



THE VOLUNTARY PRINCIPLES ON SECURITY AND HUMAN RIGHTS

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The Government of Colombia remains fully committed to the Voluntary Principles on Security and Human Rights (VPI). As this annual report shows, during **2017**, we have worked to strengthen the regulatory framework and institutional capacities, to promote a culture of human rights in the Armed Forces and the Police and to raise awareness of the PVI in national and international forums.

A COMMITMENT TO THE VOLUNTARY PRINCIPLES

Commitment to the Rules of the VPI

Colombia recognizes that the VPI play a vital role in the implementation of the UN Guiding Principles on Business and Human Rights. Indeed, the Colombian National Human Rights Strategy takes them into account. In particular, the Subsystem on Human Rights, IHL and Enterprise, established within its framework, includes the Government commitment to ensure that members of the Armed Forces and Police are trained on the VPI. Additionally, the National Action Plan on Human Rights and Business (NAP) states:

'5.4 The Office of the Presidential Advisor on Human Rights and the Ministry of National Defense will promote the implementation of the Voluntary Principles on Security and Human Rights. In order to do that, they will alternately participate in those scenarios where the topic is tackled' (see original in Spanish).

To coordinate actions and responses amongst different government departments regarding the VPI, the NAP established an inter-institutional group in 2017. This group is composed of: the Presidential Office for Human Rights, the Ministry of Mines and Energy, the Ministry of Foreign Affairs and the Ministry of Defense.



Engagement in the VPI

In 2017, the Colombian Government met formally and informally with representatives of NGOs and companies, with the aim of exchanging experiences, finding solutions to common problems, and generating public policy recommendations.

Transparency and Dialogue

The Colombian Government continued to participate in different multi-actor dialogues. This is the case of the Working Group on Human Rights and Coal ('Grupo de Trabajo de Derechos Humanos y Carbón'), whose aim is to promote and strengthen good practices in the implementation of human rights and business principles in the private sector, especially in the mining sector. In 2017, the Working Group on Human Rights and Coal worked in the development of a protection policy for communities that might be adversely impacted by their operations.

Additionally, Colombia actively participated in all work roundtables, events and calls, organized by the Mining and Energy Committee on Security and Human Rights (known as 'CME', for its initials in Spanish). CME is a multi-actor dialogue that brings together 10 companies in the oil sector, seven government entities, two associations, four embassies and three civil society organizations. Its purpose is to promote security and human rights best practices amongst businesses and state institutions.

B. POLICIES, PROCEDURES AND RELATED ACTIVITIES

Rule of law

Colombia has a normative body that guarantees the protection and exercise of rights established in the Constitution, which is in line with its international obligations for the protection, promotion and guarantee of human rights. This normative body supports the development of policies, plans, programs and projects to guarantee the protection and promotion of human rights. Colombia has signed 61 international treaties on Human Rights and International Humanitarian Law (IHL), both of the Universal and the Inter-American Human Rights System. These treaties are an integral part of the Constitution.

In 2017, the Government of Colombia, under the leadership of the Ministry of Mines and Energy, worked on the development of the public policy on human rights for the energy and mining sector, a policy that is expected to be published in the second half of 2018.

In this context, during 2017, Colombia identified three main pillars that will define the framework for action, management and coordination of such

policy; and will promote a human-rights-based-approach in dialogue mechanisms established to mitigate social conflicts. The three pillars are:

- **Pillar 1:** to establish a human rights approach in all public policy, as well as in the implementation of programs, plans and projects related to the energy sector.
- **Pillar 2:** to exercise due diligence to investigate, assess and mitigate human rights risks, especially in areas affected by the conflict.
- **Pillar 3:** to promote and strengthen good relations with internal -within the mining sector- and external -communities- stakeholders.

During 2018, the Government will focus on developing a gender and ethnic action plan for each pillar.

Additionally, in 2017, the Ministry of Mines and Energy published the 'Territorial Stakeholder Relations Strategy for the Mining & Energy Sector', whose fundamental pillars are the generation of trust, the promotion of a dialogue and the strengthening of local capacities. The Strategy is based on the premise that the strengthening of territorial dialogue instances has a positive impact on the social and economic sustainability of energy mining.

