

Chapter V

Follow-up of
recommendations issued
by the IACHR in its
country or thematic
reports

**Follow-up on the
recommnedations made by the
IACHR in the report on the
Situation on Human Rights
Defenders and Social Leaders in
Colombia**

CHAPTER V

FOLLOW-UP ON RECOMMENDATIONS ISSUED BY THE IACHR IN ITS COUNTRY OR THEMATIC REPORTS

FOLLOW-UP ON RECOMMENDATIONS MADE BY THE IACHR IN THE REPORT ON THE SITUATION OF HUMAN RIGHTS DEFENDERS AND SOCIAL LEADERS IN COLOMBIA

I. INTRODUCTION

1. The purpose of this report is to follow up on the recommendations made in the "Report on the Situation of Human Rights Defenders and Social Leaders in Colombia" (hereinafter the "IACHR Report") adopted by the Inter-American Commission on Human Rights (hereinafter the "IACHR" or "Commission") on December 6, 2019, as a result of the working visit of the IACHR to Colombia in November 2018.

2. That IACHR Report was prepared on the basis of information received during the working visit conducted in November 2018 at the invitation of the Colombian State, and of the monitoring that the Commission carries out in accordance with its mandate.

3. During its working visit, the Commission observed that the violence, in particular murders and intimidation of human rights defenders and social leaders in Colombia, occurs in an extremely complex reality and therefore is not attributable to any single cause but, rather, is the result of a combination of multiple factors and structural causes. The Commission found that the violence, which has worsened since the Peace Agreement was signed, is concentrated in certain municipalities and areas of the country where risk factors, such as the struggle for control over illegal activities like drug trafficking, converge. In its observations on the draft of this report, the Colombian State mentioned that "by correlating the violence and threats against defenders with actors such as illicit crops, drug trafficking routes, illegal mineral extraction, the Presidential Council for Human Rights and International Affairs in its annual report has concluded ", among others that (i) violence against social leaders and human rights defenders would occur in the same geographic areas where the presence of illicit crops and illegal armed actors is concentrated; (ii) the homicides of people in the process of reincorporation also coincide with the areas of illicit crops and illegal armed actors; and (iii) collective homicides occur in the same places where there is a presence of illegal mineral extraction and armed actors.¹

¹ Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1 2021, p. 1.

4. In turn, the IACHR received information that suggests a pattern of violence directed against social and community leaders, members or presidents of Community Action Boards, and ethnic leaders in areas where illegal armed groups are present because they support policies arising from the Agreement, such as the National Comprehensive Program for the Substitution of Illicit Crops (PNIS) and demand the restitution of lands. Both the State and civil society organizations recognized the need to adopt comprehensive measures to ensure the safety of human rights defenders and social and community leaders as well as the right to defend human rights.

5. Against this backdrop, in 2020, the IACHR observed with concern persistent violence against human rights defenders and social leaders, especially in territories long affected by the internal armed conflict. In that regard, the Commission has noted that murders of human rights defenders have remained at alarmingly high levels, as have the numbers of threats made against them. If this increase in murders is verified, it would imply a sustained rate, given that 108 cases were verified by the Office of the High Commissioner for Human Rights (OHCHR) and 124 cases recorded by the *Somos Defensores* Program in 2019². In its observations on the draft of this report, the State indicated that according to figures from the OHCHR, the number of verified murders went from 108 in 2019 to 66 in 2020, noting that 63 cases are still in the process of verification by the OHCHR³. The Commission also noted the need to implement a comprehensive policy for the protection of human rights defenders with the effective engagement of human rights organizations, and to strengthen the application of differentiated and intersectional approaches in the protection measures implemented. The Commission also found that, despite some progress in the investigation of crimes committed against human rights defenders, the need remains to redouble efforts against the impunity that persists for these crimes.⁴

6. On November 17, 2020, the Commission requested information from the State on its progress in implementing the recommendations contained in the report. The State requested an extension of the deadline, in response to which the IACHR granted it an additional 20 days on December 20, 2020. The State submitted its response on December 23, 2020, providing extensive information about the implementation of the recommendations contained in the report.⁵ In addition, on January 22, the IACHR held a virtual specialized technical meeting with civil society organizations to receive updated information on the implementation of the recommendations. The Commission appreciates the information presented by the State, as well as that provided by civil society.

7. In preparing this report the Commission took into account the information collected in its monitoring of the situation of human rights defenders and social leaders in the country; information received during public hearings; the reports issued every six months by the Mission to Support the Peace Process of the OAS (MAPP/OAS); input from the precautionary measures mechanism; and the requests for information made under Article 41 of the American Convention on Human Rights (hereinafter the “American Convention”), as well as information

² CIDH, Press Release No. [11/21 - IACHR Grants Precautionary Measures in Favor of Journalist Ricardo Calderón Villegas in Colombia](#), January 19, 2021.

³ Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1 2021, p. 1.

⁴ IACHR, Press Release No. 13/21, [The IACHR reiterates its concern about the situation of violence against human rights defenders in Colombia in 2020](#), January 22, 2020

⁵ Government of Colombia, Diplomatic Note MPC/OEA No. 1931/2020, December 23, 2020.

available from public sources and the decisions and recommendations of specialized international agencies, among others.

8. On February 8, 2021, the Commission forwarded a copy of the preliminary draft of this chapter to the State in accordance with Article 59(10) of its Rules of Procedure and requested the State to submit any comments it might have. On March 1, 2021, the IACHR received the State's comments and observations, the pertinent parts of which were incorporated in this version. The complete document is appended as an annex to this report. The final report was adopted by the Commission on March 18, 2021.

9. In this context, the IACHR proceeds to analyze the implementation of the 14 recommendations contained in the report. The recommendations are evaluated in accordance with the General Guidelines for Follow-Up on Recommendations and Decisions of the IACHR,⁶ following the same structure as that used by the IACHR in the report that is the subject of this follow-up.

