



Human Rights and Business Country Guide

Colombia

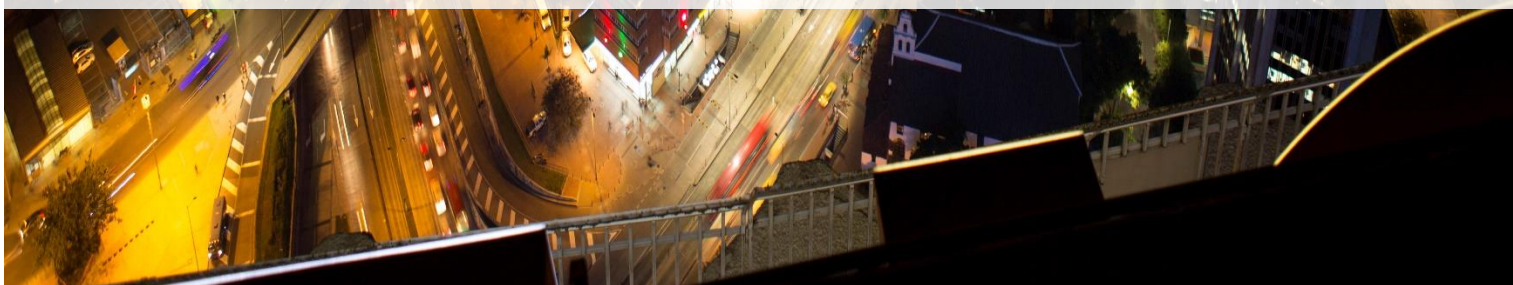


Photo: Revista Semana

Table of Contents

Table of Contents	2
How to Use this Guide?	3
Background and Context	8
Right Holders At Risk in the Workplace.....	17
Right Holders At Risk in the Community	26
Child Labor.....	32
Forced Labor.....	37
Health and Occupational Safety	40
Trade Unions	44
Working Conditions	51
Environment	56
Land and Land Ownership	64
Revenue Management and Transparency.....	69
Security and Conflict.....	75
Sectoral Profiles.....	82
Sources	98
Notes	102

How to Use this Guide?

This Human Rights and Business Country Guide provides information relating to actual and potential business-related human rights impacts. Information in this Guide was gathered from public sources to help businesses to respect human rights and contribute to Colombian development through their operations and those of their value chain.

Overview of the Human Rights and Business Country Guide

The purpose of this Human Rights and Business Country Guide is support businesses respect for human rights and, thus, contribute to Colombian development.

Businesses should rely on comprehensive information regarding the local context where they operate, to properly manage potential human rights-associated risks. Therefore, the Country Guide provides a general overview of issues on which businesses should be particularly aware. For every issue of concern, the Country Guide provides tools to ensure respect for human rights in the context of their operations or in their supply chain operations.

The Country Guide is a study developed by the Danish Institute for Human Rights and *Fundación Ideas para la Paz (FIP)*. Its purpose is to improve business practices on human rights in Colombia through multi-stakeholder dialogue allowing the identification of inputs for improving business management referring to issues addressed under the Country Guide.

How can businesses use this Human Rights and Business Country Guide?

Develop corporate policies and procedures on human rights issues, locally.

Address potential human rights impacts and keep track thereof under the context of business operations and their supply chain.

Raise awareness among employees, suppliers and other trade partners.

Interact with employees, potentially affected communities, consumers and other stakeholders whose human rights may be affected by their operations.

Interact with civil society organizations, government or international agencies working on human rights-related issues.

Provide appropriate background information for their auditors.

Set collaborative or support mechanisms for workers, communities and other actors whose human rights may be affected in the context of business operations.

Contribute to the development of initiatives consistent with human development needs and priorities in local contexts.

How can governments use this Human Rights and Business Country Guide?

Review and amend public policies, laws and regulations relevant to human rights impacts by businesses, ensuring inclusion of issues regarding labor, environment, land, non-discrimination, transparency, taxes, consumer protection and corporate reporting.

Incorporate the principle of respect for human rights in State-owned enterprises, sovereign wealth funds and other Government-related investments, public procurement, aid for development, export credit agencies and other activities.

Rise awareness and capacity building on human rights and businesses, within competent entities of the Government.

Provide guidance for domestic businesses.

Provide information on trade policies, investment and trade agreements, and investment and trade promotion.

Improve effective access to judicial and non-judicial remedy mechanisms available for victims of business-related human rights abuses.

Promote private sector contributions to human rights-related national and regional development programs.

How can civil society organizations use this Human Rights and Business Country Guide?

Disclose researches on human rights and monitoring of business-related operations.

Work together with affected employees and communities to identify priorities on both human rights and development *vis-à-vis* the role of businesses.

Promote capacity building on human rights and businesses within the Government, the business sector and the civil society.

Work together with local stakeholders to put forward recommendations for businesses and governments.

Facilitate dialogue and interaction between Government agencies and businesses in the context of multi-stakeholder scenarios.

This Country Guide aims at joining efforts with stakeholder groups to promote, monitor and expand the above-mentioned activities. Stakeholders should provide feedback on the Country Guide based on their individual activities and lessons drawn in the framework of operations. Such experiences will be incorporated into the Country Guide Portal, i.e., HRBCountryGuide.org.

Country Guide Process

Presently, Colombia is in the third stage of the Country Guide

The Colombia Country Guide is the result of efforts made by the Danish Institute for Human Rights (DIHR) and *Fundación Ideas para la Paz (FIP)*. The Country Guide compiles publicly available information provided, among others, by international institutions, domestic non-governmental organizations, government agencies, businesses, media and universities. International and domestic sources were identified based on their expertise and relevance for the Colombian context, and are impartial.

The initial study of public sources took place in 2013. After consultation with stakeholder groups FIP updated the study to come up with an updated version in 2016.

The Guide, based on information available, provides a general overview of business enterprise-related risks and impacts on human rights in Colombia. This Guide is not an end product nor provides final diagnosis on the country conditions. Its purposes aim at providing a basis on the matter of business and human rights and it is also the initial step towards dissemination, promotion and updating. Both the DIHR and FIP are willing to hold closer relationships with stakeholder groups for a systematic update of this Country Guide.

Country Guide Contents

The Country Guide contains the following information:

Main Areas of Concern

Each section of the Country Guide identifies main areas of concern to which businesses should pay special attention. Such areas were singled out through the analysis of (i) Colombian legal framework on human rights protection; (ii) effective compliance with human rights; and, (iii) third party involvement in business enterprise-related human rights abuses.

The headlines and description of risks (i) spell out the relevance of each issue for business enterprises and (ii) provide a quantitative and qualitative description determinant for such event.

The section on **Background and Context** provides a general overview of economic, political and demographic conditions in Colombia.

The sections on **Right Holders At Risk in the Workplace and the Community** identify vulnerable groups exposed at their workplace or as a result of business enterprise-related impacts on the community.

The section on **Labor Issues** identifies working conditions-related issues on which special attention should be paid. The section includes child labor, forced labor, trade unions, occupational safety and health, and working conditions.

The section on **Community Impact** identifies community-related issues whose human rights may be impacted by business operations. The section includes environmental, land and land ownership impacts, as well as transparency, security and conflict issues.

The section on **Sectoral Profiles** identifies business-related human rights impacts of particular industrial sectors, such as mining, agribusiness, infrastructure, construction and health.

Cases

Each section covers legal cases and other cases reported by media, providing a description of any alleged infringement of rights. These cases are drawn from the Business & Human Rights Resource Centre, domestic and international NGOs, and consultation with stakeholder groups. Cases herein are described in general terms and should not be deemed comprehensive.

Access to Remedy

Under international law, victims of human rights abuses are entitled to access remedy mechanisms. The Guiding Principles on Human Rights and Business explicitly bind governments and business enterprises to provide such mechanisms and participate therein.

This Country Guide provides information on available remedy mechanisms dealing with human rights abuses. Whenever possible, it includes information on the mechanism effectiveness and the number of cases addressed.

Human Rights Toolkit for Businesses

This section includes tools enabling businesses to prevent and mitigate impacts on human rights. This Toolkit is drawn from the DIHR library of human rights due diligence recommendations, other international frameworks, principles and guides. Whenever possible, it includes recommendations by domestic NGOs specifically addressed to businesses operating in the country.

The section also sets forth examples of initiatives carried out by companies to mitigate their impacts on human rights. These are organized into Due Diligence Initiatives—activities aimed at meeting the company’s duty not to violate human rights—and Beyond Compliance Initiatives—activities aimed at contributing to development beyond this baseline obligation.

Cooperation Opportunities

Businesses are responsible for preventing negative impacts on human rights and, they also have the opportunity to positively contribute in the respect for human rights. Each section of this Guide includes information to facilitate businesses to establish links between policies and interaction processes with the community and institutional efforts to promote and ensure effective enforcement of human rights.

This includes public sector initiatives, i.e., government activities to promote and ensure enforcement of the referred rights through implementation of programs -as well as development priorities- which international institutions identify as issues warranting deliberate attention or bearing great impact over businesses development initiatives.

Information contained in this section aims at providing input to promote and enhance future business enterprises efforts on human rights, as well as identifying existing programs that businesses may support or become part of.

Fundación Ideas para la Paz - FIP

Fundación Ideas para la Paz (FIP) is an independent think tank created in 1999 by a group of Colombian entrepreneurs. Its mission is to create knowledge, put forward initiatives, develop best practices, and accompany processes contributing to build a stable and lasting peace in Colombia. FIP also seeks to contribute to the better understanding of the Colombian conflict and plays a leadership role in mobilizing citizens, public servants and business entrepreneurs to build a society in peace. FIP is persuaded that ending the Colombian conflict will necessarily imply a negotiation or a number of negotiations requiring appropriate technical assistance. For this reason, FIP highlights the significance of preparing the country for post-conflict scenarios. FIP's programmatic areas include conflict dynamics and peace negotiations; post-conflict and peace building; businesses and peace building; security and criminal policy.

The Business, Conflict and Peace Building team: Ángela Rivas, Division Coordinator, Esteban Parada, researcher, and Diana Muñoz research assistant completed the Guide update.

For further information access: <http://www.ideaspaz.org>

Danish Institute for Human Rights - DIHR

The Danish Institute for Human Rights is a National Institute on Human Rights accredited under the UN Paris Principles, and carries out human rights and development programs in Denmark and worldwide. Since 1999, the Danish Institute has worked closely with business and human rights communities to develop tools and standards for better business practice.

For further information: <http://www.humanrights.dk/>

Background and Context

Overview concerning political context, armed conflict and institutional progress made on human rights. It also provides information on the economic context, including development indicators and trends. Lastly, it draws attention on Colombia's international legal commitments

Demographics and Economy ¹	
Population	46,736,728 (July 2015)
Ethnicity	Mestizo and white 84.2%; Afro-Colombian (including mulattos, <i>Raizal</i> and <i>Palenquero</i> populations) 10.4%; Amerindians 3.4%; Rom <.01; unspecified 2.1%
Religion	Roman Catholics 90%; other 10%
Net Migration Rate	-0.64/1,000 inhabitants
Language	Spanish (Official)

Political Context

Governance Structure and Political Development

The 1991 Political Constitution defines Colombia as a “lawful societal State organized in the form of a unitary republic, decentralized with territorial autonomy, democratic, participatory and pluralistic”.² The State is made up of three branches of power:¹ the executive represented by the President of the Republic², the legislative represented by the Congress, and the judiciary.³

In 2014, Mr. Juan Manuel Santos was reelected as President of Colombia for the U Party.³ Political representation subsequent to the 2014 Senate and House of Representatives elections is the following: Social Party of National Unity (U Party), Radical Change Party, Conservative Party, Liberal Party, Democratic Center Party, Alternative Democratic Pole, Green Alliance Party, Citizen's Option Party, Social

¹ Other autonomous and independent bodies such as the Office of the Procurator General, the Office of the Ombudsman, and the Office of the Comptroller General are also part of the public power.

² Ministries, Directors of National Administrative Departments and Superintendents are also part of the executive power.

³ The Judiciary is made up of the Office of the Attorney General, the Constitutional Court, the Supreme Court of Justice, the Council of State and the Higher Judiciary Council.

Indian Alliance Movement, MIRA Movement, For a Better Huila, Colombian Indian Authority Movement and the Regional Integration Movement.⁴ It is worth mentioning that the Patriotic Union Party - though it has no representation in the Senate - recovered its legal capacity after having lost it as a consequence of the violence against its members during the 80s and 90s.⁵

Armed Conflict

Armed conflict in Colombia has lasted for over six decades. According to the Group for Historical Memory, during the period 1958-2012 nearly 220,000 people died as a consequence of the armed conflict.⁶ According to the Victims Unit⁴ as of November 1st 2015, there were 7,758,935 victims registered on the Single Victims Registry (RUV, its acronym in Spanish)⁷ by reason of murders, forced displacement, kidnapping and forced disappearance, among others.

Guerrillas' and paramilitary groups' strategy consisted in grabbing territory and developing illegal activities which led to human rights abuses and the infringement of the International Humanitarian Law (IHL). On the other hand, the Army, in its endeavors to combat illegal armed forces, has also been involved in human rights abuses and infringements to the IHL. Such is the case of the scandal involving extrajudicial killing of civilians where Army officers killed civilians and reported them as guerrilla members to overstate "body counting" figures in combats between the Army and the guerrillas.⁸ Currently, illegal armed forces continue threatening human rights defenders and political and community leaders, particularly in rural areas.⁹

Since 2012, the Colombian Government has been negotiating with the guerrilla group called Revolutionary Armed Forces of Colombia (FARC, its acronym in Spanish), to put an end to the armed conflict and to build peace in Colombia. To date, the Government and FARC have reached agreements on chapters regarding the integral rural development, participation in politics, solution to the illicit drugs problem and victims of the conflict.¹⁰ Two chapters remain under discussion: (i) the end of the conflict, and (ii) implementation, verification and endorsement. On the other hand, at the beginning of 2016 the Government initiated the negotiating process with the National Liberation Army (ELN, its acronym in Spanish) which will focus on: participation of society, democracy for peace, victims, transformations leading to peace, security to ensure peace, lay down of weapons and guarantees to participate in politics.¹¹

Human Rights and Business

In December 2015, the Government introduced the National Action Plan on Business and Human Rights (NAP)¹² aimed at ensuring Government protection to human rights, and helping businesses to respect human rights, thus contributing to sustainable development of Colombia. The NAP is consistent with the United Nations Guiding Principles on Business and Human Rights, the Sustainable Development Goals (SDG), the 2014-2023 National Strategy on Human Rights, and the Public Policy Guidelines on Business and Human Rights, introduced in 2014.

Based on human rights and environmental impacts, the NAP prioritized three economic sectors: mining and energy, agribusiness and road infrastructure.¹³

⁴ Law 1448/2011 (Law on Victims and Land Restitution) defines victims as people that have suffered as a result of violent actions occurred as from January 1st 1985.

Socio-Economic Context

Human Development Indicators and Trends

The 2014-2018 National Development Plan (NDP) is grounded on three pillars: peace, equality and education. According to the NDP, achieving peace means breaking the vicious circle that has frustrated all efforts to consolidate the State in a large part of the territory, thus becoming an obstacle for investment and economic development. According to the United Nations Development Program (UNDP), in 2014, Colombia was ranked 14 among 134 countries regarding inequality (where, 1 is the worst and 134 the best). Education is the instrument chosen under the National Development Plan to redress inequality issues.¹⁴

According to a report from the Organization for Economic Cooperation and Development (OECD) dated January 2015, Juan Manuel Santos' presidency has improved Colombia's economic development.¹⁵ Against that background, Colombia initiated the accession process to the OECD in 2013. The 2014-2018 National Development Plan sets out a number of recommendations on territorial development, land ownership, innovation, education, competitiveness, and infrastructure, among others.¹⁶

Likewise, in 2015, the OECD recommended the Government to implement a tax reform to increase tax revenues. In that report, the OECD highlighted the significance of adopting other measures to improve economic indicators given the fact that productivity growth was slow and below expected levels. In addition, the report underscored the fact that labor informality, unemployment and income inequality were high.¹⁷

According to the World Bank, the Gini index in Colombia fell from 55.5 in 2010 to 53.5 in 2013,¹⁸ reflecting a reduced inequality. However, Colombia, compared with other Latin American and Caribbean countries, shows high levels of poverty (in 2013, the poverty index was 30.6). Bolivia, Dominican Republic, El Salvador and Venezuela are the only countries below Colombia.¹⁹

Political, Economic and Social Statistics

Colombian Quantitative Indicators and Ranking

Trends ²⁰			
	2013	2014	2015
GDP growth (%)	4.9	4.6	2.5
GDP (PPP) US\$	620.5 billion	648.8 billion	665.0 billion
GDP per capita (PPA) US\$	13,000	13,600	14,000
Unemployment rate	9.7	9.1	8.9

Freedom and Participation²¹

[100 = high performance, 0 = low performance]

	2012	2013	2014
Voice and Accountability	45.5	44.8	45.8
Political Stability	8	10.9	10.6
Government Effectiveness	56.9	56.4	49.5
Regulatory Quality	63.6	63.1	67.6
Rule of Law	43.6	40.7	42.3
Corruption Control	42	42.5	42.7

Transparency and Freedom

	2013	2014	2015
<i>Reporters sans Frontières</i> : Press Freedom index ²² (1: highest press freedom)	129	126	128
World Bank: Ease of Doing Business ²³ (1: easiest)	45	43	52
Freedom Map <i>Freedom House</i> : Freedom Ranking ²⁴ (Scale 1 to 7; 1: highest freedom)	3.5	3.5	3.5
Freedom Map <i>Freedom House</i> : Political Rights ²⁵ (Scale 1 to 7; 1: highest political rights)	3	3	3
Freedom Map <i>Freedom House</i> : Civil Liberties ²⁶ (Scale 1 to 7; 1: highest liberty)	4	4	4
Corruption Perception Index <i>Transparency International</i> . ²⁷ (1: lowest level of corruption)	83	94	83

Development²⁸			
	2012	2013	2014
Human Development Index out of 187 countries (1: highest development)	70.8	71.1	N/A
<i>Right to an adequate standard of living</i>			
Population living below US\$ 1.25 per day (%)	N/A	N/A	N/A
<i>Right to an adequate standard of living</i>			
Internet users (per 100 people) MDG 8F: 60 out of 100 in 2015	49	51.7	N/A
<i>Right to Education</i>			
Net rate of enrollment in primary education (% both sexes) MDG 2: 100% in 2015	91.5	N/A	N/A
Percentage of pupils starting primary school and completing primary school	72	N/A	N/A
Gender Parity: Enrollment index in primary school (girls/boys ratio)	0.98 (2011)	N/A	N/A
Literacy rate, 15-24 years of age (%) MDG 2: 1% in 2015	98.2 (2011)	N/A	N/A
<i>Right to Health</i>			
One-year-old girls vaccinated against measles (%) MDG 4: 95% in 2015	91.5	N/A	N/A
Prevalence of HIV, 15 to 49 years of age (%) MDG 6 th	N/A	N/A	N/A
Prevalence of tuberculosis (per 100,000 people)	45	43	N/A

Mortality rate of children under 5 years of age (per 1,000 born) MDG 4: 18.98 per 1,000 born alive in 2015	17.4	16.9	N/A
Maternal mortality rate (per 100,000 births) MDG 5: 45 per 100,000 births in 2015	N/A	83	N/A
Right to Water and Sanitation			
Percentage of population with access to improved drinking-water MDG 7C: 99.20% (urban areas) y 78.15% (rural areas) in 2015	91	91	91
Seats held by women in Congress (%)	12.1	12.1	12.1

Victims²⁹			
	2013	2014	2015
Victims of the armed conflict	239,241	189,894	26,271 Total 1985-2015: 7,383,997

Forced Displacement³⁰			
	2013	2014	2015
Victims of forced displacement	256,358	241,084	136,185

Kidnappings³¹			
	2012	2013	2014
Victims of kidnapping	305	299	116

Land restitution requests ³²			
	2012	2013	2014
Total in the Country	22,713	25,091	8,296
	1,625,104 (Hectares)	1,154,953 (Hectares)	298,916 (Hectares)

Legal International Commitments

Accession and ratification of human rights international instruments

The table below sets out commitments adopted voluntarily by Colombia under the framework of regional and international human rights and labor conventions, relevant for business enterprises

United Nations Conventions	
International Covenant on Economic, Social and Cultural Rights	RATIFIED
International Covenant on Civil and Political Rights	RATIFIED
Optional Protocol to the International Covenant on Civil and Political Rights	RATIFIED
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the Abolition of the Death Penalty	BECAME A PARTY
Convention against Corruption	RATIFIED with reserves
Convention relating to the Status of Refugees	RATIFIED
Convention on the Prevention and Punishment of the Crime of Genocide	RATIFIED
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	RATIFIED
Convention on the Elimination of All Forms of Racial Discrimination	RATIFIED
Convention on the Elimination of All Forms of Discrimination Against Women	RATIFIED
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	RATIFIED with a declaration
Convention on the Political Rights of Women	Joined
International Convention on the Rights of Persons with Disabilities	RATIFIED
Convention on the Rights of the Child	RATIFIED with reserves
Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts	RATIFIED with declaration

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	RATIFIED with declaration
United Nations Convention against Transnational Organized Crime	RATIFIED
United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Specially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime	RATIFIED with reserves
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Joined with reserves
REGIONAL INSTRUMENTS	
American Convention on Human Rights	RATIFIED
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights “Protocol of San Salvador”	RATIFIED
Inter-American Convention against Corruption	RATIFIED
Inter-American Convention on the Granting Civil Rights to Women	RATIFIED
Inter-American Convention on the Granting of Political Rights to Women	RATIFIED
Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women “Convention of Belem do Para”	RATIFIED
Inter-American Convention on the Elimination of All Forms of Discrimination Against Disabled Persons	RATIFIED
Inter-American Convention to Prevent and Punish Torture	RATIFIED
Inter-American Convention on the International Return of Children	RATIFIED
Inter-American Convention on International Traffic in Minors	RATIFIED
Inter-American Convention on Forced Disappearance of Persons	RATIFIED
Inter-American Convention against All Forms of Discrimination and Intolerance	SIGNED
Inter-American Convention against Racism, Racial discrimination and Related Forms of Intolerance	SIGNED
Inter-American Convention on Protecting Human Rights of Older People	NOT SIGNED
Protocol to the American Convention on Human Rights to Abolish the Death Penalty	NOT SIGNED

ILO Conventions³³	
ILO Hours of Work (Industry) Convention, (C1, 1919)	RATIFIED
ILO Forced Labor Convention, (C29, 1930)	RATIFIED
ILO Labor Inspection Convention, (C81, 1947)	RATIFIED with declaration
ILO Freedom of Association and Protection of the Right to Organize Convention, (C87, 1948)	RATIFIED
ILO Right to Organize and Collective Bargaining Convention, (C98, 1949)	RATIFIED
ILO Equal Remuneration Convention, (C100, 1951)	RATIFIED
ILO Social Security (Minimum Standards) Convention, (C102, 1952)	NOT RATIFIED
ILO Abolition of Forced Labor Convention, (C105, 1957)	RATIFIED
ILO Discrimination (Employment and Occupation) Convention, (C111, 1958)	RATIFIED
ILO Medical Care and Sickness Benefits Convention, (C130, 1969)	NOT RATIFIED
ILO Minimum Wage Fixing Convention, (C131, 1970)	NOT RATIFIED
ILO Holidays with Pay Convention (Revised) (C132, 1970)	NOT RATIFIED
ILO Workers' Representatives Convention, (C135 of 1971)	NOT RATIFIED
ILO Minimum Age Convention, (C138, 1973)	RATIFIED
ILO Migrant Workers (Supplementary Provisions) Convention, (C143, 1975)	NOT RATIFIED
ILO Occupational Safety and Health Convention, (C155, 1981)	NOT RATIFIED
ILO Indigenous and Tribal Peoples Convention, (C169, 1989)	RATIFIED
ILO Worst Forms of Child Labor Convention, (C182, 1999)	RATIFIED
ILO Maternity Protection Convention, (C183, 2000)	NOT RATIFIED
ILO Domestic Workers Convention, (C189)	RATIFIED
OTHER INTERNATIONAL INSTRUMENTS	
United Nations Declaration on the Rights of Indigenous People	Colombia abstained from voting the Resolution. In 2009, Colombia made a declaration supporting the Convention.
Rome Statute (International Criminal Court)	RATIFIED

31

Right Holders At Risk in the Workplace

Social groups particularly vulnerable to discrimination and poor opportunities in the labor market

Country Context

Human rights issues of interest for businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

Afro-Colombians

The Political Constitution recognizes the country's cultural and ethnic diversity.³⁴ Accordingly, Colombia has enacted special laws for Afro-Colombians:³⁵ Law 70/1993 on black communities; Decree 1745/1995 recognizing the right to collective ownership of land for black communities, and Decree 1320/1998 on consultations for the exploitation of natural resources in their territory, among others.³⁶

According to DANE, Afro-Colombian population accounts for 10.6% of the total population – 4.311.757 people – mainly living in the Provinces of Valle del Cauca, Antioquia, Bolívar, Chocó, Nariño, Córdoba, Sucre, Magdalena and Cesar.³⁷

The Inter-American Commission on Human Rights sustains that Afro-Colombians have few formal employment opportunities, restricted access to qualified jobs and, are and usually restrained to informal employment.³⁸

According to DANE, only 32.34% Afro-Colombians have a job³⁹ and most of them in informal economy. A recent UNDP study found that Afro-Colombians work mainly in commerce, restaurants and hotels, in the agricultural sector and manufacturing.⁴⁰ Additionally, they have a significant participation in sugarcane and palm oil plantations, ports and the mining sector, where they have the status of informal wage employees.⁴¹

On the other hand, a number of NGOs have reported that the employability rate of Afro-Colombians displaced by violence is lower than the rest of the community.⁴²

Furthermore, labor outsourcing and non-compliance with wage agreements adversely affect Afro-Colombians.⁴³ According to the NGO WOLA, Afro-Colombians have difficulties when it comes to unionize and, hence, are exposed to violations of their labor rights such as excessive working hours, inadequate working conditions or hazardous works,⁴⁴ low paid jobs⁵ with no social benefits, health insurance or pension rights.⁴⁵

⁵ A 2011 UNDP study found that Afro-Colombians earn 18% less than the rest of the population.

NGO WOLA also found that in the Southeast region of Colombia most Afro-Colombian women, including girls, work informally, mainly in the agricultural sector or as housecleaners.⁴⁶ Therefore, they earn lower wages with a 40% gap between men and women.⁴⁷

Demobilized Combatants

Law 1224/2010 provides that demobilized combatants have the right to benefit of an amnesty when it is proved that they have not committed crimes against humanity and are not subject to the Peace and Justice Law.⁴⁸

The Colombian Agency for Reintegration (*Agencia Colombiana para la Reintegración*, ACR, its acronym in Spanish) is the body responsible for demobilization processes. According to the ACR (2015), 57,765 persons were demobilized between 2003-2015. Those persons belonged to guerilla and paramilitary groups such as *Autodefensas Unidas de Colombia* (AUC, its acronym in Spanish), FARC and ELN. ACR took care of 24,000 of them. Provinces accounting for the largest number of demobilized combatants are Antioquia, Córdoba, Meta and Cesar. Bogotá is the city accounting for the largest number of demobilized combatants.⁴⁹

ACR sustains that demobilized combatants face two barriers in the labor market: first, lack of job skills to access qualified jobs. Indeed, a study found that 67% of such people seeking reintegration have no basic schooling levels. Second, they suffer discrimination and stigmatization from the productive sector.⁵⁰

A survey on business security perception carried out by the Chamber of Commerce of Bogotá in 2015 found that 53% of 1,328 businesses surveyed would agree to participate in a reintegration process; 31% would agree to participate subject to benefits for their business; and 16% would not agree to participate at all. The survey also found that 37% of entrepreneurs are not willing to create jobs for demobilized combatants.⁵¹

On the other hand, ACR pointed out that by May 2015, 7,843 demobilized combatants under ACR protection had formal jobs, as follows: 30% (2,249) in surveillance companies, 11% (823) in construction companies, and 8% (598) in the manufacturing industry. 14,966 demobilized combatants served in the informal economy⁵².

Young People

Both the Youth Law and Law 1622/2013 encourage the Government to guarantee the respect for young people's rights and promote such rights.⁵³ Additionally, Law 1429/2010 (i.e., the Law on Job Formalization and Job Creation, known as the Law on First Job) has benefited near 400,000 young people.⁵⁴

According to the National Information System on Young and Adolescent People, in 2015 the youth population (people between 14 and 28 years of age) was 12,699,365. Bogotá and the Provinces of Antioquia and Valle del Cauca accounted for the largest number of young people.⁵⁵

The youth unemployment rate of June-August 2015 fell to 15.4% from 16% in the previous quarter.⁵⁶ According to the Ministry of Labor, youth unemployment is explained by lack of working experience of young people, and the existence of barriers to gain access to the labor market.⁵⁷

Furthermore, a 2015 report from the International Labour Organization (ILO) ranks Colombia as the country with highest informality rates of near 78%.⁵⁸ This statistics means poorly remunerated jobs, poor

working conditions, human and labor rights abuse, lack of social protection, and lack of access to health services.⁵⁹

Women

The Political Constitution recognizes equality for all people and no gender discrimination, while it also provides protection to new women rights, including, among others, the right to engage in civil participation, the right to freedom, the right to create a family, the right to receive protection during pregnancy and the right to practice a profession. It also provides standards that call for women protection and equal treatment for men and women.⁶⁰

According to the 2016 Annual Report of the United Nations High Commissioner for Human Rights on Colombia, women make up 50.6% of Colombian population.⁶¹

The 153rd IACHR Hearing held in 2013 addressed the matter of women's human rights in Colombia. By then, a number of social organizations declared that women in Colombia are affected by several exclusion practices, and gender-based discrimination.⁶²

A research conducted by the Central Bank of Colombia found that unemployment rate is higher in women than in men; the gap is 4.6%.⁶³ According to DANE, the unemployment rate of women is 11.7% whereas in men is 6.8%.⁶⁴

The NGO DeJusticia reported in 2013 that women in Colombia engage in traditional jobs following a historically oriented social role. For this reason, women usually work in the manufacturing sector, industry, and perform household tasks.⁶⁵ Women also work informally in the mining sector.⁶⁶ *Escuela Nacional Sindical* (ENS, its acronym in Spanish) has reported that from one hundred working woman 55% work in the informal economy.⁶⁷ Consequently, there are times when women do not have access to social and health services, their working conditions are precarious⁶⁸ and their remuneration is insufficient to cover basic household needs.⁶⁹

A 2014 report issued by *Colectivo de Abogados José Alvear Restrepo* claims that for equal work the wage gap among genders varies between 15% and 20%. It also mentions that the percentage of women earning less than the minimum wage is higher than the percentage for men.⁷⁰

There are also other gender gaps such as lack of opportunities for promotion and career development. In 2013, DeJusticia declared that women barely hold executive positions as their bosses consider that women do not rely on appropriate training or skills to make important decisions.⁷¹

Moreover, women are usually discriminated because of maternity issues.⁶ When women get pregnant they are excluded from recruiting processes or are fired from their jobs despite of the fact that such a practice is prohibited under Colombian laws.⁷²

Finally, women are also victims of violence and sexual harassment in their workplace.⁷³

⁶ In Colombia, both the Labor Code and Law 1468/2011 provide a 14-week maternity leave with in line with international standards such as ILO Convention 183.

Disabled Persons

Colombian laws prohibit any type of discrimination against disabled persons in the workplace and in the access to health and educational services.⁷⁴ Law 1346/2009, endorsed by the Constitutional Court in 2011, approved the Convention on the Rights of Disabled Persons.⁷⁵ On the other hand, the purpose of Law 1616/2013 is to safeguard the rights of disabled persons through measures encompassing inclusion, affirmative action, and reasonable adjustments.⁷⁶

According to the last population census performed by DANE in 2005, 2,651,701 persons, making up 6.3% of the total population, have some type of disability.⁷⁷ The Provinces of Cauca, Nariño, Boyacá, Huila, Quindío, Tolima and Putumayo have the highest average rates of disabled persons.⁷⁸

Disabled persons face a number of barriers to gain access to the labor market. For instance, socio-economic barriers such as restricted access to education and/or occupational training; physical barriers such as access to infrastructure and transport services to facilitate their mobility; legal barriers such as non-implementation of regulatory frameworks and failing to prioritize policies driving the enforcement of such rights; and, cultural barriers in the workplace such as misconceptions on productivity or risks relating to physical safety.⁷⁹

In 2013, the Ministry of Labor reported that at least 20% of the 2,600,000 people with disabilities were able to work.⁸⁰

Moreover, *Escuela Nacional Sindical (ENS)* has reported problems regarding remuneration. Based on the 2005 census, only 15.5% of the total population with disabilities had a remunerated work. In addition, only 2.5% out of said 15.5% earned minimum wages.⁸¹

Persons Living with HIV/AIDS

Often, the Constitutional Court has ruled that persons living with HIV/AIDS are entitled to special protection whereby the State should ensure their protection and undertake programs leading to their inclusion in the society.⁸² Decree 1543/1997 prohibits every form of discrimination against persons living with HIV/AIDS in the workplace or in terms of working opportunities.⁸³ Additionally, other rulings from the Constitutional Court foster the protection in the labor market of persons living with HIV/AIDS.⁸⁴

In 2014, the Ministry of Health and Social Protection reported that between 1985 and 2013 there were 92,379 notifications of HIV/AIDS cases in Colombia.⁸⁵ On the other hand, the National Health Institute reported 13,935 HIV/AIDS cases in 2015 and 2,705 cases in 2016. Bogotá, Antioquia, Valle del Cauca, Barranquilla and Cartagena, had the highest number of confirmed cases.⁸⁶

In Colombia, the population living with HIV/AIDS faces discrimination and exclusion-related challenges and, consequently, has a higher rate of unemployment. Pursuant to official statistics, in 2011 at least 34% were unemployed, whereas 26% served in the informal economy.⁸⁷

Sexual Minorities

Law of 2011 against discrimination prohibits any kind of discrimination based on sexual orientation.⁸⁸ Likewise, the Constitution contains provisions on human dignity, free personal development and equality. Furthermore, the Constitutional Court has made rulings that safeguard the rights of sexual minorities on issues such as adoption, non-discrimination, and equal marriage.⁸⁹ The Constitutional Court approved equal marriage in April 2016.⁹⁰

Notwithstanding the existing legal framework protecting sexual minorities, for the IACHR enforcement of this legal framework is insufficient for their effective protection. For instance, there are no current public policies to safeguard and/or recognize gender identity.⁹¹

According to the ENS, discrimination, lack of opportunities to access the labor market, limitations to get employment promotions, and workplace harassment, are some concerns faced by sexual minorities. They are rejected in screening processes because of their sexual orientation, suffer dismissive attitudes, and, in some cases, their employment contracts are either amended or terminated.⁹²

The 2013 survey performed in Bogotá, Medellín and Cali by the ENS and *Corporación Caribe Afirmativo* found that nearly 66% of the sexual minorities had been the victims of physical or psychological abuse.⁹³ Additionally, more than 75% of the people surveyed said that in their workplace they had been victims of hostile and humiliating language, and nearly 50% sustained they had been fired because of their sexual orientation.⁹⁴

The survey also found that for them it was impossible to fill senior management positions⁹⁵ given the fact that their bosses consider that this population has no social acceptance and, therefore, that their subordinates fail to respect them.⁹⁶

Indigenous People

The Political Constitution recognizes cultural and ethnic diversity in the country.⁹⁷ Rulings of the Constitutional Court have protected and safeguarded the rights of indigenous communities, and the Government has ratified a number of international commitments in that regard.⁹⁸ Decree 1320/1998 requires prior consultation with Indians and Afro-Colombians for the exploitation of natural resources in their territory.⁹⁹ Colombia has ratified ILO Convention 169 on Indigenous and Tribal Peoples calling for consultations with that ethnic population in order to obtain their consent on matters affecting them.¹⁰⁰ In addition, Presidential Directive 001 safeguards and standardizes prior consultation processes, in due respect of cultural integrity of ethnic groups during the implementation of projects likely to impact them.¹⁰¹

According to the DANE 2005 census, there are 87 indigenous communities with a population of 1,392,623, which account for 3.4% of the total population.¹⁰² 21.42% of them live in urban areas and 78.58% in rural areas.¹⁰³ Indigenous population lives mainly in the Provinces of Guainía, Vaupés, La Guajira, Amazonas, Vichada, Cauca, Chocó and Nariño.¹⁰⁴

Indigenous people have been a victim of the armed conflict; they have been driven out of their land and forced to flee to the urban areas where they are discriminated.¹⁰⁵ Discrimination at work is a barrier for them to gain access to the jobs market.

