



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

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

## **Fourth periodic report submitted by Colombia under article 73 of the Convention, due in 2024\*, \*\***

[Date received: 9 October 2024]

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\* The present document is being issued without formal editing.

\*\* The annexes to the present document may be accessed from the web page of the Committee.



## I. Introduction

1. The Government, on behalf of the Colombian State, submits to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereinafter the Committee) its fourth periodic report under article 73 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereinafter the Convention), which was adopted in New York on 18 December 1990 and entered into force on 1 July 2003. The report sets out updated information on the measures taken between 2019 and 2024 in application of the provisions of the Convention.
2. Colombia reaffirms its commitment to the promotion and protection of the rights of migrant workers and their families, irrespective of their migration status.

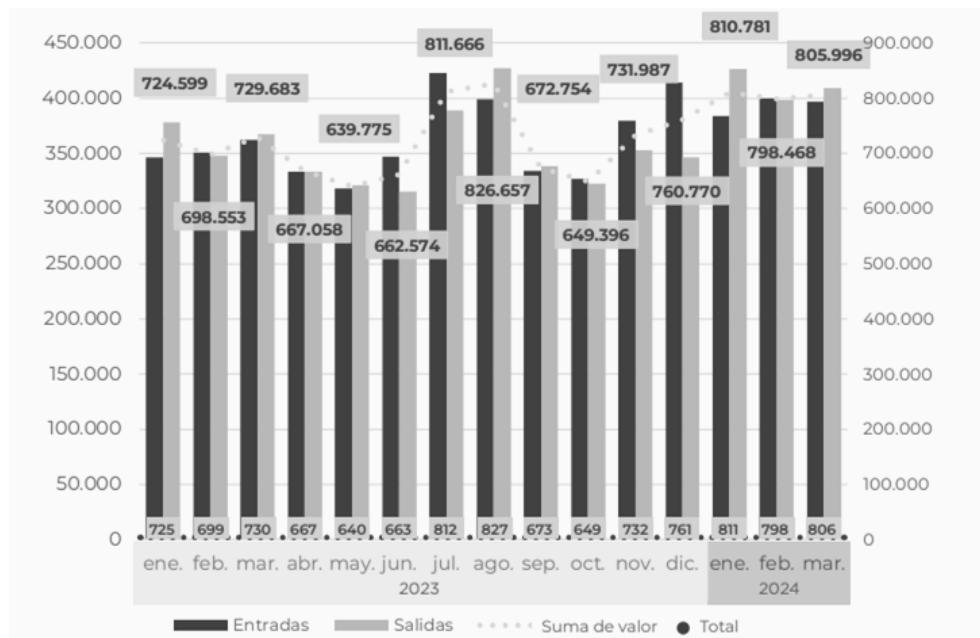
## II. General information

### A. Disaggregated data on the characteristics and nature of migratory flows (immigration, transit and emigration) affecting the State Party

#### Migratory flows of foreign nationals up to March 2024

3. Between January and March 2024, the Special Administrative Unit of Migration Colombia recorded 2,415,245 instances of migration-related movement by foreign nationals. In March alone, there were 805,996 movements, including 397,114 arrivals (49.26 per cent) and 408,882 departures (50.73 per cent). Graph 1 sets out monthly data since 2023 and shows that migratory flows began to stabilize in February 2024 after the end of the peak season in January. A similar pattern was observed in January, February and March 2023.

Graph 1  
**Monthly arrivals and departures of foreign nationals  
between 1 January 2023 and 31 March 2024**



Source: Special Administrative Unit of Migration Colombia, 2024.

4. With respect to the main nationalities identified in migration flows in March, Table 1 shows that in February and March, movements increased among nationals of five countries, namely the United States of America (7.70 per cent), Ecuador (13.09 per cent), Mexico (11.89 per cent), Brazil (1.90 per cent) and Spain (12.97 per cent). The same increase has been observed in previous years.

**Table 1**  
**Arrivals and departures of foreign nationals by top 10 nationalities**  
**in January, February and March 2024**

Country or territory	January 2024			February 2024			March 2024		
	Arrivals	Departures	Total	Arrivals	Departures	Total	Arrivals	Departures	Total
United States of America	89 428	114 780	204 208	101 543	99 089	200 632	107 298	110 092	217 390
Venezuela	42 492	44 681	87 173	36 350	36 803	73 153	34 358	35 378	69 736
Ecuador	21 014	23 423	44 437	28 212	25 805	54 017	31 979	30 178	62 157
Mexico	22 915	26 587	49 502	26 886	26 012	52 898	30 980	29 058	60 038
Chile	18 816	16 261	35 077	23 210	25 032	48 242	14 679	17 316	31 995
Panama	17 247	17 518	34 765	18 191	19 079	37 270	12 573	13 457	26 030
Peru	15 504	15 277	30 781	17 929	17 571	35 500	16 017	16 918	32 935
Costa Rica	21 166	21 553	42 719	14 673	16 512	31 185	13 518	13 853	27 371
Brazil	15 883	17 972	33 855	13 889	13 991	27 880	13 883	14 537	28 420
Spain	12 819	16 480	29 299	12 747	13 042	25 789	14 876	14 758	29 634
Other	106 965	112 000	218 965	106 612	134 940	241 552	106 953	113 337	220 290
<b>Total</b>	<b>384 249</b>	<b>426 532</b>	<b>810 781</b>	<b>400 242</b>	<b>427 876</b>	<b>828 118</b>	<b>397 114</b>	<b>408 882</b>	<b>805 996</b>

Source: Special Administrative Unit of Migration Colombia, 2024.

5. Table 2 shows that arrivals and departures by air increased by 7,875 in March 2024 as compared to February. The total for March was 750,139, even higher than the total for January. This increase can be attributed in part to the launch, on 14 March 2024, of the low-cost airline JetSmart, which entered the Colombian market with a wide range of routes to and from several Colombian cities.

**Table 2**  
**Arrivals and departures of foreign nationals by mode of transportation between**  
**1 January and 31 March 2024**

Mode of transportation	January 2024			February 2024			March 2024		
	Arrivals	Departures	Total	Arrivals	Departures	Total	Arrivals	Departures	Total
Air	349 846	396 085	745 931	367 705	374 559	742 264	365 392	384 747	750 139
Land	30 112	27 594	57 706	28 479	21 547	50 026	26 523	20 596	47 119
Sea	3 661	2 378	6 039	3 030	1 968	4 998	4 689	2 977	7 666
River	630	475	1 105	576	604	1 180	510	562	1 072
<b>Total</b>	<b>384 249</b>	<b>426 532</b>	<b>810 781</b>	<b>399 790</b>	<b>398 678</b>	<b>798 468</b>	<b>397 114</b>	<b>408 882</b>	<b>805 996</b>

Source: Special Administrative Unit of Migration Colombia, 2024.

6. The Counsel General's Office has issued several reports on prevention that provide important data on the types and features of migration flows affecting Colombia. Annex 1 contains the Office's report on prevention describing the humanitarian situation of migrants in the Departments of Guainía, San Andrés and Nariño and the municipalities of Necoclí.

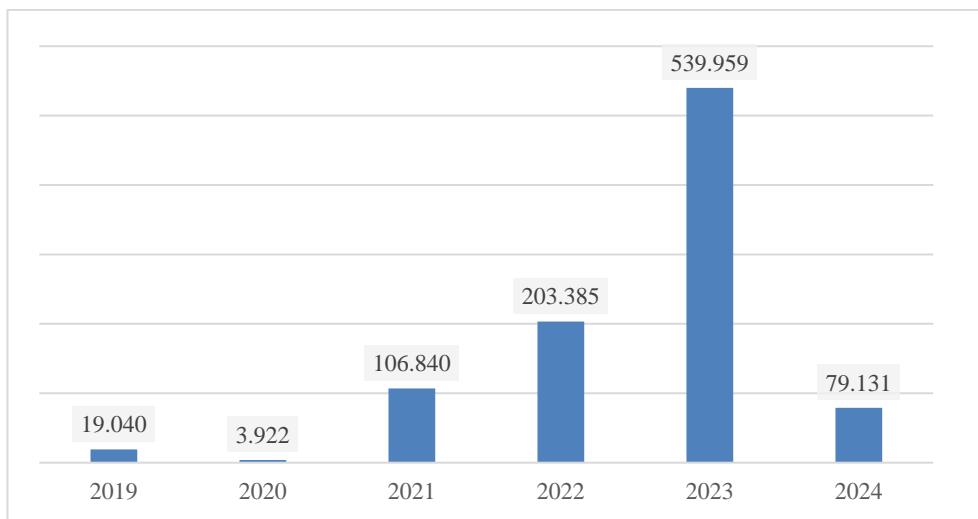
7. In Colombia, migration is enriched by diverse flows from the Caribbean, South Asia and Africa, with a notable increase in Venezuelan migrants seeking new opportunities. Many migrants take advantage of immigration arrangements in countries where they do not require a visa, using legitimately obtained tourist visas or permits under open-border policies. Although some migrants face challenges in the process, there are organizations that support them in their journeys, including through the intraregional migration corridor.

8. The most commonly used routes involve a combination of land, river and sea transportation across the borders with Venezuela, Ecuador and Brazil in transit to Central America and the United States. The use of these routes demonstrates the determination and resilience of migrants in search of better living conditions.

9. During their journeys, migrants can face challenges such as transport safety and the risk of exploitation. However, there is growing recognition of the importance of providing humanitarian assistance and protection to migrants, thereby contributing to guaranteeing their rights and improving their well-being. Collaboration between organizations and communities is key to supporting migrants and creating a safer and more welcoming environment for all.

10. Between 2019 and February 2024, the subunit of Migration Colombia responsible for immigration checks recorded undocumented migrants in transit on 952,277 occasions. This included persons entering, leaving and travelling through Colombia. In the first two months of 2024, such migrants were recorded on 79,131 occasions – 41,527 in January and 37,604 in February.

**Graph 2**  
**Undocumented migrants recorded in transit, 2019 to February 2024**



Source: Special Administrative Unit of Migration Colombia, 2024.

11. The undocumented migrants do not come from a single country or region of the world, although certain trends can be observed. Figures for January and February 2024 show that 87.12 per cent of the undocumented migrants recorded were from the Americas, with 9.08 per cent from Asia, 3.72 per cent from Africa, 0.05 per cent from Europe and 0.03 from Oceania. In terms of country of origin, Table 3 shows the top 10 nationalities recorded in January and February 2024. In this period, these nationalities accounted for 94.83 per cent of the total. The remaining 5.17 per cent came from 84 other countries or territories around the world.