⁶ IACHR, [General Guidelines for Follow-up on Recommendations and Decisions of the Inter-American Commission on Human Rights](#), OEA/Ser.L/V/II.173 Doc. 177, September 30, 2019.

II. FOLLOW-UP ON RECOMMENDATIONS

1. Redouble its efforts to implement the Peace Agreement so that the right conditions are in place all around the country for people to be able to defend human rights and defend communities.

10. Regarding the recommendation to **redouble its efforts to implement the Peace Agreement so that the right conditions are in place all around the country for people to be able to defend human rights and defend communities**, the State informed the IACHR about the implementation of the "Peace with Legality" policy, focused on ensuring comprehensive reparation for victims, reintegration processes, and illicit crop substitution. Regarding the security of leaders who support the Comprehensive National Comprehensive Program for the Substitution of Illicit Crops (PNIS), the State said that it had prepared the "Security Action Coordination Plan for the target population of the National Comprehensive Program for the Substitution of Illicit Crops (PNIS)," which establishes the priorities of the plan and the lines of action that guide its implementation. It said that the Plan was prepared on the basis of several territorial meetings to obtain information on the main measures requested by the leaders and authorities to reinforce their security in each territory. The State also mentioned that the Interinstitutional Coordination Table for Stability and Consolidation with a Security Approach held its first meeting.⁷

11. In relation to the policy of "Peace with Legality," civil society organizations (CSOs) reported that the territories where its implementation has been prioritized are the ones where the security situation and violence against defenders, leaders and organizations has worsened the most. Regarding the PNIS, CSOs said that there is persecution by both the security forces and illegal armed groups of leaders and human rights defenders who advocate and have worked for the implementation of the PNIS, and particularly against community and peasant organizations. They emphasized that the State's non-compliance in implementing the Final Agreement has become the main factor of risk and stigmatization for peasant and community organizations in the region.⁸ In its observations on the draft of this report, the State highlighted that one of the main tools of the "Peace with Legality" policy are the Development Plans with a Territorial Approach (PDET), implemented in 170 municipalities of the country, corresponding to 36% of the national territory where about 7 million Colombians live and 25% of the rural population is concentrated.⁹

12. In that regard, according to information from the MAPP/OAS, the IACHR notes that people linked to this program continue to be subject to murder, intimidation, public naming,

⁷ Government of Colombia, *Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos* (Follow-up on recommendations of the IACHR on human rights defenders), December 23, 2020, pp. 3 and 19.

⁸ Comisión Colombiana de Juristas, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, pp. 289 and 291.

⁹ Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1 2021, p. 2.

and forced displacement.¹⁰ The IACHR, for its part, was informed of and condemned the assassination of the leader Gloria Ocampo in Puerto Guzmán, Putumayo, on January 6, and the murder of Marco Ribadeneira in Puerto de Asís, Putumayo, on March 20, 2020; both were members of PNIS.¹¹ The IACHR reiterates to the State the need to provide sufficient security guarantees to members of the PNIS and highlights the need to advance in the implementation of the agreed commitments under the PNIS, as well as the Coordination Plan (*Plan de Articulación*) and the continued functioning of the Interinstitutional Coordination Table.

13. The Commission has maintained that substantial progress has been made in Colombia in the implementation of the Peace Accords. However, there are concerns about the persistence of important challenges in the implementation of the commitments contained in the Agreement, particularly given the high levels of violence in the country, and faced by defenders and social leaders.¹² The Commission has held that violence in Colombia is an extremely complex reality and therefore not attributable to an exclusive cause but rather the result of the sum of multiple factors and structural causes. The violence in Colombia has focused on various territories of the country, especially those that have been historically affected by the internal armed conflict, to the detriment mainly of social leaders.¹³ In the current context of implementation of the Peace Agreement, the State's presence in the territories vitally important, especially in the areas most affected by the armed conflict and abandoned the FARC-EP, where the need for institutional strengthening is greater. This will make it possible to foster a relationship of trust between defenders and state entities¹⁴. Based on this information, the IACHR considers that this recommendation is **pending compliance**.

2. Promote a culture in which the work of human rights defenders and their organizations is seen as legitimate and is protected, one that publicly and unequivocally recognizes their role in ensuring democratic institutions and the rule of law. To that end, launch an educational and promotional campaign at the national level to highlight the work of human rights defenders. Disseminate clear messages about the obligation of justice system operators to respect and defend people's rights through a directive to be distributed throughout the relevant public institutions.

14. Regarding the recommendation to **promote a culture in which the work of human rights defenders and their organizations is seen as legitimate and is protected**, the State informed the IACHR that the National Public Policy on Respect and Guarantees for the work of human rights defenders envisages the creation of a strategic plan for a culture of respect and appreciation for the work of human rights defenders and those who carry it out. It also reported

¹⁰ MAPP/OEA, [Twenty-ninth report of the Secretary General to the Permanent Council on the OAS Mission to Support the Peace Process in Colombia \(MAPP/OAS\)](#), CP/doc.5668/20, December 10, 2020, p. 26.

¹¹ IACHR, Press Release No. 62/20, [IACHR Condemns Murder of Social Leaders and Reiterates Its Concern Over the Human Rights Situation in Colombia](#) March 26, 2020.

¹² IACHR, Press Release No. [185/20 - IACHR Asks Colombia to Step Up its Efforts to Comprehensively Implement the Final Peace Agreement](#), July 31, 2020.

¹³ IACHR, Press Release No. [185/20 - IACHR Asks Colombia to Step Up its Efforts to Comprehensively Implement the Final Peace Agreement](#), July 31, 2020.

