

**UN COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
78th SESSION (08 SEPTEMBER - 03 OCTOBER 2025)**

REVIEW OF THE REPUBLIC OF COLOMBIA

SUBMISSION



Created in 2024 and held annually in cooperation with the University of Padua's Human Rights Centre (Centro di Ateneo per i Diritti Umani Antonio Papisca), the Refugee Rights Lab is a human rights clinic involving 2nd year students of the Master's Programme in Human Rights and Multi-level Governance, under academic supervision. While offering students a formative experience, the Lab intends to contribute to the global refugee policy agenda, support relevant monitoring efforts and ultimately serve the advancement of the rights of refugees and other forcibly displaced persons. Initiatives include evidence-based research and policy notes as well as submissions to international human rights mechanisms, and other competent institutions.

Co-authors of this submission

Denisse Mendoza Rivero, Lais Januario De Assis Cajazeira, Marina Garcia Cunha, Rafaela Maria Barbara Paiva Francisco Sipressi Perugini
Bianca Russo, Carlotta Codeluppi, Chiara Griotti, Irene Coianiz, Laura Vaiani, Sabaeta Zeneli, Sukanya Sengupta, Valeria Ceban

Supervision

Antoine Meyer

Contact: refugeerightslab@unipd-centrodirittiumani.it

Padua, Italy, 6 July 2025

INTRODUCTION

1. This submission is designed to inform the upcoming review of the Republic of Colombia by the Committee on Economic, Social and Cultural Rights (CESCR), to take place at its 78th session in September and October 2025. Colombia submitted its Seventh Periodic Report on 2 November 2022.¹ The CESCR issued a List of Issues on 7 November 2023,² to which Colombia responded on 29 April 2025.³
2. The submission addresses the right to primary education of people in need of international protection in Colombia. It focuses particularly on displaced Venezuelans,⁴ who numbered approximately 2.8 million⁵ in 2024 and represent the main nationality of persons in need of international protection currently living in the country. While only around 30,000 have been formally recognized as asylum-seekers or refugees,⁶ the broader group includes many who meet the criteria for international protection but are covered under Colombia's Temporary Protection Statute (ETPV).⁷
3. Section 1 provides the legal framework supporting the right to education, both internationally and in Colombian national legislation, with a specific focus on its application to persons in need of international protection. It also explores the broader human rights obligations and commitments by Colombia, emphasizing recommendations from UN human rights mechanisms, including the UPR process, related to non-discriminatory access to education for refugees and migrants. Section 2 documents practices of concern, including difficulty of access, documentation barriers, discrimination, underperformance, and inadequate infrastructure. Section 3 consists of final observations and possible recommendations.
4. The information presented in this submission includes official government documents, reports and data from the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF); and findings from relevant UN Treaty Bodies such as the Human Right Committee (HRC), the Committee on Economic Social and Cultural Rights (CESCR), and the Committee on the Rights of the Child (CRC). Additional information is taken from reports from non-governmental organizations. Information in the present submission was last updated on 6 July 2025.

¹ CESCR, [Seventh periodic report submitted by Colombia under articles 16 and 17 of the Covenant, due in 2022](#), 2 November 2022. Retrieved June 30, 2025.

² CESCR, [List of issues in relation to the seventh periodic report of Colombia](#), 7 November 2023. Retrieved June 30, 2025.

³ CESCR, [Replies of Colombia to the list of issues in relation to its seventh periodic report](#), 29 April 2025. Retrieved June 30, 2025.

⁴ This document recognizes the presence of refugees and asylum-seekers from other countries of origin, but due to a significant data gap and lack of targeted government policies, the situation of these groups remains unaddressed.

⁵ UNHCR, [Refugee Data Finder](#), (2024). Retrieved 6 July, 2025.

⁶ UNHCR, [Refugee Data Finder](#), (2024). Retrieved 6 July, 2025.

⁷ Presidencia de la República Consejería Presidencial para los Derechos Humanos y Asuntos Internacionales, [Actualización y Fortalecimiento del Plan Nacional de Educación en Derechos Humanos 2021 - 2034](#), October 2021. Retrieved June 30, 2025.