**Table 3**  
**Undocumented migrants recorded in transit, by top 10 countries and rest of the world, January and February 2024**

Country of nationality	January 2024	February 2024	Total, January and February 2024	Percentage of total
Venezuela	26 665	24 949	51 614	65.23 %
Ecuador	3 300	4 315	7 615	9.62 %
Haiti	4 543	3 058	7 601	9.61 %
China	2 845	1 418	4 263	5.39 %
Angola	456	420	876	1.11 %

Country of nationality	January 2024	February 2024	Total, January and February 2024	Percentage of total
Bangladesh	414	351	765	0.97 %
Chile	338	320	658	0.83 %
Peru	288	356	644	0.81 %
Afghanistan	303	302	605	0.76 %
India	151	250	401	0.51 %
Rest of the world	2 224	1 865	4 089	5.17 %
<b>Total</b>	<b>41 527</b>	<b>37 604</b>	<b>79 131</b>	<b>100.00 %</b>

Source: Special Administrative Unit of Migration Colombia, 2024.

12. Of the undocumented migrants recorded during the first two months of the year, 49,169, or 62.14 per cent, were male and 29,962, or 37.86 per cent, were female. Of the total, 15,075 were children and adolescents. With regard to location and status, 78.42 per cent of the undocumented migrants recorded in January and February were leaving the country in an irregular manner: 59.44 per cent were departing from Necoclí and 18.50 per cent from Turbo, followed by El Dorado Airport in Bogotá, Gustavo Rojas Pinilla Airport in San Andrés and other locations on the island. Of the remainder, 18.97 per cent were entering the country in a regular manner. Ipiales accounted for 18.86 per cent of arrivals, followed by Cúcuta, San Andrés de Tumaco, Los Patios and Leticia. Lastly, 2.60 per cent of the undocumented migrants were on the move inside the country, in Pasto, Chachagüí, Bucaramanga, San Miguel and the José María Córdova Airport in Medellín. The undocumented migrants recorded throughout the country had entered Colombia through different points: 57.21 per cent had crossed the border from Venezuela, 42.23 per cent had crossed the border from Ecuador, 0.55 per cent had arrived at airports inside the country and less than 0.01 per cent had crossed the borders from Brazil and Peru.<sup>1</sup>

## B. Data and statistics on the number of unaccompanied or separated migrant children within the territory of the State Party

13. The Colombian Family Welfare Institute has an operational information system that generates a national report on child and adolescent foreign nationals and stateless persons who are undergoing an administrative process for the restoration of rights. Data as at 30 June 2024 are presented below.

Table 4  
**Children and adolescents undergoing an administrative process for the restoration of rights owing to abandonment, permanent or temporary absence of a guardian or status as unaccompanied migrants, as at 30 June 2024**  
(Disaggregated by country of nationality)

Country	Abandonment	Permanent or temporary absence of guardian	Unaccompanied migrant children	Total
Venezuela	42	500	114	656
Ecuador	1	13	2	14
Peru		3	2	5
Stateless		2	1	3

<sup>1</sup> For further information on undocumented migrants in transit, data and analysis can be found at the following links: <https://www.migracioncolombia.gov.co/tema/publicaciones-migracion-colombia/migrantes-irregulares-en-transito> and <https://public.tableau.com/app/profile/migraci.n.colombia/viz/MigracionIrregularenTransito/MigracionIrregularentrnsito>.

Country	Abandonment	Permanent or temporary absence of guardian	Unaccompanied migrant children	Total
Chile		2		2
Uruguay		1		1
Brazil		1		1
China		1		1

Source: Colombian Family Welfare Institute operational information system.

Table 5

**Children and adolescents undergoing an administrative process for the restoration of rights owing to abandonment, permanent or temporary absence of a guardian or status as unaccompanied migrants, as at 30 June 2024**

(Disaggregated by measure)

Measure	Abandonment	Permanent or temporary absence of guardian	Unaccompanied migrant children	Total
Warning and compulsory educational course		13	4	17
Specialized community-based care		80	13	93
Specialized in-house care	9	59	23	91
Specialized intervention and care		27	4	31
Other measure to guarantee the comprehensive protection of children and adolescents		2		2
Placement in specialized shelters		3	1	4
Placement in a family setting (family solidarity)		11		11
Placement in a family setting (family of origin or extended family)	9	206	22	237
Placement in a family setting (temporary foster home)		3	2	5
Placement in a family setting (family-based support model)		1		1
Placement in a family setting (foster home)	22	60	21	103
Placement in an emergency shelter		28	13	41
No information registered in the system	3	30	14	47
<b>Overall total</b>	<b>43</b>	<b>523</b>	<b>117</b>	<b>683</b>

Source: Colombian Family Welfare Institute operational information system.

**C. Steps that have been taken to harmonize the national migration laws with the Convention, including whether the State Party has plans to withdraw its reservations to the Convention, if any**

14. The measures taken to harmonize the national migration laws with the Convention are listed below:

- National Economic and Social Policy Council document No. 4100 of 2022: Strategy for the Integration of the Venezuelan Migrant Population to Promote National Development
- Act No. 2136 of 2021 establishing definitions, principles and guidelines for the regulation and orientation of the Comprehensive Migration Policy of Colombia, along with other provisions
- Decree No. 216 of 2021 establishing a temporary statute for the protection of Venezuelan migrants covered by the temporary protection regime and other provisions on immigration matters
- Act No. 1465 of 2011 creating the National Migration System and establishing rules for the protection of Colombians abroad

**D. Any signature, accession or ratification of human rights treaties or international instruments relevant for the implementation of the present Convention**

15. On 27 January 2023, Colombia formally withdrew three declarations it had previously made in respect of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. By doing so, the State seeks to more effectively promote and protect women's rights, allowing the Committee on the Elimination of Discrimination against Women to conduct reviews and investigations in cases of serious violations, receive communications from victims and, if necessary, request measures to prevent irreparable harm.

**E. Any court decisions related to the enjoyment by migrants and members of their families of the rights contained in the Convention**

16. Decision No. T-025 of 2004: This landmark decision addresses the situation of internally displaced persons in Colombia and establishes important precedents for the protection of migrants' human rights. The decision has been used to strengthen access to fundamental rights for vulnerable populations, including migrants and their families, with reference to the rights recognized in the Convention.

17. Decision No. T-203 of 2017: The Constitutional Court ruled in favour of the migrant, stating that access to social security is a fundamental right that must be guaranteed to all workers irrespective of their nationality or migration status.

18. Decision No. T-306 of 2017: The Constitutional Court established that the right to health must be guaranteed to all persons in Colombia irrespective of their immigration status, reflecting the non-discrimination principles set out in the Convention.

19. Decision No. T-098 of 2020: In this decision, the Constitutional Court highlighted the importance of ensuring migrants' access to health services irrespective of their migration status. This decision reinforces the notion of the right to health as a fundamental human right for all, including migrants.

20. Decision No. T-535 of 2020: The Constitutional Court reaffirmed that labour rights must be guaranteed equally for all workers irrespective of their migration status. This decision underscores the principle of non-discrimination in the workplace.

21. Decision No. T-404 of 2021: This decision concerns the protection of migrants' rights and addresses crucial aspects related to equal treatment and the protection of labour rights. The Constitutional Court ruled in favour of the migrant worker and ordered the employer to

pay the labour benefits owed and ensure compliance with labour rights. The Court reaffirmed that the labour rights of migrant workers must be protected in the same manner as the rights of national workers, including the right to fair pay and to access to social and labour benefits.

22. Decision No. T-166 of 2024 of the Constitutional Court ordered Migration Colombia to issue a resolution allowing access to the Single Register of Venezuelan Migrants without prior approval in cases of force majeure, including cases of discrimination and violence against women. The Court reiterated that all State authorities have a duty to handle cases using a gender-sensitive and intersectional approach, in accordance with constitutional and international standards. The decision sets out an analysis of the scope of the differential approach in migration policies and in the processing of migration documents. The Court found that there are migration-related regulations establishing such an approach.

23. The high number of Venezuelan migrants entering Colombian territory has led the Government to relax its migration policies. Regulations were issued to facilitate migration for Venezuelan nationals by granting permission to remain under special conditions. In the light of the foregoing, Decree No. 216 of 2021 and subsequently Decision No. 0971 of 2021 were issued, providing a road map for the temporary protection status procedure for Venezuelan migrants admitted under the temporary protection regime. These regulations establish the requirements, procedures and stages of the temporary protection permit and the special circumstances in which it can be issued.

24. The temporary protection permit is intended as a mechanism to regulate migration. The identification document allows its holders to remain in the national territory and, *inter alia*, exercise any legal activity or occupation, obtain access to the health, pension and social security systems, take out or sign up for products or services with financial entities, have their professional qualifications validated by the Ministry of Education, enrol in education and apply for jobs under the relevant legislation.

25. The temporary protection permit effectively fulfils the dual purpose of regularizing the migration status of Venezuelan migrants and according them legal status in respect of their civil rights. To date, 2,009,336 temporary protection permits have been issued.

26. In addition, Decision No. 2189 of 2024 was issued. It partially modifies Decision No. 4278 of 2022, which recognizes the temporary protection permit as an identification document for Venezuelan nationals within the territory of the Republic of Colombia and extends until 31 December 2024 the deadline for holders to identify themselves and provide proof of prior compliance with the requirements set forth in Decree No. 216 of 2021 and Decision No. 971 of 2021.

27. The Government is currently exploring, within the legal framework, options for the regularization of Venezuelan migrants.

## **F. Any change in the legislation affecting the implementation of the Convention**

28. Through the Ministry of Justice and Law, the State has developed a web platform dedicated to updating regulations and laws affecting migrant workers to ensure that they are aligned with international treaties. This process involves the removal of regulations that have been implicitly repealed or that have become obsolete due to subsequent legislative changes, with the purpose of bringing together in a single portal the regulations in force in this area.

29. The Government's Unified System of Information on Legislation (SUIN-Juriscol) is a fundamental web tool that is administered by the Directorate for the Development of Laws and the Legal Framework within the Ministry of Justice and Law and which enables consultation of general and abstract regulations.

30. The section of SUIN-Juriscol on protection of migrants' rights<sup>2</sup> contains the legislation in force in respect of the protection of the rights of the migrant population in

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<sup>2</sup> To see the contents of the section of SUIN-Juriscol on protection of migrants' rights, please visit <https://www.suin-juriscol.gov.co/legislacion/proteccionmigrantes.html>.

Colombia. Through this platform, the Government guarantees that both migrants and persons involved in providing them with assistance can quickly and easily obtain access to the regulations in force. This includes laws, decrees, resolutions and other regulations that protect the rights of migrants and guide the actions of public institutions.