The National Army continues to allocate 1% of its budget on human rights related projects, as established in the 'Handbook of Agreements' (Manual de Convenios - Resolution No. 5342 issued by the Ministry of Defense on June 25, 2014). Meanwhile, the Ministry of Defense Committee, which was established in 2016 to monitor and evaluate human rights compliance in contracts signed with the private sector, also continued its operations in 2017.

C. PROMOTION / IMPLEMENTATION

In 2017, the Government of Colombia participated in several public events on the promotion and dissemination of the VPI, published the Annual Report on the Implementation of the VPI 2017 on its website, and took part in different forums and workshops about the importance of the VPI.

Public Safety

The Government of Colombia acknowledges that the adequate training on human rights and international humanitarian law of the Public Force is essential for the protection of the rights of the communities. For this reason, in 2017, the Ministry of Defense worked hard in building institutional capacities and promoting a culture of human rights in the Defense sector. In this context, it updated the Comprehensive Human Rights and IHL Policy of the Armed Forces, to include education in human rights and international humanitarian law in the public policy.

It is important to note that, as of December 2017, through training in Public Force Training Schools, up to 213,018 members of the Armed Forces had been



trained in human rights and IHL issues. In this same period of time, the extracurricular training in human rights, that is, the one provided to all members of the Public Force that are not in Training Schools, reached 286,806 people. The central topics of these training sessions were, among others: prevention and protection of vulnerable communities, prevention of sexual violence within the framework of the internal armed conflict, manual of operational rules, indigenous legislation, gender equality, Victims and Land Restitution Law, voluntary principles and the Inter-American Human Rights System.

The Ministry of Defense continued working in close collaboration with oil and mining companies, particularly signing mutual cooperation agreements on human rights and security. As of 2017, the National Police had signed 14 agreements with the energy and mining sector: one with Ecopetrol, four with other oil companies, and 9 with the electricity sector. One of the topics established in the agreements is the training in human rights and IHL of soldiers and police that provide security for companies.

On the Human Rights Day 2016, the 'Protocol for the Relationship of the Armed Forces and the Wayuú Indigenous People' was launched. The Protocol was developed with the participation of the indigenous Wayuu people, and its purpose is to ensure good relations between the Armed Forces and Wayuu communities in their area of influence. In 2017, the Protocol was successfully implemented by the Military and Police Units of La Guajira

department, especially in the area of influence of the Cerrejón Company. This Protocol is part of the process of training and induction for officers, non-commissioned officers and soldiers who arrive at Units with jurisdiction in the area.

In the framework of the Cooperation Agreement between the Colombian Government and the International Committee of the Red Cross (ICRC), the following actions were implemented by the Ministry of Defense during 2017:

- Ten (10) technical advisory visits and accompaniment to units of the Armed Forces and the National Police, where both Public Force and ICRC share information and learned lessons about operations and operatives in the past to implement in the future.
- Four (4) workshops on International Human Rights Law and international standards on the use of the Force -in other situations different from armed conflict in military and police Units around the country .
- Five (5) workshops on integration of Human Rights and IHL.
- One (1) thematic roundtable on topics related to the use of force in the framework of Human Rights and IHL and sexual violence within the conflict.

As established in the 2017 Action Plan, and as a participant in the CME, the Government of Colombia, with other members, identified best practices related to providing security to private companies in the mining, energy and infrastructure sectors, whilst respecting the rights of the local communities. During the exercise, 26 tools were identified that can be used by companies and the Public Force to ensure respect for human rights in companies' activities. It is expected that this exercise facilitates a dialogue with key actors of the Defense sector in the work agenda set for 2018.



Private Safety

The Government of Colombia is committed to working jointly with companies in the private security sector in order to improve their performance standards and align them with the VP. The Mining and Energy Committee on Security and Human Rights (CME), of which the Government of Colombia is a party, published in 2017 a document with recommendations for companies in the energy mining sector on how to manage situations that may result in an escalation from social protest to illegal and / or violent actions.



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