SECTION 1. BACKGROUND AND LEGAL FRAMEWORK

1.1 International Human Rights Framework on the Right to Education

5. Colombia, as a State Party to the International Covenant on Economic, Social, and Cultural Rights⁸ has binding obligations to respect, protect, and fulfill the right to education, as enshrined in articles 13 and 14.⁹¹⁰ These include immediate duties under Article 2(2) to guarantee non-discriminatory access, and broader obligations under Article 2(1) to take deliberate, concrete, and targeted steps toward the full realization of this right.¹¹¹² Although the Covenant permits progressive realization, it requires continuous and effective progress without delay, and any retrogressive measures must be fully justified in light of the state's available resources and broader human rights commitments.¹³
6. As recalled by the CESCR, the right to education encompasses four essential and interrelated features: availability (adequate infrastructure, trained teachers, and resources), accessibility (education must be accessible without discrimination, in law and in fact, within physical reach, and at an affordable cost), acceptability (the form and substance of education must be relevant, culturally appropriate, and of good quality), and adaptability (education must be flexible and responsive to the need of diverse and evolving communities and learners).¹⁴
7. Primary education must be free, compulsory, and universally accessible.¹⁵ In Colombia, this obligation is reinforced by the Constitution and affirmed in the national education policy, which recognizes the right to education as a fundamental right that extends equality to foreign nationals residing in the country, in accordance with the principle of equality and non-discrimination.¹⁶ As reaffirmed by the CESCR, States parties are required to adopt inclusive, time-limited plans to ensure universal access to primary education without discrimination of any kind since it is considered to be a right of vital importance.¹⁷
- 8.

⁸ United Nations Treaty Body Database, [Colombia – Ratification of International Human Rights Treaties](#). Retrieved 30 June, 2025.

⁹ UN, [International Covenant on Economic, Social, and Cultural Rights](#), Articles 13-14, 16 December 1966. Retrieved June 30, 2025.

¹⁰ CESCR, [General Comment No. 13: The Right to Education \(Art. 13\)](#), para. 46, 8 December 1999. Retrieved June 30, 2025.

¹¹ CESCR, [General Comment No. 13: The Right to Education \(Art. 13\)](#), para. 43-44, 8 December 1999. Retrieved June 30, 2025.

¹² UN, [International Covenant on Economic, Social, and Cultural Rights](#), Article 2, 16 December 1966. Retrieved June 30, 2025.

¹³ CESCR, [General Comment No. 13: The Right to Education \(Art. 13\)](#), para. 45, 8 December 1999. Retrieved June 30, 2025.

¹⁴ CESCR, [General Comment No. 13: The Right to Education \(Art. 13\)](#), para. 6, 8 December 1999. Retrieved June 30, 2025.

¹⁵ UN, [International Covenant on Economic, Social, and Cultural Rights](#), Article 13, 16 December 1966. Retrieved June 30, 2025.

¹⁶ [Estrategias del Sistema Educativo Colombiano para la Atención de la Población Estudiantil en Contextos de Movilidad Humana y Migración: una Mirada al Caso Migratorio Venezolano](#) (2022). Retrieved June 30, 2025.

¹⁷ CESCR, General Comment No. 11: Plans of Action for Primary Education (Art. 14), paras. 1-3, 10 May 1999. Retrieved June 30, 2025.

9. Article 13(1) of the Covenant further sets the aims and objectives of education in accordance with UN foundational principles established by the United Nations Charter and the Universal Declaration of Human Rights, including the full development of the human personality, respect for human dignity, participation in a free society, and mutual understanding among all ethnic and national groups. Over time, evolving interpretations also emphasize gender equality and environmental responsibility, as reflected in instruments such as the Convention on the Rights of the Child (Article 29(1)), the World Declaration on Education for All (1990), and the Vienna Declaration and Programme of Action (1993).¹⁸
10. At the regional level, the UNHCR Regional Guidance (2018) reinforces this commitment by urging States to uphold the rights of Venezuelan refugees and migrants, with particular emphasis on access to education. Complementing these regional frameworks, the UN Committee on Economic, Social, and Cultural Rights Guidelines (1999) affirm the right to education to all children, including those who are undocumented, as a means of integration and reducing dependency on external assistance.¹⁹

1.2 Domestic Legal Framework on Education and Migrant Protection

11. The Colombian Constitution recognizes education as both a fundamental right and a public service. It mandates free and compulsory education in public institutions for children between the ages five and fifteen, covering at least one year of preschool and nine years of basic education.²⁰ This constitutional right is reinforced by the Code on Childhood and Adolescence, which explicitly extends the right to education to all children and adolescents, whether national or foreign, present in Colombian territory,²¹ regardless of their administrative or migration status.
12. Key national legal references include Ley 115 de 1994 (General Education Law), governing the provision of educational services; Ley 1098 de 2006 (Code on Childhood and Adolescence), ensuring the integral development of children and adolescents; Ley 1804 de 2016 (Comprehensive Early Childhood Development Policy), promoting integrated development from early childhood; and Decreto 1860 de 1994, regulating organizational and pedagogical aspects of education.
13. In 2021, Colombia adopted the Temporary Protection Statute for Venezuelan Migrants (ETPV in Spanish) to provide a legal framework for regularizing the status of Venezuelans in the country, thereby facilitating access to public education for children and adolescents.²² As of December 2024, a total of 611,314 Venezuelan children and adolescents were enrolled in

¹⁸ CESCR, [General Comment No. 13: The Right to Education \(Art. 13\)](#), paras. 4-5, 8 December 1999. Retrieved June 30, 2025.