¹⁴ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), December 6, 2019, par. 180.

the August 2020 launch of the campaign *#Líderes Colombia, en la Prevención y Protección Sumamos Vidas*, the purported purpose of which is to generate an impact and promote measures to encourage community-based leadership in different territories. As part of this strategy, the State indicated that it has issued statements via various media outlets and social networks, highlighting the importance of the work done by social leaders in Colombia, with the participation of social leaders. The campaign includes an educational component delivered via face-to-face and virtual forums in several departments in the country.¹⁵

15. For their part, civil society organizations have expressed doubts about this campaign, claiming, in particular, that it fails to take into account the demands of human rights organizations within the framework of the National Roundtable on Guarantees (MNG), which have not been reflected in the campaign, either to avoid stigmatization or to strengthen protection. On the contrary, its launch was reportedly perceived as nothing more than a public relations exercise.¹⁶

16. The Commission sees as positive the actions aimed at promoting a culture that legitimizes the work of human rights defenders and social leaders in Colombia. Therefore, it urges the State to continue with the creation of measures of this type with the participation of civil society organizations. The IACHR recalls that this culture should be constantly promoted at all levels of institutions and include civil servants and State authorities, ranging from territorial districts and local governments to high-level authorities, as a State policy of respect and support for human rights defenders and their work in a joint effort to build peace.¹⁷ Based on the foregoing, the Commission considers that this recommendation has been **partially complied**.

3. Involve social organizations in any efforts to develop a comprehensive public policy on prevention and on protection of human rights defenders and social leaders, reactivating platforms for dialogue such as the National Roundtable on Guarantees and the National Commission on Security Guarantees, in which agreements have already been worked out.

17. Regarding the recommendation to **involve social organizations in the development of a comprehensive public policy of prevention and protection of human rights defenders and social leaders, reactivating platforms for dialogue such as the National Roundtable on Guarantees (MNG) and the National Commission on Security Guarantees (CNGS)**, in which agreements have already been worked out, the State reported that it had made progress in structuring the "National Policy on Respect and Guarantees for the Work of Human Rights Defenders", the central objective of which is to shore up respect and guarantees for the work of human rights defense, and as specific objectives to establish an integrated management system to counter the risks of rights violations associated with the work done by

¹⁵ Government of Colombia, *Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos*, December 23, 2020, p. 21.

¹⁶ Programa Somos Defensores, *El virus de la violencia*, November 20, 2020, p. 60.

¹⁷ IACHR, *Report on the Situation of Human Rights Defenders and Social Leaders in Colombia*, December 6, 2019, par. 177.

human rights defenders, and consolidate environments conducive to the work of defending human rights.¹⁸

18. It also mentioned that in July 2020, the National Roundtable on Guarantees was reactivated through the Territorial Roundtables on Guarantees for Human Rights Defenders and Social Leaders in the departments of Antioquia, Cauca, Norte de Santander, Córdoba, Valle del Cauca and Atlántico, among others, which address issues related to prevention, protection and investigation between the institutional framework and social organizations. Similarly, the National Commission on Security Guarantees reportedly held two plenary meetings with the head of the executive branch, in addition to technical sessions, ethnic and gender sessions, in the framework of which progress was reportedly made on the Public Dismantling Policy.¹⁹ In this regard, the Commission was informed that after the reactivation of the National Roundtable on Guarantees in July, 13 commitments were finalized, including the construction of a Roundtable on Guarantees on protective measures to be implemented and the holding of 17 Territorial Roundtables in the future.²⁰ In its observations on the draft of this report, the State indicated that between 2019 and 2020 the Office of the High Commissioner for Peace, as technical secretariat, held 62 sessions of the National Commission on Security Guarantees, throughout the national territory, distributed as follows: in 2019, 13 sessions and 49 sessions in 2020; sessions divided into plenary, technical, territorial and thematic. The State also indicated that this office seeks, jointly with the Ministry of the Interior and civil society, to establish public policy guidelines for the dismantling of the GAO and GDO criminal structures that threaten the life and integrity of defenders and leaders. To date, 174 actions have been arranged and 84 are in the process of discussion.²¹

19. For their part, civil society organizations pointed out that although the National Commission on Security Guarantees had been convened on a more regular basis, the government officials attending these meetings do not have the necessary decision-making power to implement and coordinate the programs that it generates. They point out that four years since the creation of the National Commission on Security Guarantees, it still has no internal rules of procedure, much less an action plan or public policy guidelines, despite the civil society proposals presented on September 11, 2019 and 2020.²² They also say that in some territories, such as the department of Córdoba, mechanisms such as the Territorial Roundtable on Guarantees and the MNG had not been operational and instead the Timely Action Plan (PAO) had been implemented, which they consider has not shown any positive results and has become yet another body that gives rise to greater confusion and jurisdictional vacuums.²³

¹⁸ Government of Colombia, *Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos*, December 23, 2020, p. 7.

¹⁹ Government of Colombia, *Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos*, December 23, 2020, p. 8.

²⁰ Programa Somos Defensores, *El virus de la violencia*, November 20, 2020, p. 98.

²¹ Government of Colombia, *Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders*, March 1 2021, p. 3.

²² Information provided by civil society organizations at the technical meeting held on January 22, 2020, IACHR archive.

²³ Comisión Colombiana de Juristas, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, p. 262.

20. The Commission recognizes the challenges that the COVID-19 pandemic has posed as regards holding the workshops necessary for designing and disseminating this policy. In view of this situation, it encourages the State to continue its efforts to develop a comprehensive public policy for the prevention and protection of human rights defenders with the participation of civil society as soon as possible. In its observations on the draft of this report, the State reported a set of additional policies to confront and dismantle these criminal structures such as: I) Defense and Security Policy for legality, entrepreneurship and equity, led by the Ministry of National Defense ; II) Framework Policy for Coexistence and Citizen Security, promoted by the Ministry of the Interior; III) Comprehensive protection policy and guarantees for women leaders.²⁴

21. The Commission reiterates to the State the importance of continued promotion of already established spaces for dialogue, such as the National Roundtable on Guarantees and the National Commission on Security Guarantees, in order to invite civil society organizations to participate in the design and implementation of comprehensive policies on prevention and protection of human rights defenders. It also reiterates the importance that the new programs being implemented do not weaken or disregard the work done before. Accordingly, it is important that the many institutions involved try to coordinate with each other and give each other feedback, reflecting on the effectiveness of previously created institutions and lessons learned, taking steps to avoid becoming too bureaucratic, and ensuring that they can fulfill their missions.

