

List of issues prior to the presentation of the report

**Regarding the application of the Convention on the Protection of
the Rights of All Migrant Workers and Members of Their Families**

COLOMBIA



**Prepared by the Human Rights Center of the Andrés Bello Catholic
University¹**

41st session (from 1 to 11 December 2025)

(Rough translation done with a translation app)

¹The CDH UCAB was founded in November 1999, as a university center that combines the work of research, teaching, and defense of emblematic cases. Its lines of action are right to political participation, freedom of expression, rights of refugees, asylum seekers and migrants, international systems for the protection of human rights.

The REDHNNNA is a coalition of social, academic, community organizations, research centers and institutes, and human rights defenders, from different regions of the country, in which community, academic, and professional initiatives converge, with a shared vision of children's rights in Venezuela, based on the fundamental principles of the comprehensive protection doctrine and international treaties on the protection and defense of children and adolescents.

Founded in 1955, the Radio Fe y Alegría Noticias Venezuela Information Agency is part of the work of the Society of Jesus in Venezuela and is part of the alliance of the Jesuit Network with Migrants, producing analysis and information coverage about migrants and refugees in Venezuela and in the host countries of the Venezuelan population.

Introduction

In light of the submission of the fourth periodic report that Colombia was required to present in 2024 under Article 73 of the Convention on the Rights of All Migrant Workers and Members of Their Families (the Convention), the Human Rights Center of the Andrés Bello Catholic University (CDH UCAB) wishes to draw the attention of the members of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (the Committee) to its concerns regarding Colombia's implementation of the Convention, ahead of the Committee's adoption of a list of issues during its 41st session.

Data and statistics on the number of unaccompanied or separated children in the territory of the State Party

During a visit by CDH UCAB to the entrance of the Darién Gap in late 2021, we observed that boats only registered passengers over the age of 5. Children under 5 do not pay a fare and are therefore not registered by the boats transporting them. That list of vessels was the one received by Migración Colombia, meaning that the authorities had an undercount of children under 5 years old crossing the dangerous Darién Gap.

What measures has Migración Colombia taken to ensure an accurate record of migrant children transiting through Colombian territory?

Specific procedures been created to address mixed migration flows, particularly to determine the special protection needs of asylum seekers and victims of trafficking.

The measure that has most affected the regularization of the Venezuelan population in Colombia is the closure of the registration period for the Single Registry of Venezuelan Migrants (RUMV), the initial step to complete the regularization process established in the Temporary Protection Statute (ETPV). This termination measure was accompanied by the absence of alternative and general regularization mechanisms. The online pre-registration process in the RUMV (Single Registry of Migrant Persons) was scheduled to end on May 28, 2022, for those who had entered the country irregularly before January 31, 2021, while the deadline for those who entered legally between May 29, 2021, and May 28, 2023, was November 24, 2023. Currently, there is no general regularization mechanism in place.

What measures has the State taken to facilitate the regularization of people from Venezuela, starting in May 2023?

Special Programs to Address the Special Interests of Migrant Children, Particularly Unaccompanied or Separated Children

Unaccompanied children whose rights have been violated or disregarded are under the protection of the Colombian Institute of Family Welfare (ICBF). The institution's action begins with an assessment to determine if its intervention is required or if family support can be sought. When dealing with unaccompanied children, the response is always entry into the protection system, either through foster care or institutional placement. The type of institutional support is determined by the type of threat the child faces. There is a tension in managing the situation of unaccompanied or separated children. On the one hand, the institutional response is primarily focused on placing the individual in the protection system, even if not in closed facilities. On the other hand, there is the desire of the minor to continue their journey independently to their final destination, to reunite with their family in another country or later within Colombia, or to become productive and send resources back to the family they left behind in their country of origin. The lack of alternatives to institutionalization thwarts a child's life project.

What is the State doing to reconcile institutional protection schemes with the child's right to express their opinions and exercise their autonomy in matters that concern them, as established in Article 12.1 of the Convention on the Rights of the Child?

Measures adopted to facilitate the reintegration of migrants returning to the State Party

The year 2015 marked a turning point in Colombian migration to Venezuela, with the first being the mass expulsion of Colombians residing in Venezuela by order of Nicolás Maduro, and the subsequent influx of Colombians who returned to their country forced by government xenophobia and the effects of the humanitarian emergency impacting Venezuela. The circumstances of this population's return do not fit within the legal and institutional framework offered by Colombia. In fact, all the regulations developed to assist the returning population predate 2015, and no updates or adaptations have been made to address this new situation. The decrees and measures adopted by the Colombian government to address the 2015 emergency were helpful in providing a timely response to a massive and unexpected situation, but insufficient to handle the volume of the influx beyond the emergency.

It is estimated that some 645,000 Colombians had entered their country of origin from Venezuela, including returnees and second- and third-generation binationals. Between 2015 and 2020, only 19,161 people had registered in the Single Registry of Returnees (RUR), indicating the limited impact of return programs on those who were in Venezuela. The low number of Colombians returning from Venezuela registered in the Single Registry of Returnees, compared to the total number of people who have returned to the country, demonstrates that the mechanism is not meeting the expectations or needs of this population. Initiatives such as “Colombia nos Une” (Colombia Unites Us) do not appear to offer incentives for a specific type of returnee who is returning forcibly, without support, without resources, and often revictimized and even fearful due to having been victims of the conflict.

Given that many returnees left Colombia decades ago, their return to the country confronts them with an institutional system whose workings they do not understand.

What measures is the State taking to incentivize returnees from Venezuela who have not registered en masse in the Single Registry of Migrants?

What measures have been adopted to strengthen institutional spaces for guidance and knowledge of the support services available for the different needs of the returned population?

Bilateral or multilateral migration agreements entered by the State Party, including regional agreements.

With regard to cross-border indigenous populations, there is no flexible mechanism that allows for the recognition of their identity without the caste system or Venezuelan surnames becoming barriers to the exercise of their rights. The barriers encountered, especially by those belonging to cross-border indigenous peoples, have led some of them to renounce their nationality or indigenous identity, registering in the Single Registry of Venezuelan Migrants and thus assuming the status of foreigners in their own country.

What measures has the State taken to reinstate policies that recognize the binational character of the binational indigenous population?