31. The section currently contains 73 regulations from different sectors that are related to the protection of the rights of migrants: 17 laws (including the ratification of international conventions), 22 decrees and 30 resolutions regulating aspects of migration-related guarantees, economic and labour integration, the right to health, the rights of children and adolescents and subsidies for rent and basic services.

#### **G. Specific procedures that have been put in place in order to deal with mixed migratory flows, in particular to establish the special protection needs of asylum-seekers and victims of trafficking**

32. The Government complies with the State Policy on combating trafficking in persons through the Inter-Agency Committee to Combat Trafficking in Persons, which is part of the Ministry of the Interior, as established in Act No. 985 of 2005.

33. As part of the coordination and sustainability segment of the National Strategy to Combat Trafficking in Persons (Decree No. 1818 of 2020), the objective of which is to ensure coordination between national and subnational entities to implement strategic actions in accordance with the approaches established for the fight against trafficking in persons, a campaign has been developed to explain the characteristics of trafficking. The campaign is designed to prevent trafficking in persons in Colombia and is aimed at protecting vulnerable groups from exploitation and abuse, ensuring compliance with laws and public policies that seek to prevent and combat trafficking in the country and raising public awareness about the importance of preventing and reporting it. The focus of the campaign is to reach all areas of the country in person and distribute tools, guides and materials that contribute to prevention activities.

34. As part of the crime prevention segment, awareness-raising campaigns are being conducted for migrant populations in the country. The campaigns consist of raising awareness of the scope of the crime, the purposes of trafficking, the methods of recruitment, the relevant bodies and the communication channels that can be used to report cases.

35. In addition, prevention tools have been created through the establishment of support pathways including the national support pathway for smuggled migrants and the support pathway for children and adolescents affected by migrant smuggling.

36. Colombia has an Anti-Trafficking Operations Centre that acts as a coordination body for national and subnational entities to provide protection and assistance services for trafficking victims. In 2023, the Operations Centre coordinated protection and assistance services for 265 victims.

37. If a case of trafficking in persons is identified in the migrant population, every effort is made to ensure the comprehensive restoration of the victim's rights, irrespective of his or her migration status, by providing immediate assistance including psychological support, healthcare and help with safety, accommodation, clothing and advice on documentation. If the victim so chooses, he or she is given support to return to his or her country of origin or to a city where he or she has a chance of finding a support network. As set out in their action plans, local committees organize these prevention campaigns for the migrant population and coordinate with the Anti-Trafficking Operations Centres to provide immediate and medium-term assistance.

38. Migration Colombia launched a guide setting out procedures, actions and strategies for human rights interventions as a comprehensive and cross-cutting framework for action to guarantee the human rights of migrants in the context of the established institutional procedures and on the basis of the functions assigned to the migration authorities and the national and international instruments in force ratified by Colombia, with the aim of promoting inter-agency coordination among the actors involved. The document includes guidelines on the fight against trafficking in persons, including refugees and asylum-seekers,

among other relevant issues. The guide was updated in February 2024 to incorporate different approaches to institutional support, including for gender-diverse populations, and facilitate approaches to international migration from different perspectives.

**H. Steps taken to ensure that migrant children who are detained, including for violations of provisions relating to migration, are held separately from other adults and whether specific procedures are in place to determine the age of juvenile migrants**

39. It should be noted that, in Colombia, immigration offences are administrative in nature and do not result in restrictions on the fundamental right to freedom. In accordance with current legislation, minors under 18 years of age are not subject to proceedings before the immigration authorities. In article 139 of Act No. 1098 of 2006, the adolescent criminal justice system is defined as the principles, rules, procedures, specialized judicial authorities and administrative entities that govern or intervene in the investigation and trial of offences committed by persons between 14 and 18 years of age at the time of the act.

40. Article 140 sets out the aims of the system and the specificities of the support provided, noting that in the area of adolescent criminal justice, the trial and the measures taken are specific, pedagogical in nature and differentiated from those in the adult system, in accordance with the notion of comprehensive protection. If there is any doubt as to the age of the adolescent when entering the adolescent criminal justice system, he or she is presumed to be a minor but is referred to the Colombian Institute of Forensic Medicine to undergo an age determination procedure.

**Table 6**  
**Migrant children and adolescents in the adolescent criminal justice system by setting, 2020–2024**

Setting	Country of origin	2020	2021	2022	2023	June 2024
Support for released prisoners	Brazil	0	0	0	0	1
	Venezuela	1	5	8	20	6
	Panama	0	0	0	1	0
	<b>Total</b>	<b>1</b>	<b>5</b>	<b>8</b>	<b>21</b>	<b>7</b>
Specialized support centre	Brazil	0	0	1	0	0
	Venezuela	26	23	52	81	22
	<b>Total</b>	<b>26</b>	<b>23</b>	<b>53</b>	<b>81</b>	<b>22</b>
Emergency Centre, Restoration of Justice	Venezuela	3	10	12	20	16
	<b>Total</b>	<b>3</b>	<b>10</b>	<b>12</b>	<b>20</b>	<b>16</b>
Pretrial Detention Centre	Brazil	0	1	0	0	1
	Spain	0	0	0	1	0
	Venezuela	32	38	80	48	13
	<b>Total</b>	<b>32</b>	<b>39</b>	<b>80</b>	<b>49</b>	<b>14</b>
Full-time community-based measures, Restoration of Justice	Venezuela	6	8	11	18	2
	<b>Total</b>	<b>6</b>	<b>8</b>	<b>11</b>	<b>18</b>	<b>2</b>
Part-time community-based measures, Restoration of Justice	Venezuela	3	5	10	6	2
	<b>Total</b>	<b>3</b>	<b>5</b>	<b>10</b>	<b>6</b>	<b>2</b>

Setting	Country of origin	2020	2021	2022	2023	June 2024
Placement in semi-open detention centre	Spain	0	0	0	0	1
	Ecuador	0	1	0	1	0
	Venezuela	9	13	8	23	8
	<b>Total</b>	<b>9</b>	<b>14</b>	<b>8</b>	<b>24</b>	<b>9</b>
Placement in closed detention centre, Restoration of Justice	Venezuela	45	39	103	73	44
	Ecuador	2	0	3	1	0
	<b>Total</b>	<b>47</b>	<b>39</b>	<b>106</b>	<b>74</b>	<b>44</b>
Support measures, Restoration of Justice	United States of America	0	0	0	0	1
	Spain	0	0	1	1	0
	Venezuela	17	16	43	30	10
	Panama	0	0	0	1	0
	Ecuador	0	1	0	0	0
	Costa Rica	0	0	0	1	0
	<b>Total</b>	<b>17</b>	<b>17</b>	<b>44</b>	<b>33</b>	<b>11</b>
Probation	Costa Rica	0	0	0	0	1
	Ecuador	0	0	0	0	1
	Venezuela	8	12	37	43	8
	<b>Total</b>	<b>8</b>	<b>12</b>	<b>37</b>	<b>43</b>	<b>10</b>
Community service	Venezuela	3	4	5	3	2
	<b>Total</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>2</b>
<b>Overall total</b>		<b>155</b>	<b>175</b>	<b>389</b>	<b>376</b>	<b>139</b>

Source: Colombian Family Welfare Institute, Report on new features of the adolescent criminal justice system.

Table 7  
**Number of adolescents who have entered the adolescent criminal justice system by country of origin, 2019–2024**

Migrants who entered the system in 2019	Migrants who entered the system in 2020	Migrants who entered the system in 2021	Migrants who entered the system in 2022	Migrants who entered the system in 2023	Migrants who entered the system in 2024 (July)
Venezuela: 526	Venezuela: 285	Venezuela: 512	Venezuela: 546	Venezuela: 453	Venezuela: 232
Chile: 2			Dominican Republic: 1		Spain: 1
	Panama: 1	Brazil: 2		Spain: 1	Spain: 1
Spain: 3	Spain: 1	Spain: 1	Spain: 3	Ecuador: 1	Ecuador: 1
Ecuador: 5	Ecuador: 2	Ecuador: 4	Ecuador: 4		
Costa Rica: 1		Pacific Islands (USA): 1	Brazil: 1		
	Peru: 1			Nicaragua: 1	
France: 1					

Source: Colombian Family Welfare Institute operational information system, by judicial district.

**I. Special programmes to address the special interests of migrant children, including unaccompanied and separated children**

41. The Special Administrative Unit of Migration Colombia (hereinafter Migration Colombia) has held joint working sessions with the Colombian Family Welfare Institute and the Special Administrative Unit for Civil Aviation to develop a protocol for the protection of unaccompanied children and adolescents whose rights have been violated and/or put at risk in the course of the ordinary operation of international flight arrivals or in direct transit zones.

42. The purpose of the protocol is to provide, to the Regional Directorates, Technical Assistance Coordinators and Family Ombudsman's Offices of the Colombian Family Welfare Institute, Regional Directorates of Airport Migration Checkpoints, the Police for Children and Adolescents, aircraft operators in international air transport services and companies or entities that operate international airports, instructions on the prevention and protection of the rights of children and adolescents in the context of international migration and in particular those whose rights have been violated and/or put at risk.

**J. Legislation and practice providing for mechanisms to monitor the situation of migrant women, including those employed as domestic workers, and safeguards and guarantees to protect them from exploitation and violence**

43. Aware of its duty to safeguard the rights of migrant women, the Government has included a number of provisions in Act No. 2136 of 2021 (the Comprehensive Migration Policy) to update its framework for action. Article 75 of the Policy is entitled "Information Exchange Agreements". Paragraph 1 of the article states that the Government can establish partnerships between anti-trafficking, migration and development agencies, international organizations and civil society stakeholders focused on women and girls, including community-based organizations of groups affected by trafficking or anti-trafficking measures, in order to systematically collect, share and analyse data with the aim of understanding trends in trafficking in women and girls and implementing targeted human rights-based strategies.

44. Article 79, which amends article 6 (7) of Act No. 1257 of 2008, sets out the principle of non-discrimination, including the notion that all women, irrespective of their personal, social or economic circumstances, including age, ethnicity, sexual orientation, rural or urban origin and religion, are guaranteed the rights established in the Act through the adoption of minimum standards in the national territory and, by the Ministry of Foreign Affairs, outside the country.

45. Article 81 states that, in addition to other rights recognized by law or by duly ratified international treaties and conventions, women have the right to a dignified life, to physical, sexual and psychological integrity, to privacy, to freedom from torture or cruel or degrading treatment, to real and effective equality, to freedom from any form of discrimination, to freedom and autonomy, to the free development of their personality, to health, including sexual and reproductive health, and to personal safety, and that those rights must be enjoyed by all women within the national territory, as well as nationals outside the country.