22. Therefore, the Commission considers that this recommendation is **pending compliance**.

4. Create complete records of all attacks—in their various forms—against people who defend human rights or exercise social or community leadership, with the participation of civil society organizations. It is important to build on existing records in this effort.

23. Regarding the recommendation to have **records of all the different types of attacks against people who defend human rights or exercise social or community leadership**, the State reported that the Office of the Presidential Adviser on Human Rights and International Affairs issued weekly bulletins with official figures from the national government on murders of social leaders and human rights defenders in Colombia in 2020. The preparation of this bulletin relies on OHCHR records of cases, which are contrasted with information from the Office of the Attorney General.²⁵ The State also reported on the creation of the Interinstitutional Committee for Statistics and Contextual Analysis (Comité Interinstitucional para Reporte de Cifras y Análisis de Contexto) in response to attacks on social leaders and human rights defenders, in order to harmonize information, specifically relating to the number of homicides of social and community leaders and human rights defenders in the country. In particular, the State mentioned the preparation of quarterly reports identifying the contexts, territories and types of leaders

²⁴ Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1 2021, p. 4.

²⁵ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 8.

worst affected by human rights violations, as well as the main progress made by the State in the areas of prevention, protection, and investigation.²⁶

24. The Commission welcomes such measures taken by the State to have a better record of attacks against human rights defenders. Although these quarterly reports refer to information gathered by civil society organizations and the Ombudsman's Office, the Commission observes that in the case of murders of human rights defenders, the State continues to use only the figures provided by the OHCHR, which may not reflect the total number of cases. The IACHR reiterates the importance of classifying the murder victims as human rights defenders; thus, it is essential to cross-check the official figures available with those provided by civil society.²⁷ Based on the foregoing, the Commission considers that this recommendation has been **partially complied**.

5. Conduct a deeper context analysis to assess risk and adopt protection measures, with a differentiated approach that considers the specific circumstances of the people who require protection and the places where they work. It is particularly important to include ethnic- based, collective, and gender-based approaches in any prevention and protection measures.

25. With regard to this recommendation, the State reported that risk assessments are carried out by trained personnel, who assess and analyze the context in which the person requesting protection measures finds themselves and gather the necessary information and sufficient material elements to recommend measures consistent with the work performed by the defender. The State mentioned that the technical risk studies carried out include interviews and field work to contextualize the assessment; they also take into consideration context analysis provided in the Early Warning System reports prepared by the Office of the Ombudsperson.²⁸ It said that the National Protection Unit was working on the strategy for the Integrated Prevention, Protection and Regional Reaction Committee (CIPPR), a mechanism for sharing information and linking interinstitutional capacities to guide State efforts in the area of protection and anticipation, and that seeks to make available advice for national government decision making on at-risk individuals, groups and communities within the framework of the Timely Action Plan.²⁹

26. According to information from the State, in 2020, 3,686 human rights defenders and social leaders received protection through the National Protection Unit (UNP), equivalent to 49 percent of the total number protected of people by the UNP.³⁰

²⁶ Government of Colombia, Input from Colombia for the preparation of the 2020 Annual Report of the IACHR, Ch. IV.A "Overview of the human rights situation by country," par. 45.

²⁷ IACHR, Report on the Situation of Human Rights Defenders and Social Leaders in Colombia, December 6, 2019, par. 168.

²⁸ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 10.

²⁹ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 11.

³⁰ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 20.

27. The Commission was also informed about the UNP strategy for territories, the development of a risk analysis protocol for women leaders, and the implementation of the Committee for Risk Evaluation and Recommendation of Measures (CERREM) with an ethnic focus.³¹ In this regard, the Commission has received information on some shortcomings of the UNP, such as delays in the performance of risk assessments, which holds up the implementation of protection measures.³²

28. For their part, civil society organizations informed the Commission of "soft" protection arrangements provided in areas with serious security situations. In other cases, arrangements would be lifted without an in-depth assessment or examination of the context in which defenders found themselves. Similarly, protection measures are granted that are not consistent with the situation of risk or to the geographical contexts in which the defense activity is carried out, particularly those activities that take place in rural contexts. Likewise, they would not have a, fail to take into account ethnic, territorial or gender factors, or in some cases nonexistent. In particular, they pointed out deficiencies in the implementation of measures with a gender perspective because the measures granted were reportedly inefficient and inadequate to the risks and contexts, such as armored cars and bulletproof vests, which overlook the specific risks of women, and in some situations and territories augment the risk, and hinder work in defense of human rights. They highlight the absence of any female analysts in the UNP and the fact that the institution does not have the necessary tools to implement that approach.³³

29. Likewise, they said that the implementation of protection measures with a gender- or ethnic-minded approach was still very much incipient, resulting in the implementation of inadequate measures, according to them. They also said that collective protection remained one of the main weaknesses of the UNP, as there were limitations that prevented the implementation of collective protection measures required by social organizations, especially in rural areas.³⁴ According to information from civil society, between January and November 2020, the UNP only admitted 53 requests; being that until mid-December non would have been implemented.³⁵ Likewise, the reengineering process being conducted in the UNP made no reference to the adoption of specific differential approaches for LGBT human rights defenders.³⁶

30. The Commission acknowledges the measures being implemented by the UNP; however, given the seriousness of the violence faced by defenders and social leaders in the country, the State should maintain this progress and deepen the implementation of differentiated and intersectional approaches in analyzing risks and making determinations on protection

³¹ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 20.

³² Race and equality, [Unidad Nacional de Protección no está protegiendo a dos lideresas afrocolombianas en riesgo extremo](#), December 31, 2020.

³³ Information provided by civil society organizations at the technical meeting held on January 22, 2020, IACHR archive.