A 2014 study by *Centro Nacional de Consultoría* found that Indians have difficulties to get a formal employment because of misconceptions and discriminatory attitudes on the side of certain business entrepreneurs. The study also found that they are excluded from managerial responsibilities and only 1% of them work in management positions.¹⁰⁶ The study revealed that there is zero participation of indigenous people in the financial sector and that they have no representation in the current Ministerial Cabinet (2014-2018).¹⁰⁷

According to the IACHR the indigenous population is victim of labor exploitation.¹⁰⁸

Access to Remedy

Among the objectives of the 2014-2034 National Strategy on Human Rights is strengthening judicial and non-judicial remedy mechanisms provided for human rights abuses in the context of business operations.¹⁰⁹ The National Action Plan on Business and Human Rights seeks strengthening and making access to remedy mechanisms truly effective.¹¹⁰

Through *Colabora*,¹¹¹ the Center for Labor Information and Assistance that provides nationwide services to citizens, workers can file complaints before the Ministry of Labor. This is an online system to process complaints, claims, suggestions and/or allegations. Furthermore, the Ministry of Justice has developed institutional guidelines for the settlement of labor disputes and has in place conciliation or arbitration centers.¹¹² Those public and user-friendly guidelines contain a legal overview of alternatives for dispute settlement.¹¹³

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.¹¹⁴

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *August 2015, Las 2 Orillas*: the ENS found that some businesses operating in Colombia fail to comply with the workers' labor rights. Some issues of concern are: long working hours, labor outsourcing, non-compliance with agreements, and mass dismissals. The report mentions companies such as Seatech, Atún Van Camps, Productos Ramo, Palmas del Cesar, Emtelco (Epm and Milicom) and IPS (Universidad de Antioquia).¹¹⁵
- *November 2013, Revista Semana*: Women reported cases of exclusion and workplace harassment. A University teacher claimed that despite her academic education, she earns 70% less than a man in the same institution. On the other hand, the assistant director of an environmental company reported a case of sexual harassment; her boss insinuated that she should provide sexual services to some foreign colleagues.¹¹⁶

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre.

- International Labour Organization – ILO Declaration on Fundamental Principles and Rights at Work (1998): sets out four principles that States should comply with regardless the ratification or not of ILO Conventions. Such four principles are the following: 1) freedom of association and the effective recognition of the right to collective bargaining; 2) elimination of all forms of forced or compulsory labor; 3) effective elimination of child labor; and 4) elimination of discrimination in employment and occupation ¹¹⁷
- United Nations Women and UN Nations Global Compact – Women's Empowerment Principles (2011): Developed in collaboration between UN Women and UN Global Compact, the Women's

Empowerment Principles are a set of principles for businesses offering guidance on how to empower women in the workplace, marketplace and community¹¹⁸

- Oxfam Australia - Women Communities and Mining: The Gender Impacts and the Role of Gender Impact Assessment (2009). This Guide is intended to inform mining company staff of potential gender impacts of mining projects and introduces some tools and approaches that can be used to conduct gender impact assessments.¹¹⁹
- International Labour Organization: Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. This Declaration sets out principles regarding employment promotion, equality of opportunity and treatment, vocational training, conditions of work and industrial relations, among others.¹²⁰
- United Nations Sub commission: Norms on the Responsibilities of Transnational Corporations and other business enterprises with Regard to Human Rights (2003). It calls on transnational corporations and other businesses to respect and promote human rights. On the other hand, it calls for the respect of the right to equality and nondiscrimination and the respect for workers' rights.¹²¹
- Organization for Economic Cooperation and Development – Guidelines for Multinational Enterprises (2011). Recommendations addressed to multinational enterprises operating in or from adhering countries. Within the general principles it is worth mentioning those referring to human rights, employment and industrial relations.¹²²
- *Fundación Ideas para la Paz*: Practical Guide for Economic Reintegration and Business. The purpose of this Guide is to provide business enterprises with knowledge to support employability initiatives of people in process of reintegration from a business perspective. Employability models and alternatives of implementation are presented.¹²³
- Ethic Commitment of Swiss Enterprises in Colombia: Provides Swiss enterprises with guidelines for the promotion of and the respect for human rights throughout their operations. There is also a guide regarding inclusive employment.¹²⁴
- Colombia Guides on Human Rights and International Humanitarian Law (*Guías Colombia*): Guides for complaints and claims on human rights and IHL.¹²⁵ This Guide provides guidelines for businesses operating in Colombia to handle complaints and claims of their stakeholder groups under the framework of human rights regulations and IHL.
- Colombia Guides on Human Rights and International Humanitarian Law (*Guías Colombia*). Guide on Decent Work:¹²⁶ This Guide provides tools for businesses to identify actual and potential risks in labor issues. The Guide sets out principles of action to be included by businesses in the context of their operations to ensure equality of opportunities and respect for diversity, among others.

¹²⁷

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development.

Foundation Corona: Leads the implementation of the Productivity Agreement. It is a program of labor insertion of people living with disabilities, which has the support of international cooperation mechanisms, international organizations, Colombian government agencies, civil society and the private sector. It focuses on strengthening institutions in the implementation of a labor inclusion model that improves employment opportunities for people living with disabilities.¹²⁸ In partnership with the private

sector, it seeks to strengthen and coordinate rehabilitation and training services for disabled people in order to ensure their economic and social inclusion.¹²⁹

Ecopetrol: Its Community Committee takes responsible actions to identify and address labor harassment issues. This matter is taken up in the company's human rights periodical review.¹³⁰

Carvajal Foundation: *Cooperativa Mundo Maderas*, is an example of inclusive business for demobilized people. The purpose of the project is to achieve stability and economic independence of demobilized people and their families contributing, thus, to the reintegration process to civil life.¹³¹

Postobón: Its Initiative Minimarket 2x3 provides employment and entrepreneurship opportunities for demobilized people and victims of the armed conflict through minimarket franchises. This initiative has been replicated in a number of cities in the Provinces of Atlántico, Bolívar, Sucre and Córdoba.¹³²

General Motors-Colmotores: It has a supply chain program with an inclusive focus. The purpose is to help demobilized people in process of reintegration and displaced families to generate revenues. Currently, single mothers are the primary beneficiaries.¹³³

Chevrolet Foundation: The purpose of *Pacto Motor*, a public-private initiative, is to improve employability among vulnerable young people or victims of the armed conflict in the cities of Bogotá, Medellín and Cali, by means of training programs.¹³⁴

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: This is a three-year plan led by the Government as a public policy tool structured on participative basis with business and civil society organizations with support from the International Community to ensure respect for human rights in business operations. In particular, regarding reconciliation, the Plan underscores the need for greater cooperation and participation by businesses in the process of incorporating victims of the armed conflict and persons in process of reintegration into the labor market. It also calls on businesses to provide employment opportunities to persons living with disabilities and to safeguard the respect for human rights.¹³⁵

National Strategy to Safeguard the Respect for Human Rights (2014-2034): This National Strategy sets out guidelines on equality, non-discrimination, and actions to incorporate vulnerable population such as people living with disabilities and demobilized combatants into the labor market. It also contemplates providing advice and capacity building to employers willing to recruit people with disabilities; adapting physical space, implementing technologies in the workplace and in public spaces for people with disabilities,¹³⁶ as well as guidelines to safeguard workers' rights.¹³⁷

Equity Labor Seal EQUIPARES (2013-to date): A program granting a seal acknowledging businesses that have implemented actions contributing to the economic empowerment of women, and their inclusion in the labor market.¹³⁸

Program 40 thousand first jobs: The purpose of this program is to encourage businesses to hire young people. Businesses, with government financing, recruit recently graduated young people or young people about to finishing their studies for a term of six months, thus giving them the opportunity to gain experience. At the end of the six-month term, businesses should employ no less than 60% of them.¹³⁹

Agreement on Employment as a Public Service: The purpose of this agreement is to promote inclusion in the labor market thus allowing economic and social development in the regions under equality conditions.¹⁴⁰

ConVerTic: Refers to the Ministry of Communications and Information Technology initiative to promote the inclusion of persons with visual disabilities in businesses. This initiative provides business enterprises with tools enabling the economic and social inclusion of this population.¹⁴¹

Decent Work Campaign: Is the Colombian version of the Global Decent Work Campaign. Its purpose is to get people involved into public processes relating to working conditions in Colombia in order to conceive solutions and draft public policies for safeguarding and guaranteeing decent work in Colombia. The Campaign has made national reports on working conditions in Colombia and has promoted dialogue with union and social leaders, and decent work organizations.¹⁴²

Development Priorities

National Development Plan 2014-2018: In the first months of 2015, the Ministry of Labor disclosed the guidelines to address matters relating to young people, decent work, and formalization. Such guidelines set out initiatives aimed at reinforcing social capital, human development, protecting young people's rights, achieving unemployment reduction, and implementing labor monitoring and surveillance systems.¹⁴³

Sustainable Development Goals (SDG): Based on Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society, are committed to comply with the seventeen goals set out in the new agenda for sustainable development.¹⁴⁴ The United Nations has underscored the key role that private sector has in complying with the SDG given the sustainability aspect of such goals.¹⁴⁵ Among the objectives contributing to safeguard human rights in the workplace are the following:

Objective 8. Promote inclusive sustainable economic growth, full and productive employment, and decent work for all women and men.

Objective 5. Achieve gender equality and empower women and girls.

Resolution of the European Union Parliament on the Free Trade Agreement between Colombia and the EU: The European Union underscores the importance of Corporate Social Responsibility and best business practices in accordance with the UN Guiding Principles and the OECD Guidelines on Multinational Enterprises. The Resolution calls on the effective association between business enterprises, workers, NGOs and the State to reach higher living standards.¹⁴⁶

Right Holders At Risk in the Community

Societal groups particularly vulnerable to adverse business-related impacts on human rights, excluded from the benefits of business operations in poor development outcomes.

Country Context

Human rights issues of interest to business. Information provided in this section is gathered from publicly available sources and consultations with stakeholder groups.

Afro-Colombians

The Political Constitution recognizes cultural and ethnic diversity.¹⁴⁷ Accordingly, there are special laws for Afro-Colombians, of which it is worth mentioning the following:¹⁴⁸ Law 70/1993 on black communities; Decree 1745/1995 recognizing the right to collective ownership of land for black communities; and Decree 1320/1998 on consultations for the exploitation of natural resources within their territory, among others.¹⁴⁹

The Ministry of Political Affairs, through its Prior Consultation Directorate, has authority on prior consultation processes in the territory of black, Afro-Colombian, Raizal and Palenquero communities.¹⁵⁰ Ruling T-576 of 2014 sets out national boundaries for prior consultations with black, Afro-Colombians, Raizal and Palenquero communities, therein identifying the proper scenario for consultations between the Government and the mentioned communities. To comply with that Ruling, the Government put forward the *Proposal of Protocol on prior, free, informed and binding consultation with black, Afro-Colombian and Palenquero communities living in rural and urban areas*.¹⁵¹

According to DANE, the Afro-Colombian population makes up 10.6% of the total population - 4.311.757—living mainly in the Provinces of Valle del Cauca, Antioquia, Bolívar, Chocó, Nariño, Córdoba, Sucre, Magdalena and Cesar.¹⁵² In the context of a visit that took place in 2010 and based on official information, the Inter-American Commission on Human Rights reported that Afro-Colombian population faces challenges relating to the enforcement of its rights. Particularly, poverty and unsatisfied basic needs indicators are high. On the other hand, Afro-Colombians face equity barriers, and access to employment, health and education is consequently minimal.¹⁵³

As far as businesses are concerned, some Afro-Colombian communities have complained before the IACHR that they have been adversely affected by the development of megaprojects within their territory, especially those related to the mining sector.¹⁵⁴ In their opinion, those projects have failed to comply with the prior consultation obligation, and run counter to ethnic development plans in the communities.¹⁵⁵

Human Rights Defenders

The Political Constitution recognizes the importance of protecting and promoting human rights and foresees statutes and procedures to safeguard human rights.¹⁵⁶ Directive 09/2003 of the Ministry of Defense and External Circular CRI01 of the Ministry of Justice and Political Affairs protect and provide job guarantees for human right defenders. In addition, Presidential Directive 07/1999 supports dialogue and collaboration between the Government and human rights institutions.¹⁵⁷

The Program “*Somos Defensores*” states that in 2015 there were 682 cases reported as aggression against human rights defenders.¹⁵⁸ Threats accounted for the largest number of cases reported (539), followed by murders (63) and attacks (35). There were also arbitrary detentions, disappearances, arbitrary use of the criminal system, and data theft. Figures also show that the largest percentage of aggressions took place in Bogotá where most social and human rights organizations are located, followed by Valle del Cauca, Atlántico, Sucre, Santander and North Santander. During 2016, there has been attacks against leftist leaders and human rights defenders members of political organizations such as *Marcha Patriótica*, the Communist party and *Unión Patriótica*, on the one hand, and peasant farmers organizations, on the other.

According to the Office of the High Commissioner for Peace, some aggressions against human rights defenders are related to land conflicts, mainly in ethnic territories. In some cases, those conflicts refer to the opposition develop mining and energy projects in territories of peasant farmers and indigenous people.¹⁵⁹

Women

The Political Constitution recognizes the equality of people and no gender discrimination, while it also provides protection to new women rights, including, among others, the right to engage in civil participation, the right to create a family, the right to receive protection during pregnancy, and the right to practice a profession. Likewise, the Constitution also provides standards that call for women protection and equal treatment for men and women.¹⁶⁰

According to the 2016 Annual Report of the United Nations High Commissioner for Human Rights on Colombia, women make up 50.6% of Colombian population.¹⁶¹

A research by DeJusticia found that business operations have impact on women’s health, self-sustaining and welfare, and may exacerbate violence situations against women or gender-based disparities. For instance, in places where extractive companies operate women have been more exposed to vulnerabilities associated to violence, forced displacement, poverty and discrimination.¹⁶²

Indigenous Peoples

The Political Constitution recognizes cultural and ethnic diversity.¹⁶³ Rulings of the Constitutional Court protect and safeguard the rights of indigenous communities, and the Government has ratified a number of international commitments in that regard. Decree 1320/1998 calls for prior consultation with Indians and Afro-Colombians for the exploitation of natural resources in their territory.¹⁶⁴ Colombia has ratified ILO Convention 169 on Indigenous and Tribal Peoples calling for consultations with such ethnic population to obtain their consent on matters affecting them.¹⁶⁵ In addition, Presidential Directive 001 safeguards and standardizes prior consultation processes to ensure due respect for the cultural integrity of ethnic groups during the project implementation.¹⁶⁶

According to the DANE 2005 census, there are 87 indigenous communities with a population of 1,392,623, making up 3.4% of the total population. 21.42% live in urban areas and 78.58% live in rural areas; thus, indigenous population lives mainly in the Provinces of Guainía, Vaupés, La Guajira, Amazonas, Vichada,

Cauca, Chocó and Nariño. As they are essentially located in rural areas, indigenous people are among the most vulnerable by reason of the Colombian armed conflict. Additionally, according to the IACHR, a number of factors pose risks to the existence of indigenous peoples, such as the high level of poverty and lack of access to basic needs.¹⁶⁷

On the other hand, a number of organizations declared to the IACHR that extractive projects existing in the territory of indigenous population put their existence at risk and, also, that no such projects have fulfilled the obligation of prior consultations.¹⁶⁸ There are also complains against both companies and armed forces on the basis of involvement in the eviction of such communities.¹⁶⁹ In 2013, the United Nations Commission on Human Rights reported aggressions against indigenous leaders on occasion of their opposition to mining and construction projects in their territories. In the same report, the UN Commission on Human Rights pointed out that implementation of hydroelectric, agribusiness, infrastructure and construction projects may affect the environment and livelihood of indigenous people and other populations.¹⁷⁰

Access to Remedy

The Ombudsman is a State institution created to protect and defend the human rights of vulnerable population. This entity set up mobile units across the country to administer justice and compensate people that have been victims of human rights abuses.¹⁷¹

In 2015 the Government enhanced and introduced new vehicles to facilitate access to justice. To date, there are 103 Houses of Justice in 28 Provinces and 87 cities, and 33 Centers of Civic Coexistence (CCC) in 18 provinces and 33 cities. The CCC has provided assistance on access to justice and dispute settlements to 284,311 persons. In addition, the Ministry of Justice set up 356 conciliation and arbitration centers.¹⁷²

On the other hand, Decrees 4635/2011 and 4633/2011 were enacted to grant due remedy to indigenous and Afro-Colombian communities, including collective land restitution resulting from human rights abuses and infringement to the IHL.¹⁷³ Eight complaints on collective land restitution were filed in 2014. A first ruling on land restitution was made in September 2014, favoring *Embera Katío* people, and benefiting 31 communities and 7,270 persons.

Occasionally, victims of human rights abuses have submitted their cases to international organizations such as the IACHR seeking remedy and prevention measures. The IACHR has adopted precautionary measures in Colombia dealing, among others, with the murder of union workers and human rights defenders, and forced displacement.¹⁷⁴

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.¹⁷⁵

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *March 2016, Office of the United Nations High Commissioner for Human Rights:* The 2015 UN annual report presented the case of the murder of community leaders from the indigenous group *Emberá Chamí* in the provinces of Caldas and Risaralda and also some threats to the Pacific Basin occurred in the context of opposition to legal and illegal mining exploitations.¹⁷⁶
- *July 2015, Inter-American Commission on Human Rights:* Upon the proceedings initiated in 2014, the IACHR admitted the case filed by the indigenous *U'wa* people on the grounds that certain oil companies (i.e., OXY and Ecopetrol) failed to conduct mandatory prior consultations for the exploration and exploitation of natural resources in their ancestral territories.¹⁷⁷

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development.

Montes de María Cacao Producers Association – ASPROCAMM (2014):¹⁷⁸ The Association undertook the initiative of establishing cacao plantations of 200 hectares to benefit 120 displaced families that returned to *Montes de María* in the municipalities of San Jacinto and Carmen the Bolívar. ASPROCAM was awarded the prize *Entrepreneurial Peace*.

Alqueria (2014): Alqueria was awarded the prize *Entrepreneurial Peace* for the Project MACA Alqueria Livestock Promotion. Purpose of this project is to strengthen small and medium milk producers in the region, victims of the armed conflict.

Starbucks (2013):¹⁷⁹ In August 2013 the company announced an alliance with USAID to improve living conditions of 25,000 peasant farmers, contributing to Colombia's rural development. Starbucks provided technical assistance, technology and new market opportunities to improve the quality of produced coffee.

Stakeholder Recommendations

Workshop "Pillars in Practice":¹⁸⁰

Participants in the workshop on Human Rights and Latin-American companies put forward a number of recommendations for business enterprises operating in the region:

- Businesses should establish transparent mechanisms for the disclosure and exchange of information with local communities relating to potential impacts of company operations on human rights and to enable effective community participation in making decisions concerning issues likely to impact them.

Interviews with stakeholders:

Carbones del Cerrejón:¹⁸¹

- Businesses should undertake initiatives to facilitate relationships with communities since the outset of the project.

Office of the United Nations High Commissioner for Human Rights - Colombia: ¹⁸²

- Businesses should influence the government to conduct due consultations before granting operation licenses. This should cover identification of risks and impacts on the community, as well as the legal risks for businesses;
- Businesses and other actors should ensure that human rights are integrated into their business operations.
- Businesses should generate synergies with other companies and stakeholders for the exchange of information on strategies and policies and to receive feedback on their actions. In addition, businesses should self-qualify as social actors and understand their role in society.

Isagen: ¹⁸³

- Businesses should strengthen and provide training to communities on human rights.

Tierra y Vida: ¹⁸⁴

- Multinational enterprises should participate in the reparation for victims of the armed conflict. For example, banana producers pay one cent on the dollar per unit sold, for the reparation of victims of the armed conflict.

Office of the Governor of Antioquia: ¹⁸⁵

- Businesses should be provided with training on human rights.
- Businesses should generate synergies with other actors and stakeholders to obtain feedback on their human rights and Corporate Social Responsibilities activities.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: This is a three-year plan led by the Government as public policy tool structured on participative basis with business and civil society organizations with the support of the International Community to ensure respect for human rights in business operations. On the matter of reconciliation, the Plan underscores the need of greater cooperation and greater participation of businesses in the process of incorporating victims of the armed conflict and persons in process of reintegration into the labor market. It also calls on business to provide more employment to persons living with disabilities and to safeguard the respect for human rights. ¹⁸⁶

Development Priorities

Sustainable Development Goals (SDG): In view of Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society are committed to comply with the 17 objectives set out in the new agenda for sustainable development.¹⁸⁷ The United Nations has underscored the key role that private sector has in complying with the SDG given the sustainability aspect of such goals.¹⁸⁸

IV UNFPA Cooperation Program in Colombia 2015-2019:¹⁸⁹ The strategic guidelines of the Program for the period contemplate gender equality, women empowerment, sexual and reproductive health, and adolescence and youth issues. UNFPA considers the private sector as a strategic partner to achieve the objectives set out in the framework.

Resolution of the European Union Parliament on the Free Trade Agreement between Colombia and the EU:¹⁹⁰ The European Union underscores the importance of Corporate Social Responsibility and best business practices in accordance with the UN Guiding Principles and the OECD Guidelines on Multinational Enterprises. The Resolution calls on the effective association between business enterprises, workers, NGOs and the State to achieve higher living standards.

Child Labor

Work interfering with the health, education or family life of persons under 18

Country Context

Human rights issues of interest for businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

The Political Constitution provides that adolescent boys and girls are subject to special protection under the Constitutional framework and must be protected against all forms of work or economic exploitation and dangerous work.¹⁹¹ Law 1098/2006 sets out 15 years old as minimum working age, with maximum 6-hour working days and 30-hour working weeks, and calls for prior authorization from a Labor Inspector or a Local Territorial Entity.¹⁹² On the other hand, the Code for Children and Adolescents provides a minimal working age for hazardous works.¹⁹³ This regulation is in line with international standards that prohibits children to be engaged in jobs interfering with their education or threatening their health, safety and morality.¹⁹⁴

Furthermore, the Penal Code punishes the above-cited offenses including children's sexual exploitation, sexual tourism, prostitution, and pornography.¹⁹⁵

In 2015, the Colombian Institute of Familiar Welfare (ICBF), DANE and *Universidad del Rosario* reported that more than one million children are subject to child labor.¹⁹⁶ DANE reported in 2015 a child labor rate of 9.1%.¹⁹⁷ Rates of child labor between 5-14 years are 4.6%, and 24.4% between 15-17 years.¹⁹⁸

According to Free Press Unlimited, War Child Holland, USAID and Pandi Agency, the following is the breakdown of child labor by business activity in Colombia: trade 34.6%, agriculture 34.3%, manufactures 11.4%, services 7.7%, transport and communications 5.6% and mining, construction and other activities 6.1%.¹⁹⁹

The U.S. Department of Labor stated that for 2014 the priority sectors identified by the Government for reducing child labor were coffee, sugarcane and tobacco production.²⁰⁰

Worst Forms of Child Labor

In line with the Integrated System of Child Labor Information and Records and national media, adolescent boys and girls in Colombia are victims of the worst forms of child labor, mainly in the mining sector and at home. According to official figures for 2013, more than 5,000 children worked in the mining sector.²⁰¹

The organization named Action Fund reported risks derived from child labor in mines and stressed that children miners are more exposed to get involved in further worst forms of child labor including potential forced recruitment by illegal armed forces, sexual exploitation, and drug trafficking.²⁰²

In 2015, the U.S. Department of Labor reported that Colombia had made progress in the effort to eradicate worst forms of child labor. However, it emphasized that limitations in institutional coordination and lack of financial resources are obstacles to address the problem.²⁰³

Education

The Political Constitution enshrines education as a fundamental right for boys and girls,²⁰⁴ and provides that education would be free of charge in State institutions.²⁰⁵

In Colombia, economic factors – which weigh 85% - are reasons for children to engage in child labor, either because their family lives in poverty thus pushing them to work in order to help paying household expenses or because they have no economic resources to enroll in school systems. The remaining 15% is explained by cultural reasons insofar as some families deem that working in an adequate approach for child upbringing and a valid means to instill values from an early age.²⁰⁶ In any case, child labor brings about the dilemma of reducing time devoted to education and, instead, spending time in working hours with adolescent boys and girls, consequently waiving the right to education.²⁰⁷

According to the Department of Social Prosperity (DPS, its acronym in Spanish), multidimensional poverty indicators regarding access to education and school retention differ in households with working children and the national average for other households. Particularly, for 2013, the DPS found that the percentage difference of school lagging behind in households with working boys and girls is 54.7, the difference on absenteeism is 30.6, and the difference on poor school performance is 23.4.²⁰⁸

Access to Remedy

In Colombia, there is a procedure to file complains and respond to those complains in cases involving worst forms of child labor. Complain may be filed in police inspections, education and health municipal secretariats, family police services, municipal ombudsmen, or toll-free help lines provided by the ICBF. The ICBF is entitled to receive complains on child labor and provide social services to adolescents involved in child labor or at risk of being so engaged.²⁰⁹ Those institutions decide whether the case should follow an administrative proceeding for rights reinstatement.²¹⁰

The Ministry of Labor's Directorate of Inspection, Surveillance, Control and Territorial Management is responsible for handling and monitoring complains regarding infringement of labor rights; such duties include inspection of adolescents' working conditions and monitoring the enforcement of provisions applicable to child labor.²¹¹

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *March 2013, El Tiempo:* In an operative carried out in the market square of *Corabastos* in the locality of Kennedy in Bogotá, 25 underage persons threshing peas were rescued.²¹²

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- UNICEF, Global Compact and Save the Children – Children's Rights and Business Principles (2012): These Principles are the first comprehensive set of principles to guide companies on the

full range of actions they can pursue in the workplace, the market place and the community to respect and support children's rights.²¹³

- Colombia Guides on Human Rights and International Humanitarian Law (*Guías Colombia*) - Guide on Decent Work.²¹⁴ The Guide provides tools for businesses to identify actual and potential risks in labor issues. The Guide sets out principles of action to be included by businesses in the framework of their operations to ensure equality of opportunities and the respect for the diversity, among others.²¹⁵
- UN Committee on the Rights of the Child – General Comment No. 16 on State obligations regarding the impact of the business sector on children's rights (2013): the Committee is a body of independent experts who monitor the implementation of the Convention on the Rights of the Child and the Optional Protocols. In April 2013, the Committee issued a general comment on business and children's rights. The purpose of General Comment No. 16 is to provide State parties with a framework for implementing the CRC, particularly focused on the business sector.²¹⁶
- ILO - Convention No. 182 on Worst Forms Of Child Labor (1999):²¹⁷ This Convention calls for a priority action to eradicate forced child labor. On the other hand, Convention No. 183 on Minimum Age for Admission sets out guidelines to prevent adolescent boys and girls to gain access to the labor market at an early age.²¹⁸
- Danish Institute for Human Rights and UNICEF – Children's Rights - Impact Study – A Tool for Companies (2013): This checklist is a practical tool intended to help companies to identify and manage their impact on children's rights. The checklist contains a set of questions and indicators covering the 10 Children's Rights and Business Principles addressing different aspects of company policies and operations and the impact on children's rights.²¹⁹

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

Telefónica Foundation: The purpose of the initiative "Here I am and I Deliver" led by Telefónica is to promote the abolition of child labor through a mobile application whereby citizens identify cases of child labor.²²⁰

Telefónica Foundation (1998): The initiative Pro-Child is a social program aiming at the abolition of child labor. The program has three lines of actions: integral protection, quality of education and institutional strengthening. The latter enables institutions and social actors to carry out actions against child labor.²²¹

Stakeholder Recommendations

Forum "Progress and Challenges of Business and Human Rights in Colombia and Latin America":²²²²²³

- Businesses should carry out campaigns raising awareness on child labor;
- Businesses should create or be part of networks against child labor;
- Businesses should provide specific training underlying that sexual exploitation of boys, girls and adolescents is a crime and an infringement of human rights and should create seals certifying the fight of business enterprises and their supply chain against this crime.

Colombian Institute for Family Welfare (ICBF) “Analysis of Commercial Sexual Exploitation in Colombia”:²²⁴

Recommendations of civil society, and findings of Province forums on Human Rights and IHL:

- Businesses should boost good practices to strengthen communities and governments in the protection of the rights of minors;
- The Government should get business enterprises involved in the development of actions, plans and programs to fight against child labor, and commit businesses to include in their policies the prevention of Child Commercial Sexual Exploitation;
- Hotels should receive training prohibiting the entrance of minors without their parents, thus avoiding human trafficking.

U.S. Labor Department, Colombia: Conclusions on worst forms of child labor, 2014.²²⁵

The Government and businesses, under the framework of the private-public alliance named Network Against Child Labor, must:

- Implement social programs to address the problem of child labor and worst forms of child labor in priority sectors, and assess the impact of existing programs in addressing this problem;
- Collect more detailed information regarding activities in which children and adolescents work – including information on health, occupational safety, and other risks – as well as geographical regions and priority sectors where children commonly find a job;
- Undertake studies on worst forms of child labor focused on activities where information is scarce, including the type of work performed by adolescents, work in streets, recruitment of children by illegal armed forces, and children involvement in other illegal activities.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: This is a three-year plan led by the Government as a public policy tool structured on participative basis with business and civil society organizations with support from the International Community to ensure respect for human rights in business operations. For instance, regarding reconciliation, the Plan underscores the need for greater cooperation and participation by businesses in the process of incorporating victims of the armed conflict and persons in process of reintegration into the labor market. It also calls on businesses to provide employment opportunities to persons living with disabilities and to safeguard the respect for human rights.²²⁶

Pact against child labor (2014): The Government implemented this strategy to support the formulation of policies and laws on child labor and in view of achieving improved coordination between the Ministry of Labor and other Government agencies. The Colombian network of business enterprises fighting against child labor was created under this Pact. Additionally, two cooperation agreements were entered into with: i) the U.S. Labor Department to implement the Child Labor Eradication Program in the Mining Sector, and

ii) Ecuador for the purposes of child labor eradication, protection of boys, girls, adolescents and their families, and creation of a Technical Commission to Fight against Illegal Mining.²²⁷

Colombia Network against Child Labor (2014-to date): This is a private-public initiative led by the Ministry of Labor with participation of UN Global Compact in Colombia, 14 companies, 3 strategic partners and four organizations that provide technical support. This is a platform to identify and manage child labor impacts, and promote the rights of the adolescent boys and girls within businesses and their supply chains.²²⁸

We are a Treasure: This project is funded by the U.S. Labor Department with the support of organizations such as Pact, the Alliance for Responsible Mining, the Action Fund, and *Mi Sangre* Foundation. The project purpose is to reduce child labor in the mining sector, particularly in the Provinces of Antioquia and Boyacá.²²⁹

Child Labor Free Seal (2015): This is an initiative of an entrepreneur engaged in the business of provision of temporary jobs that has been welcomed by the Inter-agency Committee on Child Labor and Young Workers Protection established by the Ministry of Labor, the ICBF, the Office of the Attorney General, and the Health Secretariat. The purpose of this initiative is to commit entrepreneurs to eradicate child labor.²³⁰

Development Priorities

Sustainable Development Goals (SDG):²³¹ Based on Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society, are committed to comply with the seventeen goals set out in the new agenda for sustainable development.²³² The United Nations has underscored the key role that private sector has in complying with the SDG given the sustainability aspect of such goals.²³³ Objective 8.7 focuses on measures to eradicate forced labor, modern slavery, human trafficking, as well as enforcing the prohibition and elimination of worst forms of child labor, including the recruitment.²³⁰

National Development Plan 2014-2018: Identified a reduction of the child labor rate to 7.9%. The Ministry of Labor, in the framework of the National Development Plan, is working on the formulation of a public policy for Prevention and Child Labor Eradication.²³⁴

Forced Labor

Slavery because of debt, human trafficking or any other coercive means preventing employees to freely leave their job

The Constitution of 1991 prohibits slavery and any practice alike, such as servitude and human trafficking in all of its forms.²³⁵ Therefore, the Penal Code punishes forced labor crimes pursuant to the definition of human trafficking.²³⁶

In Colombia, forced labor has been considered a form of human trafficking (both internal and external) in the modality of adult work in manufacturing facilities, agriculture, mines, restaurants and households.²³⁷

According to the NGO Human Rights First, forced labor is mainly found in informal economy, for instance, in illegal gold mining where miners are forced to perform poorly remunerated jobs in precarious safety conditions under dead threat.²³⁸ This situation occurs mainly in the Province of Antioquia.²³⁹

Human Trafficking

The U.S. State Department has pointed Colombia as a country of origin and transit of human trafficking.²⁴⁰ According to a report of the International Organization for Migration, Bogotá and the Province of Quindío are the main places to recruit people for forced labor. The report also indicates that although women are the main victims of human trafficking, men accounted for 90% of cases of forced labor.²⁴¹

A report from the U.S. State Department (July 2015) rated Colombia negatively in its efforts to fight against all modalities of human trafficking. The report indicated that authorities responsible for addressing the issue have not made any progress in identifying victims of vulnerable population and prosecuting forced labor dealers.²⁴²

According to a 2015 report from the Ministry of Political Affairs, 2014 showed the highest indexes of forced labor, to wit, 50% of the human trafficking cases (37 victims out of 74 victims of human trafficking)²⁴³ thus exceeding the number of sexual exploitation cases.²⁴⁴ Though this modality of human trafficking is a growing problem in Colombia, there is no evidence that business enterprises are involved; the main perpetrators are individuals and criminal networks.

Access to Remedy

The Office of the Attorney General (*Fiscalía General de la Nación*) is the entity responsible for managing and ordering other institutions (i.e., Judicial Police, Technical Investigation Unit) to investigate human trafficking cases. Depending on the seriousness of the case and the place where it was committed, it may occur that Consulates and the Ministry of Foreign Affairs play the role as investigators.

Decree 1069/2014 developed Law 985/2005 on provision of assistance to victims of human trafficking, and set out the responsibilities of committees and public servants in charge of providing assistance to victims. Such assistance includes medical and psychological care by the Health Secretariat, security measures by the National Police, and guidance and orientation by the Ombudsman.²⁴⁵

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- **July 2014, Caracol Radio:** The Governor's Office for the Province of Boyacá expressed concern for the alleged occurrence of three cases of human trafficking linked to tourist-related sexual exploitation, servile marriage, organ trafficking or forced labor. Currently, the Office of the Attorney General is conducting the relevant investigations.²⁴⁶

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- **Colombia Guides on Human Rights and International Humanitarian Law (Guías Colombia) - Guide on Decent Work:** This Guide provides tools for businesses to identify actual and potential risks in labor issues. The Guide provides minimum guidelines that businesses should comply with on the matter of working conditions, particularly against forced labor.²⁴⁷

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

Manpower Group: This company supports the campaign *Stop human trafficking now!* led by Suzanne Mubarak's Women International Peace Movement. Manpower Group was the first company in signing up the Athens Ethical Principles declaring "Zero tolerance" vis-à-vis human trafficking. A thousand companies have already signed up to these Principles.²⁴⁸

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Strategy to Fight against Human Trafficking (2016-2018): The strategy was adopted in June 2016 pursuant to Decree 1036/2016 with the aim of fighting against human trafficking from different perspectives, such as rights, gender, generational group, territory, and fight against crime, as well as the development and strengthening of follow-up, assessment and coordination strategies.²⁴⁹

Protocol for the Investigation and Prosecution of Human Trafficking in Colombia (2015): The purpose of the Protocol drafted by the Government and UNODC is developing tools for the standardization of investigation and prosecution procedures used by entities responsible for investigating such crimes, consistently with international legal procedures by applying a human rights approach to guarantee access to justice and the eradication of such crime.²⁵⁰

Toll-free Helpline to handle Human Trafficking Cases (2013): This tool set up by the Government seeks to provide information for citizens on human trafficking and to receive information to expedite investigations or provide assistance to victims of human trafficking.²⁵¹

Campaign ‘Ante la trata de personas, reaccionemos en cadena’ (Joint actions to face human trafficking) (2014): The purposes of this campaign of the Ministry of Foreign Affairs and the International Organization for Migration is raise awareness on the problem of human trafficking, by means of information and social experiments with citizens.²⁵²

Health and Occupational Safety

Unsafe or unhealthy working conditions that expose workers to the risk of accidents or occupational diseases Operating Environment Relevant laws

Country Context

Human rights issues of interest for businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholders.