46. Article 82 sets out prevention and awareness-raising strategies to ensure that all authorities responsible for designing and implementing public policies recognize the social and biological differences and inequalities that exist in relationships between people on account of their sex, age, ethnicity and the role they play in the family and in society. It also states that the Government will create a standardized support protocol for women outside the country who are, or who are at risk of becoming, victims of violence, with the aim of facilitating timely action to prevent violence, identify and provide care for victims and refer women to specialized support services.

47. The protocol will set out the parameters for the collection of initial data, the availability of information on consular services for women victims of violence, offices that ensure confidentiality and privacy, standing mechanisms for specialized support, consular personnel trained in handling cases of violence, and effective coordination between

consulates, the Ombudsman's Office and the Counsel General's Office with the aim of ensuring adequate support and protection.

48. With regard to the use of a differentiated approach, work is currently under way on the draft decree on the special residence permit, known as PEP TUTOR, for legal representatives or guardians of children and adolescents who are holders of a temporary protection permit.

49. In addition, the Ministry of Labour issued Resolution No. 4607 of 2022 creating the Elite Group for Gender Equity, which is comprised of local and national labour and social security inspectors and other officials from the special offices and the special investigations unit who have specific skills. The Group's objective is to ensure that a gender lens is used in inspections and actions with the aim of preventing behaviours that cause gender-based violence and guaranteeing the labour rights of workers, the lesbian, bisexual, gay, transgender and intersex population and populations requiring special protection, such as children, migrants, persons with disabilities and victims of forced displacement, throughout the national territory.

50. Alongside Resolution No. 4607, the Ministry of Labour developed and implemented a protocol for prevention and protection inspection visits in the area of gender-based violence in the workplace, which provides guidance to officials and inspectors on the content and scope of, and the links between, the instruments that protect the rights of workers to ensure discrimination-free work environments. The protocol is also intended as a guide aimed at strengthening labour inspections and as a tool for protecting the labour rights of women and persons belonging to groups requiring special protection, including the migrant population.

51. The Ministry of Labour issues circulars explaining the operation of various labour laws to enhance understanding and application of them in daily life. One example is Circular No. 7 of 27 January 2022, which addresses the rights of domestic workers and emphasizes that such workers enjoy the same rights as other workers.

## **K. Procedures assisting victims of trafficking, especially women and children**

52. In the area of trafficking in persons, the Government has been adopting prevention, investigation, punishment and protection measures and provides the assistance necessary to guarantee the human rights of victims and potential victims. This work is undertaken in implementation of the National Strategy to Combat Trafficking in Persons 2020–2024, which is aimed at building safer and more resilient communities. The protection pathway for survivors of trafficking in persons consists of two types of assistance:

(a) Immediate assistance: Assistance provided urgently to the victim once the authorities become aware of the victim's situation. The assistance is aimed at guaranteeing, as a minimum, the following services: repatriation (for cases of trafficking abroad); return of the victims to their place of origin, if they so request; safety; decent housing; food, hygiene and clothing kits; medical and psychological assistance; transportation; and legal advice and representation;

(b) Medium-term assistance: Assistance provided to the victim once the immediate assistance stage is completed. This includes the following services: medical and psychological assistance; legal advice and representation; education; job training and human development; income generation projects; and transportation services.

53. The Government also carries out actions throughout the country in the areas of prevention, assistance, investigation and prosecution of the offence:

(a) In the framework of the coordination activities undertaken by the Anti-Trafficking Operations Centre, Migration Colombia takes action in connection with the reception of national or foreign victims who arrive in the country through immigration checkpoints and who, either upon arrival or during their stay in Colombia, require some type of assistance, guidance or support or need to complete administrative procedures. In addition,

Migration Colombia activates the national, municipal or departmental anti-trafficking in persons committee to implement the measures aimed at restoring the victim's rights;

(b) At the request of the Anti-Trafficking Operations Centre, Migration Colombia issues alerts in the migration tracking system to identify the departure of possible victims of trafficking. This allows migration officers to conduct interviews to make migrants aware of the risks and certain aspects of trafficking, in order to dissuade them from continuing their journey;

(c) The Ministry of the Interior, as Chair and Technical Secretariat of the Inter-Agency Committee to Combat Trafficking in Persons, has been running the prevention campaign #DeQueTrataLaTrata (What Trafficking Is All About) since June 2023. The campaign's objective is to understand the dynamics and impacts of the offence, depending on the type of trafficking. The campaign is aimed at reaching the most vulnerable groups, namely women, children and adolescents;

(d) With regard to the prevention of the crime of human trafficking, in 2023, 336 technical assistance, training and awareness-raising sessions were carried out for public officials, including those in charge of support procedures, service providers and the community in general, reaching 8,836 beneficiaries. These sessions addressed issues such as the definition of the offence of trafficking in persons, the identification of risk factors and the investigation and prosecution of trafficking, as well as the implementation of the national protection and assistance pathway and the protocol for identifying, protecting and assisting victims of trafficking in persons in the context of migration;

(e) In response to the increase in offences affecting migrants, since 2020 the Government has made available the free mobile application LibertApp, which enables people anywhere in the world to report possible cases of trafficking in persons and request help. The application was developed with technical support from the International Organization for Migration (IOM) and funding from the Bureau of Population, Refugees and Migration of the United States Department of State and is managed by Migration Colombia. The application has been downloaded by more than 2,000 people, and 83 alerts were registered in 2023, according to reports from Migration Colombia;

(f) In 2023 and the first quarter of 2024, Colombia was part of the PICAD Project, which seeks to support the efforts of States members of the Organization of American States to prevent, investigate and respond to criminal activity related to the exploitation of Venezuelan refugees and migrants. As a result of the project, six guides and manuals were prepared on identifying trafficking in persons and the smuggling of migrants and on mainstreaming human rights, gender and intercultural issues, as well as on elements of international legal cooperation. Using the publications, awareness was raised among more than 300 officials;

(g) To address the situation of children and adolescents whose rights have been violated in the context of child labour, the Colombian Family Welfare Institute approved, in Resolution No. 1513 of 23 February 2016, technical guidelines for caring for children and adolescents whose rights have not been respected or have been threatened or violated in the context of child labour. The Resolution establishes the guidelines for specialized support in restoring rights. In addition, the Colombian Family Welfare Institute has implemented a strategy for the deployment of mobile comprehensive protection teams to identify and assist children and adolescents in situations of child labour or in street situations. The strategy includes psychosocial intervention for families and coordination with agents from the National Family Welfare System to mobilize institutional services and restore rights;

(h) The Government, through the Ministry of Labour, leads the Inter-Agency Committee for the Eradication of Child Labour, which coordinates and supervises efforts to prevent and eliminate child labour in the country. The Ministry also runs a campaign, under the slogan "No Permito!" ("I Say No!"), against the commercial sexual exploitation of Colombian, refugee and migrant children and adolescents. Rights guides for migrants have been developed in collaboration with the United Nations Children's Fund (UNICEF), the International Labour Organization and the United States Agency for International Development (USAID), and preventive actions focused on child labour and sexual exploitation have been implemented. In addition, the Government declared an emergency in

La Guajira by means of Decree No. 1085 of 2023 and adopted the Pact for a Child Labour-Free Childhood to comprehensively address child and sexual exploitation in that region.

54. In addition, on 13 March 2024, the Counsel General's Office issued Circular No. 001 of 2024, which sets out preventive measures to mitigate the vulnerabilities that pose a risk of trafficking in persons among the migrant population. In the circular, the Office urges national and subnational entities to take a number of actions, including: (1) Strengthening institutional capacities to provide support to victims of trafficking through comprehensive support mechanisms; (2) Encouraging subnational entities to include specific anti-trafficking prevention programmes in their development plans and allocate adequate budgets; (3) Design and implement information campaigns on the pathways and protocols to be used for victims of trafficking, with a particular focus on foreign nationals.

55. In addition, since 2018, the Attorney General's Office has been implementing, through the Future Colombia programme, the #EsoEsCuento ("It's a Lie") national strategy, which is aimed at disseminating information on trafficking in persons, with a particular focus on public officials and vulnerable people. The objective is to raise public awareness of the different forms of trafficking in persons and prevent risks through interventions in public spaces, on public transport and in schools located in highly vulnerable areas. Using graphic, digital and audiovisual materials and radio spots, the general public is made aware of the recruitment methods used by traffickers and how victims are often deceived with promises of employment.

56. In addition to educating people on how to respond to situations of trafficking, the programme provides information on who to turn to for support and has improved the institutional response through forums, training sessions and events. To increase the effectiveness of its efforts, the Attorney General's Office has established partnerships with State authorities, international organizations, civil society and private sector companies with the aim of improving awareness and promoting more robust collective action against trafficking in persons.

57. As part of the Future Colombia programme, 21 service provider fairs were held in 2024, attended by 8,125 people nationwide. In the first half of the year, the 33 local branches of the Attorney General's Office reached 58,590 people through 128 activities. To mark World Day against Trafficking in Persons, 38 awareness-raising activities were carried out between 22 and 30 July, reaching 14,289 people. These activities and events were organized by officials from the Attorney General's Office working on the Future Colombia programme.

58. In addition, in 2024, the Attorney General's Office launched a strategic alliance with the United Nations Office on Drugs and Crime, Fundación Renacer and Avianca to target transnational trafficking. As part of these efforts, 139,000 security cards bearing a QR code will be placed on 127 aircraft, allowing travellers to access resources on trafficking and the Denuncia Fácil ("Easy Reporting") application. The cards will be placed on aircraft operating in destinations identified as having high rates of exploitation. The initiative seeks to prevent victims from leaving Colombia and travelling to countries where human trafficking networks operate.

59. Lastly, the Attorney General's Office issued Resolution No. 261 of 29 March 2022 creating the Office's strategy to address the criminal activities of trafficking in persons and smuggling of migrants and associated or related crimes and organizing institutional resources to ensure the necessary diligence in responding to these offences.

60. To ensure the effective implementation of the strategy, a Working Group was formed within the Special Directorate on Human Rights Violations, which reports to the Office of the Special Prosecutor for Organized Crime. The Group, which carries the official title of Investigation and Coordination Group on Combating Trafficking in Persons, Smuggling of Migrants and Associated or Related Offences, is responsible for conducting structural, analytical and strategic investigations into trafficking in persons, smuggling of migrants and associated or related crimes, with the aim of, *inter alia*, disrupting criminal behaviour and identifying and prosecuting criminal structures or organizations. The Group's investigative activities and the prosecutors available to assist in its efforts are concentrated in strategic areas of the country.

## **L. Measures taken to provide assistance given by the State Party to its migrants abroad**

61. The Government, through the Ministry of Foreign Affairs, provides assistance to Colombians abroad through its embassies, consular sections and accredited consulates. Its objective is to protect and assist Colombians who are in transit or residing abroad, in accordance with the relevant international instruments and the laws of the host country.

