



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

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25 August 2021

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 104th session, considered the follow-up report submitted by the Government of Colombia, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 21(a) and 23 of the Concluding Observations (CERD/C/COL/CO/17-19), adopted following the consideration of the State party's combined 17th and 19th periodic reports, at its 100th session, held in November-December 2019.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its combined 20th and 21st periodic reports, to be submitted in a single document, by 2 October 2022.

Paragraph 21 (a) of the Concluding Observations

The Committee notes the information provided by the State party on measures taken to implement Act No. 70 of 1993, but remains concerned that the legislation to guarantee, preserve and restore the rights of indigenous peoples and persons of African descent to own, use, develop and exercise full control over their lands, territories and resources and to protect them from any illegal encroachment, is still not fully implemented. While also noting the information provided on the process for the restitution of land rights of indigenous and Afrodescendant communities in the State party, the Committee is concerned by its slow implementation and by reports that over eighty percent of requests for restitution, as of February 2021, remain at the administrative stage.

The Committee regrets the lack of information on measures taken to ensure that the Land Restitution Unit and the National Land Agency have sufficient human, material and financial resources to guarantee the implementation of legislative measures relating to the restitution of lands. The Committee also regrets the lack of information on steps taken to ensure that indigenous peoples living in protected areas are able to dispose freely of their lands and natural resources, and that they are consulted in all processes and decisions that affect them.

H.E. Ms. Alicia Victoria Arango Olmos
Permanent Representative of Colombia
to the United Nations Office
Geneva
donu.suiza@cancilleria.gov.co

The Committee considers the answer to this recommendation partially satisfactory and requests the State Party to provide, in its next periodic report, information on measures taken to fully implement the recommendation.

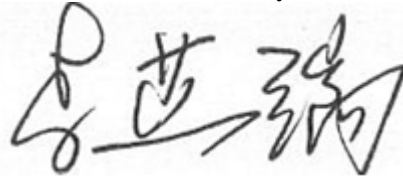
Paragraph 23 of the Concluding Observations

The Committee notes the information provided by the State party on measures taken regarding indigenous peoples who are living in voluntary isolation or in an initial-contact situation. While also noting the information provided by the State party on the protection plans being developed for the Awa people, the Committee is concerned that this plan is set to be completed over an extended period. The Committee is furthermore concerned about the lack of effective measures taken to expedite the finalization of ethnic protection plans for peoples that have been identified as being at risk of physical or cultural extinction, and to ensure their effective implementation. The Committee considers the answer of the State Party to this recommendation partially satisfactory and requests it to provide, in its next periodic report detailed information on measures taken to fully implement the recommendation.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Colombia, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Yanduan Li
Chair

Committee on the Elimination of Racial Discrimination