The law provides health and occupational safety for workers.²⁵³ The Labor Code requires employers to furnish adequate equipment and materials necessary to provide protection against accidents and occupational diseases in the workplace, as well as immediate assistance in case of accident or disease.²⁵⁴

Moreover, the purpose of the 2012 Law on Occupational Risks²⁵⁵ is the protection of independent workers through the Occupational Risks System. The Law also enables affiliation of informal wage employees to the System.²⁵⁶ In January 2015, Decree 055 was enacted to enable trainees' affiliation to the System.²⁵⁷

The Ministry of Labor imposed 785 sanctions in 2013 for non-compliance with labor laws.²⁵⁸ During the first semester of 2015, the Ministry reported that 65 companies in Bogotá were sanctioned for non-compliance with health and security regulations.²⁵⁹ The authorities carried out investigations in port, floriculture, sugarcane, mining, and health sectors for alleged violations to labor laws.²⁶⁰

Occupational Accidents

The Ministry of Labor reported that between January-October of 2015, 602.889 occupational accidents and 496 deaths took place among 9,621,273 individuals affiliated said year to the Occupational Risks System.²⁶¹ According to the Ministry, in 2014 there were 691,136 occupational accidents and 450 deaths among 8.943.090 individuals affiliated to the System.²⁶²

In 2014, the Ministry of Labor reported that the sectors with the largest number of occupational accidents were real estate, manufacturing, construction, commerce, agriculture, farming, and hunting and forestry.²⁶³ The real estate sector reported the largest number of accidents: 71,919 accidents.²⁶⁴

Health

According to the Ministry of Labor, in 2014 there was a reduction in occupational diseases. In 2014, there was a ratio of 115.85 cases per one hundred affiliates, whereas in 2013 the ratio was 120.83. Additionally, in 2014, the sectors with largest number of occupational diseases were: agriculture, farming, hunting, forestry, mining, quarries and manufacturing.²⁶⁵

According to the National Union of Floriculture Workers (UNTRAFLORES), health and safety working conditions for workers in the sector have declined in the past years due to existing economic difficulties.⁷ There has been an increase in working hours thus deteriorating the workers' health conditions. Excessive working hours has led to diseases such as carpal tunnel syndrome, respiratory problems and allergies produced by the contact with pesticides, dermatitis, and stress pathologies.²⁶⁶

Access to Remedy

Workers may file complains in the Ministry of Labor through the Center for Labor Information and Assistance – *Colabora*,²⁶⁷ which provides nationwide services to citizens. Additionally, the Ministry has 32 territorial directorates where citizens may file complains for abuses or non-compliance of labor rights.²⁶⁸

On the matter of security and occupational health, the Government set national, sectional and local occupational health committees,²⁶⁹ and the Special Commission for Labor Inspectors on Occupational Risks²⁷⁰ that promotes and prevents occupational risks.²⁷¹ The Unit of Special Investigations has the power to intervene in cases of alleged infringements of the law.²⁷²

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.²⁷³

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *May 2014, El Universal:* Upon the death of some workers in Puerto Bahía, the chairman of the Worker's Trade Union (USO, its acronym in Spanish) declared that prevailing working conditions in the workplace are inadequate and there is no control over the equipment used by workers.²⁷⁴
- *January 2013, El Tiempo:* The Chairman of Drummond's Association of Sick Workers (ASOTREDP) sustains that coal dust has deteriorated the health of Drummond's workers. In 2013, fifteen workers were diagnosed with lung cancer.²⁷⁵

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- IFC – Performance Standard 2: Labor and Working Conditions (2012): IFC PS2 is based on ILO international labor rules addressing health and security matters.²⁷⁶
- Portal for Responsible Supply Chain Management: The portal was designed to help support companies in improving social and environmental conditions within their supply chain. The Portal

⁷ For instance, climate change, Colombian peso devaluation and sale price decreases, whereas prices of inputs needed in flower production increase.

offers tools and guidance to address potential issues affecting the supply chain, such as child labor, corruption and discrimination. The Portal also provides materials, resources and statutes suitable for each sector.²⁷⁷

- ICMC Framework for Sustainable Development - Principle 5: Improvement of health and security. It calls on businesses to improve all those aspects that impact workers' health and safety, implement measures on accident prevention, as well as monitoring and surveillance mechanisms based on risk analysis.²⁷⁸
- Colombia Guides on Human Rights and International Humanitarian Law (*Guías Colombia*) - Guide on Decent Work: The Guide provides tools for businesses to identify current and potential risks relating to labor issues.²⁷⁹

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

PepsiCo Alimentos América del Sur (2011): The Company developed a Reward Program to promote Casualty-Free Environments and, consequently, safety in the workplace. The Program contains an approach to calculate months without casualties in all factories of the Company while rewarding those with better performance. A number of factories in Colombia have been ranked in the third place.²⁸⁰

Cargill - Colombia Agro: This agribusiness company set up an Occupational Health Program for planning and implementing both preventive and industrial medicine, hygiene and safety. Workers are trained in the use of protective equipment, handling of chemical products, works at height, active rest, and industrial hygiene.²⁸¹

Stakeholder Recommendations

Cactus Corporation:

This organization has put forward the following recommendations for businesses in the floriculture sector:

- Set out labor and health rules from a gender perspective given that women make up the largest share of workers in the sector;
- Set up health units in the workplace for men and women to adequately respond to their particular issues of concerns;
- Review risk-related labor practices and policies likely to affect the workers' health;
- Take into account the workers' suggestions for health improvement; for instance, reduced working hours, use of alternative agrochemicals and promotion of opportunities for the involvement of workers in the company's decision-making processes.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

Occupational Risks Fund: The Ministry of Labor owns the Fund created in 2011 for developing knowledge and campaigns and actions on education and prevention of occupational risks and diseases across the country.²⁸²

2013-2021 National Plan on Occupational Health: The Ministry of Labor identified four objectives to strengthen occupational safety and health in the workplace. The Plan includes health and security promotion in the formulation of public policies, occupational risk prevention, and strengthening of institutions.²⁸³

Development Priorities

Sustainable Development Goals (SDG): Based on Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society, are committed to comply with the seventeen goals set out in the new agenda for sustainable development.²⁸⁴ The United Nations has underscored the key role that private sector has in complying with the SDG given the sustainability aspect of such goals.²⁸⁵ Among the objectives concerning occupational security and health in the workplace are the following:

- Objective 8. Promote inclusive sustainable economic growth, full and productive employment, and decent work for women and men.
- Objective 3. Ensure a healthy life and promote welfare in all ages.

Trade Unions

Restrictions to the workers' rights to collectively represent their interests

Country Context

Human rights issues of interest to businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

For the first time, Law 83/1931 provides the right of association in trade unions, the right to strike, and the right to create trade unions. According to the Minister of Labor, Mr. Rafael Pardo, this Law sets out the basis for strengthening workers' associations and ensuring decent working conditions.²⁸⁶ Additionally, the Constitution guarantees freedom of association and freedom to set up trade unions.²⁸⁷

In 2015, the International Trade Union Confederation (ITUC) ranked Colombia in the fifth place of the Global Rights Index as one of the worst countries for working.²⁸⁸ Additionally, it is among the ten more dangerous countries of the region for workers.²⁸⁹ According to the ITUC, the core problems faced by trade unionists in Colombia are murders, undermined collective bargaining, and discrimination.²⁹⁰

In 2013, the Ministry of Labor, that is, the entity responsible for enforcing labor standards, imposed ten sanctions for threats to freedom of association, twelve sanctions for infringement of collective agreements and pacts, and twenty-five sanctions for labor intermediation.²⁹¹

Trade Unionization

The Law provides a minimum of twenty-five workers to set up or maintain a trade union.²⁹² Workers should approve the creation of trade unions in an assembly and, thereafter, inform the employer and the Ministry of Labor through a written notice.²⁹³

In Colombia, 50% percent of trade unions are affiliated to three union confederations:²⁹⁴ *Central Unitaria de Trabajadores* (CUT, its acronym in Spanish), *Confederación General del Trabajo* (CGT, its acronym in Spanish) and *Confederación de Trabajadores de Colombia* (CTC, its acronym in Spanish).⁸

According to the ENS, Colombia has one of the lowest rates of trade unionization in the world, below 5%.²⁹⁵ However, the number of trade unions has increased in recent years. Seven hundred ninety-one trade unions were created between 2013 and 2014, thus accounting an increase of 48% with respect to 2010 and 2011.²⁹⁶ In 2012, ITUC reported that the reasons for such low level of association refer to the informality of Colombian economic activity, which is nearly 50%.²⁹⁷

⁸ Colombia relies on no trade union census to determine the number of affiliates in each union confederation. However, according to CUT this confederation has nearly 600,000 affiliates, whereas CGT reports near 1,000,000 affiliates. It was impossible to learn the number of CTC affiliates. *Fundación Ideas para la Paz. Relación entre gobierno, empresas y sindicatos: avances y retrocesos.* September 2015.

On the other hand, according to DeJusticia, undue use of Associated Labor Cooperatives constitutes a barrier for trade unionization.²⁹⁸

A study by *Fundación Ideas para la Paz* (2015) found that Government institutions have raised barriers preventing the creation of trade unions. Some of those barriers, which in some cases are not consistent with the Labor Code provisions, are the following: the scope of trade unions, the type of contracts entered by workers willing to be affiliated, and the trade union category.²⁹⁹

Collective Bargaining

The law provides the right to collective bargaining³⁰⁰ as key element for freedom of association.³⁰¹ Similarly, the law foresees penalties against employers infringing the right to collective bargaining and to employers signing collective agreements that grant better working conditions for non-unionized workers than for unionized workers.³⁰²

The Ministry of Labor has reported that in recent years there has been increased collective bargaining. Between 2013-2014 there were 840 collective bargaining agreements whereas between 2012-2013 there were 443.³⁰³ In 2012, for the first time there was a collective bargaining agreement between the public sector and the mentioned three union confederations CGT, CUT and CTC.³⁰⁴ 1,050,000 individuals drew benefits from this negotiation.³⁰⁵

On the other hand, according to the ENS, in 2014 the Ministry of Labor received fifty complains on illegal use of collective agreements and also reported an increase of collective agreements that has prevented the creation of trade unions and undermined the trade unions' negotiating capacity.³⁰⁶ According to the Trade Union Advisory Committee (TUAC) to the OECD, certain employers use collective agreements to put pressure on unionized workers to withdraw from trade unions.³⁰⁷

Strikes

The Constitution provides the right to strike.³⁰⁸ A strike may be declared illegal for a number of reasons, in which case the employer has the right to lay-off workers involved, including trade union members.³⁰⁹ For instance, under Colombian laws, essential public services have no right to strike,³¹⁰ such as health services.³¹¹ If the strike is declared illegal or exceeds 60 days, the Ministry of Labor and the President of the Republic may intervene in the dispute through binding arbitration.³¹²

The ENS has reported that the Law on citizen security has restricted the right to strike. Moreover, according to the ENS, security forces hinder the exercise of the right to protest given that human rights abuses in the context of strikes.³¹³ Further, every public demonstration requires permission from the municipal Office of the Mayor.³¹⁴

Discrimination and Anti-Union Violence

According to the ITUC, discrimination and anti-union violence, despite its prohibition and Colombian laws,³¹⁵ are the main problems that unionized workers in Colombia are compelled to face.³¹⁶

The ENS reported that nearly 2,704 unionized workers were murdered between 1986-2013.³¹⁷ The largest number of murders between 2012-2013 took place in the Provinces of Antioquia and Valle del Cauca.³¹⁸ Manufacturing, agriculture, education, mining and oil sectors account for the largest number of abuses against unionized workers.³¹⁹

There is also widespread impunity in anti-union violence cases.³²⁰ In 2014, CUT informed that impunity in cases of anti-union violence is 86%, and 99.9% in cases of threat.³²¹

The latest report published by the Ministry of Labor in the framework of the Colombia and United States Action Plan on Labor Standards underlines the progress and efforts made by Colombia in its fight against trade union violence and impunity.³²²

Access to Remedy

The Ministry of Justice Department for Alternative Dispute Resolution has drafted institutional guidelines for settling labor disputes. These guidelines are available for public consultation and contain a legal presentation and alternative for the settlement of disputes. Such alternative methods include arbitration, mediation and conciliation.³²³

In 2012, the Special Committee for the Handling of Conflicts referred to ILO (CETCOIT) was reactivated. The above is one of the mechanisms adopted by the Government to address violations of ILO Conventions 87 and 89 (Freedom of Association and Collective Bargaining)³²⁴ duly ratified by Colombia. Since 2012, more than 106 cases have been dealt with and 71 cases have concluded with a mutual agreement.³²⁵ In 2012, ILO emphasized that a number of trade unions were specially concerned as the CETCOIT had no regional offices and, therefore, the mechanism was not available for the settlement of disputes concerning trade unions outside Bogotá.³²⁶

On the other hand, in 2013 the ENS reported an impunity rate relating to murders of unionized workers above 90% and only 769 investigations conducted by the Office of the Attorney General out of 2,942 murders occurred since 1986.³²⁷ In 2013, the TUAC informed that since late 2011 there only 296 cases of trade union leaders murdered had been resolved under Court rulings.³²⁸

In the fight against impunity the Government has implemented new investigation and criminal policy strategies to expedite proceedings relating to crimes against unionized workers. At present, the Office of the Attorney General has in place a Sub-unit of Crimes against Unionized Workers ascribed to the National Unit on Human Rights. The mentioned Sub-unit investigates murders of unionized workers.³²⁹ To date, it has 21 prosecutors continually trained with ILO support.³³⁰

Internationally, the Office of the Compliance Advisor of the International Finance Corporation has received complains of Colombian workers grounded on labor rights abuses against freedom of association and collective bargaining.³³¹

On the other hand, the Law on Victims recognizes unionized workers as subjects of collective reparation.³³² This recognition is the result of dialogues among union confederations and the Government. Consequently, a Collective Reparation Program was adopted for gradual implementation through Collective Reparation Plans consistent with the degree of vulnerability.³³³

Additionally, this reparation system provides a participative process where trade unions offer an assessment of damages caused and reparation measures as needed.³³⁴ During the National Meeting of Collective Reparation for the Labor Movement - “*Repair to Transform*” - the labor movement put forward its expectations regarding reparation.³³⁵ There have been regional meetings in Cartagena and the Province of Antioquia.³³⁶

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.³³⁷

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *August 2015, Escuela Nacional Sindical:* Workers affiliated to USO in *Campo Rubiales* filed a complaint on anti-union behavior by Metrapetroleum a subsidiary of Pacific Rubiales. Trade unionists claimed that the company put pressure on them to withdraw from the trade union by threatening them with the non-renewal of employment contracts. In addition, the company refused to negotiate issues put forward by USO in the context of collective negotiation.³³⁸
- *August 2014, El Universal:* Trade unionists from the oil sector called for a protest against Ecopetrol on the grounds of labor outsourcing practices and claimed labor formalization. Only 7,000 out of the 90,000 employees of the company have employment contracts with Ecopetrol.³³⁹
- *March 2014, Business & Human Rights Resource Centre:* the ENS reported that Prosegur, a multinational cash-in-transit company, imposed to workers a Collective Agreement offering each worker COP\$ 2 million to withdraw from the trade union and waive the collective agreement.³⁴⁰
- *September 2013, Ministry of Labor:* The Ministry of Labor requested an arbitration to settle the dispute between Drummond and its palm oil workers, who after 50 days in strike were requesting better working conditions.³⁴¹
- *February 2013, Fox News:* A Colombian judge sentenced a former Drummond contractor to near 38 years of imprisonment for the murder of two trade union leaders in 2001. Human Rights defenders accused the company for recruiting paramilitary militias to get rid of opponents.³⁴²

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- *Colombia Guides on Human Rights and International Humanitarian Law (Guías Colombia) - Guide on Decent Work:*³⁴³ This Guide provides tools for businesses to identify actual and potential risks in labor issues. The Guide includes guidelines to help businesses to respect the right to freedom of association and, particularly include issues such as freedom of association, collective bargaining and security.³⁴⁴

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

ECOPETROL: Since 2012, the oil State-owned company incorporated freedom of association and collective bargaining in the framework of its Human Rights Policy.³⁴⁵

ECOPETROL and USO: *Centro de Memoria Histórica del Magdalena Medio* (Centre of Historic Memory of the Middle Magdalena Basin) (ongoing).³⁴⁶ The collective bargain agreement between Ecopetrol and USO, provided that the company and the trade union should be committed to join efforts and contribute to achieve peace in Colombia. The Centre of Historic Memory of the Magdalena Medio is a result of such commitment that, on the one hand, seeks collecting community experiences regarding conflict and violence and, on the other hand, finding scenarios for reconciliation.

Initially, the Centre was expected to consider and review the relationship between violence, trade unions and industry. However, with support from the National Center for Historical Memory, the scope of the Magdalena Centre was subsequently enlarged given the fact that, although the region maintains close relationships with the industry, violence-related experiences go far beyond such relationships.

Global Pact, ANDI and Pacific Rubiales: Resolved integrating a Working Group on Labor Standards as an appropriate context for discussion, coordination and dissemination of best practices and promotion of human rights and labor standards.³⁴⁷

Stakeholder Recommendations

Forum “Progress and Challenges of Business and Human Rights in Colombia and Latin America”:³⁴⁸

- Businesses should promote and implement efficient scenarios for social dialogue on collective bargaining and to ensure freedom of association;
- Businesses should perform constant monitoring over working conditions prevailing in outsourced companies;
- Businesses should ensure freedom of association for vulnerable people like women.

Carbones del Cerrejón³⁴⁹:

- Recommends businesses to interact with, listen to, and share information with trade unions.

International Trade Union Confederation (ITUC)³⁵⁰:

- The ITUC recommends employers to negotiate collective bargain agreements in good faith. It also recommends employers to refrain from dismissing employees or adopting punitive actions against workers involved in unauthorized strikes or lockouts.

United Nations Program for Development:³⁵¹

- Recommends businesses to protect unionized employees against violence.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: This is a three-year plan led by the Government as a public policy tool structured on participative basis with business and civil society organizations with support from the International Community to ensure respect for human rights in business operations. In particular, the Plan calls on the Ministry of Labor to strengthen mechanisms to protect freedom of association and collective bargaining rights, and seeks involving trade unions in strategic alliances in the implementation of the Plan.³⁵²

Update of the Tripartite Agreement on Freedom of Association and Democracy (2011): This update includes provisions such as maintaining the ILO Permanent Representative in Colombia whose main tasks include promoting and protecting fundamental rights of workers, increase the number of labor inspectors, and create a mechanism to redress grievances of workers of Associated Labor Cooperatives.³⁵³

Special Committee on the Handling of Conflicts referred to ILO CETCOIT (2012): In 2012, the Special Committee for the Handling of Conflicts referred to ILO (CETCOIT) was reactivated. The above is one of the mechanisms adopted by the Government to settle freedom of association-related disputes. Since 2012, more than 106 cases have been dealt with and 71 cases have concluded with a mutual agreement.³⁵⁴

Decree 1092/2012: Allows collective bargaining in the public sector, thus complying ILO Conventions 151 and 154.³⁵⁵ Over 800,000 workers have been benefited since the issuance of such Decree. This initiative has strengthened social dialogue in the public sector and has increased the number of collective agreements.³⁵⁶

Colombia and United States Action Plan on Labor Standards (2011): The Plan prioritized freedom of association and, as a result, the Penal Code was amended to provide increased penalties against infringements to freedom of association and punishment to employers concluding collective agreements granting better working conditions to non-unionized workers.³⁵⁷

Permanent Commission for Harmonization of Wages and Working Conditions Policies ascribed to the Ministry of Labor: The purpose of this Commission is to settle labor disputes under a tripartite approach with involvement of business organizations and trade union organizations.³⁵⁸

Development Priorities

Resolution of the European Union Parliament on the Free Trade Agreement between Colombia and the EU: The European Union underscores the importance of Corporate Social Responsibility and best business practices in accordance with the UN Guiding Principles and the OECD Guidelines on Multinational

Enterprises. This Resolution encourages an effective association between businesses, workers, NGOs and the State to reach higher living standards.³⁵⁹

Sustainable Development Goals (SDG): Based on Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society, are committed to comply with the seventeen goals set out in the new agenda for sustainable development.³⁶⁰ The United Nations has underscored the key role that private sector has in complying with the SDG given the sustainability aspect of such goals.³⁶¹ Objective 8: Promote inclusive sustainable economic growth, full and productive employment, and decent work for all women and men.³⁶²

Working Conditions

Employment status, wages, working hours and social security conditions.

Country Context

Human rights issues of interest to businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

The Political Constitution guarantees the right to decent work, including the right to a minimum wage, labor security, and social security benefits.³⁶³

The Ministry of Labor is responsible for the enforcement of such labor standards. To that effect, the Ministry conducts labor inspections under the framework of investigations, monitors compliance with labor standards, and imposes sanctions for non-compliance.³⁶⁴

A study from *Universidad Externado de Colombia* found that decent work in Colombia has increased in recent years (2010-2014) thus improving working conditions. Currently workers receive higher wages and unemployment rate is lower.³⁶⁵

Wages

The Permanent Dialogue Commission on Labor and Wages Policies of the Ministry of Labor is responsible for discussing and proposing minimum wage modifications. This Commission operates under a tripartite approach with involvement of business associations and trade union organizations.³⁶⁶

Minimum wage in Colombia is determined every year in January and serves as benchmark for other wage negotiations.³⁶⁷ Minimum wage applies across economic sectors and, in 2015, amounted to COP\$ 644,350 per month (267.41 USD).³⁶⁸ In the opinion of trade union representatives, minimum wage in Colombia is not a living wage and is insufficient to cover basic needs of a family.³⁶⁹ According to DANE, the minimum wage barely covers 49% of the family basket.³⁷⁰

The mentioned study from *Universidad Externado de Colombia* also found that despite some increases accrued between 2010-2014,³⁷¹ inequality remains in terms of salary and revenues. The ENS reported that 49% of the working force was remunerated with less than the minimum wage.³⁷²

Fedesarrollo, on the other hand, found that the lowest wages are paid in the agricultural sector, whereas higher wages are paid in the mining sector.³⁷³ For instance, according to Solidarity Center, sugarcane cutters are among the group of vulnerable works whose COP\$ 200,000 per month (83.00 USD) is a very low wage.³⁷⁴

Working Hours

The Labor Code provides an 8-hour working day and a 48-hour working week, consistent with international standards. The Code also provides that workers are entitled to receive a premium for overtime hours actually worked during the week, subject to a ceiling not to exceed 12 hours.³⁷⁵ The law also provides that night working time is 8 hours from 10 P.M to 6 A.M.³⁷⁶

In 2013, the Solidarity Center reported that sugarcane cutters worked 14 hours a day.³⁷⁷ Workers in the flower industry, mostly women, worked overtime without remuneration, mainly during holidays such as Saint Valentine's Day.³⁷⁸

In 2015, *Universidad del Rosario* found that the average working hours of informal employees was 10.1 hours, that is, two hours above the working day applicable to formal employment.³⁷⁹ In Bogotá, 61.4% of employees work more than 48 hours a week.³⁸⁰ However, a study from *Universidad Externado de Colombia* found that overtime work in Colombia had fallen 2.5 percentage points as from January 2015.³⁸¹

The research performed by the Center for Regional Economic Studies found that 93.4% overtime work in Colombia is not remunerated.³⁸²

Social Security

Social security in Colombia encompasses pensions, health, and protection against occupational risks. The Special Unit on Health and Social Security of the Ombudsman is responsible for protecting and promoting health and social security rights.³⁸³ The Permanent Commission for Harmonization of Wages and Working Conditions Policies of the Ministry of Labor has in place a Sub-commission on Social Security.³⁸⁴

According to indicators shown in a report from Universidad del Rosario, in 2015 only 30% of the employed population paid a pension contribution and only 10% met the requirement for having an old-age pension. Moreover, only 43.71% of workers³⁸⁵ were protected against occupational risks in the workplace.³⁸⁶

UNTRAFLORES unionized workers reported in 2013 that some times companies fail to pay the contributions to the Social Security System and workers' social benefits are suspended as a result.³⁸⁷

Informal Sector

In September 2015, DANE reported 22 million people employed in Colombia.³⁸⁸ Commerce, hotels and restaurants; communitarian, social and personal services; agriculture, hunting, forestry and fishing were the economic sectors accounting for the largest number of employees.³⁸⁹ DANE also reported an increased unemployment rate of 0.6 percentage points with respect to the same period in 2014, changing from 8.4% to 9%.³⁹⁰

According to the OECD, Colombia's rate of labor informality is rather high.³⁹¹ Indeed, in 2013 53% of the employed population had informal jobs.³⁹² According to DANE, in 2015 informal employment was mostly focused in commerce, hotels and restaurants,³⁹³ and agriculture.³⁹⁴

On the other hand, vulnerable population usually holds informal jobs³⁹⁵ and, in rural areas, there is a high rate of informal wage employees.³⁹⁶

Access to Remedy

Through *Colabora*³⁹⁷ the Center for Labor Information and Assistance that provides nationwide services to citizens, workers can file complaints before the Ministry of Labor. This is an online system to process complaints, claims, suggestions and/or allegations. It also has a toll-free number (120) to provide guidance.³⁹⁸ Furthermore, the Ministry has thirty-two territorial directorates where citizens may file complaints on labor abuses and non-compliance with the law.³⁹⁹

Employees may also resort to the Ministry of Justice centers for mediation and arbitration to file complaints and claim the enforcement of labor rights.⁴⁰⁰ These are publicly accessible centers and provide legal assistance on dispute resolution alternatives. In Colombia, such mechanisms commonly offer arbitration, mediation and conciliation.⁴⁰¹ As of 2015, the Ministry relies on 356 mediation and/or arbitration centers.⁴⁰²

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.⁴⁰³

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *May 2015, El Heraldó:* Workers affiliated to union confederations and other trade unions marched on May 1st claiming, among others, for better salaries.⁴⁰⁴
- *April 2015, Portafolio:* Workers affiliated to Cerromatoso's trade union (Sintracerromaoso) went on strike because of changes in working hours. The company had increased the working hours from 8 to 12 hours, without consultation with the workers.⁴⁰⁵
- *April 2015, El Tiempo:* The Colombian Federation of Educators (Fecode) announced that 32,000 affiliates were going on strike because the Government failed to comply with the prior agreements and, also to demand wage increases.⁴⁰⁶

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- *Colombia Guides on Human Rights and International Humanitarian Law (Guías Colombia):*⁴⁰⁷ This Guide provides tools for businesses to identify actual and potential risks in labor issues. The Guide sets out principles on working conditions, in particular, social security, balance between family, personal and professional life, elimination of domestic and gender violence, and mechanisms for handling cases of labor and sexual harassment, as well as other types of violence in the workplace.⁴⁰⁸
- *Ethical Trading Initiative Base Code (2012) and ETI Principles of Implementation (2009):* The Ethical Trading Initiative is an alliance of different business stakeholders promoting the implementation of corporate codes of practice covering working conditions in the supply chain. The alliance consists of businesses, NGOs and trade union organizations. The ETI Base Code has been implemented as a code of labor practice for supply chains generally, and is in line with international labor standards. The accompanying ETI Principles of Implementation outline the requirements needed by corporate members to implement the ETI Base Code in the supply chain, including all necessary commitments, management practices and behaviors.⁴⁰⁹

- Institute for Human Rights and Business, and Global Business Initiative on Human Rights - State of Play: Corporate Responsibility to Respect Human Rights in Business Relations (2012): The Report discusses how the UN Guiding Principles may contribute and guide the complex network of business relationships now existing in a global economy. It explores how companies of all sizes are now beginning to implement human rights considerations and the UN Guiding Principles.⁴¹⁰
- IFC Performance Standard 2: Labor and Working Conditions (2012): IFC PS2 is subject to ILO international labor standards and covers a range of aspects, including terms and conditions of employment, non-discrimination, health and safety, and forced labor. The Standard addresses employees, contracted workers and supply chain workers.⁴¹¹
- Portal for Responsible Supply Chain Management (est. 2008): The Portal is designed to support companies in improving the social and environmental conditions within their supply chain. The Portal offers tools and guidance on a number of supply chain issues, such as child labor, corruption and discrimination. In addition, the Portal also identifies resources materials and legislation specific for the sector.⁴¹²
- OECD Guidelines for Multinational Enterprises (2011). The OECD Guidelines are recommendations addressed by Governments to multinational enterprises operating in or from adhering countries. Chapter 5 refers to employment and industrial relations, in line with ILO international labor standards.⁴¹³
- International Labour Organization – ILO Declaration on Fundamental Principles and Rights at Work (1998): sets out four principles that States should comply, regardless of the ILO Conventions ratification. The following are the mentioned four principles: 1) freedom of association and the effective recognition of the right to collective bargaining; 2) elimination of all forms of forced or compulsory labor; 3) effective elimination of child labor; and 4) elimination of discrimination in employment and occupation.⁴¹⁴
- United Nations Sub Commission: Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises, with Regard to Human Rights (2003). It calls on transnational corporations and other businesses to respect and promote human rights. On the other hand, it calls for the respect of the right to equality and nondiscrimination and the respect for workers' rights.⁴¹⁵

Stakeholder Recommendations

Forum “Progress and Challenges of Business and Human Rights in Colombia and Latin America”:⁴¹⁶

- Businesses should foster capacity building on entrepreneurship and local job creation, in the framework of corporate social responsibility,
- Businesses should ensure and promote decent work and opportunities for young people;
- Businesses should foster and implement training and integral development programs for employees as well as strengthen their skills on matters like pensions, savings, personal finance, and rights and obligations focused on human rights;

- Businesses should provide capacity building and offer training programs concerning workers' rights and duties;
- Businesses should properly manage the working environment; incorporate management systems; and have in place mechanisms to handle labor, sexual harassment and discrimination cases;
- Businesses should structure and implement job evaluation systems and wage policies to ensure equal pay and competitiveness;
- Businesses should have ethic-labor audits for service providers and contractors;
- Businesses should have an international seal of Family Responsible Company, and should reconcile family, personal and working life.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: This is a three-year plan led by the Government as a public policy tool structured on participative basis with business and civil society organizations with support from the International Community to ensure respect for human rights in business operations. In particular, ensures due diligence in human rights and the respect for working rights.⁴¹⁷

Campaign for the dissemination of “El Trabajo como Debe Ser” (2012-2014): In 2013, there were a number of radio and TV campaigns to spread information on occupational risks and emphasized the existence of the Center for Labor Information and Assistance - Colabora.⁴¹⁸

Update of the Tripartite Agreement on Freedom of Association and Democracy (2011): This update includes provisions such as maintaining the ILO Permanent Representative in Colombia whose main tasks include promoting and protecting fundamental rights of workers, increase the number of labor inspectors, and create a mechanism to redress grievances of workers of Associated Labor Cooperatives.⁴¹⁹

Development Priorities

Resolution of the European Union Parliament on the Free Trade Agreement between Colombia and the EU: The European Union underscores the importance of Corporate Social Responsibility and best business practices in accordance with the UN Guiding Principles and the OECD Guidelines on Multinational Enterprises. The Resolution calls on the effective association between business enterprises, workers, NGOs and the State to reach higher living standards.⁴²⁰

Sustainable Development Goals (SDG): Based on Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society are committed to comply with the 17 objectives set out in the new agenda of sustainable development.⁴²¹ The United Nations has underscored the key role that private sector has in complying with the SDG given the sustainability aspect of such goals.⁴²² In particular, objective 8 aims at promoting, among others, full employment and decent work for women and men.⁴²³

Environment

Environmental impact by business operations affecting the health or livelihood requirements of local communities

Country Context

Human rights issues of interest to businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

The Constitution provides that every person has the right to enjoy a healthy environment and that the State is obliged to protect the environment diversity and integrity.⁴²⁴ The State also has the obligation to guarantee sustainable development and preserve and regulate the exploitation of natural resources.⁴²⁵ Additionally, the Constitution provides that the State must impose legal sanctions and claim remedies for any damages caused.⁴²⁶

In Colombia, the Ministry of Environment and Sustainable Development is responsible for environmental policies, programs, guidelines and regulations.⁴²⁷ In addition, Autonomous Regional Corporations (CARs) are responsible for the implementation of those policies locally.⁴²⁸ However, according to the General Comptroller of the Nation, CARs are not implementing controls and restrictions as required for enforcing regulations, despite their administrative and budgetary autonomy granted under the Constitution.⁴²⁹

The National Environmental Licensing Agency (ANLA, its acronym in Spanish) was created in 2011 and must perform environmental impact assessments (EIAs), grant licenses and permits, and monitor the compliance and implementation of environmental regulations.⁴³⁰

According to ECLAC, although Colombia is considered the second most biologically diverse country in the world and relies on an environment-protective legal framework, it is being threatened by the extractive industry, among others.⁴³¹ On the other hand, the study performed by Cinara Institute from Universidad Del Valle and Global Atlas on Environmental Justice, concluded that Colombia is the world's second country with more environmental conflicts. The study reported that oil, hydroelectric construction and biomass production are activities leading to great tension.⁴³²

Participation and Access to Information

The Constitution provides the need of guaranteeing community involvement in decisions likely to affect the environment, as well as access to environmental information. Law 99/1993 set out mechanisms for public participation in environmental decision-making, introduced Environmental Impact Studies as decision-making instrument for projects impacting the environment, established mandatory environmental licenses, and granted the community the right to intervene in the approval or disapproval of environmental licenses.⁴³³

In 2016, the Constitutional Court ruled in connection to ANLA's discretion to decide on the matter of environmental licenses and stated the obligation to consult local authorities for the implementation of megaprojects; accordingly, it vested upon CARs the power to assess the environmental impact of projects and to grant environmental licenses.⁴³⁴

Through such ruling the Constitutional Court put an end to the so called “fast-track licenses” which was a short-time procedure to evacuate the backlog of 184 licenses requested in 2014 for mining, oil, and infrastructure projects. As reported by *Portafolio* in 2014, the reasons for this delay were that the studies on environmental impact had failed to comply with all requirements.⁴³⁵

Environmentalists and other experts complained that the time frame for reviewing and granting licenses was very short, thus compelling the authorities to respond without having a full diagnosis.⁴³⁶

Food and Livelihood

During 2013, the Government set up the Food Safety and Nutrition Observatory, for the purpose of strengthening public policies on the matter.⁴³⁷ Pursuant to the 2007 CONPES 113 recommendation on national policies for food safety and nutrition in Colombia, the Government set up in 2013 the Food Safety and Nutrition Observatory (OSAN, its acronym in Spanish) for the purpose of reinforcing public policies on the matter.⁴³⁸

According to the Observatory, land use in Colombia focuses mainly on agricultural and forestry activities.⁴³⁹

In 2015, Colombia was rated 8.8 in the Global Hunger Index; this meant no critical levels on malnutrition, children with low weight, or child mortality.⁴⁴⁰ However, provinces such as Guajira and Vaupés have been affected with issues relating to child malnutrition, reaching levels of 34.7% and 27.9% respectively, while the national average is 13.2 %.⁴⁴¹

Experts, academics and public entities have reported that Colombia must face two challenges on nutrition and food security, to wit: market access barriers,⁴⁴² and soil deterioration due to cattle farming, agriculture, legal and illegal mining, and deforestation activities; all this menaces soils suitable for farming and agriculture.⁴⁴³

Furthermore, in 2013 a number of Colombian organizations filed complaints before the IACHR, arguing that 8% of the explorations in the extractive industry had taken place in fertile soils suitable for agriculture.⁴⁴⁴ On the other hand, organizations and affected communities have complained that hydroelectric projects like *El Quimbo* threaten the local communities’ food security.⁴⁴⁵

Water

The Code on Renewable Natural Resources and Environmental Protection provides the right to use water from public sources to cover people and animal basic needs.⁴⁴⁶ On its part, the Environmental Law expressly states in connection to water resources, that human consumption is a priority over any other use of water.⁴⁴⁷

The Inter-American Association for the Defense of the Environment (AIDA) sustained in 2015, that moorlands in Colombia supplied 85% of the country’s drinking water. AIDA also informed that large-scale mining is threatening the ecosystem, livelihood and health of communities relying on such natural water sources.⁴⁴⁸ According to reports from the National Mining Agency, as of March 2015 there were 448 mining rights in 26 moorlands, 347 of which already had environmental licenses. However, in February 2016 the Constitutional Court prohibited mining in moorlands thus overriding 347 mining rights with environmental license.⁴⁴⁹

The Office of the Comptroller General of the Nation stated that illegal gold mining is responsible for water pollution given the uncontrolled depletion of resources,⁴⁵⁰ and the excessive use of mercury and cyanide.⁴⁵¹

In the same vein, agriculture demands large quantities of water and pollutes water resources as a consequence of the use of chemical products in farming.⁴⁵² A 2015 study performed by IDEAM found that the agricultural sector accounts for 46.6% of the demand for water.⁴⁵³

Finally, some organizations have condemned the impact of hydroelectric projects on the most important Colombian river basins such as Magdalena, Cauca and Sogamoso.⁴⁵⁴ According to such organizations, in some cases the projects have brought about river diversion affecting the communities' livelihood.⁴⁵⁵

Deforestation

CONPES 2834 of 1996 contains Colombia's Forestry Policy, which gave rise to the Forestry National Development Plan which purpose is the sustainable use and conservation of forests.⁴⁵⁶

According to IDEAM, in 2014, 140,356 hectares of forest were lost, that is, a 16% increase with respect to 2013 when 120,933 hectares were lost. IDEAM also mentioned that despite a reduction in the Amazon, the region accounts for 46% of the deforestation and the Andean Region accounts for 26%. Furthermore, Caquetá, Antioquia, Meta, Putumayo and Chocó were the most affected Provinces.⁴⁵⁷

According to the Worldwide Wildlife Fund (WWF), more than 80% of the world deforestation occurs in eleven places, including the Amazon and Chocó.⁴⁵⁸

The NGO named Global Canopy Programme reported that the Colombian Government and authorities from Caquetá are among the 500 responsible for world's deforestation, given the progressive expansion of palm oil plantations.⁴⁵⁹

Often, *Fedesarrollo* and some national press media have reported that agriculture, mining, and infrastructure are the main responsible for deforestation in Colombia.⁴⁶⁰ Likewise, these have also highlighted illegal crops, logging and illegal mining as the cause of deforestation.⁴⁶¹

Pollution

According to national press media, in 2014 the concentration of particulate matter in main cities of Colombia such as Bogotá, Medellín and Cali, was well above the standards approved by the World Health Organization.⁴⁶² Agriculture, oil and gas sectors were singled out as the main responsible for air pollution, followed by lumbering, food processing and chemical production.⁴⁶³ ECLAC sustains that agriculture accounts for 35% of the total greenhouse emissions in Colombia.⁴⁶⁴

According to the Sub-directorate of Non-transmissible Diseases of the Ministry of Health, for 2014, the Provinces of Antioquia, Cundinamarca, Boyacá, Bogotá, Caldas, Quindío and Risaralda accounted for the largest number of bad air quality-related respiratory diseases registered.⁴⁶⁵ Nevertheless, in 2014 the WHO highlighted an improvement in the air quality in Bogotá, *vis-à-vis* the 2008 report.⁴⁶⁶

Access to Remedy

Remedies provided in the Constitution, such as protective actions (*tutelas*) and class actions, civil liability laws, and criminal proceedings are legally suitable to redress environmental damages. The victim must prove damage and its causality relation. In those cases there is room for criminal liability; the Penal Code considers pollution as a criminal offense.⁴⁶⁷

Additionally, Law 99/1993 provides that CARs have the power to require the curing of environmental damages caused.⁴⁶⁸

On the other hand, the Office of the Attorney General has a Unit dealing with criminal offenses against natural resources and the environment.⁴⁶⁹ During 2012, the Unit investigated 180 cases, 90% of which in the mining sector and 10% related to pollution and illegal logging; 10 convictions were pronounced that year.

