish other facts that may be useful for substantiating the circumstances surrounding the case. Once the information has been validated, the necessary procedures are undertaken; those procedures may include judicial inspections of proceedings conducted by the permanent justice system (i.e., the public prosecution service and military criminal justice system) and interviews with witnesses, perpetrators and/or other relatives of the direct victim. If information regarding the site of a clandestine burial in a field or cemetery, for example, is provided, an exhumation of the body is scheduled;

(iii) Search, recovery, analysis and identification: The prosecutor assigned to the Group for the Search, Identification and Handover of Disappeared Persons who is working on the case schedules an exhumation, which is performed by a specialist forensic team from the Technical Investigation Corps or the Judicial and Investigative Police Directorate. Each team consists of an anthropologist, a surveyor, a photographer, a field assistant and a dental specialist. If a body is discovered, it is sent to the laboratory of the Institute of Forensic Medicine, the Technical Investigation Corps or the Judicial and Investigative Police Directorate for identification. Once the laboratory has performed a medical, anthropological, odonatological and genetic analysis of the corpse, if the identity of the victim is determined, the prosecutor is informed and makes arrangements for the dignified return of the body;

¹³⁷ National Institute of Forensic Medicine and Science, official letter No. 528-SSF-2022 of 30 March 2022.

¹³⁸ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

(iv) Final resting place (burial): The burial is carried out according to the Inter-Agency Protocol on the Dignified Return of Disappeared Persons' Remains, which was developed by the Disappeared Persons Investigative Commission in keeping with the principles of human dignity, comprehensiveness, equal treatment and non-discrimination, multidisciplinary, consultation, cost-free services and differentiation and with the tenet of "do-no-harm". The delivery of the body or remains is carried out in accordance with an agreement between the prosecutor and the victim's relatives that respects their customs and traditions.¹³⁹

153. During the final phase, the Attorney General's Office, in coordination with the competent institutions, provides the victims with legal guidance, including an explanation, given by the prosecutor assigned to the case, of the progress made in the investigation and prosecution of the perpetrators of the crime and the psychosocial support available to the victims in keeping with their right to choose to receive support from specialized organizations. Technical and scientific information is also provided, including an explanation of the medical, anthropological and odontological reports issued in respect of the victim. The Special Administrative Unit for Comprehensive Victim Support and Reparation provides information on comprehensive reparation measures.¹⁴⁰

154. Once the above-mentioned phases have been completed, a dignified ceremony is held to deliver the body to the family members in accordance with their beliefs, and the body is buried in the place previously agreed upon with them. Under Act No. 1408 of 2010 and Regulatory Decree No. 303 of 2015, the Special Administrative Unit for Comprehensive Victim Support and Reparation provides economic and logistical support for these proceedings. During and after the delivery of the body, prosecutors continue to pursue their efforts to identify and prosecute the persons responsible for the enforced disappearance.¹⁴¹

Conclusions

155. The institutional measures taken to coordinate and update the National Register of Disappeared Persons and the Disappeared Persons and Recovered Bodies Information Network demonstrate the importance that the State accords to maintaining up-to-date figures on cases of enforced disappearance, which unfortunately continue to be perpetrated in Colombia in the context of internal armed conflicts, making the determination of a final number of cases of enforced disappearance impossible.

156. In the light of the information provided, it should be clear that the State has a robust registration system that is constantly updated on the basis of a differentiated approach. That system provides a concrete basis for the search for and identification of victims and the dignified return of remains, as well as corresponding investigations.

157. Of particular note are the achievements of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition through its main bodies: (i) the Special Jurisdiction for Peace; (ii) the Commission for the Clarification of Truth, Coexistence and Non-Repetition; and (iii) the Unit for the Search for Persons Deemed Disappeared. These agencies support the search for victims of enforced disappearance, the investigation of cases of enforced disappearance, the prosecution of perpetrators and the reconstruction of an historical memory of the enforced disappearances that have occurred in the context of and due to the armed conflict.

158. Also of note is the national and regional inter-institutional coordination undertaken in pooling efforts to pursue searches and investigations, providing technical cooperation and cross-referencing information on disappeared persons.

159. Through its legislation and the administrative work of its institutions, the State ensures the criminal investigation and the prosecution of the perpetrators of enforced disappearances on the basis of a differentiated approach.

¹³⁹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁴⁰ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

¹⁴¹ Attorney General's Office, official letter No. 20221700024311 of 5 April 2022.

160. The State reaffirms its commitment to taking all measures possible and using all available tools to expeditiously determine the whereabouts of persons deemed disappeared and, in the event that they are found dead, to return their remains in a dignified manner.