³⁴ Comisión Colombiana de Juristas, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, pp. 313 and 314.

³⁵ Human Rights Watch, [Left Undefended Killings of Rights Defenders in Colombia's Remote Communities, February 10 2021](#), p.85.

³⁶ Information provided by Colombia Diversa at the technical meeting held on January 22, 2020, IACHR archive.

measures. The IACHR has closely monitored the particular situation of indigenous and Afro-Colombian leaders and noted the particular dynamics of territories and the different needs of the leaders. Therefore, it stresses that protection arrangements should take into account the specific contexts and situations of the beneficiaries, adopting differentiated and intersectional approaches so that the measures implemented are appropriate and effective for the particular risks that certain groups face as a result of their specific circumstances.³⁷

31. Therefore, the Commission considers that this recommendation is **partially complied**.

6. Properly implement any precautionary measures granted by the Inter-American Commission and keep protection arrangements in place for beneficiaries as long as the measures are in force.

32. In this regard, the IACHR recognizes the State's willingness to properly implement precautionary measures and keep protection arrangements in place for beneficiaries as long as the measures are in force, as well as its active participation in this mechanism through the submission of information and its participation in working meetings.³⁸ However, the Commission has received information on the limitations with regard to protection arrangements proposed for leaders that in many cases have to do with difficulties in ensuring the mobility of the victims, the absence of economic resources for the mobilization of bodyguards, and the nature of the protection assets made available.³⁹ For their part, civil society organizations said that the UNP was not taking into consideration the study already carried out by the IACHR on the granting of precautionary measures, as well as their staff's lack of knowledge about the inter-American system.⁴⁰

33. The Commission understands that the authorities analyzed the situation in order to grant measures were consistent with the risks and situation faced by each beneficiary or group to be protected. However, it emphasizes that States cannot condition the implementation of a precautionary measure issued by the IACHR to a risk analysis within under the domestic legal framework or to a prior complaint. In this regard, the Commission reminds the State that the phase that follows a request for a protection measure from the IACHR is its implementation and follow-up, not an evaluation of the elements that prompted it, including a rating of the level of risk.⁴¹

³⁷ IACHR, Report on the Situation of Human Rights Defenders and Social Leaders in Colombia, December 6, 2019, par. 218.

³⁸ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 13.

³⁹ Information submitted by civil society in the framework of working meetings for monitoring precautionary measures.

⁴⁰ Information provided by civil society organizations at the technical meeting held on January 22, 2020, IACHR archive.

⁴¹ IACHR, Report on the Situation of Human Rights Defenders and Social Leaders in Colombia, December 6, 2019, par. 302.

34. Therefore, the Commission considers that this recommendation has been **partially complied** and it will continue to monitor its implementation.

7. Implement the recommendations and decisions of the inter-American and universal human rights systems.

35. Regarding the recommendation to **implement the recommendations and decisions of the inter-American and universal human rights systems**, the State reported having considered the recommendations contained in the IACHR report in its preparation of the first and third reports on homicides of social leaders and human rights defenders in Colombia issued by the Office of the Presidential Adviser on Human Rights and International Affairs.⁴² In this regard, the IACHR values the inclusion of its recommendations in the reports of the Presidential Council for Human Rights. However, from the information provided by the State, it is not possible to identify concrete measures that are being adopted to implement the recommendations and decisions of both systems, so the IACHR hopes to have more information in this regard in future reports.

8. Improve coordination between national and local authorities so that protection measures can be adapted to safeguard the rights of human rights defenders and social leaders and ensure that the measures are effective in remote rural areas. In this regard, agree on protection measures to address the level of risk, listening to and consulting with human rights defenders in order to develop a timely, specialized intervention that is proportionate to the potential risk and has a differentiated approach.

36. In relation to this recommendation, the State reported that 11 territorial meetings of the Timely Action Plan (PAO) were held to coordinate prevention and protection measures for social leaders. According to information provided by the State, these meetings were attended by various authorities, enabling first-hand knowledge to be gained about the needs of the defenders and measures to be adopted accordingly.⁴³ For their part, civil society organizations have mentioned a lack of coordination between the Timely Action Plan and other bodies such as the National Commission on Security Guarantees, which apparently leads to confusion about the responsibilities of each entity and is sometimes used as a justification not to fulfill commitments adopted in each area.⁴⁴ The Commission is also aware that the lack of coordination between the different institutions or mechanisms would make it difficult to articulate a comprehensive response to the situation of defenders.⁴⁵

⁴² Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 32.

⁴³ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 17.

⁴⁴ Comisión Colombiana de Juristas, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, p. 262.

⁴⁵ Human Rights Watch, [Left Undefended Killings of Rights Defenders in Colombia's Remote Communities, February 10 2021](#), p.75.

37. The Commission highlights that promoting adequate linkage and coordination between the different entities that support the implementation of measures, not only as regards protection, but also investigation and victim assistance, helps to make the protection system effective. Cooperation among the various authorities involved in assessing risk, implementing protection measures, and investigating, prosecuting, and punishing the acts of violence against human rights defenders, in a framework of confidentiality, facilitates the implementation of a protection system that is effective.⁴⁶

38. Therefore, the Commission considers that this recommendation has been **partially complied and in line with recommendations 5 and 6**, urges the State to strengthen interinstitutional linkage, seeking coordination and mutual feedback in order to reflect on the effectiveness of previously created institutions and lessons learned, take steps to ensure that they do not become too bureaucratic, and ensure that they can fulfill their missions.⁴⁷

9. Adopt plans to prevent and combat the stigmatization of human rights defenders and social or community leaders within State institutions and in society as a whole.