Internationally, victims of business-related environmental damages have resorted to the Inter-American System for the Promotion and Protection of Human Rights, particularly, the Inter-American Commission on Human Rights. In turn, the Office of the Compliance Advisor of the International Finance Corporation has received complaints on projects that adversely impact the environment.⁴⁷⁰

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *October 2015, El Tiempo:* In the Province of Cundinamarca the community *El Peñón* blames mining for water scarcity. According to *El Tiempo*, the area of the mining license granted to Comind corresponds to “the mountain that supplies water to countryside aqueducts”. The community claims that the road leading to the upper part of the mine was built next to running water sources, without appropriate distance and that the company has failed to provide appropriate maintenance to the road.⁴⁷¹
- *April 2015, El País:* After 14 years of litigation between the Afro-Colombian community of the Anchicayá river basin and Buenaventura and Pacific Energy Company (EPSA), the Court found the company guilty for environmental damages caused in 2001. The company must compensate the community for throwing more than 500,000 cubic meters of mud accumulated in the dam of *Bajo Anchicayá*, causing adverse social and environmental impact.⁴⁷²
- *August 2014, El Tiempo:* In the audit performed by the Office of the Comptroller General it was found that Drummond and *La Jagua* and *Norcarbón* Joint Venture failed to address and mitigate the environmental impact caused by their operations. The audit found a non-authorized river deviation by Drummond, low quality discharge processes by Norcarbón, impairment of river flows and wetlands, and water chemical pollution, among others.⁴⁷³
- *June 2014, Business & Human Rights Resource Centre:* 73 peasant farmers filed before the UK High Court of Justice a complaint against BP (today, Equion Energía), for environmental damages in their land, caused by the construction of a pipeline in the 90s.⁴⁷⁴

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- EO100 Certification: Purpose of this certification is to highlight oil companies that socially and environmentally friendly. The first companies certified were Quifa and Pacific Rubiales in 2015, which complied the highest environmental, social and health standards in the industry. The standard is the result of a consultation process and it is the only voluntary standard existing in the oil and gas industry.⁴⁷⁵
- ISO 14000 Standards on Environmental Management Systems: Developed by the International Organisation for Standardization, the ISO 14000 Standards provide businesses and organizations with a number of tools to assist in their environmental management systems. The key objective of the standards is to encourage different actors to reduce the negative impact that their activities may have on natural resources such as air, water or land.⁴⁷⁶
- Final Report of the United Nations Environment Program (2015): The report underscores the opportunity to create a financial system to support the development of an inclusive green economy.⁴⁷⁷
- Ethical Commitment of Swiss Companies in Colombia (2014): This is an initiative of the Swiss Embassy and eighteen Swiss companies operating in Colombia seeking the holistic management of Human Rights and International Humanitarian Law under three pillars: Discrimination and Inclusion, Transparency, and Environment.⁴⁷⁸
- United Nations Special Rapporteur on the Human Right To Safe Drinking Water and Sanitation (est. 2008): Amongst a range of issues, the mandate of the Special Rapporteur includes consideration of the regulation of the private sector in the context of private provision of safe drinking water and sanitation. The Report also calls on business enterprises to ensure that those hazardous substances do not cause or contribute to human rights abuse.⁴⁷⁹
- The United Nations Framework Convention on Climate Change (1992): The purpose of the Convention is to raise worldwide awareness on climate change issues. Through different mechanisms, the Convention seeks that member states implement measures aiming at addressing climate change and reducing concentrations of greenhouse gases effects, while adopting measures to facilitate adaptation to climate change.⁴⁸⁰
- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (1999): The purpose of this Convention is to guarantee the citizens' right to participate in decision-making processes relating to environmental matters through access to information, public participation in decision-making and access to justice in environmental matters.⁴⁸¹
- Forest Stewardship Council Certification: This is a voluntary certification securing that products come from well-managed forests that provide environmental, social and economic benefits.⁴⁸²

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

Chevrolet Foundation (2015): The Chevrolet Foundation, in alliance with *Universidad de Los Andes* and ANDI conceived a strategy called Entrepreneurial Plans of Sustainable Mobility. The purpose is that public and private enterprises, as well as universities, should implement mobility strategies. In 2014 there was an 8% reduction in CO₂ emissions and fuel consumption.⁴⁸³

Procables (2015): This Company has in place an environmental management system including integral waste management and policies for water and energy saving and efficient use. Likewise, the company has implemented actions for cleaner production by using new technologies and environmental good practices. The Secretary of Environment considers Procables as a company having friendly environmental policies.⁴⁸⁴

Ecopetrol (2012-to date): The company offers the communities in the area of influence of its projects, resources to plant native trees through its program Trees for Life.⁴⁸⁵

Ecopetrol, Natural Parks and Fundación Natura (2014-to date): These entities are committed to develop seven reforestation projects in the Provinces of Antioquia, Santander, Norte de Santander and Boyacá. The initiative seeks reducing 220,000 tons of CO₂, planting trees in 990 hectares, and avoiding degradation of at least 2000 hectares.⁴⁸⁶

Bolívar Foundation, Davivienda and Juan Valdéz: Green Pages (2014): This is an initiative led by New Ventures Mexico with the support from Bolívar Foundation, Davivienda and Juan Valdéz in Colombia. This is the largest Latin American working directory where the main companies contributing to the environment, either through products, services or environmental programs, can be found.⁴⁸⁷

Stakeholder Recommendations

Forum “Progress and Challenges of Business and Human Rights in Colombia and Latin America”:⁴⁸⁸

- Businesses should focus on making available the access to environmental information. Businesses should make publicly available information on water quality studies, together with all key parameters. Additionally, they should make publicly available air quality studies and information on water footprint;
- Businesses should strengthen community communication and dialogue scenarios and share the outcomes of environmental studies with those communities.

United Nations Global Compact in Colombia:⁴⁸⁹

- Using mercury is a problem in illegal mining because of the negative impact on the environment and human rights.

Anglo Gold Ashanti Consultant:⁴⁹⁰

- Businesses should support and promote good practices, i.e., the Guide for Hydrocarbon Industry; otherwise, such guides are not implemented and may not become enforceable standards.

Cerrejón:⁴⁹¹

- Businesses should learn how to identify and monitor environmental impacts and discuss them with communities.

Isagen:⁴⁹²

- Businesses should be more aware of environmental impacts throughout their operations.

OECD:⁴⁹³

- Recommends the promotion and compliance with OECD Guidelines for Multinational Enterprises and, the direction of due diligence concerning minerals supply chain originating from conflicting and high-risk zones;
- Businesses should include provisions regarding environment in bilateral treaties.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

Environmental Credits: BANCOLDEX and the More Clean Production and Environmental Technologies National Centre (CNPMLTA) support more clean production projects through an environmental credit facility. The initial investment may be reimbursed up to 25%, depending on the environmental improvement achieved.⁴⁹⁴

Colombian Green Seal: The Ministry of Environment and Sustainable Development promotes this seal. The seal is voluntarily awarded to products or services that comply environmental requirements of the category. The seal provides information for customers on the environmental aspects of the product.⁴⁹⁵

National Policy for Integral Management of Water Resources (2010): Purpose of this policy is ensuring sustainability of water resources through good management and efficient use, ecosystem conservation, and implementation of equitable and inclusive participation processes. The policy considers water resources as key factor for economic development and social welfare.⁴⁹⁶

Plan Colombia Siembra (2015): The purpose of this plan is to develop 1 million of cultivated zones in the next three-years and give incentives to the development of rural areas in Colombia. FAO expects that Colombia and six other countries contribute with 50% to increase world food production.⁴⁹⁷

National Action Plan on Business and Human Rights (2015): This is a three-year plan led by the Government as a public policy tool structured on participative basis with business and civil society organizations with support from the International Community to ensure respect for human rights in business operations. The Plan prioritizes the structuring of strategies in sectors prone to social conflicts due to their impact on the environment and human rights, such as energy, agribusiness and infrastructural (construction of roads) sectors.⁴⁹⁸

Development Priorities

OECD Declaration towards Green Growth: With this Declaration Colombia is committed to carry on any green growth strategies, promote both environmentally friendly investments and sustainable management of natural resources.⁴⁹⁹

Sustainable Development Goals (2015-2030): Based on Colombia's adoption of the SDG in September 2015, the Government, the private sector and the civil society, are committed to comply with the seventeen goals set out in the new agenda for sustainable development.⁵⁰⁰ The United Nations has underscored the crucial role that private sector has in complying with the SDG given the sustainability aspect of such goals.⁵⁰¹ Six out of the seventeen SDGs deal with environmental matters. Objectives 6, 7, 12, 13, 14 and 15 seek the development of more sustainable and environmentally friendly practices. The sustainable development objectives leveled environmental considerations *vis-à-vis* economic and social considerations.⁵⁰²

Land and Land Ownership

Impacts on human rights derived from business enterprises land acquisition, use and management.

Country Context

Human rights issues of interest to businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

Colombian laws recognize and protect public and private property and guarantee collective ownership by Indigenous and Afro-Colombian communities.⁵⁰³

Colombia has one of the world highest levels of concentration of land in the hands of few.⁵⁰⁴ According to a report of the United Nations Development Program (UNDP), 53% of land in Colombia is in the hands of 1.15% of the total population.⁵⁰⁵ Additionally, the United Nations High Commissioner for Human Rights referring to a report of the Ministry of Agriculture stated that no less than seven million hectares are subject to informal land tenure.

On the other hand, a report from INDEPAZ pointed out that, conflicting situations between large landowners, peasant farmers and businesses are accentuated by land ownership informality. For instance, in the Orinoquia there have been conflicts between oil companies, small landowners, agri-businesses and cattle ranchers. Additionally, the report highlighted the existence of conflicts among certain mining projects with indigenous reserves and Afro-Colombian territories.⁵⁰⁶

Land-related issues are the first point in the Havana negotiation agenda between the Government and the FARC. The purpose of the agreement on Integral Agricultural Development is boosting rural areas, integrating regions, and bridging the gap between rural and urban development.⁵⁰⁷

Land Access and Acquisition

Colombian laws (i.e. Law 160/1994) promote progressive access to land ownership and other rural public utilities seeking to improve the livelihood and income of rural population.

According to the 2014 National Agricultural Census, rural areas have 111.5 million hectares, 38,6% of which, dedicated to agriculture.⁵⁰⁸ Of this percentage, 33.8 million hectares are devoted to extensive cattle grazing and, 7.1 million hectares to crops.⁵⁰⁹ The International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – pointed out that 3 million hectares had been awarded on concession basis to oil and gas companies, and 5.6 million hectares to mining companies.⁵¹⁰ Historically, unequal land distribution has boosted the armed conflict and has caused the displacement of nearly 10% of the population.⁵¹¹

In 2014, Oxfam reported that Colombia has no available information on unused land or wastelands, known as *baldíos*. Oxfam also reported that agribusinesses were accountable for land grabbing and accumulation of 52,557 hectares in 36 rural properties.⁵¹² Lawmakers have also claimed that since 2013, businesses have been involved in illegal wastelands grabs, formally reserved to peasant farmers.⁵¹³ *Verdad Abierta* (an opinion Portal) pointed out that INCODER had filed complaints against nine companies suspect of grabbing wastelands reserved to peasant families.⁵¹⁴

In January 2016, President Juan Manuel Santos promulgated the Law creating Zones Reserved for Rural, Economic and Social Development (ZIDRES). The above, aimed at promoting the development of productive projects in regions historically isolated. To that effect, the Law encourages associative peasant projects in former wastelands (*baldíos*) already securitized, in State-owned wastelands and, in private-ownership lands.⁵¹⁵ A number of critics have rejected the ZIDRES approach by claiming that such wastelands might be allocated to private enterprises.⁵¹⁶

In 2015, the Office of the Comptroller General pointed out INCODER's inefficiency in spending budget resources for the purchase and formalization of lands to be allocated to black and indigenous communities, thus undermining the rights of said ethnic communities.⁵¹⁷ In view of the foregoing, INCODER reported inefficiencies detected since 2014 in some processes relating to land acquisition.⁵¹⁸

Land Restitution

In an Amnesty International study published in 2014 it was found that since 1985 over 6 million people – nearly 13% of Colombia's population – had been displaced and disposed of their land.⁵¹⁹ It maintains that 8 million hectares had been illegally acquired.⁵²⁰ In May 2011, the Colombian Congress passed the Victims and Land Restitution Law (Law 1448/2011) underpinning the right to reparation for any land illegally acquired in the context of the armed conflict. The purpose of said Law is to compensate 3.5 million displaced people, particularly women and ethnic minorities forced to abandon their land, since 1991.⁵²¹ The Land Restitution Unit stated that 169.078 hectares had been restituted to 4.127 families, by October 2015, in the framework of this process.⁵²²

According to a report posted on *Verdad Abierta*, in 2013, some national and foreign enterprises were involved in the acquisition of lands in the *Llanos Orientales*, a region that in the past witnessed frequent confrontation and peasant farmers' dispossession.⁵²³ According to the 2014 Amnesty International study, land restitution has been focused on the restitution of small plots of land, whereas many enterprises operating in Colombia have been benefited with the acquisition of considerable tracts of land.⁵²⁴

Prior Consultation

The Constitution defines Colombia as a multiethnic nation. Decree 1320/1998 regulates the matter of prior consultation for the implementation of projects seeking natural resources exploitation in Indigenous or Afro-Colombian territories.⁵²⁵ Colombia ratified ILO Convention 169 on Indigenous and Tribal Peoples, whereby they are required to give free and informed consent on matters of their concern.⁵²⁶ On the other hand, the Government issued *Presidential Directive 001/2010* to guarantee and standardize prior consultation processes, in due respect for the cultural integrity of ethnic groups in the context of projects, public works and activities likely to affect them.⁵²⁷

The Prior Consultation Directorate of the Ministry of Political Affairs, in coordination with other domestic institutions, is the agency responsible for prior consultation proceedings. The Directorate visits all project sites to guarantee participation by all ethnic groups and issue certificates attesting the presence of such ethnic groups in the consultations and, particularly, taking into account the livelihood of the community.⁵²⁸

In 2015, the Ministry of Political Affairs issued regulations concerning the National Scenario for Prior Consultations, whereby black, Afro-Colombian, Raizal and Palenquero communities are consulted with regard to legislative and administrative measures likely to affect them.⁵²⁹

In 2013, *Razón Pública* replicated information from the Ministry of Environment and ANLA therein asserting that between 1994-2012, 2,331 environmental licenses had been granted and 156 prior consultations were held, that is, only 6.7% of the cases.⁵³⁰ The hydrocarbon sector performed 42% of such consultations, whereas the mining sector performed a reduced number of consultations.⁵³¹

In 2012, the International Trade Union Confederation maintained that Colombia relied on no laws suitable to guarantee proper consultations with Indigenous people, concerning exploitation of natural resources in their territories.⁵³² In 2012, the International Working Group for Indigenous Affairs sustained that some extractive business enterprises influenced the authorities in order to acquire land without consulting the communities affected by their operations.⁵³³

Access to Remedy

In May 2011, the Government approved the Victims and Land Restitution Law (Law 1448/2011) reinforcing the right to file complaints on illegal acquisition of land. According to the UNDP, by October 2015, 169,078 hectares of land had been restituted to 4,127 families.⁵³⁴

Land restitution processes are completed in two stages, to wit: first, an administrative stage carried out by the Special Administrative Unit for Managing the Restitution of Dispossessed Lands, responsible for collecting evidences and conducting the restitution processes on behalf of affected persons.⁵³⁵ Second, the judicial stage starting when the Land Restitution Unit files the complaint. In this stage, restitution judges (39 countrywide) and restitution justices (15 countrywide) adjudicate the case based on information submitted by the Land Restitution Unit and the concerned defendant.⁵³⁶

In 2014, the Ombudsman raised concerns with regard to threats and human rights abuses against land affecting claimants and thus putting their life at-risk and jeopardizing their actual reparation.⁵³⁷

Communities have also referred to the Inter-American System for Human Rights Promotion and Protection, particularly, the Inter-American Commission on Human Rights, a number of questions relating to the protection and integrity of ethnic communities victims of forced displacement.⁵³⁸

In 2015, the Government introduced new vehicles to ease the access to justice. Today, there are 103 Houses of Justice in 28 Provinces and 87 cities, and 33 Centers of Civic Coexistence (CCC) in 18 Provinces and 33 cities. CCCs have assisted 284,311 persons to access justice and other mechanisms for dispute settlement. In addition, the Ministry of Justice has set up 356 conciliation and/or arbitration centers.⁵³⁹

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.⁵⁴⁰

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *September 2015, Verdad Abierta:* The Valle del Cauca Land Restitution Unit filed a complaint on behalf of a group of peasant farmers who claimed the restitution of their farms currently under

ownership of Smurfit Kappa, a business company operating in the paper and paperboard sector. Peasant farmers argued that they had abandoned their land because of violence and, in some cases, had sold their land because of the conflict pressure. On the other hand, the company alleges that it acted in good faith and paid a fair price for the land.⁵⁴¹

- *September 2015, El Espectador:* In August 2105, a group of peasant farmers from San Onofre (Sucre) filed a collective action before the Land Restitution Unit therein requesting the restitution of 2,000 hectares currently under ownership of Grupo Argos.⁵⁴²
- *July 2015, Business & Human Rights Resource Centre:* The First Civil Circuit Court Specialized in Land Restitution in Popayán ordered the restitution of 71,000 hectares of land to Afro-Colombian communities settled in the mid and upper basin of the Timbiquí river. Also, the Court ordered the suspension of all mining licenses granted, thus hindering the return to their collective territory.⁵⁴³
- *January 2015, Business & Human Rights Resource Centre:* There have been threats against land restitution claimants, community leaders, and human rights defenders working on land restitution in the Provinces of Magdalena and Atlántico. Those threats took place within the framework of land restitution processes referring to land currently under ownership of multinational enterprises.⁵⁴⁴
- *September 2014, El Espectador:* Indigenous people from the Province of Chocó recovered 50,000 hectares granted by the Government to mining enterprises such as LEO SOM, Anglogold Ashanti, Exploraciones Chocó Colombia, Costa SOM, EL Molino ASOM, Sociedad Gongora Som, Anglogold American Colombia, Capricornio SOM, Negocios Mineros SA Enoc Efraín Maturana Rivas and Óscar Andrés Hortua.⁵⁴⁵ According to the complaint the Government had handed over 62% of the land pertaining to certain indigenous reserve.

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- **FAO Voluntary Guidelines on the Responsible Governance of Tenure (2012):** Developed by the UN Food and Agriculture Organization (FAO), the Guidelines promote responsible governance of land tenure, fisheries, and forests. The Guidelines inform States and non-governmental actors as to any relevant policies, strategies and activities.⁵⁴⁶
- **International Finance Corporation – Performance Standard 5: Land Acquisition and Involuntary Resettlement, and the IFC Handbook for Preparing a Resettlement Action Plan (2002).** IFC performance standards are legally binding for some IFC-funded projects. For instance, Performance Standard 5 together with its Guidance Note and the Resettlement Handbook constitute a detailed guide for managing resettlements and associated impacts.⁵⁴⁷
- **Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources (2010):** A joint initiative of UNCTAD, FAO, IFAD and the World Bank; seven principles cover all types of investment in agriculture, including between principal investors and contract farmers. The Principles provide a framework for national regulations, international investment agreements, global corporate social responsibility initiatives, and individual investor contracts.⁵⁴⁸

- **Colombia Guides on Human Rights and International Humanitarian Law (Guías Colombia)** – Guide for the purchase and acquisition of land rights and rights of use:⁵⁴⁹ This Guide provides tools for businesses to complete the acquisition of land rights and rights of use, in due respect for the dignity and equality of the parties involved, with transparency, and subject to domestic and international regulatory frameworks that avoid negative impact on community rights.

Stakeholder Recommendations

Forum “Progress and Challenges of Business and Human Rights in Colombia and Latin America”:⁵⁵⁰

- Businesses should avoid using coercive means or means that boost power conflicts;
- Businesses should make their operations and social investments compatible with territorial development plans and land use plans.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

Victims and Land Restitution Law (Law 1448/2011): This Law sets out the legal process for land restitution and formalization of victims of the conflict forced to abandon or dispossessed of their land, as from January 1st 1991. Proceedings are completed in an administrative stage (registry of dispossessed land) and a judicial stage (land restitution).⁵⁵¹

Guide for Prior Consultation with Ethnic Communities (2013): This is a tool devoted to institutional coordination in order to achieve administrative efficiency and implement sound government practices in prior consultation processes with ethnic communities, with regard to projects, works or activities.⁵⁵²

Development Priorities

Sustainable Development Goal (SDG): Based on Colombia’s adoption of the SDG in September 2015, the Government, the private sector and the civil society, are committed to comply with the seventeen goals set out in the new agenda for sustainable development.⁵⁵³ The United Nations has underscored the KEY role that private sector has in complying with the SDG given the sustainability aspect of such goals.⁵⁵⁴ The first goal is guaranteeing access to ownership, access to land control and other goods, as well as access to natural resources, for the purposes of ending poverty.⁵⁵⁵

Revenue Management and Transparency

Country Context

Human rights issues of interest to businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

Law 1474/2011 punishes active and passive extortion, bribery, and political corruption. As a consequence, the Citizenship National Commission to Fight Against Corruption was created with the involvement of business associations and the civil society. The purpose of this Commission is to follow-up policies, programs, and actions formulated and implemented by the Government to prevent, control and punish corruption.⁵⁵⁶ Moreover, the anti-bribery Law was enacted in 2016 whereby multinational enterprises may be sanctioned for corruption cases, with penalties reaching up to US\$ 40 million.⁵⁵⁷

Despite of the fact that in recent years laws have been strengthened to address bribery issues, in practice, the problem remains. In 2014, the AmericasBarometer reported that Colombia continues to be one of the countries with highest levels of corruption in the region: Colombia is ranked second among 25 countries studied, with 79.6 points out of 100.⁵⁵⁸ On the other hand, the 2015 Transparency International Corruption Perceptions Index ranked Colombia 83, out of 168 countries.⁵⁵⁹

Furthermore, the 2015 survey on business transparency found that sectors such as energy, gas, aqueduct, sewage, sanitation and communication and information technologies, bore moderate risks.⁵⁶⁰

Revenue Transparency

The Law on Transparency and Access to Public Information enacted in 2012 contains provisions aimed at improving access to information and accountability for both the public sector and businesses providing services to the Government.⁵⁶¹

According to *Transparencia por Colombia*, the lack of accountability and public information is recurrent at local level. For instance, in 2013, less than one half of local governments that received royalties from the central government had public information on how they had used such funds.⁵⁶² In 2015, the National Planning Department deferred royalties to some municipalities on the grounds of lack of information.⁵⁶³ *Transparencia por Colombia* emphasizes the fact that some municipalities withhold information, thus creating favorable conditions for corruption, diversion of public resources and cronyism.⁵⁶⁴

In October 2015, Colombia joined the Extractive Industries Transparency Initiative (EITI) which purpose is to improve accountability on public revenues originating from the exploitation of natural resources such as oil, gas, and mining,⁵⁶⁵ making up 95.8% of total revenues in the extractive industry.⁵⁶⁶ The first EITI report on Colombia was published in March 2016 and showed figures corresponding to payments made by eighteen enterprise members of the Initiative and revenues received by the Government for the exploitation of non-renewable natural resources for fiscal year 2013.⁵⁶⁷

Public Procurement

Public procurement is regulated under Law 80/1993 (i.e., General Statute on Public Procurement)⁵⁶⁸ Law 1150/2007,⁵⁶⁹ and Decree 1510/2013 regulating the General System of Public Purchases and Procurement.⁵⁷⁰

In 2011, the Government, in its efforts to strengthen the fight against corruption, set up the site *Colombia Compra Eficiente* in order to facilitate and disclose public procurement policies to enhance efficiency.⁵⁷¹ It also set up the Public Procurement Electronic System (SECOP) to increase transparency and efficiency in public procurement; technologies used under the SECOP benefit all parties, including business enterprises.⁵⁷²

The 2015 Transparency International Corruption Perceptions Index showed that corruption in public procurement was a major concern.⁵⁷³ Transparency International also noted that some entities at national level, such as the National Agency for Public Procurement, are perceived as having the highest risk.⁵⁷⁴

In 2013, the Deputy Inspector for Decentralization and Territorial Entities pointed out that near 50% of public procurement is made through direct contracting, thus promoting corrupt practices. On the other hand, a number of Colombian organizations sustain that public procurement is the context of 20% of the total corruption practices.⁵⁷⁵ The Fourth National survey on practices against bribery in Colombian enterprises reported that 75% of the entrepreneurs surveyed considered bribery opportunities to pop-up when closing business deals or getting contracts.⁵⁷⁶

Additionally, in 2013, the program *Somos Defensores* reported that politicians had access to privileged information regarding new areas of exploration and took advantage of such information to set up enterprises to submit bid-tenders. This is a practice that runs counter to private participation and fair competition.⁵⁷⁷

Allocation of Revenues

The Royalties National Fund and the Royalties National Commission allocate Government revenues originating from the exploitation of non-renewable natural resources.⁵⁷⁸ In 2012, the Royalties General System was refurbished to create conditions for equitable allocation of revenues, promote development and regional competitiveness, and economic and social investment in the territories where exploitation of non-renewable natural resources takes place.⁵⁷⁹

According to the Ministry of Mines and Energy, in recent years mining and energy sectors paid royalties for COP\$31.4 billion, subsequently invested in social projects.⁵⁸⁰

However, the amount of royalties paid has decreased in view of the oil-prices fall. According to estimates of the Ministry of Mines and Energy, for the period 2015-2016 royalties may fall between 30% and 40% due to fall in oil prices affecting producer regions.⁵⁸¹

On the other hand, Law 1607/2012 reduced the tax rate assessed on companies, from 33% to 25% and created a new tax named “Contribution to Equality” (CREE); mining and construction companies are subject to such tax. The CREE tax aims at funding the National Institute for Family Welfare (ICBF), the National Learning Service (SENA), and the National Health System.⁵⁸²

Newspapers have pointed out that tax evasion in Colombia is above COP\$40 billion per year and may reach COP\$70 billion. DIAN, as tax and customs authority has reported that in 2014, only 35.000 companies out of 800.000 existing companies in Colombia had paid income taxes.⁵⁸³

Access to Remedy

The Office of the Procurator General (*Procuraduría General de la Nación*) has authority to investigate and impose disciplinary sanctions for corruption-related administrative cases. As to criminal proceedings, both the Office of the Procurator General and the judicial authority rely on administrative units engaged in the investigation of corruption cases, including those involving businesses.⁵⁸⁴

The Tax and Customs Authority set up an online tool to file tax evasion claims.⁵⁸⁵

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complains against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.⁵⁸⁶

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *May 2015, Revista Semana:* The Office of the Comptroller General imposed fines amounting to COP\$60,000 million against former minister of Mines and Energy Mr. Hernán Martínez Torres, former Director of Ingeominas, Mr. Mario Ballesteros and PRODECO on the grounds of detriment to the State wealth resulting from the amendment to a contract entered into with PRODECO. Such amendment had modified the method for royalty calculation and, consequently, both the central Government and some municipalities in the Province of Cesar lost income and revenues.⁵⁸⁷
- *March 2015, Revista Semana:* Reported investigations for alleged corruption consisting in fictitious scrap metal exports to China, Panama and Venezuela, where a number of DIAN officials were involved.⁵⁸⁸
- *February 2015, Noticias RCN:* Reported a corruption case where senior executives of Petro Tiger paid over US\$300 million to Ecopetrol officials, in order to be awarded with contracts in the Province of Putumayo, among others.⁵⁸⁹
- *November 2013, Revista Semana:* Reported that, by at the end of 2013 took place the largest fraud to the health sector through Saludcoop. Between 2002-2010 a number of Saludcoop directors diverted funds for an estimated amount of COP\$1.4 billion.⁵⁹⁰

Human Rights Guidance for Businesses

Actions and priorities suggested by local and international stakeholders as well as corporate initiatives to ensure company respect for human rights and support to human development in local contexts.

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- **Business Principles for Countering Bribery:** This tool helps businesses to develop effective approaches, corporate policies and programs to identify, prevent and fight against bribery and corruption in the context of their operations.⁵⁹¹ There is also a version for small and medium-size enterprises that includes guides and practical advices for developing a strategy against bribery, consistent with their size.⁵⁹²
- **The OECD Guidelines for Multinational Enterprises,** applicable to enterprises in OECD Member States (and some others), require companies to respect human rights, including through due diligence. The OECD Guidelines constitute recommendations by OECD Member States addressed to multinational enterprises operating in or from adhering countries. The OECD Guidelines include competition, fiscal systems and anti-corruption.⁵⁹³
- **Ethical Commitment of Swiss Enterprises in Colombia (2014):** This commitment is an initiative of the Swiss Embassy and eighteen Swiss companies operating in Colombia. Its purpose is to achieve a holistic management of Human Rights and International Humanitarian Law in their companies. The Commitment sets out a Guideline on Transparency to help enterprises to include transparency principles in their management and prevent, mitigate or respond to problems arisen in that regard.⁵⁹⁴
- **Extractive Industries Transparency Initiative (EITI):** This is a voluntary initiative supported by business, governments, civil society organizations and investors, seeking to improve transparency and accountability relating to both payments by business enterprises to governments and revenues received by governments from the mining industry.⁵⁹⁵

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

Argos Group (2015): Sustainability and Anti-corruption Week. Between September-October 2015 the Argos Group and *Transparencia por Colombia* organized the event for the purpose of rising awareness among the company's collaborators and suppliers as well as communities, on the significance of ethics and to fight against fraud and corruption.⁵⁹⁶

Transparencia por Colombia: "Towards Honest and Transparent Business" Among the companies which joined the program are: SABMiller Bavaria, Allianz Seguros and others in their supply chain, Terpel and its suppliers.⁵⁹⁷

ISA Affiliate XM and the National Operation Council (2015): Collective Action Initiative. This is a private-sector initiative of voluntary nature, seeking to promote ethics and to fight against corruption in companies from the energy sector in Colombia. Twenty-one companies have joined the Initiative,

including, among others, Celsia, Celsia Free Trade Zone, Chec, EPSA, CETSA, Electrificadora de Santander, Vatia and GENSA.⁵⁹⁸

Cerrejón: This mining company issued a Fraud Control Policy applicable to employees, contractors, suppliers and third parties. The management is responsible for the prevention of fraud, embezzlement and improper behavior. Additionally, a telephone help line was set up to receive improper behavior-related complains.⁵⁹⁹

Empresas Públicas de Medellín (EPM): This Company set up a mechanism named *Transparent Contact* to receive complains and information on improper behavior by its employees and/or business associates, likely to affect the achievement of its corporate strategy goals.⁶⁰⁰

Stakeholder Recommendations

Forum “Progress and Challenges of Business and Human Rights in Colombia and Latin America”:⁶⁰¹

- Businesses should make enhanced efforts to raise awareness on the link between human rights, transparency and corruption through sensitization and capacity-building;
- Businesses should adopt policies, programs and control mechanisms to fight against corruption;
- Businesses should enhance quality and management reports by using the GRI Standards;
- Businesses should adopt integral ethics and transparency programs, for instance, Transparencia por Colombia’s program named *Rumbo Empresas*, which sets forth guidelines towards honest and transparent businesses in Colombia

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: The purpose of this initiative, led by the Office of the Presidency for Human Rights, is to provide useful tools to help business enterprises to respect human rights in the framework of their operations and to help civil society to protect its rights or remedy any harm done by business enterprises. The Government is committed to provide support to business enterprises for the conclusion of transparency agreements.⁶⁰²

Group of Friends of Paragraph 47: Colombia joined the Group created in 2012 by Brazil, Denmark, France and South Africa to promote the submission of corporate sustainability reports pursuant to Paragraph 47 of the final document issued in the United Nations Conference on Sustainable Development (Rio+20). Activities of the Group include the identification of government tools to commit businesses to submit reports; invite stakeholders to put forward best practice examples; develop principles, indicators and reference frameworks for the submission of sustainable reports; support developing countries and small and medium enterprises.⁶⁰³

Second National Action Plan of the Open Government Alliance (2015): The new plan sets out nineteen commitments in sectors prioritized by citizens, to wit: environment, social inclusion, justice, education, health, public procurement and private sector. Likewise, the Plan sets out five specific objectives, as follows: enhance honesty in the public sector, improve public services, manage public resources efficiently, create more secured communities, and enhance private sector accountability.⁶⁰⁴

Map of Royalties: This tool contains georeferenced public data on projects recorded with the National Planning Department's Bank of Projects, including, among others, estimated budget; amount of money allocated, disbursed or approved for investment projects; amount of resources executed and calculation of royalty liabilities. The tool has enabled progress in transparency and access to public data in the context of managing public revenues.⁶⁰⁵

Development Priorities

2014-2018 National Development Plan: The Plan prioritized the fight against corruption, transparency and accountability under the framework of Good Governance.⁶⁰⁶ Additionally, President Mr. Juan Manuel Santos, stressed that special measures should be adopted to fight against corruption in the infrastructure, water supply and health sectors, as well as regarding management of mining royalties.⁶⁰⁷

Security and Conflict

Human rights impacts related to company interactions with public and private security providers and the impact of businesses on the social conflict

Country Context

Human rights issues of interest to businesses. Information provided in this section was gathered from publicly available sources and consultations with stakeholder groups.