62. The Ministry of Foreign Affairs advises, coordinates and supervises the 105 Colombian consulates abroad to ensure that they comply with the regulations in force to protect and guarantee the fundamental rights of Colombians, especially victims of human trafficking. As part of the coordination of the immediate assistance pathway for cases of external trafficking, the Ministry ensures that consulates activate the pathway requested by the victim, which may include aspects relating to accommodation, security, food, support with transfers, medical and psychological assistance, legal advice and assisted return. If the victims wish to be repatriated, the case is referred to the Anti-Trafficking Operations Centre which coordinates with the competent entities and strategic partners to make arrangements to accompany the victims to their place of origin.

63. According to the official records of the Ministry of Foreign Affairs, between 2019 and 2024, Colombian consular offices abroad provided assistance to victims in 495 cases: 310 cases of sexual exploitation, 169 cases of labour exploitation, 13 cases of marital servitude and 3 cases of forced begging.

## **M. Measures taken to facilitate migrants' reintegration in case of return to the State Party**

64. Through its Comprehensive Migration Policy, Colombia has made several modifications and additions to Act No. 1565 of 2012 to improve the support provided to returnees. These include:

(a) Introduction of a definition of the term “returnee” in order to prioritize assistance, involvement in the design of public policies and the provision of support to both Colombian migrants abroad and returnees;

(b) Support for unaccompanied minors: Specific measures have been introduced to support unaccompanied Colombian children and adolescents abroad who wish to return;

(c) Validation of studies: Instructions have been drawn up on the validation and recognition of studies completed abroad;

(d) Socioeconomic integration: The returnee population is now included in employment, economic development, entrepreneurship and financial inclusion policies.

65. These changes are designed to improve the return process and facilitate the integration of Colombians returning to the country. With regard to the general provisions on returnees, Act No. 1565 of 2012 was amended by Act No. 2136 of 2021 in the following areas:

(a) Types of return: The academic return category was introduced, as well as the option for returnees to switch to a different return category within two years of the approval of their original return request;

(b) Requirements: The Intersectoral Repatriation Commission has the power to waive the foreign residency requirement for citizens returning for humanitarian reasons or reasons of force majeure, for the purpose of solidarity or owing to a serious emergency or natural disaster. The rule that returnees were not eligible for the benefits set out in the Repatriation Act if they had been in the national territory for 12 months or more was tacitly repealed;

(c) The option for returnees to reapply after five years was introduced;

(d) Support pathways: The academic return support pathway was introduced and expanded, and the entities responsible for the support pathways applicable to other types of

repatriation were designated. Athletes were included in the repatriation for work category, and the responsible entities were identified;

(e) Repatriation for the purpose of solidarity: This applies to the process for repatriating a Colombian national who was a victim of the internal armed conflict. The Government, in coordination with the National System for Comprehensive Victim Support and Reparation, will draw up a solidarity repatriation plan that includes inter-agency partnerships to offer support in areas such as health, education, employment, entrepreneurship, housing, job training, social and psychological assistance and legal advice, pursuant to Act No. 1448 of 2011 and its amendments;

(f) Mass Repatriation: The Disaster Risk Management Unit and the Ministry of Foreign Affairs are designated as having responsibility for coordinating mass returns.

66. Between April 2018 and August 2024, 45,599 return applications were processed.

67. The Government has taken the following actions in the area of support for humanitarian repatriations:

(a) In 2019, under the partnership agreement between the Revolving Fund of the Ministry of Foreign Affairs and the Colombian Red Cross, assistance was provided to 371 returning nationals in Arauca, Vichada, Norte de Santander, Guajira and Nariño, the latter three being the departments with the highest migration flows, mostly from Venezuela and Ecuador. Returnees received immediate humanitarian assistance in the form of food, temporary housing and transportation, and 236 kits were distributed;

(b) In 2020, during the COVID-19 pandemic, the Returnee Referral and Opportunity Centres distributed humanitarian aid, in the form of food and hygiene kits, and financial support to family groups through the cash transfer systems of some international cooperation agencies;

(c) On 22 June 2022, Partnership Contract No. 007 was signed with the company Expertos Profesionales en Servicios Integrales for the provision of humanitarian support and early recovery strategies for Colombian returnees and mixed families in highly vulnerable situations. As part of the agreement, multipurpose monetary transfers were paid for three months to support highly vulnerable families without entrepreneurial skills. Beneficiaries were selected from the database provided for in Act No. 1565 of 2012 on humanitarian repatriations, and it was agreed that 70 returnees would receive support once their documentation had been verified;

(d) In the second half of 2023, Partnership Agreement No. 018 was signed with Expertos Profesionales en Servicios Integrales to continue to provide stability for returned nationals included on the central register of returns, in coordination with the National System for Humanitarian Repatriation and pursuant to Act No. 1565 of 2012. The agreement was implemented in Bolívar, Atlántico and Norte de Santander and included 40 payments and 30 cash transfers for businesses, as well as 379 food and hygiene kits in Guainía and Necoclí for vulnerable populations.

68. The Government has taken the following actions in the area of support for repatriation for the purpose of setting up a business:

(a) In 2019, support was provided to 87 Colombian returnees for the purpose of setting up a business. The returnees and their families, who mostly arrived from Venezuela, received seed capital in the form of machinery, equipment, supplies and advertising material for their new businesses. The new businesses are located in the Departments of Atlántico (49), Bogotá (17), Santander (15) and Valle del Cauca (6). In addition, and with the objective of strengthening entrepreneurial skills, inter-agency partnerships were set up with the regional offices of the National Training Service in Atlántico and Santander to implement a special support pathway for this category of returnees;

(b) In 2020, businesses were set up in Atlántico (31), Santander (15), Bogotá D.C. (14) and Valle del Cauca (21). In 2020, follow-up work was done in respect of the businesses set up in both 2019 and 2020;

(c) In 2022, agreement No. 006-FGM-038 of 2022 on repatriation for the purpose of setting up a business was signed with IOM. The aim of the agreement is to combine the technical and financial efforts of the Revolving Fund of the Ministry of Foreign Affairs and IOM with the objective of contributing to socioeconomic stability for returned migrants in Colombia and their host communities, through the development of business endeavours and the strengthening of migration-related governance, increasing their access to institutional services and facilitating their inclusion in the central register of returns and access to other benefits provided for in Act No. 1565 of 2012. In 2022, priority was given to the Departments of Antioquia, Valle del Cauca and Norte de Santander, and 54 people received help with setting up businesses, in the form of material and machinery, through the support plan for repatriation for the purpose of setting up a business. The objective of the support plan is to develop a practical pathway to coordinate the efforts of the lead regional agencies in the productive sector to leverage the income-generating capacities of returnees at the local level, as mandated by Act No. 1565 of 2012;

(d) In 2023, a partnership agreement on repatriation for the purpose of setting up a business was signed with the Sociocultural and Development Cooperation Association for Colombia and Ibero-America (Aculco). The aim of the agreement is to combine administrative, technical and financial efforts for the development of entrepreneurship projects, with the objectives of achieving socioeconomic stability for returned migrants in the Departments of Risaralda, Quindío and Caldas, pursuant to Act No. 1565 of 2012 and Act No. 2136 of 2021, contributing to socioeconomic stability for returned migrants in Colombia and their host communities, through the development of business endeavours, and strengthening migration-related governance and access to other benefits provided for in Act No. 1565 of 2012. In 2023, priority was given to the Departments of Quindío, Risaralda and Caldas, and 39 people received help with setting up businesses, in the form of material and machinery, through the support plan for repatriation for the purpose of setting up a business.

## **N. Multilateral or bilateral agreements relating to migration the State Party has entered into, including regional agreements**

69. In May 2024, a Memorandum of Understanding was signed between the Panamanian National Secretariat for Children, Adolescents and the Family and the Colombian Family Welfare Institute to strengthen international cooperation in the comprehensive protection of children and adolescents. This agreement seeks to uphold the right to family unity for migrant minors, facilitate the reunification of Panamanian minors in Colombia and guarantee safe returns and reestablishment of family contact for children of both nationalities. The Memorandum was drawn up in response to the exponential increase in mixed migratory flows coming mainly from South America, the Antilles, Asia and Africa via the routes that converge in the Darién Region. Figures from Migration Panama show that, as of 31 December 2023, 520,085 migrants crossed the border between Colombia and Panama through that region, 113,180 of them children (60,360 boys and 52,820 girls).

70. On 30 May 2023, at the Brasilia Presidential Summit, Colombia and Venezuela signed an agreement to create the Commission on Good Neighbourliness and Integration, with the aim of promoting cooperation and integration between the two countries, especially in border areas. In addition, on 18 November 2023, a Memorandum of Understanding was signed between the Venezuelan Ministry of People's Power for Foreign Affairs, the Colombian Ministry of Foreign Affairs and the Colombian Family Welfare Institute to facilitate the procurement of identity documents, the search for families for the purpose of family reunification and the restoration of rights of Colombian and Venezuelan children and adolescents and their safe return to their State of origin. The agreement makes provision for support for minors in both countries who lack parental care and who are subject to rights restoration measures.

71. In 2022, International Cooperation Agreement No. 1504 was signed between the Colombian Family Welfare Institute and the International Committee of the Red Cross, with the aim of facilitating the search for family members in Venezuela and reestablishing and maintaining contact. The agreement covers family reunifications and is triggered by an administrative order, provided that the search request meets the admissibility criteria.

72. In the area of international cooperation, the members of the Inter-Agency Group on Mixed Migration Flows are responsible for implementing the Regional Response Plan for Venezuelan Refugees and Migrants in Venezuela. In Colombia, the Inter-Agency Group on Mixed Migration Flows is led by the Office of the United Nations High Commissioner for Refugees (UNHCR), IOM and the national coordination mechanism of the Inter-Agency Coordination Platform for Venezuelan Refugees and Migrants (R4V). The Regional Response Plan for Venezuelan Refugees and Migrants in Venezuela for 2023–2024 required funding of US\$ 664.8 million in the first year and US\$ 575.8 million in the second year. According to figures provided by the R4V Platform on 16 January 2024, US\$ 348,164,444 were disbursed for the Plan in 2023, of which US\$ 152,416,849 were earmarked for Colombia.

73. As of 2024, Colombia has signed 15 bilateral instruments on trafficking in persons with other countries, ranging from memorandums of understanding on cooperation in the prevention, investigation and prosecution of trafficking cases to simpler agreements on assistance and protection for victims. Agreements have been concluded with Ecuador (2012), Chile (2013), Argentina (2013), Honduras (2013), El Salvador (2013), Paraguay (2014), Costa Rica (2014), Peru (2015), Panama (2018) and Brazil (2024). New similar agreements are currently being negotiated with the Bahamas, Mexico, Trinidad and Tobago, Türkiye and France.