39. Regarding this recommendation, the State informed the IACHR that the National Public Policy on Respect and Guarantees for the work of human rights defenders envisages the creation of a strategic plan for a culture of respect and appreciation for the work of human rights defenders. It reported having made progress, through the Ministry of the Interior, with the construction of Citizen Pacts in six departments, in order to promote a combined effort by institutional and social actors against stigmatization and in favor of human rights defenders and leaders. The departments where these processes are currently underway are Antioquia, Caquetá, Chocó, Córdoba, Putumayo, and Valle del Cauca. In addition, as mentioned in paragraph 13, the State said that in order to draw attention to the recognition and support for the work of human rights defenders and social leaders in the territories, the Ministry of the Interior launched the "#LíderEsColombia" campaign.⁴⁸

40. In this regard, civil society organizations informed the Commission that the "#LíderEsColombia" campaign was the result of a court order, that it had not been developed jointly with civil society organizations, and that they had no knowledge of its content.⁴⁹

41. In its observations on the draft of this report, the State highlighted its awareness of the need to respond to the challenges that arise in terms of stigmatization and an environment conducive to the defense of human rights. Therefore, it is envisaged in the National Public Policy

⁴⁶ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 27-31.

⁴⁷ IACHR, Report on the Situation of Human Rights Defenders and Social Leaders in Colombia, December 6, 2019, par. 274.

⁴⁸ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 21.

⁴⁹ Information presented by civil society organizations at a technical meeting held on January 22, 2020, IACHR archive.

Respect and guarantees the work of defending human rights, the creation of a strategic plan for culture of respect and appreciation of the work of defending human rights and those dedicated this. Meanwhile, the State reported that it was carrying out a set of short-term actions, in accordance with the conceptual approach of the policy. Among these actions, the State noted the progress of the Public Ministry in the construction of 34 Citizen Pacts in 5 departments of the country; Antioquia, Caquetá, Chocó, Córdoba and Valle del Cauca, seeking to promote the concurrence of efforts of institutional and social actors, against stigmatization and in favor of human rights defenders and social leaders.⁵⁰ Likewise, it pointed out that the Ministry of the Interior held in December 2020 six departmental forums called “Building leadership for the defense of human rights”, the realization of 9 courses on topics related to the work of defense of human rights; and 2 virtual courses on human rights and peace issues, and the holding of two self-care and protection workshops for women defenders.⁵¹

42. Based on the foregoing, the Commission considers that this recommendation is **partially complied** and it calls on the State to continue promoting a culture in which the work of human rights defenders and their organizations is seen as legitimate and appreciated in order to prevent and combat stigmatization against them, while encouraging the participation of civil society organizations in the implementation of these measures. Additionally, the IACHR will be attentive to the adoption of the National Public Policy of Respect and Guarantees for the work of defending human rights and reiterates its willingness to continue providing technical assistance in this matter.

10. Take all necessary measures to ensure that authorities or third parties do not manipulate the punitive power of the State and its institutions of justice to harass human rights defenders and harm their work. Ensure that the proper punishment is applied if this occurs.

43. With regard to the recommendation to take all necessary measures to ensure that authorities or third parties do not manipulate punitive power to harass human rights defenders and harm their work, the State did not present specific information on the measures adopted to prevent the criminalization of human rights defenders. In its observations on the draft of this report, the State reiterated that the national authorities act on the constitutional and normative basis that seeks to defend the fundamental rights of human rights defenders. It also indicated that the judicial and disciplinary authorities have the necessary powers to punish inappropriate conduct by public servants.⁵² The Commission values the information provided; however, it is not possible to determine the specific measures that the State is implementing in

⁵⁰ In its observations on the draft of this report, the State indicated that most of the covenants were signed on December 10, 2020, within the framework of the commemoration of the International Day of Human Rights. Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1 2021, p. 6.

⁵¹ In its observations on the draft of this report, the State also highlights that as of February 2021, around 600 human rights defenders have been linked to the offer of training on issues related to the work of defending human rights, pluralism, peace building, coexistence and reconciliation, in remote areas of the departments of Norte de Santander, Cauca, Antioquia and Valle del Cauca. Among the beneficiaries, there are also approximately 200 leaders of the Comprehensive National Program for the Substitution of Illicit Crops -PNIS. Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1, 2021, p. 5-7.

⁵² Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1, 2021, p. 7.

order to reduce or avoid the criminalization of human rights defenders. Therefore, it considers that this recommendation is **pending compliance**.

11. Continue to adopt measures to investigate with due diligence and confront impunity regarding crimes committed against human rights defenders and social leaders in the country, establishing the perpetrators and masterminds of the crimes.

44. In relation to this recommendation, the IACHR notes the efforts made by the Colombian State to move the investigations of these acts forward. In this regard, the Commission is aware of the Strategy of the Office of the Attorney General for investigating and prosecuting crimes against human rights, which reportedly consists of eight lines of action and which was strengthened in 2020.⁵³

45. According to information provided by the State, the Attorney General's Office has made permanent progress in the investigation of crimes against human rights defenders, especially homicides. It reported that between January 1, 2016 and December 2, 2020, the OHCHR reported 421 homicides of human rights defenders, of which 404 are being investigated by the Attorney General's Office, with progress made in the clarification of 63.61 percent of cases. Of the total number of cases reported, 65 have led to convictions.⁵⁴

46. For their part, civil society organizations expressed concern over the use of the term "clarification" because they consider that any progress in the investigations has been termed thus, including, for example, the identification of individual suspects, requests for arrest warrants for them, and indictment requests. They also said that the Attorney General's Office had focused its efforts on murder cases but had not taken appropriate steps to investigate other acts of aggression such as threats, sexual violence, forced disappearance and other serious violations of the human rights of women defenders.⁵⁵ They noted that while investigations had focused on the material perpetrators and profiling of criminal groups, results about the masterminds were unknown. They also emphasized that the investigations carried out dismissed the hypothesis of a possible link between the crime and the victim's activities as a defender.⁵⁶

47. Regarding the questions about the use of the term "clarification", in its observations to the draft of this report, the State indicated that "the duties of clarifying the facts in the head of the Attorney General's Office are intrinsically related to the exercise of criminal action, that is: investigate and accuse when apparently criminal acts come to their attention". The State highlighted that the FGN's clarification indicator includes, among others, the acts of identification and individualization of an alleged perpetrator, the request for an arrest warrant against him and the request for imputation, especially when the Accusing entity presents an

⁵³ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 23.