The Constitution guarantees the right to life and personal security and prohibits forced disappearances, torture, inhuman or degrading treatment, and forced imprisonment. Death penalty is prohibited.⁶⁰⁸ The Constitution also guarantees the right to privacy.⁶⁰⁹

Public Security Forces

In 2008, in the framework of the Integral Policy on Human Rights and International Humanitarian Law, the Ministry of Defense adopted the Voluntary Principles on Security and Human Rights (VPs) to regulate interactions between public forces and businesses.⁶¹⁰ VPs are a set of principles designed to guide governments and businesses to ensure respect for human rights under any security arrangements between public forces and private security. Additionally, VPs provide tools to define a strategy for adequate relationships with stakeholder groups. In Colombia, the VPs ensure that every agreement with domestic or international business enterprises complies with human rights standards.⁶¹¹

Law 1621/2013 on Intelligence and Prevention of Human Rights Abuses mandates that public security officials develop a culture on prevention of human rights abuses in implementing any military intelligence task.⁶¹² In 1996, the Constitutional Court ruled that public security should be considered a public good offered to the population on an equal footing. The ruling contests the provision of public security on the basis of economic resources, thus denying protection to less affluent people.⁶¹³

The Office of the United Nations High Commissioner for Human Rights (ACNUDH) reported human rights abuses by public security forces in 2015.⁶¹⁴ According to the report, for the Army, those cases were military collateral errors.

According to information provided by the Director of Army Operations to *El Universal*, in Colombia there are twenty-one Energy, Mining and Road Battalions responsible for providing security and protection to business infrastructure and business employees.⁶¹⁵ The acting Minister of Defense, Mr. Luis Carlos Villegas, sustains that agreements between public forces and businesses to provide security for business operations, initiated in 1998. These agreements amount to near COP\$ 400,000 million.⁶¹⁶

In 2012, the International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – pointed out that these agreements delegitimized the public force official functions and brought about mistrust issues *vis-à-vis* communities.⁶¹⁷ The Observatory report also made reference to human rights abuses by mining and energy battalions providers of security for extractive industries; the above, jeopardized the life and physical integrity of members in the communities.⁶¹⁸

The NGO named *Tierra Digna* reported that the protection of business operations and investments has distorted the public force duties.⁶¹⁹ On the other hand, in 2015, Senator Mr. Iván Cepeda, from the Alternative Democratic Pole party, declared in a Congress debate that some Battalions parties to agreements with companies from the extractive sector were involved in extrajudicial killings, also known as false positives.⁶²⁰ Senator Cepeda also said that those activities led to public security privatization, and pointed as example the illegal surveillance of social organizations performed by an oil sector company, in 2013.⁶²¹

Private Security Forces

Decree 356/1994 regulates private surveillance and security companies. It is therein provided that all security guards should receive training on crime prevention and respect for human rights.⁶²²

The Private Surveillance and Security Superintendence ascribed to the Ministry of Defense is responsible for regulating private security services, including use of equipment and devices. The Superintendence makes inspections and has authority to impose sanctions in case of non-compliance with the Law.⁶²³

In 2013, the International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – reported that private security forces at the service of extractive industry companies had been involved in human rights abuses.⁶²⁴ In particular, the report states that community members opposing the implementation of projects in their territory had been threatened or murdered. The Office of the United Nations High Commissioner for Human Rights has recommended the implementation of systems enabling monitoring and overseeing private enterprises.⁶²⁵

Armed Conflict

The armed conflict in Colombia has lasted over six decades. In 2016, *Fundación Ideas para la Paz* reported that, although the conflict variables have diminished, there are still violent actions associated to the conflict, such as extortion and attacks to oil infrastructure.⁶²⁶ In this context, the Government and the FARC have achieved agreements in four out of the six points of the negotiating agenda and, in March 2016, the beginning of negotiations with the ELN was announced.⁶²⁷

In this vein, *Fundación Ideas para la Paz* has reported that business enterprises' response *vis-à-vis* the armed conflict varies. Some have exacerbated the conflict, others live with it, and others have implemented initiatives to build sustainable peace. *Fundación Ideas para la Paz* also reported that some businesses have also been the victims of the conflict due to attacks in their infrastructure, kidnapping of employees and extortion to contractors.⁶²⁸

Civil society organizations working on land and environment have reported human rights abuses by businesses in the framework of the armed conflict, thus obtaining advantages in terms of competitiveness and security, among others.⁶²⁹

Access to Remedy

The Office of the Attorney General set up a Human Rights Unit to investigate human rights abuses that may be attributed to any of the parties involved in the conflict.⁶³⁰ On the other hand, the National Police General Inspection must investigate alleged human rights abuses by National Police officials.⁶³¹

With regard to business-related topics, in the context of the accession process to the OECD, Colombia set up a National Contact Point (NCP) responsible for disclosing and promoting the instrument and for processing complaints against multinational enterprises on the grounds of non-compliance with OECD guidelines. The purpose of this mechanism is to foster business responsible behaviors.⁶³²

On the other hand, communities have also resorted to the Inter-American System for the Promotion and Protection of Human Rights, in particular the Inter-American Commission on Human Rights, for human rights abuses by public forces. According to the complaints, some of those abuses have been committed in the context of business operations.⁶³³

Additionally, in July 2015, the Office of the Attorney General and the Private Surveillance and Security Superintendence concluded an inter-agency agreement to strengthen cooperation between such two entities.⁶³⁴ The Superintendence expects that the Office of the Attorney General investigates any links existing between security companies and illegal armed groups.

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media

- *May 2015, Caracol Radio:* The High Court of Peace and Justice ordered businesses that funded paramilitary groups to ask forgiveness and compensate the victims. Those businesses operate in cattle, bananas and palm oil sectors.⁶³⁵
- *March 2015, El Mundo:* Communities from the municipality of Toledo, Province of Antioquia, complained that they have been evicted from their lands on occasion of the construction of the Hidroituango hydroelectric project. In the eviction process took part the Mobile Anti-riot Squad (ESMAD) as well as the hydroelectric's private security forces. Communities allege that the process breached international protocols on eviction.⁶³⁶
- *January 2015, Business & Human Rights Resource Centre:* Land claimants and community leaders from the Atlántico and Magdalena Provinces, as well as human rights defenders engaged in land restitution, have been threatened. Those threats occurred in the context of initial proceedings for restitution of lands occupied by multinational enterprises.⁶³⁷
- *November 2013, Colombia Reports:* Three oil workers kidnapped by the National Liberation Army (ELN) were set free two months later.⁶³⁸

Standards and Guidance

NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources were gathered from the Business & Human Rights Resource Centre

- **International Alert – Conflict Sensitive Business Practices: Guidance for Extractive Industries (2005)**⁶³⁹: International Alert is a peace-building NGO working with civilians and other affected stakeholders in conflict areas. This Guidance is intended for companies in the extractive industries sector, therein providing advice on conflict-sensitive business practices and the ways in which they can contribute to peace building.

- International Alert and Fafo Institute – Red Flags: Civil liability risks of business enterprises operating in Risk Zones (2008):⁶⁴⁰ Red Flags addresses illicit business activities under international and domestic laws. The Initiative seeks to define which activities - committed or supported by businesses - entail breaches to International Humanitarian Law and international criminal law.
- Colombia Guides on Human Rights and International Humanitarian Law – Security Guide (*Guías Colombia*).⁶⁴¹ The purpose of this Security Guide is to provide advice for businesses operating in Colombia on how to deal with human rights and International Humanitarian Law in the framework of their operations and security agreements.
- Colombia Guides on Human Rights and International Humanitarian Law – Guide for the purchase and acquisition of land and land use rights (*Guías Colombia*).⁶⁴² This Guide sets out directives to obtain land rights or land use rights in due respect for the dignity and equality of the parties involved, transparently and subject to international regulatory frameworks to thus avoid negative impacts on the rights of communities.
- Colombia Guides on Human Rights and International Humanitarian Law – Guide on human rights and Mechanisms to file Claims and Complaints relating to International Humanitarian Law (*Guías Colombia*).⁶⁴³ This Guide sets out directives for businesses operating in Colombia to file claims and complaints in the interest of stakeholders, in due respect for human rights and International Humanitarian Law.
- International Commission of Jurists – Report from the Legal Experts Panel on Business Complicity in International Crimes (2008):⁶⁴⁴ This is a three-volume report with recommendations from the Group of Legal Experts from the International Court of Justice on legal corporate liability for complicity in international crimes.
- *Fundación Ideas para la Paz (FIP)*. Operations in conflicting and weak governance zones: Practical guides for businesses in non-extractive sectors (2006): The document sets out directives for business enterprises on how to operate in complex environments. The guide is based on the following variables and categories: risk analysis and impacts, security, commitment not to pay extortion, human rights and transparency, promotion of trade union security, and government commitments.⁶⁴⁵
- CDA – Handbook for Explorers and Mining Entrepreneurs (2012): The handbook is a tool that provides mining entrepreneurs key measures to avoid and mitigate conflicts in their interactions with the community.⁶⁴⁶
- International Committee of the Red Cross - Business and International Humanitarian Law (2006): The document explains the obligations of businesses *vis-à-vis* International Humanitarian Law.⁶⁴⁷
- United Nations Global Compact – Doing business while making progress in peace and development (2010): This document shows how businesses in different sectors contribute to peace and development in difficult environments. It sets forth useful examples on how businesses operating in complex environments and in conflict or post-conflict zones address challenges.⁶⁴⁸
- Swiss Government & International Committee of the Red Cross - Montreux Document *on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies During Armed Conflict* (2008): The document provides guidelines on how to enforce International Humanitarian Law in the context of public security operations in armed conflict zones.⁶⁴⁹
- International Code of Conduct for Private Security Services Providers (2010): The Code contains standards for private security companies concerning the respect of human rights and International Humanitarian Law, and encourages companies to adopt the Montreux Document

and the framework “Respect, Protect and Remedy” in their operations. Governments and civil society organizations may join this initiative as members or observers. In Colombia, INDEPAZ endorsed the Code.⁶⁵⁰

- *Fundación Ideas para la Paz (FIP)*. Practical guide to fight against private enterprise extortion. This Guide provides inputs to address extortion cases relating to business operations.⁶⁵¹

Company Initiatives

Private-sector programs that aim at ensuring respect for human rights or contribute to development

Ocensa, Human Rights Guide for Private Surveillance and Security Companies (2006): The purpose of the Guide is help private security companies and senior officials to understand and respect international standards on human rights in the framework of their operations. The Guide sets forth legal requirements, guidelines for the implementation of Voluntary Principles and company experiences regarding implementation of those principles.⁶⁵²

ECOPETROL: Since 2009, the company is applying the Voluntary Principles on Security and Human Rights. The company has developed performance indicators to assess the implementation of such Voluntary Principles, particularly in the Magdalena Medio region.⁶⁵³

Correjón: This mining company established a mechanism of complains available for communities living in the area of operations in the Guajira Province.⁶⁵⁴ Additionally, the company offers training on the Voluntary Principles on Security and Human Rights, not only to employees and security forces, but also to contractors, local communities, indigenous people and students.⁶⁵⁵

AngloGold Ashanti: This mining company has carried out a due diligence process in the locality of Gramalote, which includes human rights risk analysis. The objective was to identify human rights issues and set mechanisms to guarantee the respect for human rights in line with the United Nations Guiding Principles on Business and Human Rights.⁶⁵⁶

BP: This Company hired two advisors on Public Security to ensure that security agreements with the Colombian government comply with the Voluntary Principles on Security and Human Rights.⁶⁵⁷

Anglo American: This mining company carrying operations in La Guajira Province has adopted a Human Rights Program and has trained providers of security services to prevent human rights abuses.⁶⁵⁸

Talisman Energy: In 2012, the company undertook detailed security risk assessments in its oil fields. All contractors must comply with the company’s ethics and good practice policy, which includes the Voluntary Principles on Security and Human Rights.⁶⁵⁹

Mining and Energy Committee⁶⁶⁰: This initiative encourages dialogue and promotes good practices on public and private security-related human rights between the Government and the extractive industry. The Committee also undertakes studies and makes recommendations to improve the respect for Human Rights.

Stakeholder Recommendations

Sustentia Social Innovation: ⁶⁶¹

- This organization recommends business enterprises to establish a claims and complaints mechanism to provide access to reparation regarding human rights abuses. The obligation to repair should not be understood as the negotiation of compensation, but as an economic compensation to restore the victims' rights and dignity, and compensate any harm caused. Given the absence of State in zones of conflict, companies should collaborate with legal non-governmental actors, including civil society organizations, to gain special know-how.⁶⁶²

Mining and Energy Committee:⁶⁶³

- This Committee recommends businesses to identify human rights opportunities, impacts and security-related risks in local communities. Businesses should consult with knowledgeable stakeholders in the community these operate (i.e., the Army, the Office of the Attorney General, civil society organizations and Ministries). If ethnical communities exist in the project area, businesses should consult with experts and community leaders in their native language;
- Businesses must ensure that security services providers apply prevention, mitigation and remedy strategies designed to address human rights abuses. Businesses should design indicators enabling the follow-up of such measures effectiveness. Where businesses identify human rights abuses, it is appropriate to conduct an investigation to find out causes and ways to improve;
- Businesses should ensure that security guards and contractors linked to the business or to service providers are not involved in human rights abuses and be duly aware of human rights principles;
- Businesses must ensure that competent authorities receive complaints on any human rights abuses by security guards and that the victims be compensated;
- Businesses should establish operative mechanisms of complaints for people potentially affected by security force activities;
- Recommendations for the management of collaboration agreements between public forces and business. This guide provides recommendations for the management of agreements during planning, implementation, verification and amendment, as the case may be;
- Recommendations for the management of human rights security-related risks. The guide provides recommendations to analyze and manage human rights public and private security-related risks;
- Recommendations for the management of extortion and kidnapping-related risks. This guide provides recommendations for the management of extortion and kidnapping-associated risks.

Recommendations made in the Workshop "Pillars in Practice":⁶⁶⁴

- Businesses should incorporate the concept of human rights in their policies relating to Corporate Social Responsibility;
- Businesses should adopt corrective measures in case of human rights abuses by private security employees;

- Businesses should design human rights certification models for providers of private security services;
- Businesses should deal with complains regarding the violation of rights of an individual or community, and should learn from past experiences to prevent future human rights abuses.

Engagement Opportunities

Public and private sector development initiatives whereby businesses contribute to human development

Public Sector Initiatives

National Action Plan on Business and Human Rights: This is a three-year plan led by the Government as a public policy tool structured on participative basis with business and civil society organizations with support from the International Community to provide useful tools to help business enterprises to respect human rights in the framework of their operations and help civil society to protect its rights or remedy any harm done by businesses. The Plan approach for businesses operating in zones affected by the armed conflict should be careful in managing risks and impacts.⁶⁶⁵

Voluntary Principles on Security and Human Rights (VPs): In 2003, the Government got involved in the process for implementation of the Voluntary Principles, together with civil society organizations and businesses. The Human Rights Mining and Energy Commission addresses VPs implementation issues, and reviews security matters.⁶⁶⁶ In May 2013, the Government organized a workshop on both VPs and the United Nations Guiding Principles on Business and Human Rights, and invited Mr. John Ruggie, author of the Guiding Principles.⁶⁶⁷

Early Warning Systems: In 2013, the Ombudsman set up an Early Warning System to provide information on human rights abuses and armed conflict-related risks.⁶⁶⁸

Right to Life, Integrity, Freedom and Personal Security Prevention Policy (2015): In 2015, the Government undertook the draft of an operative plan for this public policy aimed at preventing infringements.⁶⁶⁹

Development Priorities

Resolution of the European Union Parliament on the Free Trade Agreement between Colombia and the EU: The European Union underscores the importance of Corporate Social Responsibility and best business practices in accordance with the UN Guiding Principles and the OECD Guidelines on Multinational Enterprises. The Resolution calls on the effective association between business enterprises, workers, NGOs and the State to reach higher living standards⁶⁷⁰

Sectoral Profiles

Agribusiness

Country Context

Historically, the agricultural sector in Colombia has had a positive economic performance. However, in recent years its growth has been below the GDP growth⁶⁷¹ and, therefore, its GDP share has decreased. According to the OECD, in 2015, the agricultural sector made up 5.2% of GDP.⁶⁷² Notwithstanding, the sector continues to be the largest source of employment with a 17.5% participation rate for 2015.⁶⁷³

In 2016, President Juan Manuel Santos declared that in the current socio economic context, the agricultural sector would be determinant for the post-conflict scenario.⁶⁷⁴ Current Havana peace negotiations pointed the need to concentrate Government efforts in the development of rural areas and the transformation of the existing rural development model, into a more inclusive model contributing to further human development.⁶⁷⁵

Right Holders

Indigenous and Afro-Colombian peoples are among right holders in rural areas affected by the conflict. In 2013, the UN Human Rights Council reported that the development of agribusiness projects might affect the environment and livelihood of Indigenous communities.⁶⁷⁶

On the other hand, according to a UNDP report, the agricultural sector is the largest employer of Afro-Colombians;⁶⁷⁷ however, most of them are informal employees, like in sugarcane and palm oil production.⁶⁷⁸

Child Labor

There is evidence of child labor presence in agribusiness. In 2014, agribusiness was ranked second after the commerce sector in child labor participation, with a 34.6% rate.⁶⁷⁹ According to the International Trade Union Confederation, Indigenous and Afro-Colombians⁶⁸⁰ are the main victims of the worst forms of child labor in the agricultural sector in Colombia.⁶⁸¹

In 2013, the ICBF reported some schools in rural areas that had modified school hours during harvesting, to thus allow children to work in farmer's fields.⁶⁸²

Occupational Health and Safety

The Ministry of Labor informed that during the first semester of 2014 the agricultural sector had one of the highest numbers of occupational accidents.⁶⁸³

According to the National Union of Floriculture Workers (UNTRAFLORES), health and safety-related working conditions of workers in the sector have declined in recent years due to a number of factors. For instance, climate changes, Colombian peso devaluation, fall in flower prices, increased inputs price.⁶⁸⁴

Those factors have brought about an increase in working hours bearing negative impact upon the workers' health. Excessive working hours has led to diseases such as carpal tunnel syndrome, respiratory problems and allergies produced by the contact with pesticides, dermatitis, and stress pathologies.⁶⁸⁵

Trade Union Discrimination

In 2013, the ENS reported that historically the agribusiness sector has been involved in the largest number of violations to human rights, right to life and physical integrity of unionized workers.⁶⁸⁶

Working Conditions

According to DANE, agricultural sector and rural areas have a high rate of informal labor. For this reason, 92% of the people employed are not affiliated to the pension system, 11% perform family jobs without remuneration, and 77% are remunerated with less than the minimum wage.⁶⁸⁷

According to *Fedesarrollo*, in 2013 the lowest salaries were paid in the agricultural sector.⁶⁸⁸ For instance, according to the Solidarity Center, sugarcane cutters were paid only COP\$200.000 a month.⁶⁸⁹

There have been reiterated complains on abuses and poor working conditions in the sugar sector. For instance, in 2013 the Solidarity Center reported that sugarcane cutters worked 14 hours a day.⁶⁹⁰ Workers in the flower industry, mostly women, work overtime without remuneration, mainly during holidays such as Saint Valentine's Day.⁶⁹¹

On the other hand, in 2013, UNTRAFLORES' unionized workers reported that companies often failed to make contributions to the Social Security System, which led the System to suspend workers' benefits leaving them unprotected.⁶⁹²

Pollution

Agriculture, oil and gas sectors are singled out as the main air pollutants, followed by logging, food and chemical industries.⁶⁹³

Water

A 2015 study performed by IDEAM found that the agricultural sector demands 46.6% of the water consumed.⁶⁹⁴ Agriculture is the largest water consumer in Colombia compared with energy, household, industry and services.⁶⁹⁵ In 2013, the Colombian Network for Environmental Justice reported that the agricultural sector had polluted water by using chemical products in farming, thus contributing to the Bogotá River pollution.⁶⁹⁶

Deforestation

The NGO named Global Canopy Programme reported that the Colombian Government and authorities from the Caquetá Province are among the 500 responsible for world's deforestation, given the progressive expansion of palm oil plantations.⁶⁹⁷

Often, *Fedesarrollo* and some national press media have noted that, to a large extent, agriculture is responsible for deforestation in Colombia.⁶⁹⁸ These have also remarked that illegal crops, and illegal logging are also responsible for deforestation.⁶⁹⁹

Land Access and Acquisition

In 2014, Oxfam reported that agribusiness was accountable for land grabbing and accumulation of 52,557 hectares in 36 rural properties, some of them devoted to palm oil production, sugarcane, and logging.⁷⁰⁰ Lawmakers have also claimed that since 2013, businesses have been involved in illegal wastelands grabs, formally reserved to peasant farmers.⁷⁰¹ *Verdad Abierta* pointed out that INCODER had filed complaints against nine companies for grabbing wastelands reserved to peasant families⁷⁰²

In January 2016, President Juan Manuel Santos promulgated the Law creating Zones Reserved for Rural, Economic and Social Development (ZIDRES). The above, aimed at promoting the development of productive projects in regions historically isolated. The Law encourages the implementation of peasant farmers' associative projects in former wastelands (*baldíos*) already securitized, in State-owned wastelands and, in private-ownership lands.⁷⁰³ A number of critics have rejected the ZIDRES approach by claiming that such wastelands may be allocated to private enterprises.⁷⁰⁴

Armed Conflict

According to *Fundación Ideas para la Paz*, business enterprises' response *vis-à-vis* the armed conflict varies. In some cases businesses have also been the victims whereas in other cases some have exacerbated the armed. In 2015, the Business & Human Rights Resource Centre reported complaints against palm oil businesses on the grounds of illegal purchase of wastelands and land eviction.⁷⁰⁵ In the same year, *Verdad Abierta* reported alleged links between private businesses and paramilitary groups that threatened and intimidated peasant farmers in the zones of influence of agribusiness projects.⁷⁰⁶

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *September 2015, Business & Human Rights Resource Centre:* A Colombian NGO has complained that local community leaders from the Meta Province had received dead threats from paramilitaries and had been victims of sexual abuse and forced displacement. Additionally, the NGO noted that these actions coincide with the complaint filed by communities regarding the behavior of the palm oil company Poligrow.⁷⁰⁷
- *September 2015, Verdad Abierta:* The Valle del Cauca Land Restitution Unit filed a complaint on behalf of a group of peasant farmers who claimed the restitution of their farms currently under ownership of Smurfit Kappa, a business company operating in the paper and paperboard sector. Peasant farmers argued that they had abandoned their land because of violence and, in some cases, had sold their land because of the conflict pressure. On the other hand, the company alleges that it acted in good faith and paid a fair price for the land.⁷⁰⁸
- *May 2015, Caracol Radio:* The High Court of Peace and Justice ordered businesses that funded paramilitary groups to ask forgiveness and compensate the victims. Those businesses operate in cattle, bananas and palm oil sectors.⁷⁰⁹
- *March 2015, El País:* Five hundred sugarcane cutters from *Ingenio Risaralda* blocked the entrance to the sugar mill and protested violently demanding direct recruitment and better labor and economic conditions.⁷¹⁰
- *December 2014, Verdad Abierta:* In 2014, entrepreneurs from the palm oil sector were sentenced by criminal courts for their links with paramilitary groups in the development of palm oil projects in the lower Atrato basin in 1977.⁷¹¹

- *September 2013, Verdad Abierta:* In 2013, Grupo Mónica Colombia S.A.S, from the agribusiness sector, was subject to fines assessed by the Superintendence of Companies for setting up several companies for the purposes of accumulating former wastelands.⁷¹²
- *August 2013, El Economista América:* Workers from the agricultural, cattle raising and transport sector went to strike to demand better working conditions.⁷¹³
- *March 2013, Socialist Worker:* Thousands of coffee collectors went to strike to demand better working conditions.⁷¹⁴
- *February 2013, Solidarity Center:* A trade unionist was murdered after two riots of protest against dismissal of workers from *La Cabaña* and *María Luisa* plantations. The victim was a leader affiliated to the Workers National Trade Union who struggled for better working conditions in *La Cabaña* sugar plantation.⁷¹⁵
- *June 2013, Reuters:* Banana workers and producers reached an agreement to avert a strike. The agreement includes a 4% increase in wage, housing and education benefits. The agreement benefited 18,000 workers.⁷¹⁶

Extractive Industry

Country Context

Historically, the mining and hydrocarbon sectors have been the main economic driving force in Colombia. According to DANE, at present, the mining and hydrocarbon sectors make up 8% of GDP,⁷¹⁷ and its contribution to GDP growth has been nearly 0.4%.⁷¹⁸

Notwithstanding, in the past two years economic growth of the extractive industry has slowed down due to changes in the world economy.⁷¹⁹

Indigenous Peoples

Some organizations have claimed before the IACHR that implementation of extractive projects in the territory of indigenous peoples entails risks for their livelihood and, also, that companies failed to comply with the prior consultation duty. Declarations mention that both businesses and public forces have been involved in the eviction of communities.⁷²⁰ On the other hand, in 2013 the UN Human Rights Council reported aggressions against some indigenous leaders for their opposition to the development of mining and construction projects in their territory. In the same report, the UN Human Rights Council declared that implementation of hydroelectric projects might affect indigenous communities and the environment and livelihood of other population.⁷²¹

Afro-Colombians

Some Afro-Colombian community organizations have declared to the IACHR that implementation of energy megaprojects in their territory is affecting their livelihood.⁷²² According to their assertions, besides failing to comply with the prior consultation obligation, those projects are contrary to ethnic development plans adopted in such communities.⁷²³

Human Rights Defenders

According to the Office of the High Commissioner for Peace, aggressions against human rights defenders are associated, among others, to land conflicts in ethnic territories. In some cases those conflicts are related to the opposition to mining and energy projects in territories of indigenous and peasant farmer communities.⁷²⁴

Child Labor

In line with the Integrated System of Child Labor Information and Records and national media, despite of Law prohibitions, adolescent boys and girls in Colombia are victims of the worst forms of child labor, mainly in the mining sector and at home. According to official figures, for 2013 more than 5,000 children worked in the mining sector.⁷²⁵ On the other hand, the U.S. Labor Department reported in 2014 the presence of children working in coal, emerald and gold artisanal mines, and between 10,000 to 200,000 children working in illegal mines.⁷²⁶

The organization named Action Fund reported risks derived from child labor in mines and stressed that children miners are more exposed to get involved in further worst forms of child labor including potential forced recruitment by illegal armed forces, sexual exploitation, and drug trafficking,⁷²⁷ which phenomena are unhappily present in Colombia.

Occupational Health and Security

Mining is considered in Colombia as one of the activities with highest risks and levels of informality. Mining is featured for having poor working conditions, insufficient equipment, insufficient industrial safety services, high disease incidence⁷²⁸ and occupational accidents due to gas proliferation and defective ventilation.⁷²⁹ In 2014, nearly 92 miners died.⁷³⁰

In 2013, the Ministry of Labor informed that during the first semester the mining sector reported 7,353 occupational accidents corresponding to a 4.8 ratio for every 100 workers.⁷³¹ The Ministry also reported a reduction in occupational diseases between 2013-2014. In 2014, the occupational diseases ratio for every 100 workers was 115.85, whereas in 2013, the ratio was 120.83.

Trade Union Discrimination

The Colombian Commission of Jurists reported that domestic and foreign extractive companies had records on anti-trade union violence.⁷³² According to figures reported by trade unions from the energy and mining sector, 78% of such abuses against unionized workers take place in the site of energy and mining projects.⁷³³

The ENS reported that between 2012-2013 the hydrocarbon and mining sector was one of the sectors with highest number of human rights abuses against unionized workers.⁷³⁴

Environment

According to ECLAC, although Colombia is considered the second most biologically diverse country in the world and relies on an environment-protective legal framework, it is being threatened by the extractive industry, among others.⁷³⁵ On the other hand, a study performed by the Cinara Institute of Valley University and the Global Atlas on Environmental Justice, found that Colombia is the world's second country with more environmental conflicts. The study reported that oil, hydroelectric construction and biomass production are activities leading to great tension.⁷³⁶

Deforestation

Fedesarrollo and press media have stated that mining is the primary cause of deforestation in Colombia.⁷³⁷

Water

In 2013, the Office of the Comptroller General indicated that mining uses large quantities of water and condemned the excessive use of mercury, which negatively affects the health of people.⁷³⁸

The Inter-American Association for the Defense of the Environment (AIDA) indicated in 2015 that moorland in Colombia supplied 85% of the country's drinking water. AIDA also informed that large-scale mining is threatening the ecosystem and livelihood and health of communities depending on such natural water sources.⁷³⁹ According to reports from the National Mining Agency, as of March 2015 there were 448 mining titles in 26 moorlands, 347 of which had environmental licenses. However, in February 2016, the Constitutional Court prohibited mining in moorlands, overriding 347 mining titles with environmental license.⁷⁴⁰

The Office of the Comptroller General of the Nation indicated that illegal gold mining is responsible for water pollution due to the uncontrolled depletion of the resource,⁷⁴¹ and excessive use of mercury and cyanide.⁷⁴²

Finally, some organizations have condemned the impact of hydroelectric projects on the most important Colombian river basins such as Magdalena, Cauca and Sogamoso.⁷⁴³ Such organizations sustain that in some cases, projects have brought about river diversion affecting the livelihood of the communities.⁷⁴⁴

Food and Livelihood

Experts, academics and government entities have reported that Colombia must face two challenges on nutrition and food security: market access barriers,⁷⁴⁵ and soil deterioration due to cattle farming, agriculture, legal and illegal mining, and deforestation activities; all this menaces soils suitable for farming and agriculture.⁷⁴⁶

Furthermore, in 2013 a number of Colombian organizations filed complaints before the IACHR, arguing that 8% of the explorations in the extractive industry had taken place in fertile soils suitable for agriculture.⁷⁴⁷ On the other hand, organizations and affected communities have complained that hydroelectric projects like *El Quimbo* threaten the local communities' food security.⁷⁴⁸

Land Access and Acquisition

Revista Semana reported that in 2015, 5.8 million hectares were allocated to mining companies on concession basis.⁷⁴⁹ The International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – pointed out that 3 million hectares had been awarded on concession basis to oil and gas companies.⁷⁵⁰

According to a report posted on *Verdad Abierta*, in 2013, some national and foreign enterprises were involved in the acquisition of lands in the *Llanos Orientales*, a region that in the past witnessed frequent confrontation and peasant farmers' dispossession.⁷⁵¹ According to the 2014 Amnesty International study, land restitution has been focused on the restitution of small plots of land, whereas many enterprises operating in Colombia have been benefited with the acquisition of considerable tracts of land.⁷⁵²

Prior Consultation

In 2013, the Portal *Razón Pública*, reproduced information of the Ministry of Environment and ANLA informing that between 1994-2012, 2,331 environmental licenses had been granted and 156 prior consultations had taken place, thus representing 6.7% of cases.⁷⁵³ The hydrocarbon sector performed 42% of the required consultations whereas the mining sector performed a lower number of consultations.⁷⁵⁴

On the other hand, in 2014 communities and social organizations filed complaints before the IACHR alleging the presence of mining and oil projects in indigenous territories and highlighting the absence of prior consultation and prior consent of the communities.⁷⁵⁵ They also reported that companies manipulated communities in order to be granted with the concerned concessions.⁷⁵⁶

In a number of cases the Constitutional Court has awarded administrative measures for non-compliance with prior, free and informed consultation with indigenous peoples in concession contracts, mining concessions, and environmental licenses.⁷⁵⁷ Furthermore, the Constitutional Court has admitted a number of protection actions (*tutelas*) and has ordered the suspension of extractive projects or other investment and development plans on the basis of non-compliance with the prior consultation obligation.⁷⁵⁸

Allocation of Revenues

According to the Ministry of Mines and Energy, the mining and energy sector is the main source of resources for social projects, amounting to over COP\$31.4 billion in recent years.⁷⁵⁹

However, the oil crisis has led to decreasing royalties. According to estimates of the Ministry of Mines and Energy, for the period 2015-2016 royalties may fall between 30% and 40% due to fall in oil prices affecting producer regions.⁷⁶⁰

In 2015, the reduction of royalties was between 30% and 40% due to the fall in oil prices. The mining sector has reacted similarly.⁷⁶¹ This may impact negatively coal and oil producing regions like Meta and Cesar.⁷⁶²

On the other hand, Law 1607/2012 reduced the tax rate assessed on companies, from 33% to 25% and created a new tax named “Contribution to Equality” (CREE); mining and construction companies are subject to such tax. The CREE tax aims at funding the National Institute for Family Welfare (ICBF), the National Learning Service (SENA), and the National Health System.⁷⁶³

Revenue Transparency

In October 2015, Colombia joined the Extractive Industries Transparency Initiative (EITI) which purpose is to improve accountability on public revenues originating from the exploitation of natural resources such as oil, gas, and mining,⁷⁶⁴ making up 95.8% of total revenues in the extractive industry.⁷⁶⁵ The first EITI report on Colombia was published in March 2016 and showed figures corresponding to payments made by eighteen enterprise members of the Initiative and revenues received by the Government for the exploitation of non-renewable natural resources for fiscal year 2013.⁷⁶⁶

Public Procurement

In 2013, the program *Somos Defensores* reported that politicians had access to privileged information regarding new areas of exploration and took advantage of such information to set up enterprises to submit bid-tenders. According to the organization this is a practice that runs counter to private participation and fair competition.⁷⁶⁷

Public Security Forces

According to information provided by the Director of Army Operations to *El Universal*, in Colombia there are twenty-one Energy, Mining and Road Battalions responsible for providing security and protection to business infrastructure and business employees.⁷⁶⁸ The acting Minister of Defense, Mr. Luis Carlos Villegas, sustains that agreements between public forces and businesses to provide security for business operations, initiated in 1998.

In 2012, the International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – pointed out that these agreements delegitimized the public force official functions and brought about mistrust issues *vis-à-vis* communities.⁷⁶⁹

On the other hand, in 2015, Senator Mr. Iván Cepeda, from the Alternative Democratic Pole party, declared in a Congress debate that some Battalions parties to agreements with companies from the extractive sector were involved in extrajudicial killings, also known as false positives.⁷⁷⁰ Senator Cepeda also said that those activities led to public security privatization, and pointed as example the illegal surveillance of social organizations performed by an oil sector company, in 2013.⁷⁷¹

Private Security Forces

In 2013, the International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – reported that private security forces at the service of extractive industry companies had been involved in human rights abuses, in the framework of security and protection activities for companies in the sector.⁷⁷² In particular, the report states that community members opposing the implementation of projects in their territory had been threatened or murdered.