## **O. Efforts made, also in cooperation with other States, in order to prevent migrants' loss of life at the land and maritime border areas**

74. Regarding the humanitarian situation of migrants transiting the border between Colombia and Panama, three Trilateral Meetings on Migration have been held, at which Colombia, the United States and Panama have agreed on actions to protect the migrant population, combat cross-border crime and foster comprehensive border development by managing migration using an approach that guarantees and protects the human rights of the migrant population and the population living in the border area.

75. At the national level, the Government has drawn up the Comprehensive Support Plan for Darién with a view to strengthening government efforts in that region, which receives high numbers of migrants in transit to Panama, and providing a coordinated inter-agency response to meet the needs of local communities and migrants. Under the Comprehensive Support Plan for Darién, an environmental component is incorporated into migration policies; local healthcare capacity is strengthened; investment is directed towards key sectors such as service infrastructure and transportation; and a differentiated approach is used in the area of human rights protection for migrant children and adolescents.

76. In addition, in 2024, the Government updated Decree No. 1239 of 2003, which created the National Intersectoral Migration Commission, with the aim of adapting it to the country's new institutions and achieving greater internal coordination in the drafting of effective action plans to address migration in places of transit, destination and return.

77. Unified command posts staffed with, *inter alia*, institutional and law enforcement representatives were established in the departments bordering Venezuela to monitor migrant flows and assess the necessary institutional response. In addition, 59 Migration Boards were set up throughout the country to facilitate governmental coordination to make assessments, propose measures and projects to protect and support the migrant population and agree on joint actions in the management of migration.

## **P. Measures to prevent clandestine movements and employment of migrants in an irregular situation**

78. The Government, through Migration Colombia, performs immigration checks aimed at determining the immigration status or situation of foreign nationals in the country and assessing compliance with the requirements and obligations incumbent on natural or legal persons hiring or admitting a foreign national. The following actions have been taken to prevent the clandestine movement and employment of migrants in an irregular situation:

(a) Special residence permit: The issuance of a valid identification document was authorized for Venezuelan nationals in Colombian territory. The special residence permit allows them to remain in the country legally, on a temporary basis, and to obtain municipal, departmental and national institutional services in the areas of health, education, employment and support for children and adolescents. Holders of a special residence permit are allowed to engage in any legal activity or occupation in the country, including through an employment arrangement or contract. The permit was granted to Venezuelan citizens who entered the country legally through a migration checkpoint before 31 August 2020. Migrants were able to obtain this type of permit beginning on 15 October 2020;

(b) Special residence permit for the promotion of formalization: The issuance of a work permit was authorized to regularize the migration status of Venezuelan nationals in Colombian territory through employment or service provision contracts. Holders of this type of permit can engage in a specific activity or trade once the intended employer or contracting party submits an electronic application to the Ministry of Labour. The Government decided to automatically extend until 28 February 2023 all special residence permits, irrespective of the processing stage;

(c) Temporary protection statute for Venezuelans: In the light of developments in migration from Venezuela, and to complement the international protection scheme for refugees that is in place as part of its commitment to protecting the human rights of migrants, in 2021, Colombia issued a statute on temporary protection for Venezuelans and relaxed immigration rules. The mechanism allows Venezuelan migrants in Colombia with temporary protection to transfer to the ordinary migration regime. Venezuelan migrants who obtain temporary protection under the statute have a 10-year period in which they can acquire a residence permit. The introduction of the scheme encouraged transfers to the ordinary migration regime and reduced the number of migrants with irregular status.

79. The temporary protection statute for Venezuelans created the temporary protection permit, an identification document authorizing Venezuelan migrants to remain in Colombia and engage in any legal activity or occupation in the country during the period of validity. It also ensures that the State has the tools to identify, classify and register the Venezuelan migrant population in order to plan and design appropriate public policies to support the migrant population.

80. To obtain a temporary protection permit, Venezuelans had to submit an electronic preregistration form in the Single Register of Venezuelan Migrants, which was available until 24 November 2023 for Venezuelans who entered Colombian territory in a regular manner through an authorized migration checkpoint between 29 May 2021 and 28 May 2023. The Single Register of Venezuelan Migrants is available until 30 May 2031 for children and adolescents undergoing an administrative process for the restoration of rights, adolescents and young people in the adolescent criminal justice system and anyone enrolled in an early years education setting, a preschool or an elementary or middle school.

### **III. Specific provisions**

#### **A. General principles**

##### **Articles 1 (1) and 7**

81. The chapter on regional convergence in the National Development Plan 2022–2026, entitled “Colombia: World Power of Life”, sets out a strategy for strengthening ties with the Colombian diaspora and protecting migrants. It provides for the implementation of a comprehensive policy with a local focus and differentiated approach that addresses the causes and effects of migration through support mechanisms for Colombians abroad and returnees, as well as protection for migrants who are in transit or living in Colombia. The policy is based on respect for rights, freedom of movement, dignity and social cohesion.

82. The protection mechanisms under the National Development Plan for migrants in transit and those intending to stay in the country include the following key measures:

- (a) Increased efforts to assist vulnerable migrants and help them integrate and the provision of humanitarian assistance to those transiting through the country;
- (b) Strengthened sectoral, national and regional coordination and management of international cooperation to improve the social and economic integration of migrants and returnees, with the involvement of host communities;
- (c) Coordination with the competent entities to facilitate the socioeconomic integration of migrants and returnees, and support for local entities in the design and implementation of development projects;
- (d) Promotion of social dialogue at the local and regional levels, especially in border areas, to prevent and mitigate conflict in communities.

83. The establishment of the Ministry of Equality and Equity under Act No. 2281 of 2023 provides an institutional basis for guaranteeing the rights of migrants in Colombia, including those who intend to stay in the country, are in transit or have returned, without discrimination. Article 5 of Decree No. 1075 of 2023, which establishes the Directorate for Migrants, sets out its responsibilities, which include: (1) adopting and implementing policies and projects to promote the rights of migrants with regular or irregular status and those who are in transit, as well as returnees and refugees; (2) coordinating with national and subnational bodies in the implementation of strategies and policies to provide humanitarian assistance, support socioeconomic integration and help migrants become productive; and (3) ensuring that gender-sensitive, intersectional, rights-based approaches that take account of ethnicity and race and have a local focus are integrated into the design, implementation and evaluation of policies related to migrants. The foregoing entails a change in and an expansion of Colombian migration policy, as it goes beyond the practice of providing assistance exclusively to migrants from Venezuela, and it broadens the aim of the measures undertaken to include human security as well as socioeconomic integration.

84. In addition, the Ministry of Labour has launched various strategies to combat the displacement of local workforces and stem surges in xenophobia among the host population by ensuring that decent work is equally available to migrants and Colombian nationals:

- (a) The “Companies with Open Arms” campaign, which targeted the private sector and sought to prevent xenophobia and forced labour and service and raise awareness about the inclusion of migrants in the labour market, was implemented in 2021;
- (b) A labour reform bill that aims to safeguard labour rights and reduce the high rates of informal work is currently before Congress;
- (c) A booklet entitled “Working Refugees and Migrants Have Rights in Colombia” was prepared to provide guidance to working refugees and migrants on their labour rights in Colombia. The booklet is distributed to working migrants and refugees, Colombian government officials and business associations;
- (d) Under Ministry of Labour Circular No. 56 of 2017, the Government guaranteed access for all migrants from Venezuela to the Public Employment Service, through which they could receive vocational guidance and seek employment. In addition, an employment road map tailored to migrants was rolled out nationwide through the Service’s provider network. Migrant workers have the option of joining and contributing to the General Social Security System using the document that regularizes their migration status.

85. With respect to the recommendation made by the Committee in paragraph 22 (c) of its concluding observations on the third periodic report of Colombia ([CMW/C/COL/CO/3](#)) to intensify cooperation with universities, civil society organizations, the media and local authorities to disseminate information about the Convention, especially in border areas, the Counsel General’s Office has identified three strategic areas of focus:

- (a) The carrying out of human rights monitoring visits in areas of the country with significant migration flows, including border areas such as Norte de Santander, La Guajira, San Andrés, Chocó, Nariño and Guainía (18 visits to border areas between 2022 and 2024);
- (b) The promotion of forums for dialogue with migrants’ civil society organizations and international cooperation agencies to bring to light information about

international protection needs, including incidents and situations involving rights violations (between 2021 and 2024, the Counsel General’s Office identified 105 cases involving difficulties in gaining access to services, violations of migrants’ rights, and weaknesses in the institutional response);

(c) The publication of preventive reports on the human rights situation of migrants, 60 per cent of which are focused on border areas (five preventive reports containing 170 recommendations for action to be taken by national and subnational authorities).

86. With regard to the recommendation contained in paragraph 26 (a) of the Committee’s concluding observations (CMW/C/COL/CO/3) for Colombia to deepen its policies to eliminate discriminatory stereotypes regarding migrant workers and their families, and make progress in education for the prevention of xenophobia at all educational levels, the Counsel General’s Office has issued guidelines and recommendations to the entities responsible for designing strategies and implementing measures to anticipate and address practices involving discriminatory stereotypes and is combating xenophobia through four initiatives:

(a) The 2019 “There’s Space for Us All Here” campaign, launched jointly with IOM to prevent the use of xenophobic discourse and contribute to the promotion of tolerance and respectful coexistence;

(b) Circular No. 002 of 2022 on measures to prevent expressions of xenophobia and other forms of discrimination in congressional electoral campaigns;

(c) Directive No. 013 of 2023 on measures to prevent expressions of discrimination and xenophobia in campaigns for election to executive office or to assemblies or councils at the local, district and departmental levels;

(d) Directive No. 015 of 2023, in which the Counsel General’s Office informed outgoing executive office holders at the subnational level of the topics to be covered in their management reports, including the measures taken to protect migrants.

#### **Article 84**

87. Colombia duly demonstrated its compliance with article 84 of the Convention in paragraph 45 of its initial report and paragraph 243 of its second periodic report.

