

COLOMBIA

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His Excellency
Ambassador FRANCISCO VILLAGRAN DE LEON
Chair of the Commission on
Juridical and Political Affairs
Washington, D.C.

The Permanent Mission of Colombia to the Organization of American States presents its compliments to the Chair of the Committee on Juridical and Political Affairs for the purpose of transmitting information on recent measures adopted by Colombia in the area of migration, following the guidelines of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants.

This information is transmitted as input for the Special Meeting on March 16, 2006, the purpose of which is to exchange best practices and activities carried out in support of the program.

Chapter V of the program calls for specific activities to be carried out by the OAS member states among others (listed starting with paragraph 33). Colombia has undertaken the following ones:

1. **Paragraph 33:** Colombia has been participating in various forums that permit the exchange of information on the migratory phenomenon, especially in the framework of the Andean Community and the South American Conference for Migration.

In addition, committees for management of migration statistics have been set up in the interior of Colombia, and common indicators have been established for the various agencies.

2. **Paragraph 34:** To facilitate the access of migrants to public information, the Ministry of Foreign Affairs has posted on its web page full details of the requirements for the various types of visas, pointing out that the applicant can obtain one directly, without going through an agent.

3. **Paragraph 35:** To empower migrants to make informed decisions, public information campaigns of an informative and preventive nature have been conducted to alert potential migrants to the risks of clandestine migration and trafficking in persons. The campaign is called "If you want to migrate, be informed!"

4. **Paragraph 36:** The establishment of interagency committees in the interior of the country has made it possible to develop an institutional capacity to respond to the new demands of the migrant population.

5. **Paragraph 37:** Colombia is a party to various human rights treaties at the inter-American and United Nations levels.

6. **Paragraph 38:** Colombia has been a party to the UN Convention against Organized Transnational Crime since 2003.

7. **Paragraph 39:** Colombian legislation was updated in 2004 to be consistent with international norms for the protection of migrant workers.

8. **Paragraph 40:** Migratory practices have been reviewed and this led to a reform of the visa statute.

9. **Paragraph 41:** Work is underway to identify the pertinent issues and appropriate agencies to train government officials involved in migratory functions in the various agencies. Currently courses on migration are being offered to officials of the Foreign Ministry.

10. **Paragraph 42:** Colombia is a party to Decision 503 of the Andean Community, which encourages use of national documents as a requirement for entry in the other countries of the region, and to Decision 545, which is the Andean instrument on migrant workers.

11. **Paragraph 43:** In 2001 Colombia and Spain signed an agreement to promote authorized and orderly flows of migrant workers, the application of which has had excellent results for both countries.

12. **Paragraph 44:** Colombia implemented voluntary repatriation programs for highly skilled persons, and the process was supervised by COLCIENCIAS [the National Council for Science and Technology]. This has not been as successful as anticipated.

13. **Paragraph 45:** So far we have not developed information and assistance programs aimed at returning migrants.

14. **Paragraph 46:** Colombia applies due process standards in migration proceedings.

15. **Paragraph 47:** In Colombia, as established in the Constitution, foreign citizens and Colombians have equal access to justice. It should also be noted that Colombia is a party to the Convention on the rights of migrant workers and their families.

16. **Paragraph 48:** Colombia issues documents to its citizens at consulates abroad, and has recently launched the Consular registration card, which documents that the citizens are registered at the Consulate, as provided in the Vienna Convention on Consular Relations.

17. **Paragraph 49:** Colombia promotes protection of its migrants' rights and its domestic legislation permits consulates to contract for legal services locally, so that its citizens can receive appropriate counsel.

18. **Paragraph 50:** Basic and secondary education programs on the key principles of human rights have been conducted, with special emphasis on tolerance, but with no specific focus on the question of migrants.

19. **Paragraphs 51 and 52:** Colombia's National Police has signed interagency agreements with its counterparts in the region to exchange information in the fight against transnational crime.

20. **Paragraph 53:** With assistance from the IOM, Colombia developed a special form for filing complaints by victims of trafficking, so that the persons responsible for this crime can be prosecuted. The form was distributed to the consular offices for use when victims request protection to return to the country and voluntarily file the complaint.

21. **Paragraph 54:** Colombia held a seminar on remittances sponsored by the IOM, attended by banks and foreign exchange houses, to stimulate competition among the various actors in the financial sector. This resulted in lowering the cost of remittances. The withholding tax at the source, which was 3% of the amount of the transfer, was eliminated.

22. **Paragraph 55:** The Government of Colombia has developed a mechanism to facilitate voluntary contributions of time, money, or in kind for social projects in education, basic sanitation, health, and assistance for victims of the conflict, through a private website called "Colombia Connection."

23. **Paragraph 56:** Colombia has signed social security agreements with Spain, Uruguay and Chile, which are pending ratification in Congress.

24. **Paragraph 59:** In Colombia, migrants have full access to the judicial system.

25. **Paragraph 60:** In Colombia emergency assistance is provided to all persons.

26. **Paragraph 61:** Colombia is working in the border zone to provide access to education for all children who seek it, regardless of their nationality.

27. **Paragraph 63:** Colombia has the Program for Promotion of Colombian Communities Abroad, which provides support for cultural activities of its citizens with some State funding.

28. **Paragraphs 64 and 65:** Under Colombia's Constitution, all foreigners receive the same treatment as Colombian citizens in terms of working conditions.

We hope that this information will be useful to the participants in the Special Meeting, and for the areas responsible for follow-up on the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants.

The Permanent Mission of Colombia to the Organization of American States avails itself of the opportunity to present to the Chair of the Committee on Juridical and Political Affairs the renewed assurances of its distinguished consideration.

Washington, March 15, 2006