In 2013 the International Observatory of Disarming, Demobilization and Reintegration – Law of Justice and Peace – informed that private security guards responsible for the protection of the infrastructure of extractive companies had participated in human rights abuses, such as threats and murders of members of the local community opposing the implementation of projects.⁷⁷³

Armed Conflict

According to *Fundación Ideas para la Paz*, business enterprises' response *vis-à-vis* the armed conflict varies. Some have exacerbated the conflict, others live with it, and others have implemented initiatives to build sustainable peace. *Fundación Ideas para la Paz* also reported that some businesses have also been the victims of the conflict due to attacks in their infrastructure, kidnapping of employees and extortion to contractors.⁷⁷⁴

Civil society organizations working on land and environment have reported human rights abuses by businesses in the framework of the armed conflict, thus obtaining advantages in terms of competitiveness and security, among others.⁷⁷⁵

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *October 2015, Business & Human Rights Resource Centre:* There were three new cases of dead miners for the explosion of an illegal gold mine in the Province of Caldas. The mine had been sanctioned for non-compliance with occupational risks regulation. Working conditions in the mine are very poor.⁷⁷⁶
- *October 2015, El Tiempo:* In the Province of Cundinamarca the community *El Peñón* blames mining for water scarcity. According to *El Tiempo*, the area of the mining license granted to Comind corresponds to “the mountain that supplies water to countryside aqueducts”. The community claims that the road leading to the upper part of the mine was built next to running water sources, without appropriate distance and that the company has failed to provide appropriate maintenance to the road.⁷⁷⁷
- *August 2015, Escuela Nacional Sindical:* Workers affiliated to USO in *Campo Rubiales* filed a complaint on anti-union behavior by Metrapetroleum a subsidiary of Pacific Rubiales. Trade unionists claimed that the company put pressure on them to withdraw from the trade union by threatening them with the non-renewal of employment contracts. In addition, the company refused to negotiate issues put forward by USO in the context of collective negotiation.⁷⁷⁸
- *August 2015, Escuela Nacional Sindical:* Workers affiliated to USO in *Campo Rubiales* filed a complaint on anti-union behavior by Metrapetroleum a subsidiary of the oil company Pacific Rubiales. Trade unionists complained that the company put pressure on them to withdraw from

the trade union with threats of no renewal of employment contracts. In addition, the company refuses to negotiate points put forward by USO in the collective negotiation.⁷⁷⁹

- *July 2015, Inter-American Commission on Human Rights:* Upon the proceedings initiated in 2014, the IACHR admitted the case filed by the indigenous U'wa people on the grounds that certain oil companies (i.e., OXY and Ecopetrol) failed to conduct mandatory prior consultations for the exploration and exploitation of natural resources in their ancestral territories.⁷⁸⁰
- *May 2015, Revista Semana:* The Office of the Comptroller General imposed fines amounting to COP\$60,000 million against former minister of Mines and Energy Mr. Hernán Martínez Torres, former Director of Ingeominas, Mr. Mario Ballesteros and PRODECO on the grounds of detriment to the State wealth resulting from the amendment to a contract entered into with PRODECO. Such amendment had modified the method for royalty calculation and, consequently, both the central Government and some municipalities in the Province of Cesar lost income and revenues.⁷⁸¹
- *May 2015, Business & Human Rights Resource Centre:* The Council of State ordered the temporary suspension of 516 mining licenses for non-compliance with the obligation of prior consultation with ethnic communities.⁷⁸²
- *Mayo 2015, Business & Human Rights Resource Centre:* Inhabitants in areas surrounding Campo Rubiales and Quifa oil fields operated by Pacific Rubiales protested against the company, claiming the recruitment of local workers, reinstatement of dismissed workers and further social investment and infrastructure.⁷⁸³
- *April 2015, Portafolio:* Workers affiliated to Cerromatoso's trade union (Sintracerromaoso) went on strike because of changes in working hours. The company had increased the working hours from 8 to 12 hours, without consultation with the workers.⁷⁸⁴
- *March 2015, Business & Human Rights Resource Centre:* A group of individuals filed a class action against Ecopetrol on the grounds of two oil spills occurred in July and August 2014 at the port of Coveñas. Ecopetrol replied that the company did not participate in the spill and, therefore, was not liable therefor. The case is pending before the Administrative Court of Sucre.⁷⁸⁵
- *March 2015, El Mundo:* Communities from the municipality of Toledo, Province of Antioquia, complained that they have been evicted from their lands on occasion of the construction of the *Hidroituango* hydroelectric project. In the eviction process took part the Mobile Anti-riot Squad (ESMAD) as well as the hydroelectric's private security forces. Communities allege that the process breached international protocols on eviction.⁷⁸⁶
- *February 2015, Green Peace Colombia:* The Tasco Community Aqueduct Association has struggled for over thirteen years to obtain protection for moorlands, and opposed the implementation of the Votorantin and Hunza Coal projects which threaten water sources in the region.⁷⁸⁷
- *February 2015, Noticias RCN:* Reported a corruption case where senior executives of Petro Tiger paid over US\$300 million to Ecopetrol officials, in order to be awarded with contracts in the Putumayo Province, among others.⁷⁸⁸
- *January 2015, Revista Semana:* The Office of the Attorney General has undertaken an investigation regarding payments made by the oil company SICIM to ELN and FARC guerrillas. ELN used such monies to bribe militaries, police and government officials.⁷⁸⁹
- *September 2014, Verdad Abierta:* The *Embera-Katíos* Indigenous Community settled in Chocó benefitted from the first land restitution ruling for ethnic communities in Colombia. Illegal armed

groups displaced these communities and their lands were given in concession to mining companies. The Court declared the concession contracts invalid and ordered the return of said indigenous community to its lands.⁷⁹⁰

- *September 2014, La Silla Vacía*: La Silla Vacía investigated and found that in the last five years mercury pollution has increased in provinces where illegal gold mining takes place and, that environmental authorities rely on no studies concerning the impact of illegal mining in more than 350 municipalities nor studies on the impact of large-scale mining projects. The most severe cases are found in Antioquia, Bolívar and Córdoba.⁷⁹¹
- *September 2014, El Espectador*: Indigenous peoples from the Chocó Province recovered 50,000 hectares that were granted by the Government to mining enterprises such as LEO SOM, Anglogold Ashanti, Exploraciones Chocó Colombia, Costa SOM, El Molino ASOM, Sociedad Gongora Som, Anglogold American Colombia, Capricornio SOM, Negocios Mineros SA Enoc Efrain Maturana Rivas and Óscar Andrés Hortua.⁷⁹² It was stated in the complaint that the Government had handed over 62% of an indigenous reserve.
- *August 2014, El Universal*: Trade unionists from the oil sector called for a protest against Ecopetrol on the grounds of the company's outsourcing practices and demanded labor formalization. Only 7,000 out of 90,000 employees of the company have an employment contract with Ecopetrol.⁷⁹³
- *August 2014, El Tiempo*: In the audit performed by the Office of the Comptroller General it was found that Drummond and *La Jagua* and *Norcarbón* Joint Venture failed to address and mitigate the environmental impact caused by their operations. The audit found a non-authorized river deviation by Drummond, low quality discharge processes by Norcarbón, impairment of river flows and wetlands, and water chemical pollution, among others.⁷⁹⁴
- *June 2014 Business & Human Rights Resource Centre*: 73 peasant farmers filed before the UK High Court of Justice a complaint against BP (today, Equion Energía), for environmental damages in their land, caused by the construction of a pipeline in the 90s.⁷⁹⁵
- *Mayo 2014, El Universal*: Upon the death of some workers in Puerto Bahía, the chairman of the Worker's Trade Union (USO) declared that prevailing working conditions in the workplace are inadequate and there is no control over the equipment used by workers.⁷⁹⁶

Infrastructure and Construction

Occupational Health and Safety

Workers' health and safety is among the risks identified in the sector. According to AECID - the Spanish international cooperation agency for development (*Agencia Española de Cooperación Internacional para el Desarrollo*) some times working conditions are not proportionate to the high-risk activities performed in the sector and, often, workers neglect safety procedures.⁷⁹⁷ For instance, jobs involving works at heights require manipulating dangerous equipment that without appropriate training may put the workers' lives at risk, or jobs requiring manipulation of substances like cement or demanding extensive working days may affect the workers' health.⁷⁹⁸

Medial epicondylitis, also known as 'tennis elbow' is among the diseases affecting workers of the sector. Other diseases are malignant neoplasm in the nasal cavity and paranasal sinuses, hearing loss, shoulder injuries, bronchitis and lung malignant neoplasm.⁷⁹⁹

According to the Ministry of Labor, the construction sector accounted for the largest number of occupational accidents during the first semester of 2014.⁸⁰⁰ As of June 2014, the sector registered 47,579 occupational accidents and thirty-four fatal accidents.⁸⁰¹ Notwithstanding, by the end of the year there was a reduction in the number of occupational accidents.⁸⁰²

Unionization

In 2015, the ENS informed that freedom of association is very limited in port contexts. Taking into account factors such as high unemployment level, high demand for employment and use of employment intermediation services that fail recognizing full labor rights, workers are afraid of participating in protests or in workers associations as they may lose their jobs.⁸⁰³

Strikes

Workers in the sector hardly organize protests. However, in 2012, took place the first sector strike in the city of Buenaventura, which lasted five days. One hundred fifty port workers led by the Port Union, protested against labor outsourcing and demanded direct recruitment.⁸⁰⁴

Working Conditions

In 2015, the ENS reported infringements against port workers' labor and association rights. The ENS reported a reiterated use of labor outsourcing through Associated Labor Cooperatives.⁸⁰⁵

This type of recruitment undermines workers' labor rights; particularly, they have restrained access to health and social security services and other benefits such as maternity leave and overtime payments. According to a 2015 ENS report, commonly oral contracts by days, months or hours are agreed in the sector thus leading to labor instability. In 2013, the Ministry of Labor imposed 380 sanctions in the port sector.⁸⁰⁶

Prior Consultation

A 2015 report of the Office of the United Nations High Commissioner for Human Rights in Colombia underlined that ethnic communities' right to prior consultation and to have a say in the grant of

environmental licenses for the construction, infrastructure and natural resources exploitation sectors, has been disregarded.⁸⁰⁷

In 2015, *El Universal* posted the Government installation of an Assembly gathering black, Afro-Colombian, Raizal and Palenquero communities in order to engage in prior consultation processes. The Assembly was created bearing in mind that prior consultation has been perceived as an obstacle for the development of mining, infrastructure and hydrocarbon sectors.⁸⁰⁸

In January 2015, the Ministry of Political Affairs provided training on prior consultation matters to indigenous, Afro-Colombian, Raizal and Palenquero communities. Purpose of the training was to improve the process of granting environmental licenses for energy, infrastructure and mining projects.⁸⁰⁹

Environment

An AECID report published in 2015 stated that intensive use of water and energy, gas emissions, dumping of waste as well as noise, constitute environmental risks associated to business operations in the infrastructure sector. In some cases, environmental reports and studies had failed to address issues regarding compliance with environmental standards.⁸¹⁰

Water

Several complaints have been filed in the country arguing that some development projects pollute or impact water sources.⁸¹¹

Deforestation

Fedesarrollo has indicated that the development of infrastructure projects has increased deforestation in Colombia.⁸¹²

According to WWF International, deforestation and changes in land use due to infrastructure and mining projects are threatening the rain forest in the Northwest region of Colombia, particularly, in Chocó.⁸¹³ According to the UNDP, the Middle Magdalena basin is also threatened by changes in soil use.⁸¹⁴

Transparency

According to an AECID report issued 2015, there is corruption and misuse of public resources in infrastructure concessions.⁸¹⁵ For instance, transparency in public biddings is inexistent and small enterprises are excluded from such bidding processes. Lobbying influences public policies and development models and investment in the sector and that also involves significant risks.⁸¹⁶

Public procurement of infrastructure works in Colombia is a rather complex matter that has been further affected by corruption in public tendering or the non-availability of a unique tender sheet; the above has resulted in the filing of one single tender. The 2015 national survey performed by the Colombian Chamber of Infrastructure to identify patterns in public procurement found that 65% of biddings made in 47 municipalities and 12 Provinces had been processes with one tender only.⁸¹⁷

Additionally, the survey also found that the Provinces with highest corruption indicators are: Casanare, Córdoba, Huila, Bolívar, followed by Sucre, Magdalena, Meta, Cesar and Guaviare.⁸¹⁸

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *September 2015, El Espectador:* In 2010, one of the most emblematic corruption cases in Colombia was uncovered: the so-called 'carousel of contracts' in Bogotá, which resulted in prison, conviction against public officials, politicians and contractors. A number of contracts were irregularly concluded, billions of Colombian pesos from public resources were diverted and such non-fulfillment of contracts resulted in the non-finalization of infrastructure projects.⁸¹⁹
- *November 2013, La F.M.:* The Administrative Court of Quindío ruled that the National Roads Institute (INVÍAS), the National Environmental Licensing Agency (ANLA), the Quindío Regional Autonomous Corporation, the project comptroller, and the company in charge of building *La Línea* tunnel were responsible for environmental damages derived from the project execution.⁸²⁰

Health Sector

According to a 2014 study performed by the Colombian Central Bank, Colombian health sector is in a crisis reflected on the poor provision of services, corruption, and precarious working conditions for workers in the health sector, as well as inefficient hospital networks, among others. Two examples of the poor service quality is the so-called “tour of death” (whereby a person is taken to several hospitals seeking attention and dies before being attended) and the long waits for emergency care or for obtaining an appointment.⁸²¹ This means that Colombians have no access to the fundamental right of healthcare, despite the provisions set forth in Law 1751/2015, that is, the Statutory Health Law⁸²²

The Central Bank study also found that in 2014, 417 out of 424 entities providing health services were private entities.⁸²³ Therefore, health services provision has been privatized and the right to health is not perceived as a fundamental State-guaranteed right, but an issue depending on the service provision by the private sector.

According to figures of the 2012 Quality of Life National Survey, between 1997-2012 the access to health services fell from 79.1% to 75.5%.⁸²⁴

On the other hand, the Ombudsman reported that between 2010-2014 the number of protection actions (*tutelas*) claiming for health service rights increased nearly 25.2%. In 2010, there were 94,502 protection actions (*tutelas*) and, in 2014, there were 118,281. According to the Ombudsman, 70% of such actions refer to the provision of services contemplated in the Mandatory Health Plan; this means that health service providers are not complying with their obligations contemplated in the Plan.⁸²⁵

Transparency

According to press media, corruption in the health sector has increased in recent years mainly due to lack of transparency on the side of Public Health Enterprises (EPSs), and as the Health Superintendent sustained in 2013, because of the State incapacity to control and make a through follow-up on the country's health system.⁸²⁶

In May 2015, a forum attended by health stakeholders, academic experts, government representatives and media to discuss ethic and transparency questions in the health sector, concluded that the sector is facing serious corruption problems.⁸²⁷

In 2013, *El Tiempo* reported that corruption in EPSs encompasses irregularities in services procurement, irregularities in business relations with hospitals (where the priority is gaining advantages for friends and family members rather than meeting quality standards), irregularities in budget execution, and delayed or unfulfilled payments to health service providers (hospitals, etc.).

In some cases, EPSs' executive officers have opened clinics to provide services to EPSs whereby earnings remain in the same hands.⁸²⁸ In 2012, it was estimated that the debt of private and public EPSs with hospitals and health service providers amounted to near COP\$6 billion despite the fact that these EPSs received the monies paid by their affiliates on monthly basis. Some hospitals went bankrupt; others' capacity to provide services to user has been impaired because of personnel reductions and other cost reductions.⁸²⁹

In 2013, the Ministry of Health reported that, often, private EPSs charge extra fees for health services contemplated in the Mandatory Health Plan, although such services are not provided to users.⁸³⁰

Working Conditions

It may occur that health-sector workers are engaged under labor contracts with limited access to social benefits, subject to long working days or are poorly remunerated.

A 2014 study performed by the Public Health Faculty of *Universidad de Antioquia* and other Colombian universities including, Universidad Nacional, Universidad Industrial de Santander, Universidad Santo Tomás, the University of Illinois, the Office of the Procurator General and Colciencias, found that the sector working conditions are unequal and differ according to the concerned labor relation (administrative career, temporary recruitment or labor outsourcing through Associated Labor Cooperatives).⁸³¹

The study also found that the sector's financial crisis has undermined the working conditions of health workers, such as salary reductions, reduced terms of labor contracts, lack of training programs and incentives.⁸³²

Cases

Reports on business-related human rights issues. Information for this section was gathered from non-governmental organizations, multilateral organizations and media.

- *November 2015, El País:* The proceedings relating to corruption in Saludcoop was initiated in 2011 after the entity take over. This has been one major fraud in Colombia. Saludcoop diverted public health resources for an amount of COP\$1.4 billion which were used, among others, for purchasing entities, remodeling, granting sponsorship and bonuses, and paying attorneys' fees, leasing rates and travel expenses.⁸³³
- *November 2013, Revista Semana:* In 2013, both entrepreneurs and senior officials were convicted for the biggest fraud ever in the health sector. In the EPS Saludcoop corruption case COP\$1.4 billion was diverted between 2002-2010.⁸³⁴

Sources

Statutory Sources	• Political Constitution of 1991 • Decree 2811/1974 • Environmental Law 99/1993 • Law 80/1993 • Decree 356/1994 • Youth Act, Law 375/1997 • Penal Code • Law 1098/2006 • Law 1150/2007 • Decree 4463/2011 • Decree 4800/2011 recognizing communities, social and political organizations, and social and political groups as parties entitled to collective reparation. • Labor Risks Law, 2012 • Law 1607/2012 • Law 1510/2013
Domestic Institutions	• Colombian Agency for Reintegration • National Environmental Licensing Agency • National Centre for Historical Memory • Colombia Compra Eficiente • National Citizenship Committee for the Fight Against Corruption • Mining and Energy Committee • Office of the Presidency for Human Rights • National Comptroller of the Nation • National Administrative Department of Statistics • National Planning Department • National Tax and Customs Directorate • Colombian Armed Forces • Colombian Institute for Family Welfare • Colombian Institute of Rural Development • Hydrology, Meteorology, and Environmental Studies Institute • National Health Institute • Ministry of Environment and Sustainable Development • Ministry of Defense • Ministry of Education • Ministry of Political Affairs • Ministry of Foreign Trade and Industry • Ministry of Justice • Ministry of Mines and Energy • Ministry of Health and Social Protection • Ministry of Labor • Office of the High Commissioner for Peace • Observatory against Discrimination and Racism • Colombian Observatory of Food Security and Nutrition • Colombian National Police

	- Colombian National Information System on Youth and Adolescence - Superintendence Financiera - Superintendence de Vigilancia y Seguridad Privada - Unidad de Atención y Reparación para las Víctimas - Unidad de Restitución de Tierras
National Institute on Human Rights	Ombudsman
Domestic Organizations	- Business Foundations Association - Colombian Central Bank - Chamber of Commerce of Bogotá - United Workers Trade Union - National Centre on Cleaner Production - Colombia Diverse - Colombian Security Council - Colectivo de Abogados José Alvear Restrepo - Editorial Board - Congreso Visible - DeJusticia - Emprender Paz - Escuela Nacional Sindical - Fedesarrollo - Saldarriaga Concha Foundation - Greenpeace Colombia - INDEPAZ - Colombian Movement for the Defense of Territories and People Affected by Ríos Vivos Dams and Network for Environmental Justice in Colombia - International Bureau for Human Rights - Acción Colombia - Tierra Digna - Somos Defensores - Transparencia por Colombia - UNTRAFLORES - WWF Colombia
International Organizations	- UN High Commissioner for Human Rights - Interamerican Development Bank - World Bank - Inter-American Commission on Human Rights - UN Committee on the Rights of the Child - International Finance Corporation - UN Human Rights Council - UN Population Fund - UN Fund for Children - International Labour Organization - Organization of American States - UN Women - OECD - OECD – Advisory Committee on Labor Issues - European Parliament - United Nations Program for Development

	• UN Environment Program
International Sources	• Central Intelligence Agency • Spanish Agency for Cooperation and International Development • AIDA • Alerta Internacional • Amnesty International • <i>Asociación Tierra y Vida</i> • Information Center on Business and Human Rights • Toledo International Centre for Peace • International Commission of Jurists • International Committee of the Red Cross • International Council o Mining and Metals • International Trade Union Confederation • Council on Foreign Relations • Deloitte • U.D. State Department • U.S. Labor Department • EITI • Equitable Origin • Freedom House • Friedirch Ebert Stiftung • Forest Stewardship Council • Human Rights Watch • International Comparative Legal Guide Series • International Food Policy Research Institute • OXFAM Australia • International Organization for Standardization • UN Global Pact • Portal for Responsible Supply Chain Management • SDG Compass • Solidarity Center • Sustentia Innovación Social • Socialists Workers Organization • Harvard University • Universidad Externado de Colombia • Universidad Libre de Colombia • Universidad del Rosario • Transparency International • Voluntary Principles on Security and Human Rights • WOLA
Press	• Caracol • CM& La Noticia • Colombia Reports • El Colombiano • El Economista America • El Espectador • El Heraldo • El Mundo • El Nuevo Día • El Nuevo Siglo • El País

	• El Tiempo • El Universal • Foros Semana • Fox News • IPS News • La República • La Silla Vacía • Las 2 Orillas • Minuto 30 • Noticias RCN • Periodico el Pulso • Portafolio • Portal XM • Publimetro • Razón Pública • Revista Dinero • Revista Semana • Reuters • Últimas Noticias • Verdad Abierta
Business Enterprises	• AngloGold Ashanti • Cargill • Chevrolet • Cerrejon • ECOPETROL • Empresas Públicas de Medellín • Isagen • Talisman Energy

Notes

- ¹ Central Intelligence Agency, World Factbook: Colombia, 2015:
<https://www.cia.gov/library/publications/the-world-factbook/geos/co.html>
- ² Colombian Political Constitution, Article 1:
http://www.senado.gov.co/images/stories/Informacion_General/constitucion_politica.pdf
- ³ Electoral Observation Mission, Presidential Election Results: 1st and 2nd round 2014:
http://moe.org.co/home/doc/moe_mre/2014/resultadoseleccionesfinal.pdf
- ⁴ Senate of Colombia, Political Parties and Political Movements, undated: <http://www.senado.gov.co/el-senado/partidos-y-movimientos>
- Las 2 Orillas, Final integration of the House of Representatives, 2014: <http://www.las2orillas.co/asi-quedo-la-conformada-la-camara-de-representantes/>
- ⁵ Revista Semana, Patriotic Union Party, an expected comeback, 2015:
<http://www.semana.com/nacion/Articulo/vuelve-la-union-patriotica/443074-3>
- ⁶ National Center for Historical Memory, Report: Enough Already!, 2013:
<http://www.centrodememoriahistorica.gov.co/descargas/informes2013/bastaYa/bastaya-colombia-memorias-de-guerra-y-dignidad-2015.pdf>
- ⁷ Unit for Assistance and Integral Reparation of Victims, Registry of Victims, 2015:
<http://rni.unidadvictimas.gov.co/?q=node/107>
- ⁸ Human Rights Watch, The role of high commanders in “false-positive” cases, 2015:
<https://www.hrw.org/es/report/2015/06/23/el-rol-de-los-altos-mandos-en-falsos-positivos/evidencias-de-responsabilidad-de>
- El Espectador, Reparation for false-positive cases, 2015:
<http://www.elespectador.com/noticias/investigacion/reparacion-los-falsos-positivos-articulo-585662>
- ⁹ Revista Semana, Alarming statistics on human rights defenders murdered in 2015, 2015:
<http://www.semana.com/nacion/Articulo/cerca-de-69-defensores-de-dd-hh-lideres-comunales-asesinados/439145-3>
- ¹⁰ Office of the High Commissioner for Peace, Joint Communiqué # 64, 2015:
<http://www.altocomisionadoparalapaz.gov.co/procesos-y-conversaciones/documentos-y-comunicados-conjuntos/Documentos%20compartidos/comunicado-conjunto-64-15-de-diciembre-de-2015.pdf>
- ¹¹ Revista Semana, Historic: Peace negotiations between the Government and the ELN starts off, 2016:
<http://www.semana.com/nacion/Articulo/el-n-y-gobierno-instalan-mesa-de-negociacion-de-paz/467258>
- ¹² Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015:
<http://www.derechoshumanos.gov.co/Prensa/2015/Documents/Plan%20Nacional%20de%20Accion%20DDHH%20Empresa.pdf>
- ¹³ Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015:
<http://www.derechoshumanos.gov.co/Prensa/2015/Documents/Plan%20Nacional%20de%20Accion%20DDHH%20Empresa.pdf>
- ¹⁴ National Planning Department, Basis for the New National Development Plan 2014–2018, undated:
<https://colaboracion.dnp.gov.co/CDT/Prensa/PND%202014-2018%20Bases%20Final.pdf>
- ¹⁵ OECD, Colombia: Priority Policies for Inclusive Development, 2015:
<http://www.oecd.org/about/publishing/Colombia-politicas-prioritarias-para-un-desarrollo-inclusivo.pdf>

-
- ¹⁶ National Planning Department, Basis for the New National Development Plan 2014–2018, undated: <https://colaboracion.dnp.gov.co/CDT/Prensa/PND%202014-2018%20Bases%20Final.pdf>
- ¹⁷ OECD, Colombia. Priority Policies for Inclusive Development, 2015: <http://www.oecd.org/about/publishing/Colombia-politicas-prioritarias-para-un-desarrollo-inclusivo.pdf>
- ¹⁸ World Bank, GINI Index, undated: <http://data.worldbank.org/indicator/SI.POV.GINI/countries?display=default>
- ¹⁹ Anti-American Development Bank – IDB, Statistics on poverty and inequality in LAC, undated: <http://www.iadb.org/en/research-and-data//poverty,7526.html>
- ²⁰ Central Intelligence Agency, World Factbook: Colombia, 2015: <https://www.cia.gov/library/publications/the-world-factbook/geos/co.html>
- ²¹ World Bank, Worldwide Governance Indicators: Colombia, undated: <http://info.worldbank.org/governance/wgi/index.aspx#reports>
- ²² Reporters sans Frontières, Worldwide Press Freedom Index, 2015: <http://www.rsfs-es.org/grandes-citas/clasificacion-por-paises/>
- ²³ World Bank Group, Doing Business Global Reports, 2015: <http://espanol.doingbusiness.org/reports/global-reports/doing-business-2015>
- ²⁴ Freedom House, Freedom in the World: Colombia, 2015: <https://freedomhouse.org/report/freedom-world/2015/colombia>
- ²⁵ Freedom House, Freedom in the World: Colombia, 2015: <https://freedomhouse.org/report/freedom-world/2015/colombia>
- ²⁶ Freedom House, Freedom in the World: Colombia, 2015: <https://freedomhouse.org/report/freedom-world/2015/colombia>
- ²⁷ Transparency International, Corruption Perception Index, 2015: <http://www.transparency.org/cpi2015/>
- ²⁸ United Nations, Statistics Division Millennium Development Goals Indicators, 2015: <http://mdgs.un.org/unsd/mdg/Data.aspx>
- ²⁹ Unit of Assistance and Integral Reparation for Victims, Single Registry of Victims, 2015: <http://rni.unidadvictimas.gov.co/?q=node/107>
- ³⁰ Unit of Assistance and Integral Reparation for Victims, Displaced People Information System and Single Registry of Victims, 2015
- ³¹ Strategic Studies Directorate - Ministry of National Defense (as of 31 May 2014)
- ³² Land Restitution Unit, 31 May 2014
- ³³ International Labour Organization, Colombian Ratifications, undated: http://www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102595
- ³⁴ Colombian Political Constitution, 1991, Article 7: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ³⁵ Colombian Central Bank, Afro-Colombians Reborn, undated: <http://www.banrepcultural.org/blaavirtual/sociologia/estudiosafro/estudiosafro18.htm>
- ³⁶ Universidad del Rosario, Colombian laws for ethnic communities, undated: <http://www.urosario.edu.co/jurisprudencia/catedra-viva-intercultural/ur/Legislacion-colombiana-para-comunidades-etnicas/>
- ³⁷ DANE, Colombia a Multicultural Nation, 2007: http://www.dane.gov.co/files/censo2005/etnia/sys/colombia_nacion.pdf
- ³⁸ Inter-American Commission on Human Rights, Truth, Justice and Reparation: Fourth Report on the situation of human rights in Colombia, 2013: <https://www.oas.org/es/cidh/docs/pdfs/Justicia-Verdad-Reparacion-es.pdf>
- ³⁹ DANE, Census, 2005: <http://www.dane.gov.co/index.php/esp/poblacion-y-registros-vitales/censos/censo-2005>
- ⁴⁰ UNDP, Analysis of the socioeconomic status of Afro-Peruvian and Afro-Costa Rican population and comparison with Afro-Colombians and Afro-Ecuadorians, 2012: [Human Rights and Business Country Guide - Colombia](#)

http://www.afrodescendientes-undp.org/FCKeditor_files/File/paal_pnud_analisis.pdf

⁴¹ Observatory Against Discrimination and Racism, Second Report: Labor Discrimination in Cali, 2012: http://observatoriocdr.gov.co/images/pdfs/segundo_informe_observatorio_30_septiembre_de_20121.pdf

⁴² Americas Quarterly, The Invisible War Against Afro-Colombians, 2011: <http://www.americasquarterly.org/node/2322>

⁴³ El Espectador, Sugarcane cutters in Risaralda stormed sugar mill facilities of *Ingenio Risaralda*, 2015: <http://www.elespectador.com/noticias/nacional/corteros-de-cana-risaralda-se-tomaron-instalaciones-de-articulo-547203>

⁴⁴ WOLA, Wola letter on the dire situation of Afro-Colombians, 2014: http://www.wola.org/es/commentary/carta_de_wola_sobre_grave_situacion_del_pueblo_afroColombiano

⁴⁵ Racial Discrimination Observatory, Racial Discrimination in the Labor Market, 2013: http://www.odracial.org/files/r2_actividades_recursos/600.pdf

⁴⁶ WOLA, Wola letter on the dire situation of Afro-Colombians, 2014: http://www.wola.org/es/commentary/carta_de_wola_sobre_grave_situacion_del_pueblo_afroColombiano

⁴⁷ ILO, Observation (CEACR) - adopted 2012, published 102nd ILC Session (2013): http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3077947,102595,Colombia,2012

⁴⁸ El Tiempo, Enacted statutes benefiting 25,000 demobilized people, 2011: <http://www.eltiempo.com/archivo/documento/CMS-9747935>

⁴⁹ Colombian Agency for Reintegration, Statistics on demobilized people from illegal armed groups in the reintegration process, Table 1. Demobilized People – Historical Series, undated: <http://www.reintegracion.gov.co/es/la-reintegracion/layouts/15/xlviewer.aspx?id=es/la-reintegracion/Cifras/Cuadro%201%20-%20Hist%C3%B3rico%20de%20personas%20desmovilizadas.xlsx&Source=http%3A%2F%2Fwww%2Ereintegracion%2Egov%2Eco%2Fes%2Fla-reintegracion%2FPaginas%2Fcifras%2Easpx>

⁵⁰ Colombian Agency for Reintegration, Job creation, Generations for peace, 2014: <http://www.reintegracion.gov.co/es/la-reintegracion/centro-de-documentacion/Documentos/Recopilaci%C3%B3n%20de%20la%20experiencia%20generaci%C3%B3n%20de%20empleo,%20generaciones%20de%20paz.pdf>

⁵¹ Chamber of Commerce of Bogotá, *Fundación Ideas para la Paz* and International Catalan Institute for Peace, Business perspective and contributions for peace building, 2015: <http://bibliotecadigital.ccb.org.co/bitstream/handle/11520/8482/Perspectivas%20y%20aportes%20empresariales%20para%20la%20construccion%20de%20paz.pdf?sequence=1&isAllowed=y>

⁵² El Colombiano, “7,843 demobilized persons have formal jobs in Colombia”, 2015: <http://www.elColombiano.com/desmovilizados-buscan-oportunidades-en-el-país-MG1844259>

⁵³ Ministry of Education, Law 375 July 4, 1997, Youth Law: http://www.mineducacion.gov.co/normatividad/1753/articles-85935_archivo_pdf.pdf

⁵⁴ Ministry of Labor, The ABC for Formalization and Job Creation ‘Law on First Job’, undated: <http://www.mintrabajo.gov.co/empleo/abece-ley-de-primer-empleo.html>

⁵⁵ Youth and Adolescence National Information System, Youth population forecast (14-28 years of age), undated: http://obs.colombiajoven.gov.co/Observatorio/Observatorio.aspx?rpt=Buyel7PqAptVw9lwUXO_Fw%3d%3d

⁵⁶ DANE, Youth Labor Market (14-28 years of age) Mobile Quarter June-August 2015, October 2015: http://www.dane.gov.co/files/investigaciones/boletines/ech/juventud/Bol_eje_juventud_jun_ago15.pdf

Portafolio, Youth unemployment decreased 1.1 % in Colombia, 2015:

<http://www.portafolio.co/economia/finanzas/desempleo-juvenil-pais-33788>

⁵⁷ Ministry of Labor, “Lowering the youth unemployment rate is the priority”, 2015:

<http://www.portafolio.co/economia/la-prioridad-es-bajar-la-tasa-desempleo-juvenil>

⁵⁸ ILO, Promoting formal employment among youth: innovative experiences in Latin America and the Caribbean, 2015: <http://www.ilo.org/wcmsp5/groups/public/---americas/---ro->

[lima/documents/publication/wcms_359270.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_359270.pdf)

⁵⁹ El Tiempo, ‘Informality in youth employment in Colombia is among the highest’: ILO, 2015:

<http://www.eltiempo.com/economia/sectores/empleo-en-Colombia-informalidad-de-empleo-juvenil/15825515>

⁶⁰ Office of the President, Indigenous Presidential Program, Women rights: Main national and international standards, 2013: <http://www.vicepresidencia.gov.co/Programas/Documents/derechos-de-las-mujeres.pdf>

⁶¹ United Nations High Commissioner for Human Rights, Annual Report, Human Rights Situation in Colombia, 2016:

http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe_anual_2015.pdf

⁶² IACHR, Hearing on Colombian Women Human Rights Situation in Colombia, 2013:

<http://www.oas.org/es/cidh/audiencias/Hearings.aspx?Lang=es&Session=131&page=2>

⁶³ Revista Dinero, Women suffer more than men when unemployed, 2015:

<http://www.dinero.com/economia/articulo/como-desempleo-femenino-colombia/211753>

⁶⁴ El Espectador, Unemployment rate is higher in women, 2015:

<http://www.elespectador.com/noticias/economia/tasa-de-desempleo-el-pais-mayor-mujeres-articulo-579093>

⁶⁵ DeJusticia, Overview of Women Human Rights in Colombia, 2013:

http://www.dejusticia.org/files/r2_actividades_recursos/fi_name_recurso.331.pdf

⁶⁶ Ministry of Mines and Energy, Strengthening women’s work capabilities in Colombian mining sector, 2014: <http://www.equidadmujer.gov.co/oag/Documents/Resultado-apoyo-mujer-sector-minero.pdf>

⁶⁷ Escuela Nacional Sindical, Report on decent work situation in Colombia, 2013:

<http://www.oidhaco.org/uploaded/content/article/965649488.pdf>

⁶⁸ DeJusticia, Overview of Women’s Human Rights in Colombia, 2013:

http://www.dejusticia.org/files/r2_actividades_recursos/fi_name_recurso.331.pdf

⁶⁹ Ministry of Mines and Energy, Strengthening women’s work capabilities in the Colombian mining sector, 2014: <http://www.equidadmujer.gov.co/oag/Documents/Resultado-apoyo-mujer-sector-minero.pdf>

⁷⁰ Colectivo de Abogados José Alvear Restrepo, Women’s labor situation: between invisible, precarious, and unequal, 2014: <http://www.colectivodeabogados.org/?La-situacion-laboral-de-las>

⁷¹ DeJusticia, In the midst of Stereotypes: Men and women labor patterns in Colombia, 2013:

http://www.dejusticia.org/files/r2_actividades_recursos/fi_name_recurso.601.pdf

⁷² Office of the Mayor of Bogotá, Equal Opportunities Plan, Towards Gender Equality in Bogotá 2004-2016, 2005:

<http://www.sdp.gov.co/portal/page/portal/PortalSDP/SeguimientoPoliticasyPol%EDticaPublicaDeMujeresyEquidadDeG%E9nero/QueEs/PIOEG.PDF>