88. In addition, the Counsel General’s Office has issued guidelines and recommendations to the entities responsible for designing strategies and implementing measures to anticipate and address practices involving discriminatory stereotypes and is combating xenophobia through six instruments:

(a) Directive No. 033 of 3 December 2020 on safeguarding the rights of children and adolescents in contexts involving any form of gender-based violence, paragraph 57 of which requires the authorities to guarantee the protection of the rights of migrant girls and adolescents exposed to forms of gender-based violence;

(b) Circular No. 002 of 2022 on measures to prevent expressions of xenophobia and other forms of discrimination in congressional electoral campaigns;

(c) Directive No. 013 of 2023 on measures to prevent expressions of discrimination and xenophobia in campaigns for election to executive office or to assemblies or councils at the local, district and departmental levels;

(d) Directive No. 015 of 2023, in which the Counsel General’s Office informed outgoing executive office holders at the subnational level of the topics to be covered in their management reports, including the measures taken to protect migrants;

(e) Directive No. 02 of 21 February 2024, which sets out measures to safeguard the rights of migrants and calls on the Ministry of Foreign Affairs, in its capacity as the lead agency for migration policy, to implement the National Migration System, revitalize efforts in the context of the relationship between national and subnational authorities and strengthen the capacity of public officials and contractors to provide assistance, on the basis of an awareness of the international treaties and instruments on migration in force and their implementation;

(f) Circular No. 001 of 13 March 2024 on measures to prevent the risks of vulnerability facing migrants, including with respect to trafficking in persons, in which the monitoring body issues calls to action to national and subnational bodies.

89. In addition, the Directorate of Advanced Studies of the Attorney General's Office is implementing an institutional training and capacity-building plan for prosecutors involved in the investigation of offences related to the smuggling of migrants.

**Table 8**  
**Training plan for staff of the Attorney General's Office 2021–2024**

Year	Name of training event	Location	Dates	No. of hours	No. of participants	No. certified
2021		Online (“Somos Fiscalía” programme)	29 September 2021	2	620	620
Offence of smuggling of migrants						
2023	A global perspective on the offences of trafficking in persons, smuggling of migrants and gender-based violence, and challenges and lessons learned	Online (“Somos Fiscalía” programme)	20 October 2023	2	502	502
	Smuggling of migrants	Virtual campus	2–17 July 2023	20	5	2
	Smuggling of migrants	Virtual campus	13 June–30 November 2023	20	564	232
	Smuggling of migrants	Virtual campus	23 October–29 December 2023	40	88	20
2024	Investigative tools focusing on finance and asset forfeiture in cases involving the offence of smuggling of migrants	Cali, Valle del Cauca	24–28 June 2024	40	30	30
	Investigating the offence of smuggling of migrants	Virtual campus	9 February–30 June 2024	20	269	149
	Investigating the offence of smuggling of migrants	Virtual campus	1 July–15 December 2024	20	58	In process

Source: Attorney General's Office.

## **B. Part III of the Convention: Human rights of all migrant workers and members of their families**

### **Article 8**

90. Colombia duly demonstrated its compliance with article 8 of the Convention through the information provided in paragraphs 49 and 50 of its initial report, which it supplemented and elaborated on in paragraphs 5 to 60 of its second periodic report.

### **Articles 9 and 10**

91. Regarding the right to life, Colombia demonstrated its compliance with articles 9 and 10 of the Convention in paragraph 51 of its initial report. In addition, domestic procedures for the ratification of the Optional Protocol to the Convention against Torture and

Other Cruel, Inhuman or Degrading Treatment or Punishment are under way. The instrument is now undergoing legal review by the Constitutional Court.

### **Article 11**

92. Colombia duly demonstrated its compliance with article 11 of the Convention in paragraph 52 of its initial report. Notwithstanding the foregoing, the Committee is requested to consult the developments set out in section K of the present report.

### **Articles 12, 13 and 26**

93. Colombia duly demonstrated its compliance with articles 12, 13 and 26 of the Convention in paragraph 53 of its initial report and paragraphs 255 to 258 of its second periodic report.

### **Articles 14 and 15**

94. Colombia notes that its compliance with articles 14 and 15 of the Convention was demonstrated in paragraph 54 of its initial report.

### **Articles 16 (1)–(4), 17 and 24**

95. Colombia clearly demonstrated its compliance with articles 16, 17 and 24 of the Convention through the information provided in paragraphs 55 to 60 of its initial report, which it expanded on and supplemented in paragraphs 260 to 265 of its second periodic report.

### **Articles 16 (5)–(9), 18 and 19**

96. Colombia informs the Committee that its compliance with articles 16, 18, 19 and 20 of the Convention was demonstrated in paragraphs 61 and 62 of its initial report. It provided updated information on the right to due process in paragraphs 266 and 267 of its second periodic report and paragraphs 91 to 93 of its third periodic report.

97. In addition to the foregoing, the Directorate for Alternative Dispute Resolution of the Ministry of Justice and Law has guided efforts to enable migrants to easily receive free legal assistance in the different parts of the country. In 2023, four circulars were prepared to provide guidance in areas with local justice systems:

- MJD-CIR23-0000035 for mayors and government secretaries of municipalities with local justice systems
- MJD-CIR23-0000038 for coordinators of the Justice Houses and Civic Harmony Centres
- MJD-CIR23-0000039 for directors of conciliation, arbitration and amicable settlement centres
- MJD-CIR23-0000040 for mediators in equity

98. These circulars conveyed relevant information and rules to public officials to enable them to serve as points of reference and provide guidance and assistance in a comprehensive manner and to ensure that they have accurate information allowing them to provide proper referrals to migrants seeking justice services in the country. The Ministry of Foreign Affairs publication “The ABCs of Temporary Protected Status for Migrants” was also circulated.

99. Currently, the Ministry of Justice and Law, with support and cooperation from an inclusive justice programme of USAID, is developing a module to enhance methods for resolving conflicts with migrants with a view to contributing to a de-escalation of violence in conflicts involving migrant and/or host communities and thereby: (i) supporting the efforts of the Justice Houses, the “Integrate” centres and other institutions that provide comprehensive assistance to migrants; (ii) contributing to the implementation of plans for peaceful coexistence and the inclusion of migrants in Colombian society; and (iii) thus promoting legal certainty for non-nationals in the country.

100. With respect to the recommendation contained in paragraph 28 (b) of the Committee’s concluding observations on the third periodic report of Colombia ([CMW/C/COL/CO/3](#)) for

Colombia to launch an immediate investigation when crimes and rights violations are brought to its attention and provide access to reparation by means of accessible information and effective legal assistance, there are, according to the operational information system of the Counsel General's Office, 77 disciplinary proceedings relating to the smuggling of migrants, of which 68 have been concluded and 9 are in progress. In accordance with article 115 of Act No. 1952 of 2019, disciplinary proceedings are subject to pretrial confidentiality until a charge sheet is filed or a decision is made to close the case.

101. In addition, the Directorate for User Services, Early Intervention and Assignments of the Attorney General's Office provides migrants with the same guarantees as Colombian nationals with respect to access to the justice system. The Directorate is preparing a guide for officials involved in user services on how to assist migrants who are victims of trafficking in persons. The aim of the guide is to establish guidelines for the provision of assistance with a human rights-based, differentiated and gender-sensitive approach to migrants who are affected by offences committed on Colombian soil in the context of migration. The guide also sets out an inter-institutional road map for the prevention of violations of other rights, encompassing, for example, the economic and social sphere, security and public health.

102. The Attorney General's Office provides comprehensive assistance to victims of crime through various channels. In-person services are available in, for example, contact centres, service points and Justice Houses, promoting inter-institutional coordination and efficiency in the receipt of complaints. Online, the public, including migrants, can use the "Easy Reporting" button on the Office's website to file complaints independently and anonymously. Assistance is also available by telephone, through the "122" and other helplines that offer guidance and accept complaints in several languages. Lastly, complaints may be submitted in writing through the one-stop-shops for correspondence or by email. Annex 9 to the present report contains a table on proceedings between 2019 and 2024 where the victims were migrants. It lists all the cases and the non-Colombian victims by type of offence: acts of discrimination, threats, libel and slander and trafficking in persons.

## **Article 20**

103. Colombia demonstrated its compliance with article 20 of the Convention in paragraphs 135 to 138 of its second periodic report to the Committee.

## **Articles 21, 22 and 23**

104. Colombia informs the Committee that its compliance with articles 21, 22 and 23 of the Convention was demonstrated in paragraphs 63 and 64 of its initial report. It reaffirmed this compliance in paragraphs 268 to 275 of its second periodic report, stating that no authority in Colombia is empowered to retain, confiscate or destroy the identity documents of nationals or non-nationals.

105. Additional information on the right of migrants to consular or diplomatic protection and assistance is contained in section III (A) of the present report, addressing articles 1 and 7 on non-discrimination.

## **Articles 25, 27 and 28**

106. In Colombia, the labour rules governing workers' individual and collective work are contained in the Labour Code. Non-nationals in Colombia enjoy the same rights as nationals, including the right to work. Therefore, employers who hire non-nationals must comply, without any distinction, with the same social and employment obligations that they have with respect to Colombian workers.

107. In 2024, the Directorate for Inspection, Oversight, Monitoring and Regional Management of the Ministry of Labour carried out various measures related to the rights of migrant workers, including:

- The holding of the ordinary meeting of the Subcommission for Assistance to Migrants in the Department of Sucre
- The holding of a round table for migrant workers and sex workers in the Department of Casanare

- The promotion of financial inclusion and the dissemination of the government policy on labour migration in the Department of Arauca
- The preparation of guidelines for the inclusion of an approach taking account of gender and diversity in socioeconomic integration activities in the Department of La Guajira
- The holding, in the municipality of Leticia, of a round table against trafficking in persons and sexual exploitation in the Amazon tri-border area

108. Annex 3 to the present report provides information on participation in events, round tables and civic engagement activities regarding migrant workers held in 2024. Additionally, annex 4, from August 2024, covers information-sharing and awareness-raising events and activities on labour rights and regulations held by the Directorate for Inspection, Oversight, Monitoring and Regional Management for migrant workers and other vulnerable groups.

### **Articles 29, 30 and 31**

109. The Ministry of Foreign Affairs, in coordination with the National Civil Registry Office, issued the following regulations to comply with international instruments:

(a) Circular No. 168 of 2017, which allowed the children of non-nationals not recognized by any State as nationals to obtain a Colombian birth certificate with the annotation “valid as proof of nationality”, following an administrative procedure and an opinion from the relevant office, and thereby become Colombian nationals by birth;

(b) Decision No. 8470 of 2019, which introduced the special “Childhood First” measure for children born in Colombia to Venezuelan nationals after 19 August 2015, who could not obtain the nationality of their parents because of the unavailability of consular registration after the severance of diplomatic relations between Colombia and Venezuela. Pursuant to the administrative procedure established in connection with the measure, minors could, subject to certain requirements, receive a Colombian birth certificate with the annotation “valid as proof of nationality” from the National Civil Registry Office and thereby become Colombian nationals by birth. By 28 July 2024, 112,703 children and adolescents had benefited from this measure;

(c) Decision No. 10434 of 28 December 2023, under which a procedure was introduced to recognize the status of statelessness in the country. The measure introduced guaranteed the right to be recognized as stateless, safeguarded due process, provided legal certainty to the concerned segment of the population, gave identification to the persons in question, facilitated the regularization of the status of applicants and persons already recognized as stateless, established the existence of a tie of nationality, guaranteed a nationality and allowed for the exercise of legal personality. In addition, work has been done with other States to enter into agreements that streamline channels for obtaining documents and establishing ties of nationality.