¹⁹ Ministerio de Educación Nacional, [Estrategias del Sistema Educativo Colombiano para la Atención de la Población Estudiantil en Contextos de Movilidad Humana y Migración: una Mirada al Caso Migratorio Venezolano](#) (2022). Retrieved June 30, 2025.

²⁰ Colombia, [Constitución Política de Colombia de 1991](#), Artículo 67. Retrieved June 30, 2025.

²¹ Colombia, [Código de la Infancia y la Adolescencia](#), Artículo 4. Retrieved June 30, 2025.

²² Colombia, Decreto No. 216 de 2021, [Estatuto Temporal de Protección para Migrantes Venezolanos](#). Retrieved June 30, 2025.

Colombia's public education system, but it represents a slight decrease of 1.8% compared to the previous year. Of the enrolled students, 58.5% attend primary school²³.

1.3 Broader Human Rights Obligations and Voluntary Commitments:

14. Colombia has ratified core international treaties relevant to the right to education and the protection of vulnerable populations, including the International Covenant on Civil and Political Rights (CCPR), Convention on the Rights of the Child (CRC), International Convention on the Elimination of All Forms of Racial Discrimination (CERD), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and Convention on the Rights of Persons with Disabilities (CRPD), with no reservations directly affecting the right to education for displaced persons. The Optional Protocol to the CRC on armed conflict has also been ratified with reservations unrelated to education or refugee issues.²⁴
15. As part of its commitment to the social inclusion of refugees, the City of Bogotá, through a pledge submitted to the 2023 Global Refugee Forum, has committed to improving access to education and other essential services for migrants and refugees by establishing the Advisory Office for Migratory Affairs, supported by the World Bank. This initiative aims to restructure service delivery, including education, under the framework of the ETPV, in collaboration with civil society and international cooperation agencies.²⁵
16. In addition, Colombia has endorsed regional and international frameworks that reflect voluntary commitments to protect the rights of migrants and refugees. Notably, Colombia is a signatory to the Quito Declaration on Human Mobility of Venezuelan Citizens in the Region (2018), which commits participating States to guaranteeing access to fundamental rights, such as education, for Venezuelan migrants.

1.4 Gaps in Refugee-Specific Protections

17. While Colombian law ensures access to education broadly and guarantees it as a fundamental right,²⁶ it lacks explicit provisions guaranteeing access for refugees and asylum seekers. Most references to education within the domestic framework focus on gender equality and access in rural access, rather than the specific needs of displaced persons. These actions are aligned with Colombia's stated intention to support migrant children's rights, but despite these efforts, effective implementation remains inconsistent and subject to structural and procedural challenges.²⁷
18. Moreover, Colombia has not yet ratified the 1960 UNESCO Convention Against Discrimination in Education, a key normative instrument relevant to education without discrimination based on national and social origin (Article 1), equal access (Articles 1 and 3

²³ GIFFM Colombia, [Reporte Situacional Sector Educación 2024](#). Retrieved June 30, 2025.

²⁴ United Nations Treaty Body Database, [Colombia – Ratification of International Human Rights Treaties](#). Retrieved June 30, 2025.

²⁵ UNHCR, [Pledges and contributions dashboard. Global Compact on Refugees](#), 2023. Retrieved June 30, 2025.

²⁶ Colombia, [Constitución Política de Colombia de 1991](#), Artículo 67. Retrieved June 30, 2025.

²⁷ UNESCO, [Understanding trajectories of refugee inclusion in national education systems: Policy and data perspectives from Colombia](#), (2023). Retrieved June 30, 2025.