⁷³ Ministry of Labor, Decree 4463/2011:

<http://wsp.presidencia.gov.co/Normativa/Decretos/2011/Documents/Noviembre/25/dec446325112011.pdf>

⁷⁴ Observatory Against Discrimination and Racism. <http://observatoriocdr.gov.co/>

⁷⁵ Ministry of Health, National Public Policy on Disability and Social Inclusion, undated:

<https://www.minsalud.gov.co/proteccion-social/promocion-social/Discapacidad/Paginas/politica-publica.aspx>

-
- ⁷⁶ Office of the President, Statutory Law 1616/2013:
<http://wsp.presidencia.gov.co/Normativa/Leyes/Documents/2013/LEY%201618%20DEL%2027%20DE%20FEBRERO%20DE%202013.pdf>
- ⁷⁷ DANE, Census, 2005: <http://www.dane.gov.co/index.php/esp/poblacion-y-registros-vitales/censos/censo-2005>
- ⁷⁸ DANE, Census 2005: People with permanent disabilities, 2005:
http://www.dane.gov.co/censo/files/discapacidad/datos_departamentales.pdf
- ⁷⁹ Rodríguez. C. et. al., Disability and the Right to Work, Universidad de Los Andes, Faculty of Law, Center of Legal and Social Studies (CIJUS), 2009:
http://www.saldarriagaconcha.org/images/fsc/pdf/biblioteca_virtual/discapacidad/empleo_y_productividad/02_discapacidad_y_derecho_al_trabajo.pdf
- ⁸⁰ Ministry of Labor, "Trabajamos para que las personas con discapacidad tengan oportunidades laborales": R. Pardo, 2013:
<http://mintrabajo.gov.co/octubre-2013/2459-qtrabajamos-para-que-las-personas-con-discapacidad-tengan-oportunidades-laboralesq-r-pardo.html>
- ⁸¹ Escuela Nacional Sindical, Disability: An excuse for ludicrous labor exclusion and discrimination, 2014:
<http://www.ens.org.co/index.shtml?apc=ba--;1;-;&x=20168680>
- ⁸² El Espectador, Court rules that HIV/AIDS workers have the right to invalidity pension, 2013:
<http://www.elespectador.com/noticias/judicial/corte-advierte-trabajadores-tengan-sida-tienen-derecho-articulo-410223>
- ⁸³ Decree 1543/1997, Handling HIV/AIDS and other sexually transmitted diseases, Article 39:
<http://www.hsph.harvard.edu/population/Aids/colombia.aids.97.pdf>
- ⁸⁴ Colombia Diversa, Legal questions on HIV/AIDS, undated: <http://www.Colombia-diversa.org/p/preguntas-legales-sobre-vih.html>
- ⁸⁵ Ministry of Health and Social Protection, GARPR Report, 2014:
<http://www.unaids.org/sites/default/files/country/documents/file%2C94471%2Ces..pdf>
- ⁸⁶ National Health Institute, SIVIGILA website, Routine monitoring – Confirmed cases, undated:
http://portalsivigila.ins.gov.co/sivigila/reportes/pages/map_colombia.php
- ⁸⁷ Peláez, A., "HIV/AIDS: Stigma and self-exclusion", undated:
<http://www.unperiodico.unal.edu.co/dper/article/vih-sida-persiste-el-estigma-y-la-autoexclusion.html>
- ⁸⁸ Office of the President, Law on Discrimination, Law 165/10, 2011:
<http://wsp.presidencia.gov.co/Normativa/Leyes/Documents/ley148230112011.pdf>
- ⁸⁹ Colombia Diversa, Jurisprudence, undated: <http://www.colombia-diversa.org/p/sentencias.html>
- ⁹⁰ El Espectador, Constitutional Court says "Yes" to equal marriage, 2016:
<http://www.elespectador.com/noticias/judicial/corte-constitucional-le-da-el-si-al-matrimonio-igualita-articulo-625841>
- ⁹¹ Inter-American Commission on Human Rights, Annual Report 2014: Chapter V: Follow-up of recommendations issued by the IACHR in its country or thematic reports, 2014:
<http://www.oas.org/es/cidh/docs/anual/2014/docs-es/Anual2014-cap5-Colombia.pdf>
- ⁹² El Nuevo Día, Overview on labor discrimination towards sexual minorities, 2013:
<http://www.elnuevodia.com.co/nuevodia/actualidad/politica/186677-panorama-de-la-discriminacion-laboral-hacia-la-comunidad-lgbti#sthash.Vsk4i5b5.dpuf>
- ⁹³ El Nuevo Día, Overview of sexual minorities, 2013:
<http://www.elnuevodia.com.co/nuevodia/actualidad/politica/186677-panorama-de-la-discriminacion-laboral-hacia-la-comunidad-lgbti#sthash.Vsk4i5b5.dpuf>
- ⁹⁴ Diario La República, Discrimination and labor harassment against sexual minorities, 2014:
http://www.larepublica.co/discriminaci%C3%B3n-y-acoso-laboral-poblaci%C3%B3n-lgbt_145661
- ⁹⁵ Escuela Nacional Sindical and Corporación Caribe Afirmativo, "Raros...y oficios: Diversidad sexual y mundo laboral: discriminación y exclusión, 2012: http://ens.org.co/apc-aa-files/45bdec76fa6b8848acf029430d10bb5a/Raros_y_oficios.pdf

-
- ⁹⁶ Colectivo de Abogados José Alvear Restrepo, In Colombia, labor discrimination and exclusion against sexual minorities is evident, 2012: <http://www.colectivodeabogados.org/noticias/noticias-nacionales/En-Colombia-es-patente-la>
- ⁹⁷ Colombian Political Constitution, 1991, Article 7: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ⁹⁸ Inter-American Commission on Human Rights, IV Country Report - Colombia: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/Justicia-Verdad-Reparacion-es.pdf>
- ⁹⁹ Ministry of Political Affairs, Prior Consultation with Ethnic Groups in Colombia, 2009: <http://www.mininterior.gov.co/sala-de-prensa/noticias/la-consulta-previa-grupos-etnicos-en-colombia-compendio-de-legislacion-jurisprudencia-y-documentos-de-estudio-tomos-i-ii>
- ¹⁰⁰ ILO, Indigenous and Tribal People, undated: <http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm>
- ¹⁰¹ Inter-American Commission on Human Rights, V Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>
- ¹⁰² Inter-American Commission on Human Rights, IV Country Report - Colombia: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/Justicia-Verdad-Reparacion-es.pdf>
- ¹⁰³ DANE, Regional analysis on main sociodemographic indicators of Afro-Colombian and indigenous communities based on the 2005 General Census, 2010: http://www.dane.gov.co/files/censo2005/etnia/sys/Afro_indicadores_sociodemograficos_censo2005.pdf
- ¹⁰⁴ DANE, Colombia a Multicultural Nation, 2007: http://www.dane.gov.co/files/censo2005/etnia/sys/colombia_nacion.pdf
- ¹⁰⁵ Inter-American Commission on Human Rights, V Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>
- ¹⁰⁶ Portafolio, Minorities only account for 8% of formal employment in Colombia, 2014: <http://www.portafolio.co/economia/estudio-minorias-y-empleo-Colombia>
- ¹⁰⁷ El País, Finding a job is almost impossible for an Indian or Afro, 2014: <http://www.elpais.com.co/elpais/cali/noticias/odisea-conseguir-empleo-siendo-indigena-o-afro>
- ¹⁰⁸ Inter-American Commission on Human Rights, IV Country Report - Colombia: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>
- ¹⁰⁹ National Strategy to Safeguard Human Rights 2014-2034, Business and Human Rights Chapter, 2014: http://www.derechoshumanos.gov.co/Observatorio/Publicaciones/Documents/2014/140815-estrategia_web.pdf
- ¹¹⁰ Office of the President, National Human Rights and Business Action Plan, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/Plan%20Nacional%20de%20Accion%20DDHH%20Empresa.pdf>
- ¹¹¹ Ministry of Labor, Colabora, undated: <http://www.mintrabajo.gov.co/colabora>
- ¹¹² Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ¹¹³ Ministry of Justice, Directorate of Alternative Methods for Dispute Resolution, 2013: <http://www.minjusticia.gov.co/Ministerio/EstructuraorganizacionaldeLaEntidad/ViceministeriodePromoci%C3%B3ndelaJusticia/Direcci%C3%B3ndeM%C3%A9todosAlternativosySoluci%C3%B3ndeConflictos.aspx>
- ¹¹⁴ Ministry of Trade and Industry, National Contact Point, Structure, undated: <http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=7850>
- ¹¹⁵ Las 2 Orillas, Worst Colombian bosses, 2015: <http://www.las2orillas.co/los-peores-patronos-de-Colombia/>
- ¹¹⁶ Human Rights and Business in the Workplace, 2013: <http://www.semana.com/nacional/Articulo/terratenientes-en-la-oficina/361577-3>

-
- ¹¹⁷ International Labour Organization, ILO Declaration on Fundamental Principles and Rights at Work, undated: <http://www.ilo.org/declaration/lang-es/index.htm>
- ¹¹⁸ UN Women, Women's Empowerment Principles, 2011: http://www2.unwomen.org/~media/headquarters/attachments/sections/partnerships/businesses%20and%20foundations/women-s-empowerment-principles_2011_es%20pdf.pdf?v=1&d=20141013T121818
- ¹¹⁹ OXFAM Australia, Women, communities and mining: Gender impacts of mining and gender roles, impact assessment, 2009: http://www.oecdwatch.org/publications-es/Publication_3287-es
- ¹²⁰ Business & Human Rights Resource Centre, Text of Business & Human Rights Standards, undated: <http://business-humanrights.org/es>
- ¹²¹ Business & Human Rights Resource Centre, United Nations Sub-Commission Norms on Business and Human Rights, undated: <http://business-humanrights.org/en/united-nations-sub-commission-norms-on-business-human-rights-explanatory-materials>
- ¹²² Business & Human Rights Resource Centre, Principles and Standards, undated: <http://business-humanrights.org/en/principles-standards>
- ¹²³ Fundación Ideas para la Paz, How to support business employability initiatives for people in process of reintegration (PPR), 2015: <http://cdn.ideaspaz.org/media/website/document/561fb3fbd229a.pdf>
- ¹²⁴ Fundación Ideas para la Paz, Ethical Commitment of Swiss Companies in Colombia, 2014: <http://cdn.ideaspaz.org/media/website/document/531f6285e27cf.pdf>
- ¹²⁵ Colombia Guide on Human Rights and International Humanitarian Law, Guide on Claims and Complaints Relating to Human Rights and IHL, 2012: <http://cdn.ideaspaz.org/media/website/document/54f4c32f5967a.pdf>
- ¹²⁶ Fundación Ideas para la Paz, Colombia Guide on Human Rights and International Humanitarian Law, 2013: <http://www.ideaspaz.org/tools/guias-colombia>
- ¹²⁷ Fundación Ideas para la Paz, Guide on Decent Work – Colombia Guide for Human Rights and IHL, 2014: <http://www.ideaspaz.org/tools/download/72992>
- ¹²⁸ Productivity Pact, 2015: <http://www.saldarriagaconcha.org/images/InformePactoProductividad.pdf>
- ¹²⁹ Presentation of the Program of Productive Labor Inclusion for People with Disabilities, undated: <http://www.pactodeproductividad.com/pdf/calmedellinpresentacion1.pdf>
- ¹³⁰ Business & Human Rights Resource Centre, Company Survey Responses: Ecopetrol, undated: <http://business-humanrights.org/en/ecopetrol-0>
- ¹³¹ FIP, NIR & ANDI, Business Initiatives with the Office of the President for Reintegration Banco de Tiempo y Mundo Maderas, 2009-2011: <http://www.ideaspaz.org/tools/download/54437>
- ¹³² DPS, Mapa Social, Minimarket 2x3, undated: <http://mapasocial.dps.gov.co/Proyectos/17401>
- ¹³³ DPS, Mapa Social: Supply chain program with an inclusive approach - Puntada Joven, undated: <http://mapasocial.dps.gov.co/Proyectos/2986/11001>
- ¹³⁴ Chevrolet Foundation, Pacto Motor, undated: <http://www.fundacionchevrolet.org/pacto-motor>
Chevrolet Foundation, Sustainability Report, 2014: http://www.chevrolet.com.co/content/dam/Chevrolet/lat-am/Colombia/nscwebsite/es/home/chevrolet-world/news/01_images/2015-IS-GM-COLMOTORES-2013-2014.pdf
- ¹³⁵ Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>
- ¹³⁶ Office of the President, National Strategy on Human Rights 2014-2034, 2014: http://www.derechoshumanos.gov.co/Observatorio/Publicaciones/Documents/2014/140815-estrategia_web.pdf
- ¹³⁷ Office of the President, National Strategy to Safeguard Human Rights 2014-2034, 2014: http://www.derechoshumanos.gov.co/Observatorio/Publicaciones/Documents/2014/140815-estrategia_web.pdf

-
- ¹³⁸ Equipares, undated: www.equipares.com
- ¹³⁹ Office of the President, President Santos launches programs to create jobs for the youth, 2015: http://wp.presidencia.gov.co/Noticias/2015/Febrero/Paginas/20150209_06-Presidente-Santos-lanza-programas-para-generar-empleo-para-los-jovenes.aspx
- ¹⁴⁰ Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ¹⁴¹ ConVerTic, undated: <http://micrositios.mintic.gov.co/convertic/>
- ¹⁴² Escuela Nacional Sindical, Colombia Campaign for Decent Jobs, undated: <http://www.trabajodecente.org.co/>
- ¹⁴³ Office of the President, National Development Plan 2014 -2018: <https://colaboracion.dnp.gov.co/CDT/Prensa/LEY%201753%20DEL%2009%20DE%20JUNIO%20DE%202015.pdf>
- ¹⁴⁴ SDG Compass. <http://sdgcompass.org/>
- ¹⁴⁵ UN Global Compact, SDG vs MDG: the private sector *momentum*, 2015: <http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ¹⁴⁶ European Parliament, Resolution of 13 June 2012 on the EU-Colombia Free Trade Agreement, 2012. <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0249+0+DOC+XML+V0//ES>
- ¹⁴⁷ Colombian Political Constitution, 1991, Article 7: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ¹⁴⁸ Colombian Central Bank, Luis Ángel Arango On-line Library, Afro-Colombians Reborn, undated: <http://www.banrepultural.org/blaavirtual/sociologia/estudiosafro/estudiosafro18.htm>
- ¹⁴⁹ Universidad del Rosario, Colombian laws on ethnic communities, undated: <http://www.urosario.edu.co/jurisprudencia/catedra-viva-intercultural/ur/Legislacion-colombiana-para-comunidades-etnicas/>
- ¹⁵⁰ Ministry of Political Affairs, On prior consultation, undated: <http://www.mininterior.gov.co/mision/direccion-de-consulta-previa/acerca-de-la-direccion-de-consulta-previa>
- ¹⁵¹ Ministry of Political Affairs, the Ministry invites black, Afro-Colombian, Raizal and Palanquero communities to participate in prior consultations to foster a national context for consultation, 2014: <https://www.mininterior.gov.co/sala-de-prensa/noticias/mininterior-convoca-comunidades-negras-afroColombianas-raizales-y-palenqueras-del-pais-participar-en-proceso-de-consulta-previa-para-integracion-del-espacio-nacional-0>
- ¹⁵² DANE, Colombia, a Multicultural Nation, 2007: http://www.dane.gov.co/files/censo2005/etnia/sys/colombia_nacion.pdf
- ¹⁵³ Inter-American Commission on Human Rights, IV Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>
- ¹⁵⁴ Inter-American Commission on Human Rights, 153rd Period of Sessions: Forced displacement complains and development projects in Colombia, 2014: <http://www.oas.org/es/cidh/audiencias/Hearings.aspx?Lang=es&Session=136>
- ¹⁵⁵ Inter-American Commission on Human Rights, 153rd Session: Forced displacement complains and development projects in Colombia, 2014: <http://www.oas.org/es/cidh/audiencias/Hearings.aspx?Lang=es&Session=136>
- ¹⁵⁶ Colombian Political Constitution, 1991: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ¹⁵⁷ Office of the Presidency for Human Rights, Colombian laws on human rights and IHL, undated: <http://historico.derechoshumanos.gov.co/Programa/Paginas/LegislacionColombianaDHyDIH.aspx#defensores%20de%20derechos%20humanos>

-
- ¹⁵⁸ Program *Somos Defensores*, Los Nadies, 2015:
<http://www.somosdefensores.org/attachments/article/134/los-nadie-informe-semestral-siaddhh2015.pdf>
- ¹⁵⁹ Office of the High Commissioner and Office of the Secretary General, Annual Report of the United Nations High Commissioner for Human Rights, 2016:
http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe_anual_2015.pdf
- ¹⁶⁰ Office of the President, Presidential Program for Indigenous Population, Women Rights: Core National and International Instruments and Standards, 2013:
<http://www.vicepresidencia.gov.co/Programas/Documents/derechos-de-las-mujeres.pdf>
- ¹⁶¹ UN High Commissioner for Human Rights, Annual Report, Human Rights Situation in Colombia, 2016:
http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe_anual_2015.pdf
- ¹⁶² DeJusticia, An Overview of Women's Rights in Colombia, 2013:
http://www.dejusticia.org/files/r2_actividades_recursos/fi_name_recurso.331.pdf
- ¹⁶³ Colombian Political Constitution, 1991, Article 7:
<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ¹⁶⁴ Ministry of Political Affairs, Ethnic Groups' Prior Consultation in Colombia, 2009:
<http://www.mininterior.gov.co/sala-de-prensa/noticias/la-consulta-previa-grupos-etnicos-en-colombia-compendio-de-legislacion-jurisprudencia-y-documentos-de-estudio-tomos-i-ii>
- ¹⁶⁵ ILO, Indigenous and Tribal Peoples, undated:
<http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm>
- ¹⁶⁶ Inter-American Commission on Human Rights, V Country Report: Truth, Justice and Reparation, 2013:
<http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>
- ¹⁶⁷ Inter-American Commission on Human Rights, IV Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/Justicia-Verdad-Reparacion-es.pdf>
- ¹⁶⁸ Inter-American Commission on Human Rights. IV Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>
- ¹⁶⁹ Inter-American Commission on Human Rights, 156th Period of Sessions: Status of environmental defenders' human rights in the context of extractive industries in America, 2015: <http://business-humanrights.org/es/ong-defensores-y-autoridades-ind%C3%ADgenas-presentan-la-grave-situaci%C3%B3n-de-abusos-contrapersonas-opuestas-a-proyectos-extractivos-ante-la-comisi%C3%B3n-interamericana-de-derechos-humanos>
- ¹⁷⁰ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, 2013:
http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf
- ¹⁷¹ Office of the Ombudsman: <http://www.defensoria.gov.co/>
- ¹⁷² Office of the Presidency for Human Rights, Human Rights Report, 2015:
<http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ¹⁷³ Law Decree No. 4633/2011 on the matter of assistance to victims from indigenous communities, and integral reparation and restitution of their land rights:
<http://www.centrodememoriahistorica.gov.co/descargas/registroEspecialArchivos/Decreto4633-2011-ley-de-victimas.pdf>
- ¹⁷⁴ Inter-American Commission on Human Rights, Resolution on precautionary measures for Colombia 2014, undated: <http://www.oas.org/es/cidh/decisiones/cautelares.asp>
- ¹⁷⁵ Ministry of Trade, Industry and Tourism, OECD National Contact Point, 2013:
<http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=2241>
- ¹⁷⁶ UN High Commissioner for Human Rights, Annual Report on the situation of human rights in Colombia 2015 and Business Country Guide - Colombia
http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe_anual_2015.pdf

-
- ¹⁷⁷ Inter-American Commission on Human Rights, Report No. 33/15 Case 11.754, Admissibility Report U'wa Peoples, Colombia, 2015: http://business-humanrights.org/sites/default/files/documents/informe_de_admisibilidad.pdf
- ¹⁷⁸ Emprender Paz, Toolkit of private sector good practices and peace building, undated: <http://www.emprenderpaz.org/descargas/ASPROCAMM.pdf>
- ¹⁷⁹ USAID, USAID & Starbucks support Colombian small-coffee farmers to improve their livelihoods, 2013: <https://www.usaid.gov/news-information/press-releases/usaid-starbucks-support-colombian-small-coffee-farmers-improve-livelihoods>
- ¹⁸⁰ On 30 August 2013, the United Nations Program for Development (UNDP) and the Danish Institute for Human Rights (DIHR) held the workshop "Pillars in Practice" in Medellín, within the framework of the First Regional Forum on Human Rights and Business. Business, government and civil society representatives attended the workshop. Participants made recommendations to help businesses to respect human rights in Latin America. <https://forodefensoriasmetropolitanas.files.wordpress.com/2013/08/3-l-paloma-muc3b1oz.pdf>
- ¹⁸¹ Interview Carbones el Cerrejón, 21 July 2015: <http://www.cerrejon.com/site/>
- ¹⁸² Interview, Colombian Office of the United Nations High Commissioner, 21 July 2015: <http://www.hchr.org.co/>
- ¹⁸³ Interview Isagen, 23 July 2015: <https://www.isagen.com.co/>
- ¹⁸⁴ Interview Tierra y Vida, 21 July 2015: <http://www.asociaciontierrayvida.es/>
- ¹⁸⁵ Interview Human Rights Directorate, Medellín Secretariat, 23 July 2015: <http://antioquia.gov.co/>
- ¹⁸⁶ Office of the Presidency for Human Rights, National Plan on Action on Human Rights and Business, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>
- ¹⁸⁷ SDG Compass. <http://sdgcompass.org/>
- ¹⁸⁸ UN Global Compact, SDG vs MDG: The private sector momentum, 2015: <http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ¹⁸⁹ UNFPA, Document Program for Colombia, 2015: <http://unfpa.org.co/wp-content/uploads/2015/10/Colombia-CPD-October-2015-2019-ES.pdf>
- ¹⁹⁰ European Parliament, Resolution of 13 June 2012 on the EU-Colombia free trade agreement, 2012: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0249+0+DOC+XML+V0//ES>
- ¹⁹¹ Colombian Political Constitution, 1991: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ¹⁹² Law 1098/2006, Articles 35 and 114: <http://www.mintrabajo.gov.co/preguntas-frecuentes/jornada-de-trabajo.html>
- ¹⁹³ U.S. Department of Labor, Findings on the Worst Forms of Child Labor, 2015: <http://www.dol.gov/ilab/reports/child-labor/colombia.htm>
- ¹⁹⁴ International Labour Organization, C138 – Convention on Minimum Age, 1973: http://www.ilo.org/dyn/normlex/es/f?p=1000:12100:0::NO::P12100_ILO_CODE:C138
- International Labour Organization, Worst Forms of Child Labor Convention, 1999: http://www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182
- ¹⁹⁵ Law 599/2000, Criminal Code: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=6388>
- ¹⁹⁶ Noticias RCN, Over one million children victims of child labor, 2015: <http://www.noticiascn.com/nacional-pais/mas-un-millon-ninos-colombia-son-victimas-trabajo-infantil>
- ¹⁹⁷ Ministry of Labor, The Ministry of Labor underscores child labor reduction in Colombia, 2015: <http://www.mintrabajo.gov.co/abril-2015/4367-ministerio-del-trabajo-destaca-disminucion-del-trabajo-infantil-en-Colombia.html>
- ¹⁹⁸ DANE, Child Labor, October-December, 2015: <http://www.dane.gov.co/index.php/mercado-laboral/trabajo-infantil>

-
- ¹⁹⁹ El Universal, Commerce and agriculture, primary sectors responsible for child labor in Colombia, 2014: <http://www.eluniversal.com.co/Colombia/comercio-y-agricultura-principales-sectores-de-trabajo-infantil-en-Colombia-162205>
- ²⁰⁰ U.S. Department of Labor, Colombia: 2014 Findings on the Worst Forms of Child Labor, 2014: http://www.dol.gov/ilab/reports/child-labor/Colombia.htm#_ENREF_5
- ²⁰¹ El Universal, Five thousand children currently working in the mining sector, 2013: <http://www.eluniversal.com.co/colombia/cinco-mil-menores-trabajan-actualmente-en-algun-sector-de-la-mineria-197704>
- ²⁰² El Universal, Five thousand children are currently working in the mining sector , 2013: <http://www.eluniversal.com.co/colombia/cinco-mil-menores-trabajan-actualmente-en-algun-sector-de-la-mineria-197704>
- ²⁰³ U.S. Department of Labor, Colombia: 2014 Findings on the Worst Forms of Child Labor, 2014: http://www.dol.gov/ilab/reports/child-labor/Colombia.htm#_ENREF_5
- ²⁰⁴ Colombian Political Constitution, 1991 Article 44: <http://www.corteconstitucional.gov.co/inicio/Constitucion%20politica%20de%20Colombia%20-%202015.pdf>
- ²⁰⁵ Colombian Political Constitution, 1991, Article 67: <http://www.corteconstitucional.gov.co/inicio/Constitucion%20politica%20de%20Colombia%20-%202015.pdf>
- ²⁰⁶ ICBF, *Observatorio del Bienestar de la Niñez* Special Issue No. 10, 2013: <http://www.icbf.gov.co/portal/page/portal/Observatorio1/Archivo/2013/publicacion-40.pdf>
- ²⁰⁷ ICBF, *Observatorio del Bienestar de la Niñez* Special Issue No. 10, 2013: <http://www.icbf.gov.co/portal/page/portal/Observatorio1/Archivo/2013/publicacion-40.pdf>
- ²⁰⁸ DPS, *Más Familias en Acción* - Opportunities for child labor prevention in Colombia, 2015: <http://www.prosperidadsocial.gov.co/inf/doc/Boletines%20Tcnicos/Bolet%3%ADn%20t%3%A9cnico%205%20MFA%20oportunidades%20para%20la%20prevenci%C3%B3n%20del%20trabajo%20infantil%20en%20Colombia.pdf>
- ²⁰⁹ Colombian Institute for Family Welfare, Child labor, undated: <http://www.icbf.gov.co/portal/page/portal/ICBFNinos/MitosYVerdades/TrabajoInfantil>
- ²¹⁰ Colombian Institute for Family Welfare, Guidelines for the elimination of child labor in mines and quarries, 2013: <http://www.icbf.gov.co/portal/page/portal/PortalICBF/RecursosMultimedia/GuiaOrientadora-EradicacionTrabajoInfantil-MinasyCanteras-Instituciones.pdf>
- ²¹¹ Colombian Institute for Family Welfare, Child labor, undated: <http://www.icbf.gov.co/portal/page/portal/ICBFNinos/MitosYVerdades/TrabajoInfantil>
- ²¹² El Tiempo, Actions against child labor resulted in 25 children detained, 2013: <http://www.eltiempo.com/archivo/documento/CMS-12689086>
- ²¹³ Global Pact, Save the Children & Unicef, Children's Rights and Business Principles, 2012: http://www.unicef.org/costarica/docs/cr_pub_Derechos_del_Nino_y_Principios_Empresariales.pdf
- ²¹⁴ Fundación Ideas para la Paz, Colombia Guides on Human Rights and International Humanitarian Law, 2013: <http://www.ideaspaz.org/tools/guias-colombia>
- ²¹⁵ Fundación Ideas para la Paz, Guide on Decent Work – Colombia Guide for Human Rights and IHL, 2014: <http://www.ideaspaz.org/tools/download/72992>
- ²¹⁶ UN Committee on the Rights of the Child, General Comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, 2013: <http://webcache.googleusercontent.com/search?q=cache:XYtq0EQ4z8cJ:www2.ohchr.org/english/bodi es/sr/eng/GC/CRC/GC16/index&cd=1&hl=en&ct=clnk&gl=co>

-
- ²¹⁷ Business & Human Rights Resource Centre, Child Labour, undated: <http://business-humanrights.org/en/child-labour-an-introduction#94825>
- ²¹⁸ International Labour Organization, ILO Conventions and Recommendations on child labour, undated: <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>
- ²¹⁹ Unicef, Children's Rights in Impact Assessments, 2013: <http://www.unicef.org/csr/156.htm>
- ²²⁰ Office of the Presidency for Human Rights, National Action Plan on Human Rights and Business, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>
- ²²¹ AECID, Report on Corporate Social Responsibility Practices of Spanish Companies in Colombia 2012: http://www.aecid.org.co/recursos_user/publicaciones%20aacid/InformePrcticasRSCEmpresasEspa%20nolasColombia.pdf
- ²²³ On 9 March 2016, the Danish Institute for Human Rights and *Fundación Ideas para la Paz* held a Forum in Bogotá relating "Progress and Challenges in Business and Human Rights in Colombia and Latin America". The Forum aimed at identifying key issues on human rights and businesses in Colombia, in businesses, government, and civil society sectors; analyzing the role of Human Rights National Institutions; carrying in-depth studies on implemented actions, cases, challenges and recommendations for businesses in the field of human rights; disseminating the Human Rights and Business National Action Plan; and, reviewing the progress made on the Colombia Country Guide.
- ²²⁴ ICBF, Commercial Sexual Exploitation in Colombia, 2014: http://www.derechoshumanos.gov.co/Observatorio/Publicaciones/Documents/2014/140718_libro_exp%20lotacion%20sexual%20nna.pdf
- ²²⁵ U.S. Labor Department, Findings on worst forms of child labor, 2014: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/Colombiatrans.pdf>
- ²²⁶ Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>
- ²²⁷ Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ²²⁸ Global Pact, Colombian network against child labor, undated: <http://www.pactoglobal-Colombia.org/index.php/plataformas-mundiales/red-Colombia-contra-el-trabajo-infantil>
- ²²⁹ El Tiempo, A Project to reduce child labor in mines has been launched, 2014: <http://www.eltiempo.com/archivo/documento/CMS-13901760>
- ²³⁰ El Tiempo, the Child Labor Free Seal widely spread in Cali, 2015: <http://www.eltiempo.com/Colombia/cali/erradicacion-del-trabajo-infantil-en-cali/15124917>
- ²³¹ SDG Compass: <http://sdgcompass.org/business-indicators/>
- ²³² United Nations, Towards a new agenda of sustainable development, undated: <http://www.un.org/sustainabledevelopment/es/mdgs/>
- ²³³ UN Global Compact, SDG vs MDG: The private sector *momentum*, 2015: <http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ²³⁴ Ministry of Labor, The Ministry of Labor underscores child labor reduction in Colombia, 2015: <http://www.mintrabajo.gov.co/abril-2015/4367-ministerio-del-trabajo-destaca-disminucion-del-trabajo-infantil-en-Colombia.html>
- ²³⁵ Political Constitution 1991, Article 17: <http://www.corteconstitucional.gov.co/inicio/Constitucion%20politica%20de%20Colombia%20-%202015.pdf>

-
- ²³⁷ Thomson Reuters Foundation News, More Colombians trafficked for forced labour than sex work – report, 2014: <http://news.trust.org/item/20140707163614-4y9px/>
- ²³⁸ Human Rights First, Forced Labor and "Blood Gold" in Colombia, 2014: <http://www.humanrightsfirst.org/blog/forced-labor-and-blood-gold-colombia>
- ²³⁹ UNODC and Office of the Mayor of Medellín, descriptive study on human trafficking crimes against girls and women in Medellín, 2015: https://www.unodc.org/documents/colombia/2015/Diciembre/cartilla_estudiodescriptivo.pdf
- ²⁴⁰ International Organization for Migration, Dimensions of Human Trafficking, 2006: http://publications.iom.int/system/files/pdf/dimensiones_colombia.pdf
- ²⁴¹ Universidad de Los Andes – International Organization for Migrations. Human Trafficking in Colombia: An approach to understand the problem and its magnitude, 2011: <http://www.observatoriotratadepersonas.org/site/fichas/TratadePersonas.%20ANDES-OIM.pdf>
- ²⁴² El Tiempo, Where does Colombian fail in the fight against human trafficking? 2015: <http://www.eltiempo.com/politica/justicia/trafico-de-personas-en-colombia-informe-de-ee-uu/16158501>
- ²⁴³ El Nuevo Siglo, Forced labor, a form of human trafficking, 2015: <http://www.elnuevosiglo.com.co/articulos/1-2015-trabajo-forzado-ahora-en-trata-de-personas>
- ²⁴⁴ El Tiempo, Slavery of the 21st century, victims caught by Internet, 2014: <http://www.eltiempo.com/politica/justicia/trata-de-personas-engana-a-victimas-por-internet/14210996>
- ²⁴⁵ UNODC, Protocol for investigation and prosecution of human trafficking in Colombia, 2015: https://www.unodc.org/documents/colombia/2016/marzo/PROTOCOLO_DE_INVESTIGACION_Y_JUDICIALIZACION_Sede.pdf
- ²⁴⁶ Caracol Radio, The Office of the Attorney General investigates three cases in human trafficking in the Province of Boyacá, 2014: http://caracol.com.co/radio/2014/07/24/regional/1406185380_336722.html
- ²⁴⁷ Fundación Ideas para la Paz, Guide on Decent Work – Colombia Guide for Human Rights and IHL, 2014: <http://www.ideaspaz.org/tools/download/72992>
- ²⁴⁸ ManPower Group, Report on Corporate Social Responsibility, undated: <http://files.shareholder.com/downloads/MAN/0x0x320805/1cd1b825-ebb4-44ff-bb3c-e7740b54b187/CSR%20Spanish.pdf>
- ²⁴⁹ Decree 1036/2016: <http://es.presidencia.gov.co/normativa/normativa/DECRETO%201036%20DEL%2024%20DE%20JUNIO%20DE%202016.pdf>
- ²⁵⁰ UNODC, Protocol for investigation and prosecution of human trafficking in Colombia, 2015: https://www.unodc.org/documents/colombia/2016/marzo/PROTOCOLO_DE_INVESTIGACION_Y_JUDICIALIZACION_Sede.pdf
- ²⁵¹ Ministry of Political Affairs, Information Bulletin - Toll-free number 018000 522020 against Human Trafficking, 2013: http://tratadepersonas.mininterior.gov.co/sites/default/files/noticias/boletin_linea_018000_522020_2013.pdf
- ²⁵² Ministry of Foreign Affairs, In face of human trafficking, let's react together, undated: <http://www.cancilleria.gov.co/reaccionemos-en-cadena/>
- ²⁵³ Human Rights and Business Center, Human Rights Report, Colombia, 2013: <http://www.state.gov/documents/organization/204648.pdf>