⁵⁴ Government of Colombia, Diplomatic Note MPC/OAS No. 043/21 of January 20, 2021, IACHR archive.

⁵⁵ Information presented by civil society organizations at a technical meeting held on January 22, 2020, IACHR archive.

⁵⁶ Comisión Colombiana de Juristas, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, pp. 317 and 321.

accusation based on material evidence of the possible responsibility of the person identified as the alleged perpetrator of the conduct. Additionally, the indicator of the FGN gives an account of the acts in the trial phase until the issuance of a final judgment. In this sense, it considers that “the Prosecutor's Office has presented the indictment, has discovered the evidence in court and has demonstrated beyond a reasonable doubt the authorship or participation of the person tried. In that order of ideas, for the Prosecutor's Office, progress in the clarification is considered since sufficiently solid investigative acts have been carried out to make decisions regarding each specific case and even, validated before the judges of control of guarantees or before the judges of knowledge ”.⁵⁷

48. The Commission has pointed out that the most effective way to protect human rights defenders is by adequately and effectively investigating the acts of violence against them and punishing the persons responsible and thus prevent its repetition. It also notes that impunity for such crimes is one of the reasons that enables them to continue.⁵⁸ These investigations should include the hypothesis that such murders may have been committed as a result of the work that defenders do in their communities. In particular, the State should ensure the incorporation of a differentiated ethnic, racial and gender focus in the investigation, prosecution, punishment and reparation of such crimes.

49. The Commission recognizes the efforts made by the Colombian State to date to advance investigations into crimes against defenders, which have resulted in 65 convictions. However, it notes that the persons responsible for a large number of crimes have yet to be identified cases and that progress is still needed on investigations into the crime of making threats. Therefore, it urges the State to continue with the efforts made to carry out thorough, meaningful and impartial investigations to that allow the identification and punishment of both the perpetrators and the intellectual. Therefore, the Commission considers that this recommendation is **pending compliance**.

12. Justice operators must ensure access to justice for human rights defenders, the proper application of the law, and the search for the truth about what happened, acting with professionalism, good faith, and procedural fairness. They should ensure that both the investigation and the proceedings are carried out in accordance with international human rights standards.

50. In this regard, the State provided information about the forthcoming creation of 11 specialized circuit courts to hear criminal cases involving crimes against social leaders and human rights defenders. It also reported on the strengthening of the Special Investigation Unit to deal with as many homicides against human rights defenders as possible, the preparation of investigation plans based on the harm caused by criminal organizations, and the appointment of six special prosecutors for this Unit.⁵⁹

⁵⁷ Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1, 2021, p. 7-8.

⁵⁸ IACHR, Report on the Situation of Human Rights Defenders and Social Leaders in Colombia, December 6, 2019, par. 226.

⁵⁹ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 25.

51. The Commission recalls that justice operators must ensure access to justice for human rights defenders, the proper application of the law, and the search for the truth about what happened, acting with professionalism, good faith, and procedural fairness. They should ensure that both the investigation and the proceedings are carried out in accordance with international human rights standards.⁶⁰ The Commission regards as positive the measures that are reportedly soon to be implemented by the State to strengthen the presence of justice operators in the territories historically worst affected by violence and the lack of a State presence. In this sense, the Commission calls on the State to strengthen its investigative and jurisdictional capacities so that it can ensure access to justice and the truth in crimes committed against human rights defenders. Therefore, the Commission considers that until the 11 specialized courts mentioned are put into operation, this recommendation is **pending compliance**.

13. Adopt differentiated gender- and ethnic-based approaches and an approach focused on LGBTI persons, both when developing programs related to guarantees and when investigating possible crimes against human rights defenders.

52. In relation to this recommendation, the Commission was informed about the measures being taken by the State, such as the construction of the Risk Analysis Protocol for Women Leaders and Human Rights Defenders within the UNP; promotion of the use of a differential and gender approach within investigations conducted by the Attorney General's Office; the existence of the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders (PIG-Mujeres) and the development of its Action Plan 2019–2022; the creation of the Intersectoral Commission on Guarantees for Women Leaders and Human Rights Defenders (CIGMujeres), the creation of the Roundtables on Guarantees for Women Leaders and Human Rights Defenders, and the prioritization of an ethnic- and gender-minded approach in the implementation of the “Peace with Legality” policy.⁶¹

53. In its observations to the draft of this report, the State informed that in the process of territorializing the PIG-Mujeres in the department of Putumayo, it was built the Work Plan for the creation of the Attention Route for social leaders which includes gender and territorial approach. The main achievement of this process was the delivery of the Unique Departmental Route for people, groups or communities at extreme and exceptional risk in Putumayo. Likewise, highlighted that the Technical Secretariat of the PIG-Women has assisted 14 governorates where they were given the general guidelines of the Single Route of Attention and Protection against Threats to Human Rights Defenders, built from the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders, which has been through a learning process and good practices since 2019.⁶²

⁶⁰ IACHR, Report on the Situation of Human Rights Defenders and Social Leaders in Colombia, December 6, 2019, par. 226.

⁶¹ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 27-31.

⁶² Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1, 2021, p. 9.