(e)), free and compulsory primary education (Article 4 (a)).²⁸ This gap has been highlighted in past Universal Periodic Review (UPR) recommendations (e.g., Recommendation 116.9), encouraging Colombia to consider ratifying the Convention.²⁹

SECTION 2. ASPECTS OF CONCERN

19. Despite Colombia's legal and policy commitments, Venezuelan children and adolescents face persistent and systemic barriers to accessing and remaining in education. These challenges affect all four features described in Article 13(2) of General Comment No. 13: availability, accessibility, acceptability, and adaptability.³⁰
20. As regards **availability**, many Venezuelan students aged 5-17 are unable to attend school regularly due to insufficient school supplies, lack of internet access to complement active learning, and overcrowded schools.³¹ In vulnerable and border areas, 2 in every 20 Venezuelan children do not have access to education due to a lack of school places and trained personnel to serve the growing number of Venezuelan students. Infrastructure remains insufficient in many regions, further restricting effective educational delivery.³²
21. **Accessibility** is challenged by bureaucratic barriers such as the lack of PEP (Special Residence Permit or Permiso Especial de Permanencia in Spanish) or other missing documentation that hinder school attendance.³³ Despite efforts by the Ministry of Education and regional secretariats to improve school access for migrant children, such as issuing guidelines that allow Venezuelan students to enroll and take national exams regardless of their migration status³⁴ significant challenges remain.³⁵ In 2024, the Education Sector identified that 35% of Venezuelan students in Colombia (approximately 215,607 children and adolescents) are in an irregular condition within the school system due to the lack of a valid identity document in the National Integrated Enrolment System (SIMAT in Spanish).³⁷ This presents an obstacle to access to critical educational achievements, such as exams and diplomas.
22. Additionally, there is a lack of accessible information on educational rights and families often lack clear guidance on how to enroll children, regularize their status and enjoy the fulfillment of their guarantee for educational rights. This is particularly increased for those in irregular status and rural areas.³⁸

²⁸ UNESCO, [Convention against Discrimination in Education](#), 14 December 1960. Retrieved June 23, 2025.

²⁹ HRC, [Report of the Working Group on the Universal Periodic Review Colombia](#), 26 February–5 April 2024. Retrieved May 30, 2025.

³⁰ CESCR, [General Comment No. 13: The Right to Education \(Art. 13\)](#), para. 46, 8 December 1999.

³¹ Reese, W. [IMMAP Inc Annual Report 2022](#). Retrieved June 25, 2025.

³² UNESCO, [Significant Efforts by Colombia Ensure That Nearly 200,000 Venezuelan Children and Youth Have Access to the Educational System](#), (2023). Retrieved July 2, 2025.

³³ Reese, W. [IMMAP Inc Annual Report 2022](#). Retrieved June 25, 2025.

³⁴ Ministerio de Educación Nacional; Migración Colombia, [Circular Conjunta 16](#), (2018). Retrieved June 16, 2025.

³⁵ Instituto Colombiano para la Evaluación de la Educación (ICFES), Resolución 284 de 2018, (April 23, 2018). Retrieved June 16, 2025.

³⁶ Instituto Colombiano para la Evaluación de la Educación (ICFES), [Resoluciones 624 y 675 de 2019](#), (September 8, 2019). Retrieved June 16, 2025.

³⁷ R4V, [Situational Report: Education Sector – 2024](#). Retrieved June 23, 2025.

³⁸ Interagency Coordination Platform for Refugees and Migrants from Venezuela (R4V), 2024, [Education](#)

23. In terms of **acceptability**, Venezuelan students have presented lower levels of school retention and more limited learning outcomes in comparison to Colombian students. In 2022, 11% of Venezuelan children aged 6-17 dropped out of school, compared to just 4% among Colombian students. The average years of education completed by 11-year-olds was 3.8, which is 1.2 years less than age-appropriate attainment. Some general support mechanisms such as school meals and psychosocial support have been implemented, but these measures are not always targeted or accessible to refugee and asylum-seeking children. An early warning and follow-up system to identify and assist students at risk of dropping out is not yet in place at a national level. Moreover, Venezuelan students' performance taking the ICFES Saber11³⁹ in 2022 and 2023 scored below the national average, demonstrating worse academic attainment than Colombian students at the same level.
24. Concerning **adaptability**, the Colombian education system has struggled to adjust to the evolving needs of Venezuelan migrant and refugee students. A significant proportion of these students experience school lag due to late insertion into the education system, documentation barriers, and grade repetition.⁴⁰ By the first trimester of 2023, around 21% of Venezuelan children in Colombia were over-age for their grade level. Among adolescents aged 12 to 17, the average educational attainment was 6.5 years, reflecting a lag of 2.6 years by age 17.⁴¹ Furthermore, teachers are often unprepared to work with migrant students, lacking the training necessary to address their cultural, linguistic, and psychosocial needs.⁴²
25. Discrimination and xenophobia in school settings also reflect a failure to adapt school environments to the realities of cultural and social diversity. Anti-xenophobia and inclusion programs piloted in 2022-2023 have not yet been widely scaled up, and there is a need for every school to implement clear protocols to address discrimination and promote inclusive classroom practices. These practices significantly restrict both accessing education and ensuring students remain in school.⁴³⁴⁴⁴⁵
26. The lack of coordination among institutions such as the Ministry of Education, regional secretariats, Migration Colombia, and international organizations further undermines the system's ability to adapt. Fragmented efforts and poor information sharing hinder the development of comprehensive responses tailored to migrant students.⁴⁶ Finally, gaps in educational data, particularly for rural areas and younger children, as well as limited monitoring