### **Articles 32 and 33**

110. Colombia duly demonstrated its compliance with articles 32 and 33 of the Convention in paragraphs 74 to 78 of its initial report.

## **C. Part IV of the Convention: Other rights of migrant workers and members of their families who are documented or in a regular situation**

### **Article 37**

111. Colombia demonstrated its compliance with this article of the Convention in paragraph 78 of its initial report to the Committee.

### **Articles 38 and 39**

112. Colombia demonstrated its compliance with these articles of the Convention in paragraph 79 of its initial report and paragraphs 306 to 310 of its second periodic report.

## **Articles 40, 41 and 42**

113. Colombia duly demonstrated its compliance with articles 40, 41 and 42 of the Convention in paragraphs 80 to 83 of its initial report and paragraphs 312 to 334 of its second periodic report.

## **Articles 43, 54 and 55**

114. Colombia duly demonstrated its compliance with articles 43, 54 and 55 of the Convention in paragraph 84 of its initial report and paragraphs 336 to 338 of its second periodic report.

115. In addition, with respect to labour rights and access to employment, the Ministry of Labour:

(a) Organized and took part, with Public Employment Service providers, in information fairs on assistance and services, through which returnees, refugees and Venezuelan migrants could receive guidance on the government services available, in line with the recommendations contained in National Economic and Social Policy Council document No. 3950 of 2018;

(b) Developed an action plan with the Inter-Agency Group on Mixed Migration Flows, which encompasses 81 organizations and coordinates the response to the needs of refugees, migrants, returnees and host populations. Under the plan, online training was held for Public Employment Service providers. The 103 participants learned about the Group's "Contigo" (With You) application, which displays the assistance available to migrants from the public and private sectors by region, helping to remove certain barriers;

(c) Held a round table on the statistical analysis of the participation of migrants in the Colombian labour market;

(d) Coordinated and made arrangements with Public Employment Service providers to participate in the services fair hosted by Migration Colombia in Ibagué on 25 and 26 July 2024;

(e) Held three additional key events in 2024: one in Santa Marta on 22 March to raise awareness of inclusive employment for Venezuelan migrants; one in Cali on 12 June to discuss the economic integration of migrants and returnees; and one on 3 June to address the challenges of economic inclusion. From May 2015 to April 2024, 270,789 Venezuelans were registered in the Employment Service Information System, with 43,167 job placements, of which 9,290 occurred in the last 12-month period. From January 2020, 27 per cent of registered migrants found jobs.

116. In addition, strategic measures have been taken by the following directorates of the National Training Service:

(a) The Vocational Training Directorate has assisted 76 migrants through auxiliary training programmes, 57,015 apprentices through special courses (short supplemental courses), 728 migrants through technology outreach events, 123 apprentices through worker training programmes, 19,549 migrants through technical training programmes and 1,687 through technological training programmes, with a total of 79,179 Venezuelan migrants having received assistance;

(b) The Employment and Labour Directorate and the National Training Service have, in 2022, 2023 and thus far in 2024, placed 9,633 Venezuelan migrants, registered 63,079 people in the "Contigo" application of the Inter-Agency Group on Mixed Migration Flows and provided employment counselling to 52,268 migrants from Venezuela with a view to making them stronger candidates, improving their performance in selection processes and increasing their chances of finding a job;

(c) Lastly, the Directorate of the National Job Training System moved forward in the procedure under the National Training Service for the evaluation and certification of occupational skills, serving all persons interested in having access to government services, free of charge and in an inclusive manner, including migrants and members of their families, as indicated in Act No. 146 of 1994.

## Articles 44 and 50

117. The following is a description of the procedures used by the Anti-Trafficking Operations Centre to facilitate the return and family reunification processes for migrants reported to be victims of trafficking in persons:

(a) Verification of migrants' support networks: This procedure involves the transfer of the victims, which may take place in Colombia or entail a return from a third country and is carried out in one of two ways:

(i) When the case involves a child or adolescent of foreign nationality, the Colombian Family Welfare Institute verifies the support network in Colombia as part of the process of restoring the child's or adolescent's rights;

(ii) When the case involves an adult of foreign nationality, the support network is verified by the responsible local committee, taking into account the place where the victim will settle;

(b) Assessment of the social and family context of Venezuelan child and adolescent victims of trafficking for purposes of reintegration: This occurs prior to the return from another country of a victim, with the Colombian Family Welfare Institute being asked to carry out an assessment of the social and family context in the case as part of the process of restoring the child's or adolescent's rights, taking into account the information initially provided by the Ministry of Foreign Affairs and the relevant diplomatic mission;

(c) Reception of victims exploited in another country who have a support network in Colombia: The return process for migrant victims begins with the Ministry of Foreign Affairs, which provides information to the Ministry of the Interior so that the necessary steps can be taken to receive survivors and reintegrate them into their family. Once the Ministry of the Interior is aware of the case, it coordinates with the competent national entities, including the Attorney General's Office, the National Police, Migration Colombia and the Ombudsman's Office, and also with the responsible local committee for verification of the support network;

(d) Issuance of documentation (safe conduct pass) to facilitate the victim's exit from the country: This process is handled by Migration Colombia, which, once the protection and assistance plan is activated, is requested to review the migration status of the foreign national and then provide facilities for the issuance of a safe conduct pass and/or a valid travel document for the person to be able to leave the country without any difficulty;

(e) Assisted returns supported by international cooperation: In order to facilitate the safe, accompanied return of migrants to their countries of origin, measures have been arranged with the United Nations Population Fund and IOM. These measures, beyond facilitating transfers to the border, involve providing assistance for accompanied returns to the place of origin, with prior verification of the support network. To that end, Migration Colombia, the Ombudsman's Office, the National Police and the relevant committees provide ongoing support in order to guarantee a smooth return with the required security measures;

(f) Transfer to a third country pursuant to a decision by the victim: This process is carried out by the Ministry of Foreign Affairs, which coordinates with the relevant diplomatic mission in the country to which the victim will be transferred;

(g) Coordination with other countries to guarantee safe and accompanied transfers along binational routes: Given the relationship between migration and trafficking in persons, efforts are being made to strengthen cooperation with neighbouring countries, border countries, countries in the hemisphere and international cooperation agencies, with a view to addressing the issue in a comprehensive manner;

(h) To keep families together, Colombian work visas allow for the primary visa holder's economic dependents, including his or her spouse or long-term partner, children under the age of 25 years and children with any physical or mental impairments, to also be beneficiaries. Furthermore, the temporary protection permit allows family members to be documented and remain together as a family in Colombia.

### **Articles 45 and 53**

118. Colombia duly demonstrated its compliance with articles 45 and 53 of the Convention in paragraphs 340 and 341 of its second periodic report and paragraph 110 of its third periodic report.

119. In addition, under the National Training Service procedure for the evaluation and certification of occupational skills, assistance is provided to all persons interested in having access to government services, free of charge and in an inclusive manner, including migrants and members of their families who, as indicated in Act No. 146 of 1994, are in a regular situation in the country. Thus, the internal rules for the procedure allow migrants and members of their families to participate on the same basis as Colombian nationals.

### **Articles 46, 47 and 48**

120. Colombia indicated that it was in compliance with articles 46, 47 and 48 of the Convention in paragraph 342 of its second periodic report. In addition, the Committee is requested to consult section M of the present report, which explains the types of return of Colombian nationals abroad and the customs measures available in the context of repatriation for the purpose of setting up a business, provided for in Act No. 1565 of 2012.

### **Articles 51 and 52**

121. Colombia indicated that it was in compliance with articles 51 and 52 in paragraph 343 of its second periodic report to the Committee.

122. In addition, holders of temporary protection permits have the right to work and engage in any occupation in the Colombian labour market. However, there are specific rules for regulated professions, which apply to both Colombian nationals and migrants.

123. Furthermore, various guides and pamphlets that provide guidance to migrants for their labour inclusion in Colombia have been attached to the present report (a 2018 protocol on preventive assistance in labour matters as annex 2, a guide on vocational guidance for refugees and migrants as annex 5, a guidance manual for refugees and migrants as annex 6, the booklet “Working Refugees and Migrants Have Rights in Colombia” as annex 7 and a guide to financial inclusion as annex 8).

### **Articles 49 and 56**

124. Colombia indicated that it was in compliance with articles 49 and 56 of the Convention in paragraphs 344 to 354 of its second periodic report to the Committee.

125. In addition, the Ministry of Labour created the special residence permit for the promotion of formalization under Decree No. 117 of 2020, enabling 19,768 Venezuelans to regularize their status and work in Colombia. Subsequently, Decree No. 216 of 2021 established the temporary protection regime for Venezuelan migrants, which included a central register for migrants and the temporary protection permit and extended the validity of existing permits until February 2023. The temporary protection permit, the rules for which are set out in Decision No. 971 of 2021, authorizes Venezuelan migrants to stay and work legally in Colombia. In addition, the Ministry of Labour rolled out a guide to preventive assistance focused on foreign workers under the title “Guide to the Provision of Preventive Assistance, with a Focus on Foreign Workers in Colombia”.

## **D. Part V of the Convention: Provisions applicable to particular categories of migrant workers and members of their families**

126. Colombia demonstrated its compliance with this group of articles of the Convention in paragraphs 88 to 96 of its initial report to the Committee. Colombia reiterates its full commitment to the faithful implementation of the provisions of the Convention.

**E. Part VI of the Convention: Promotion of sound, equitable, humane and lawful conditions in connection with international migration of workers and members of their families**

**Article 65**

127. Colombia indicated that it was in compliance with article 65 of the Convention in paragraphs 358 to 361 of its second periodic report to the Committee. Additionally, the Committee is requested to review sections G, I and P of the present report.

**Articles 66, 67, 68 and 69**

128. Colombia indicated that it was in compliance with articles 66, 67, 68 and 69 of the Convention in paragraphs 358 to 361 of its second periodic report to the Committee. In addition, the Committee is referred to sections G, I and P of the present report for information on measures relating to the orderly return of migrant workers and members of their families to their States of origin, their resettlement and their cultural reintegration, measures intended to prevent and eliminate the illegal or clandestine movements and employment of migrants in an irregular situation, measures adopted to ensure that the irregular situation of migrant workers does not persist in Colombia and circumstances to be taken into account in regularization procedures.

**Articles 70 and 71**

129. Colombia indicated that it was in compliance with articles 70 and 71 in paragraphs 364 to 369 of its second periodic report to the Committee.

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