54. In this regard, civil society organizations considered that the measures and regulations for protecting women defenders that mention gender perspective and other differential approaches, have not materialized into a concrete recognition of differential risks, timely and adequate procedures, or effective security measures, whether individual or collective.⁶³ They stressed the need for a differentiated diagnostic assessment of the risks and violations faced by LGBTI people and human rights defenders when designing programs and concrete, operational measures to respond to the risks and their differentiated impact on such groups. In their opinion, in programs such as the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders and its Action Plan there is a lack of a mainstreamed differential approach based on sexual orientation, despite, in principle, being a program that adopts a gender, ethnic, differential and territorial approach.⁶⁴ Regarding the risk analysis protocol for women leaders within the UNP, they reported that it had not been developed with the participation of civil society organizations, in spite of the technical inputs they had submitted.⁶⁵

55. They also mentioned that for investigating crimes against LGBTI defenders, there is no precise protocol or directive for identifying the risks associated with those groups. They also noted the gradual dismantling of the National Human Rights Unit of the Attorney General's Office, which was in charge of investigating murders and threats against human rights defenders, trade unionists, and political and social leaders.⁶⁶

56. The Commission considers it essential to address the construction of guarantee programs for women defenders and the investigation of crimes against them from differentiated and intersectional perspective that takes into consideration the causes they defend and the differentiated manner in which possible risks affect them, bearing in mind their sex, gender, race and ethnicity, among other factors. This also includes taking into account the particular characteristics of the work done by defenders working on the environment, territories and indigenous communities; by activists concerned with the rights of LGBTI people; and defenders of sexual and reproductive rights, among others. Based on the foregoing, it considers that this recommendation is **pending compliance**.

14. Improve coordination with international human rights organizations.

57. With respect to this recommendation, the State informed the IACHR that it had provided training to different entities at the national level in cooperation with the OHCHR. Furthermore, in its report, the State said that the UNP uses United Nations guidelines to standardize the categorization of leaders. It also noted that the Office of the Presidential Adviser on Human Rights and International Affairs has received cooperation and technical assistance

⁶³ Information presented by civil society organizations at a technical meeting held on January 22, 2020, IACHR archive.

⁶⁴ Comisión Colombiana de Juristas, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, p. 311.

⁶⁵ Information presented by civil society organizations at a technical meeting held on January 22, 2020, IACHR archive.

⁶⁶ Information presented by civil society organizations at a technical meeting held on January 22, 2020, IACHR archive.

from USAID for the preparation of the Third Report on homicides of social leaders and human rights defenders in Colombia, which covers the period from January 1 to September 30, 2020.⁶⁷

58. In its observations on the draft of this report, the State emphasized holding a permanent and constructive dialogue with the organs of the international instruments of which it is a party. Likewise, indicated that it has a number of mechanisms that allow the exchange of information with the organs of the inter-American system and properly addresses its international commitments. The State also highlighted having facilitated the presence of an Office of the United Nations High Commissioner for Human Rights in its territory and having designed a joint work plan for 2020⁶⁸.

59. The Commission values the relationship that the Colombian State maintains with international human rights organizations. In particular, the IACHR recognizes the periodic meetings with the IACHR, its participation in public hearings, and the constant and abundant provision of information under different mechanisms. The IACHR urges the State to continue strengthening its institutional relations to promote human rights observance and assurance in Colombia. Likewise, the Commission reiterates its willingness to continue providing technical assistance within the framework of the Cooperation Agreement for the implementation and dissemination of international instruments concluded in February 2018. Therefore, the IACHR considers that this recommendation has been **complied**.

III. CONCLUSIONS

60. The Commission reiterates the importance of human rights defenders and social leaders in promoting full enjoyment of human rights, peace, and the end of the armed conflict in Colombia. It recalls that human rights defenders can only carry out their work freely when they are not subjected to threats or any type of physical or psychological aggression, or other acts of harassment. Given the persistent violence against human rights defenders and social leaders, it is a matter of priority for the Colombian State to adopt urgent measures to strengthen systems for preventing violence and protecting these groups.

61. The Commission recognizes that violence in Colombia, occurs in an extremely complex reality and therefore is not attributable to any single cause but, rather, is the result of a combination of multiple factors and structural causes. However, it notes with alarm that violence has concentrated in various territories in the country, especially those historically affected by the internal armed conflict, mainly to the detriment of social leaders. Therefore, the Commission underscores the urgency of finalizing a concrete comprehensive policy for the protection of human rights defenders with the effective engagement of human rights organizations and strengthening the application of differentiated and intersectional approaches in the protection measures implemented. At the same time, it reiterates the importance of redoubling efforts to address impunity as a core element for preventing the recurrence of such crimes.

⁶⁷ Government of Colombia, Documento de seguimiento a recomendaciones de la CIDH sobre personas defensoras de derechos humanos, December 23, 2020, p. 32.

⁶⁸ Government of Colombia, Follow-up Document to Recommendations of the Inter-American Commission on Human Rights on human rights defenders, March 1, 2021, p. 10.

62. The Commission values the measures being adopted by the State to comply with the recommendations contained in the aforementioned report. However, given the seriousness of the situation, it urges it to intensify its efforts to identify and eradicate the risk factors that give rise to violence against human rights defenders and social leaders in Colombia. In particular, it is essential that the State fully implement what was agreed in the Final Peace Agreement, especially with regard to security guarantees. To that end, the Colombian State should promote previously established dialogue spaces, such as the National Roundtable on Guarantees and the National Commission on Security Guarantees. The participation should be ensured in these forums of civil society organizations so that they can contribute to the consolidation of a comprehensive public protection policy designed to prevent attacks against human rights defenders.

63. Likewise, given the seriousness of violence against human rights defenders and social leaders, especially the specific dynamics of risk faced by indigenous and Afro-Colombian leaders, the IACHR reiterates the need to take into account the particular contexts and situations of the applicants for protection measures, applying differentiated - and intersectional - approaches in risk analysis and the determination of measures, so that they are adequate and effective for the particular risks that certain groups may face due to their specific circumstances.

64. It also encourages the State to strengthen its investigative capabilities in relation to all crimes committed against human rights defenders and social leaders and that it seek to punish both perpetrators and masterminds while incorporating a differentiated and intersectional approach in a bid to reduce the impunity that continues to prevail in connection with such crimes.

65. Finally, the Commission calls on the Colombian State, in the framework of the implementation of the Peace Agreement, to foster an environment free of hostility and respectful of the fundamental freedoms of human rights defenders and social leaders, so that they can carry out their work freely and effectively.