³⁹ ICFES ([Colombian Institute for the Promotion of Higher Education](#)) is a Colombian organization that is responsible for the evaluation of education and institutes/schools in Colombia. Retrieved July 1, 2025.

⁴⁰ R4V and GIFMM, [Sector Educación: Reporte Situacional – Cuarto trimestre 2023](#). Retrieved May 29, 2025.

⁴¹ Reese, W. [IMMAP Inc Annual Report 2022](#). Retrieved May 29, 2025.

⁴² UNESCO, [Global education monitoring report 2020: Inclusion and education: All means all – Latin America and the Caribbean regional report](#). (2020). Retrieved July 6, 2025.

⁴³ Proyecto Migración Venezuela, [Percepción de la migración durante la flexibilización de las medidas para contener la covid-19: una mirada desde los estereotipos](#), (2020). Retrieved June 16, 2025.

⁴⁴ Oxfam, [Entre la empatía y el rechazo: Estudio de percepciones de xenofobia y discriminación hacia personas migrantes de Venezuela en Colombia, Ecuador y Perú](#), (2019). Retrieved June 16, 2025.

⁴⁵ Corporación Latinobarómetro, Informe 2018 & Informe 2019, (2018-2019). Retrieved June 16, 2025.

⁴⁶ Ministerio de Educación Nacional, [Estrategias Del Sistema Educativo Colombiano Para La Atención De La Población Estudiantil En Contextos De Movilidad Humana Y Migración: Una Mirada Al Caso Migratorio Venezolano](#), 2022. Retrieved June 16, 2025.

of learning outcomes and student integration, restrict evidence-based policymaking. This lack of data impedes the system's responsiveness and its capacity to implement flexible, targeted educational strategies.⁴⁷

SECTION 3. FINAL OBSERVATIONS

27. Access to education is widely recognized as a cornerstone for individual growth and societal progress. The CESCR has recognized "education is both a human right in itself and an indispensable means of realizing other human rights".⁴⁸ For those displaced by conflict or crisis, education offers more than just academic instruction, it provides a pathway to stability, self-reliance, and meaningful participation in society. Despite ongoing efforts, many refugee and migrant children still face significant barriers in accessing quality learning opportunities.
28. The right to education for displaced children was not addressed in the State party's report, nor reflected in the list of issues or the State's subsequent responses. This omission is especially significant given the substantial number of children in need of international protection in Colombia, particularly those of Venezuelan nationality.
29. Considering available information and issues of concern documented by this submission, the Committee may wish to consider the following matters during the upcoming dialogue with the Republic of Colombia:
 - **The extent to which Colombia adopts measures to prevent the denial of school enrollment on the basis of irregular status, in order to guarantee access to education for all children regardless of their legal status.**
 - **The availability, accessibility, and effectiveness of school retention mechanisms, including school feeding programs and psychosocial support tailored to the needs of refugee and asylum-seeking children, as well as the progress made toward establishing a national early warning and follow-up system to identify and assist students at risk of dropping out, particularly those facing age-grade disparities.**
 - **The steps taken to institutionalize teacher training programs that address the specific educational needs of displaced students, including overage learners and those with disrupted academic trajectories.**
 - **The extent to which anti-xenophobia and inclusion programs piloted in 2022–2023 have been evaluated and scaled up nationwide, and whether schools are required to implement standardized protocols to combat discrimination and foster inclusive classroom practices.**

⁴⁷ Ministerio de Educación Nacional, [Estrategias Del Sistema Educativo Colombiano Para La Atención De La Población Estudiantil En Contextos De Movilidad Humana Y Migración: Una Mirada Al Caso Migratorio Venezolano](#), 2022. Retrieved June 16, 2025.

⁴⁸ CESCR, [General Comment No. 13: The Right to Education \(Art. 13 of the Covenant\)](#), 8 December 1999. Retrieved June 30, 2025.