-
- ²⁵⁴ Labor Code, Article 348:
http://www.secretariassenado.gov.co/senado/basedoc/codigo_sustantivo_trabajo.html
- ²⁵⁵ Ministry of Labor, Labor Risks, undated: <http://www.mintrabajo.gov.co/riesgos-laborales.html>
- ²⁵⁶ Ministry of Labor, New Law on Labor Risks, 2012:
http://www.mintrabajo.gov.co/riesgos-laborales.html#abece_uno
- ²⁵⁷ Ministry of Labor, Decree 055 of 14 January 2015: <http://www.mintrabajo.gov.co/normatividad-enero-decretos-2015.html>
- ²⁵⁸ Ministry of Labor, the Ministry imposed 785 penalties for over COP\$150.000, 2014:
<http://www.mintrabajo.gov.co/medios-enero-2014/2766-mintrabajo-impuso-785-sanciones-por-mas-de-150000-millones-de-pesos.html>
- ²⁵⁹ Ministry of Labor, 65 companies were sanctioned in Bogotá, 2015:
<http://www.mintrabajo.gov.co/prensa/mintrabajo-en-medios/743-julio-2015/4737-imponen-65-sanciones-a-empresas-en-bogota.html>
- ²⁶⁰ Ministry of Labor, the Ministry imposed 785 penalties for over COP\$150.000, 2014:
<http://www.mintrabajo.gov.co/medios-enero-2014/2766-mintrabajo-impuso-785-sanciones-por-mas-de-150000-millones-de-pesos.html>
- ²⁶¹ Ministry of Labor, Businesses prepared to implement the Health and Safety Management System in the Workplace, 2016: <http://www.mintrabajo.gov.co/enero-2016/5750-empresas-preparadas-para-implementar-el-sistema-de-gestion-de-seguridad-y-salud-en-el-trabajo.html>
- ²⁶² Ministry of Labor, Deaths for Occupational Accidents have fallen, 2015:
<http://www.mintrabajo.gov.co/abril-2015/4398-disminuyen-muertes-por-accidentalidad-laboral.html>
- ²⁶³ Portafolio, Occupational accidents have caused more than 200 deaths, 2014:
<http://www.portafolio.co/economia/muertes-accidentes-laborales-primer-semester-2014>
- ²⁶⁴ Portafolio, Occupational accidents have caused more than 200 deaths, 2014:
<http://www.portafolio.co/economia/muertes-accidentes-laborales-primer-semester-2014>
- ²⁶⁵ Ministry of Labor, Deaths for Occupational Accidents have fallen, 2015:
<http://www.mintrabajo.gov.co/abril-2015/4398-disminuyen-muertes-por-accidentalidad-laboral.html>
- ²⁶⁶ UNTRAFLORES, Report on the situation of flower workers in Colombia, 2013:
<http://www.untraflores.org/index.php/75-documentos/dossier/407-informe-sobre-la-situacion-de-los-trabajadores-de-las-flores-en-Colombia-resumen-ejecutivo>
- ²⁶⁷ Ministry of Labor, Colabora, undated: <http://www.mintrabajo.gov.co/colabora>
- ²⁶⁸ Ministry of Labor, The Ministry in the regions, undated: <http://www.mintrabajo.gov.co/ministerio-en-las-regiones.html>
- ²⁶⁹ Labor Risk Funds, Occupational Health Committees, undated:
<http://fondoriesgoslaborales.gov.co/seccion/comites-de-salud-ocupacional.html>
- ²⁷⁰ Law 1562/2012: <http://wsp.presidencia.gov.co/Normativa/Leyes/Documents/ley156211072012.pdf>
- ²⁷¹ Ministry of Labor, 'The new Law on Labor Risks accords more health and protection for Colombian workers', 2012: http://www.mintrabajo.gov.co/riesgos-laborales.html#abece_uno
- ²⁷² Law 1562/2012: <http://wsp.presidencia.gov.co/Normativa/Leyes/Documents/ley156211072012.pdf>
- ²⁷³ Ministry of Trade and Industry, National Contact Point, Structure, undated:
<http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=7850>
- ²⁷⁴ El Universal, Lack of safety controls may have caused the death of workers in Puerto Bahía, 2014:
<http://www.eluniversal.com.co/sucesos/falta-de-control-de-seguridad-habria-causado-muerte-de-obreros-en-puerto-bahia-159689>
- ²⁷⁵ El Tiempo, Arguably, Drummond has dumped 500 tons of coal into the sea, 2013:
<http://www.eltiempo.com/archivo/documento/CMS-12582381>
- ²⁷⁶ IFC, Performance Standards on Social and Environmental Sustainability, 2012:
http://www.ifc.org/wps/wcm/connect/c8f524004a73daeca09afdf998895a12/IFC_Performance_Standards.pdf?MOD=AJPERES
- ²⁷⁷ Portal for Responsible Supply Chain Management: <http://www.csr-supplychain.gr/en/>

-
- ²⁷⁸ International Council of Mining and Metals, ICMM 10 Principles, undated:
<http://www.icmm.com/our-work/sustainable-development-framework/10-principles#05>
- ²⁷⁹ Fundación Ideas para la Paz, Guide on Decent Work – Colombia Guide on Human Rights and IHL, 2014: <http://www.ideaspaz.org/tools/download/72992>
- ²⁸⁰ PEPSICO, PepsiCo South America Foods recognizes occupational safety at its facilities, 2012:
<http://business-humanrights.org/en/pepsico-south-america-foods-recognizes-occupational-safety-at-its-facilities>
- ²⁸¹ Cargill, Safety and Health at Colombia Agro, undated:
<http://www.cargill.com/pop-up-assets/slideshow/NA3077497.jsp>
- ²⁸² Occupational Risks Fund: <http://fondoriesgoslaborales.gov.co/seccion/inicio.html>
- ²⁸³ Ministry of Labor, Occupational Health National Plan 2013-2021, undated:
<http://www.fondoriesgoslaborales.gov.co/documents/Normatividad/Resoluciones/Res-6045-2014-Anexo-Plan-Nacional.pdf>
- ²⁸⁴ SDG Compass: <http://sdgcompass.org/>
- ²⁸⁵ UN Global Compact, SDG vs MDG: The private sector *momentum*, 2015:
<http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ²⁸⁶ Ministry of Labor, The workers' right of association to trade unions, undated:
<http://www.mintrabajo.gov.co/blog-mintrabajo/derecho-de-los-trabajadores-a-la-asociacion-sindical>
- ²⁸⁷ Colombian Political Constitution, 1991, Articles 38 and 39:
<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ²⁸⁸ Business & Human Rights Resource Centre, International Trade Union Confederation (ITUC) publishes Global Rights Index, 2015:
<http://business-humanrights.org/es/confederaci%C3%B3n-sindical-internacional-csi-publica-%C3%ADndice-global-de-derechos-2015>
- ²⁸⁹ Business & Human Rights Resource Centre, International Trade Union Confederation (ITUC) publishes Global Rights Index, 2015:
<http://business-humanrights.org/es/confederaci%C3%B3n-sindical-internacional-csi-publica-%C3%ADndice-global-de-derechos-2015>
- ²⁹⁰ International Trade Union Confederation, Global Rights Index, 2015: http://www.ituc-csi.org/IMG/pdf/survey_global_rights_index_2015_es.pdf
- ²⁹¹ Ministry of Labor, National Report - Colombia Work Inspection, 2013:
<http://www.mintrabajo.gov.co/publicaciones-mintrabajo/4505-informe-nacional-inspeccion-del-trabajo-colombia-ano-2013.html>
- ²⁹² Ministry of Labor, Guidelines to create a trade union, undated:
http://webcache.googleusercontent.com/search?q=cache:ZcVYvM-8fVcJ:www.mintrabajo.gov.co/component/docman/doc_download/1413-instructivo-para-la-creacion-de-un-sindicato.html+&cd=1&hl=es&ct=clnk&gl=co
- ²⁹³ U.S. Department of Labor, Colombia Labor Rights Report, undated:
<http://www.dol.gov/ilab/reports/pdf/ColombiaLaborRights.pdf>
- ²⁹⁴ Friedrich Ebert Stiftung, Overview of Trade Unions in Colombia, 2012:
<http://library.fes.de/pdf-files/bueros/kolumbien/09150.pdf>
- ²⁹⁵ Escuela Nacional Sindical, Report on decent work situation in Colombia, 2013:
<http://www.oidhaco.org/uploaded/content/article/965649488.pdf>
- ²⁹⁶ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014:
http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co

-
- ²⁹⁷ International Trade Union Confederation, Internationally Recognized Core Labour Standards in Colombia, Report for the WTO General Council Review of the Trade Policies of Colombia, 2012: http://www.ituc-csi.org/IMG/pdf/final_colombia_tpr_2012_.pdf
- ²⁹⁸ DeJusticia, Decent Work in Colombia, 2011: http://www.dejusticia.org/files/r2_actividades_recursos/fi_name_recurso.237.pdf
- ²⁹⁹ Fundación Ideas para la Paz, Relationship between government, business and trade unions: Progress and Retrogressions, 2015.
- ³⁰⁰ Colombian Political Constitution, Article 55: http://www.senado.gov.co/images/stories/Informacion_General/constitucion_politica.pdf
- ³⁰¹ Ministry of Labor, Draft of the Handbook for the Labor and Social Security Inspector, 2012: http://webcache.googleusercontent.com/search?q=cache:AE6nrROBqoIJ:www.mintrabajo.gov.co/component/docman/doc_download/677-manual-del-inspector-del-trabajo-presentacion.html+&cd=2&hl=es&ct=clnk&gl=co
- ³⁰² Office of the United States Trade Representative, Fact sheet: Historic Progress on Labor Rights in Colombia, 2012: <https://ustr.gov/about-us/policy-offices/press-office/fact-sheets/2012/april/historic-progress-labor-rights-colombia>
- Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014: http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCcJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ³⁰³ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014: http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCcJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ³⁰⁴ El Tiempo, Government, business and workers sign historical labor agreement, 2011: <http://www.eltiempo.com/archivo/documento/CMS-9463488>
- ³⁰⁵ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014: http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCcJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ³⁰⁶ Escuela Nacional Sindical, Six cases prove that Collective Pacts have an impact over association and freedom of association rights, 2014: <http://www.colectivodeabogados.org/Seis-casos-que-muestran-como>
- ³⁰⁷ Escuela Nacional Sindical, Statistics on labor and trade unions in Colombia, 2015: <http://www.colectivodeabogados.org/?Situacion-laboral-y-sindical-de-Colombia-en-cifras>
- ³⁰⁸ Colombian Political Constitution, 1991: http://www.senado.gov.co/images/stories/Informacion_General/constitucion_politica.pdf
- ³⁰⁹ Friedrich Ebert Stiftung en Colombia, Overview of trade unions in Colombia, 2012: <http://library.fes.de/pdf-files/bueros/kolumbien/09150.pdf>
- ³¹⁰ Constitutional Court, Ruling C-432/96: <http://corteconstitucional.gov.co/RELATORIA/1996/C-432-96.htm>
- ³¹¹ El Espectador, The Supreme Court determined that strikes of the public Elath service are illegal, 2015: <http://www.elespectador.com/noticias/judicial/corte-suprema-determino-ilegal-huelga-el-servicio-publi-articulo-549257>
- ³¹² Friedrich Ebert Stiftung, Overview of trade unions in Colombia, 2012: <http://library.fes.de/pdf-files/bueros/kolumbien/09150.pdf>
- Human Rights and Business Country Guide - Colombia*

-
- ³¹³ El Mundo, Protest rights in Colombia restricted, 2015:
http://elmundo.com/portal/noticias/derechos_humanos/derecho_a_la_protesta_en_colombia_aun_e_s_restringido.php
- ³¹⁴ El Mundo, Protest rights in Colombia restricted, 2015:
http://elmundo.com/portal/noticias/derechos_humanos/derecho_a_la_protesta_en_colombia_aun_e_s_restringido.php
- ³¹⁵ ITUC-CSI-IGB, Colombia – Trade union rights according to Law, 2013:
<http://survey.ituc-csi.org/Colombia.html?lang=es#tabs-3>
- ³¹⁶ ITUC, Annual Survey of violations of Trade Union Rights, 2015: <http://www.ituc-csi.org/2015-indice-global-de-los-derechos>
- ³¹⁷ Escuela Nacional Sindical, Three years of Santos mandate; deficit remains in decent work, 2013:
<http://www.ens.org.co/index.shtml?apc=a---;1;-;-&x=20167989>
- ³¹⁸ Escuela Nacional Sindical, Report of the labor and trade union information systems, 2013:
http://ens.org.co/apc-aa-files/40785cb6c10f663e3ec6ea7ea03aaa15/11_SISLAB_2013_2.pdf
- ³¹⁹ Escuela Nacional Sindical, Report of the labor and trade union information systems, 2013:
http://ens.org.co/apc-aa-files/40785cb6c10f663e3ec6ea7ea03aaa15/11_SISLAB_2013_2.pdf
- ³²⁰ ITUC, Annual Survey of violations of Trade Union Rights, 2015: <http://www.ituc-csi.org/2015-indice-global-de-los-derechos>
- ³²¹ Central Unitaria de Trabajadores, CUT Report to ILO, 2014: <http://cut.org.co/informe-de-cut-Colombia-a-la-oit/>
- ³²² Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014:
http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ³²³ Ministry of Justice, Directorate of Alternative Methods for Dispute Resolution, 2013:
<http://www.minjusticia.gov.co/Ministerio/EstructuraorganizacionaldeLaEntidad/ViceministeriodePromocionC3%B3ndelaJusticia/DireccionC3%B3ndeM%C3%A9todosAlternativosySolucionC3%B3ndeConflictos.aspx>
- ³²⁴ Ministry of Labor, Permanent Commission of Labor and Wage Policies, 2013:
<http://www.mintrabajo.gov.co/comision-permanente.html>
- ³²⁵ Report from the Ministry of Labor to *Fundación Ideas para la Paz* on Recent progress made in labor issues in Colombia, October 2015.
- ³²⁶ ILO, CEACR Observations, Right to Organize and Collective Bargaining Convention, No. 98, Colombia, 2012:
http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101_COMMENT_ID:3189823
- ³²⁷ Escuela Nacional Sindical, Three years of Santos mandate; deficit remains in decent work, 2013:
<http://www.ens.org.co/index.shtml?apc=a---;1;-;-&x=20167989>
- ³²⁸ Trade Union Advisory Committee to the Organisation of Economic Cooperation and Development, Rule of Law and Labour Rights in Colombia, 2013: http://www.tuac.org/en/public/e-docs/00/00/0C/BB/document_doc.phtml
- ³²⁹ International Trade Union Confederation, Internationally Recognized Core Labour Standards in Colombia, Report for the WTO General Council Review of the Trade Policies of Colombia, 2012: http://www.ituc-csi.org/IMG/pdf/final_colombia_tpr_2012_.pdf
- ³³⁰ Report from the Ministry of Labor to *Fundación Ideas para la Paz* on Recent progress made in labor issues in Colombia. October 2015.
- ³³¹ International Finance Corporation, CAO, Compliance Advisor Ombudsman, Colombia, Avianca – 01, 2013:
http://www.cao-ombudsman.org/cases/case_detail.aspx?id=182

-
- ³³² Decree 4800/2011, recognizes community, social and political organizations, and social and political groups as subjects for collective reparation:
<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=45063>
- ³³³ Unit of Assistance and Integral Reparation for Victims: <http://www.unidadvictimas.gov.co/>
- ³³⁴ Escuela Nacional Sindical, Collective reparation to trade union movements: a story now written, Leidy Sanjuán, undated: <http://ens.org.co/apc-aa-files/4e7bc24bf4203c2a12902f078ba45224/Reparacion.pdf>
- ³³⁵ National Center for Historical Memory, Progress in collective reparation to trade union movements, 2014: <http://www.centrodememoriahistorica.gov.co/noticias/noticias-cmh/avanza-la-reparacion-colectiva-al-movimiento-sindical>
- ³³⁶ National Center for Historical Memory, Progress in collective reparation to trade union movements, 2014: <http://www.centrodememoriahistorica.gov.co/noticias/noticias-cmh/avanza-la-reparacion-colectiva-al-movimiento-sindical>
- ³³⁷ Ministry of Trade and Industry, National Contact Point, Structure, undated:
<http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=7850>
- ³³⁸ U.S. Department of Labor, Colombia Labor Rights Report, undated:
<http://www.dol.gov/ilab/reports/pdf/ColombiaLaborRights.pdf>
- ³³⁹ El Universal, Trade unionists of Ecopetrol go on strike for 24 hours, 2014:
<http://www.eluniversal.com.co/cartagena/sindicalistas-de-ecopetrol-adelantan-paro-por-24-horas-166754>
- ³⁴⁰ Business & Human Rights Resource Centre, Prosegur a multinational that imposed a Collective Pact by “bribing” and threatening workers, 2014: <http://business-humanrights.org/en/node/89324>
- ³⁴¹ Ministry of Labor, Colombia called for an arbitral tribunal to settle the strike in Drummond, 2013:
<http://www.mintrabajo.gov.co/medios-septiembre-2013/2345-colombia-convoca-tribunal-de-arbitramento-para-huelga-en-la-minera-drummond.html>
- ³⁴² Fox News, Colombian judge convicts former-contractor in Drummond union leader killing, 2013:
<http://www.foxnews.com/world/2013/02/06/colombian-judge-convicts-ex-contractor-in-drummond-union-leader-killing.html>
- ³⁴³ Fundación Ideas para la Paz, Colombia Guide on Human Rights and International Humanitarian Law, 2013: <http://www.ideaspaz.org/tools/guias-colombia>
- ³⁴⁴ Fundación Ideas para la Paz, Guide on Decent Work – Colombia Guide for Human Rights and IHL, 2014: <http://www.ideaspaz.org/tools/download/72992>
- ³⁴⁵ ECOPETROL, Practices on Human Rights, 2012:
<http://www.ecopetrol.com.co/contenido.aspx?catID=469&conID=76640>
- ³⁴⁶ National Center for Historical Memory, New initiative for the memory in the Middle Magdalena Basin, 2014: <http://www.centrodememoriahistorica.gov.co/index.php/noticias/noticias-cmh/3007-nueva-iniciativa-por-la-memoria-en-el-magdalena-medio>
- ³⁴⁷ Global Compact Network Colombia, Roundtables on Labor Standards, undated:
<http://www.pactoglobal-colombia.org/index.php/estandares-laborales2>
- ³⁴⁸ On 9 March 2016, the Danish Institute for Human Rights and *Fundación Ideas para la Paz* held a Forum in Bogotá relating “Progress and Challenges in Business and Human Rights in Colombia and Latin America”. The Forum aimed at identifying key issues on human rights and businesses in Colombia, in businesses, government, and civil society sectors; analyzing the role of Human Rights National Institutions; carrying in-depth studies on implemented actions, cases, challenges and recommendations for businesses in the field of human rights; disseminating the Human Rights and Business National Action Plan; and, reviewing the progress made on the Colombia Country Guide.
- ³⁴⁹ Interview Carbones el Cerrejón. 21 July 2015. Bogotá. <http://www.cerrejon.com/site/>
- ³⁵⁰ International Trade Union Confederation, Internationally Recognized Core Labour Standards in Colombia, Report for the WTO General Council Review of the Trade Policies of Colombia, 2012:
http://www.ituc-psi.org/IMG/pdf/final_colombia_tor_2012_.pdf

³⁵¹ UNDP, Acknowledge the Past. Build the Future. Report on violence against trade unionists and unionized workers 1984-2011, 2012:

http://www.co.undp.org/content/colombia/es/home/library/democratic_governance/-informe-sobre-violencia-contra-sindicalistas-y-trabajadores-sin.html

³⁵² Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015:

<http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>

³⁵³ Ministry of Labor, Labor Agreement of 26 May 2011, 2013:

http://www.mintrabajo.gov.co/images/plan_accion_iconos/20110613_acuerdoTripartito.pdf

³⁵⁴ Report from the Ministry of Labor to *Fundación Ideas para la Paz* on Recent progress made in labor issues in Colombia. October 2015.

³⁵⁵ Ministry of Labor. Guidelines for Collective Bargaining in the public sector, undated:

<http://www.mintrabajo.gov.co/publicaciones-mintrabajo/1438-cartilla-de-negociacion-colectiva-en-el-sector-publico.html>

³⁵⁶ Office of the President, Updated Tripartite Agreement, 2011:

http://wsp.presidencia.gov.co/Especiales/2011/Documents/20110613_acuerdoTripartito.pdf

³⁵⁷ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014:

http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCJ:www.mintrabajo.gov.co/comp/onent/docman/doc_download/2158-informe-final-plan-de-accion-de-colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co

³⁵⁸ Ministry of Labor, Commission on the Coordination of Wages and Employment Policies, 2013:

<http://www.mintrabajo.gov.co/comision-permanente.html>

³⁵⁹ European Parliament, Resolution of 13 June 2012 on the EU-Colombia free trade agreement, 2012:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0249+0+DOC+XML+V0//ES>

³⁶⁰ United Nations, Towards a new agenda for sustainable development, undated:

<http://www.un.org/sustainabledevelopment/es/mdgs/>

³⁶¹ UN Global Compact, SDG vs MDG: The private sector *momentum*, 2015:

<http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>

³⁶² SDG Compass: <http://sdgcompass.org/business-indicators>

El Mundo, Derecho a la protesta en Colombia aún es restringido, 2015:

http://elmundo.com/portal/noticias/derechos_humanos/derecho_a_la_protesta_en_colombia_aun_es_restringido.php

³⁶³ Colombian Political Constitution, 1991, Article 25:

<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>

³⁶⁴ Ministry of Labor. Inspection, Surveillance, Control and Territorial Management Directorate, undated:

<http://www.mintrabajo.gov.co/>

³⁶⁵ Universidad Externado de Colombia, 2010 – 2014: Decent work has increased in Colombia, undated:

http://www.uexternado.edu.co/pdf/trabajo_decente.pdf

³⁶⁶ Ministry of Labor, Commission on the Coordination of Wages and Employment Policies, 2013:

<http://www.mintrabajo.gov.co/comision-permanente.html>

³⁶⁷ Ministry of Labor, Commission on the Coordination of Wages and Employment Policies, 2013:

<http://www.mintrabajo.gov.co/comision-permanente.html>

³⁶⁸ Compensar, COP\$644,350 will be the minimum monthly wage to calculate Social Security contributions in 2015, 2015: <https://www.miplanilla.com/contenido/empresas/0115-644350-sera-salario-minimo-mensual-legal-vigente-liquidacion-aportes-seguridad-social-2015.aspx>

³⁶⁹ Noticias Caracol, Comparison of the Colombian minimum wage with other countries, 2015:

<http://www.noticiascaracol.com/colombia/asi-esta-el-salario-minimo-colombiano-en-comparacion-con-otros-paises>

-
- ³⁷⁰ Publimetro, Colombian minimum wage vis-à-vis Latin American countries, 2016:
<http://www.publimetro.co/colombia/el-salario-minimo-de-colombia-comparado-con-america-latina/lmkolD!LYUBA1Lewqsko/>
- ³⁷¹ Universidad Externado de Colombia, 2010 – 2014: Decent work has increased in Colombia, undated:
http://www.uexternado.edu.co/pdf/trabajo_decente.pdf
- ³⁷² Escuela Nacional Sindical, Report on decent work situation in Colombia, 2013:
<http://www.oidhaco.org/uploaded/content/article/965649488.pdf>
- ³⁷³ Fedesarrollo, Monthly report on the Labor Market, Wage differences among economic sectors in Colombia, 2013: http://www.fedesarrollo.org.co/wp-content/uploads/2014/01/IML-Diciembre-2013_Web.pdf
- ³⁷⁴ Solidarity Centre, Colombian Sugarcane Worker, Trade Unionist, Murdered, 2013:
<http://www.solidaritycenter.org/colombian-sugarcane-worker-trade-unionist-murdered/>
- ³⁷⁵ Deloitte, Taxation and Investment in Colombia, 2014:
<http://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-colombiaguide-2014.pdf>
- ³⁷⁶ El Tiempo, Government promotes a reform to remunerate overtime, 2014:
<http://www.eltiempo.com/politica/gobierno/proyecto-de-ley-sobre-reforma-de-horas-extras/14364776>
- El Espectador, Overtime remuneration discussions again, 2015:
<http://www.elespectador.com/noticias/politica/vuelve-discusion-pago-de-horas-extras-articulo-601758>
- ³⁷⁷ Solidarity Centre, Colombian Sugarcane Worker, Trade Unionist, Murdered, 2013: <http://www.solidaritycenter.org/colombian-sugarcane-worker-trade-unionist-murdered/>
- ³⁷⁸ National Union of Floriculture Workers (UNTRAFLORES), Report on the situation of workers in the flower industry in Colombia, Executive Summary, 2013: <http://www.untraflores.org/index.php/75-documentos/dossier/406-executive-summary>
- ³⁷⁹ Universidad del Rosario, Decent work deficit in Colombia, 2015:
<http://www.urosario.edu.co/Home/Principal/noticias/Deficit-de-trabajo-decente-en-Colombia/>
- ³⁸⁰ Trabajo Decente, Vida Digna: <http://www.trabajodecente.org.co/>
- ³⁸¹ Universidad Externado de Colombia, 2010 – 2014: Did ‘decent work’ in Colombia increased? undated: http://www.uexternado.edu.co/pdf/trabajo_decente.pdf
- ³⁸² El Tiempo, More than 9 of every 10 hours worked overtime in the country are unpaid, 2016:
<http://www.eltiempo.com/economia/finanzas-personales/horas-extras-en-colombia-no-se-pagan/16497611>
- ³⁸³ Office of the Ombudsman, Health and Social Security Directorate, undated:
<http://www.defensoria.gov.co/es/public/defensoriasdelegadas/1450/Para-la-salud-y-seguridad-social.htm>
- ³⁸⁴ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014:
http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ³⁸⁵ Universidad del Rosario, Decent work deficit in Colombia, 2015:
<http://www.urosario.edu.co/Home/Principal/noticias/Deficit-de-trabajo-decente-en-Colombia/>
- ³⁸⁶ Universidad del Rosario, Decent work deficit in Colombia, 2015:
<http://www.urosario.edu.co/Home/Principal/noticias/Deficit-de-trabajo-decente-en-Colombia/>
- ³⁸⁷ National Union of Floriculture Workers (UNTRAFLORES), Report on the situation of workers in the flower industry in Colombia, Executive Summary, 2013: <http://www.untraflores.org/index.php/75-documentos/dossier/406-executive-summary>
- ³⁸⁸ Dane, Rights and Business Country Guide, Colombia, 2015: Technical Bulletin, 2015:
http://www.dane.gov.co/files/investigaciones/boletines/ech/ech/bol_empleo_sep_15.pdf

-
- ³⁸⁹ DANE, Main indicators of the labor market, September 2015: Technical Bulletin, 2015: http://www.dane.gov.co/files/investigaciones/boletines/ech/ech/bol_empleo_sep_15.pdf
- ³⁹⁰ DANE, Main indicators of the labor market, September 2015: Technical Bulletin, 2015: http://www.dane.gov.co/files/investigaciones/boletines/ech/ech/bol_empleo_sep_15.pdf
- ³⁹¹ OECD, Colombia priority policies for an inclusive development, 2015: <http://www.oecd.org/about/publishing/Colombia-politicas-prioritarias-para-un-desarrollo-inclusivo.pdf>
- ³⁹² Escuela Nacional Sindical, Report on decent work situation in Colombia, 2013: <http://www.oidhaco.org/uploaded/content/article/965649488.pdf>
- ³⁹³ Portafolio, Agricultural sector, a special labor regime needed, 2015: <http://www.portafolio.co/opinioN/Analisis-regimen-laboral-sector-agropecuario>
- ³⁹⁴ Portafolio, Agricultural sector, a special labor regime needed, 2015: <http://www.portafolio.co/opinioN/Analisis-regimen-laboral-sector-agropecuario>
- ³⁹⁵ DANE, Census, 2005: <http://www.dane.gov.co/index.php/esp/poblacion-y-registros-vitales/censos/censo-2005>
- Racial Discrimination Observatory, Racial discrimination in employment, 2013: http://www.odracial.org/files/r2_actividades_recursos/600.pdf
- ³⁹⁶ Portafolio, Agricultural sector, a special labor regime needed, 2015: <http://www.portafolio.co/opinioN/Analisis-regimen-laboral-sector-agropecuario>
- ³⁹⁷ Ministry of Labor, Colabora, undated: <http://www.mintrabajo.gov.co/colabora>
- ³⁹⁸ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014: http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCcJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ³⁹⁹ Ministry of Labor, the Ministry in the regions, undated: <http://www.mintrabajo.gov.co/ministerio-en-las-regiones.html>
- ⁴⁰⁰ Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ⁴⁰¹ Ministry of Justice, Directorate of Alternative Methods for Dispute Resolution, 2013: <http://www.minjusticia.gov.co/Ministerio/EstructuraorganizacionaldeLaEntidad/ViceministeriodePromoci%C3%B3nDeLaJusticia/Direcci%C3%B3nDeM%C3%A9todosAlternativosySoluci%C3%B3nDeConflictos.aspx>
- ⁴⁰² Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ⁴⁰³ Ministry of Trade and Industry, National Contact Point, Structure, undated: <http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=7850>
- ⁴⁰⁴ El Heraldo, Workers call for better salaries in marches across the country, 2015: <http://www.elheraldo.co/local/trabajadores-exigen-mejores-salarios-en-marchas-en-el-país-193658>
- ⁴⁰⁵ Portafolio, Cerro Matoso trade union calls for a strike, 2015: <http://www.portafolio.co/negocios/cerromatoso-paro-trabajadores>
- ⁴⁰⁶ El Tiempo, Teachers announce a strike as from 22 April, 2015: <http://www.eltiempo.com/estilo-de-vida/educacion/paro-indefinido-fecode-desde-el-22-de-abril/15550798>
- ⁴⁰⁷ Fundación Ideas para la Paz, Colombia Guides on Human Rights and International Humanitarian Law, 2013: <http://www.ideaspaz.org/tools/guias-colombia>
- ⁴⁰⁸ Fundación Ideas para la Paz, Guide on Decent Work – Colombia Guide for Human Rights and IHL, 2014: <http://www.ideaspaz.org/tools/download/72992>

-
- ⁴⁰⁹ International Trade Center, Ethical Trading Initiative ETI, 2012:
<http://webcache.googleusercontent.com/search?q=cache:1MTVpnqzMRMJ:www.intracen.org/WorkArea/DownloadAsset.aspx%3Fid%3D60229+&cd=1&hl=es&ct=clnk&gl=co>
- ⁴¹⁰ Institute for Human Rights and Business & Global Business Initiative on Human Rights, State of Play The Corporate Responsibility to Respect Human Rights in Business Relationships, 2012:
<http://www.ihrb.org/pdf/state-of-play/State-of-Play-Full-Report.pdf>
- ⁴¹¹ IFC, Performance Standards on Environmental and Social Sustainability, 2012:
http://www.ifc.org/wps/wcm/connect/55d37e804a5b586a908b9f8969adcc27/PS_Spanish_2012_Full-Document.pdf?MOD=AJPERES
- ⁴¹² Portal for Responsible Supply Chain Management: <http://www.csr-supplychain.gr/en/>
- ⁴¹³ Business and Human Rights, Principles and Standards, undated: <http://business-humanrights.org/en/principles-standards>
- ⁴¹⁴ ILO, ILO Declaration on Fundamental Principles and Rights at Work, 1998:
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_467655.pdf
- ⁴¹⁵ Business and Human Rights Resource Centre, United Nations Sub-Commission Norms on Business and Human Rights, undated: <http://business-humanrights.org/en/united-nations-sub-commission-norms-on-business-human-rights-explanatory-materials>
- ⁴¹⁶ On 9 March 2016, the Danish Institute for Human Rights and *Fundación Ideas para la Paz* held a Forum in Bogotá relating “Progress and Challenges in Business and Human Rights in Colombia and Latin America”. The Forum aimed at identifying key issues on human rights and businesses in Colombia, in businesses, government, and civil society sectors; analyzing the role of Human Rights National Institutions; carrying in-depth studies on implemented actions, cases, challenges and recommendations for businesses in the field of human rights; disseminating the Human Rights and Business National Action Plan; and, reviewing the progress made on the Colombia Country Guide.
- ⁴¹⁷ Office of the Presidency for Human Rights, National Plan on Action on Human Rights and Business, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>
- ⁴¹⁸ Ministry of Labor, Compliance Report of the labor rights action plan of Colombia and the United States, 2014:
http://webcache.googleusercontent.com/search?q=cache:b3sco6IVYCcJ:www.mintrabajo.gov.co/component/docman/doc_download/2158-informe-final-plan-de-accion-de-Colombia-y-estados-unidos-para-derechos-laborales.html+&cd=2&hl=es&ct=clnk&gl=co
- ⁴¹⁹ Ministry of Labor, Labor Agreement 26 May 2011, 2013:
http://www.mintrabajo.gov.co/images/plan_accion_iconos/20110613_acuerdoTripartito.pdf
- ⁴²⁰ European Parliament, Resolution of 13 June 2012 on the EU-Colombia free trade agreement, 2012:
<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0249+0+DOC+XML+V0//ES>
- ⁴²¹ SDG Compass: <http://sdgcompass.org/>
- ⁴²² UN Global Compact, SDG vs MDG: The private sector *momentum*, 2015:
<http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ⁴²³ UN Global Compact, SDG vs MDG: The private sector *momentum*, 2015:
<http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ⁴²⁴ Colombian Political Constitution, 1991, Article 79:
http://www.procuraduria.gov.co/guiamp/media/file/Macroproceso%20Disciplinario/Constitucion_Politica_de_Colombia.htm
- ⁴²⁵ Colombian Political Constitution, 1991, Article 80:
http://www.procuraduria.gov.co/guiamp/media/file/Macroproceso%20Disciplinario/Constitucion_Politica_de_Colombia.htm

-
- ⁴²⁶ Colombian Political Constitution, 1991, Article 80: <http://www.constitucionColombia.com/titulo-2/capitulo-3/articulo-80>
- ⁴²⁷ Ministry of Environment, Environmental and Territorial Land Use and SINA Coordination, undated: <https://www.minambiente.gov.co/index.php/ambientes-y-desarrollos-sostenibles/ordenamiento-ambiental-territorial-y-coordinacion-del-sina>
- ⁴²⁸ Law 99/1993: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=297>
- ⁴²⁹ El Tiempo, Environmental licenses have no effective control, warns the Comptroller General, 2015: <http://www.eltiempo.com/estilo-de-vida/ciencia/no-hay-suficiente-control-a-licencias-ambientales/15568115>
- ⁴³⁰ National Environmental Licenses Authority, Functions, undated: <http://www.anla.gov.co/funciones-anla>
- ⁴³¹ OECD & Cepal, Assessment of environmental performance, Colombia, 2014: http://repositorio.cepal.org/bitstream/handle/11362/36663/lcl3768_es.pdf?sequence=1.
- ⁴³² El Tiempo, Colombia ranked first in environmental conflicts in Latin America and, 2014: <http://www.eltiempo.com/archivo/documento/CMS-13747755>
- ⁴³³ Congreso Visible, The 1991 Constitution and its environmental guarantees, 2011: <http://www.congresovisible.org/agora/post/la-constitucion-del-91-y-sus-garantias-ambientales/1657/>
- ⁴³⁴ Semana, ABC of the Court's decision to halt mining in moorlands, 2016: <http://www.semana.com/nacion/Articulo/claves-del-fallo-de-la-corte-sobre-prihibir-mineria-en-los-paramos/460051>
- ⁴³⁵ Portafolio, There is a backlog of 118 requests of environmental licenses, 2014: <http://www.portafolio.co/economia/licencias-ambientales-represas>
- ⁴³⁶ La Silla Vacía, Six concerns on “fast-track” environmental licenses, 2014: <http://lasillavacia.com/historia/los-seis-temores-sobre-las-licencias-ambientales-expres-48650>
- ⁴³⁷ United Nations, Colombia has launched the food and nutritional security Observatory, 2013, 2013: <http://nacionesunidas.org.co/blog/2013/03/13/se-lanza-en-Colombia-observatorio-de-seguridad-alimentaria-y-nutricional/>
- ⁴³⁸ United Nations, Colombia has launched the food and nutritional security Observatory, 2013: <http://nacionesunidas.org.co/blog/2013/03/13/se-lanza-en-Colombia-observatorio-de-seguridad-alimentaria-y-nutricional/>
- ⁴³⁹ OSAN, Land use distribution according the economic activity developed (land use), 2014: <http://aplicaciones.osancolombia.gov.co/ReportesHC/reporte/reportes.html?id=45>
- ⁴⁴⁰ International Food Policy Research Institute, Global Hunger Index 2015: <http://ghi.ifpri.org/>
- ⁴⁴¹ El Tiempo, The dramatic map of child malnutrition, 2014: <http://www.eltiempo.com/estilo-de-vida/salud/desnutricion-infantil-en-colombia/14272676>
- ⁴⁴² El Tiempo, Unequal distribution, food concerns in Colombia, 2014: <http://www.eltiempo.com/estilo-de-vida/salud/alimentacion-en-colombia-y-los-problemas-de-distribucion/14898368>
- ⁴⁴³ CM&, ‘Colombia may face a food crisis because of poor soils’: UDCA, 2015: <http://www.cmi.com.co/Colombia-enfrentaria-emergencia-alimentaria-por-mal-estado-de-los-suelos-udca>
- ⁴⁴⁴ Inter-American Commission on Human Rights, 149th Period of Sessions, Hearing on Human Rights, Development of the Extractive Industry in Colombia, 2013: <http://www.oas.org/es/cidh/multimedia/sesiones/149/default.asp>
- ⁴⁴⁵ El Espectador, Other problems in *El Quimbo*, 2016: <http://www.elespectador.com/noticias/medio-ambiente/los-otros-peros-el-quimbo-articulo-610159>
- ⁴⁴⁶ Decree 2811/1974: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=1551>
- ⁴⁴⁷ Law 99/1993, Law on Environment: <http://www.oas.org/dsd/EnvironmentLaw/Serviciosambientales/Colombia/Ley99de1993demedioambienteColombia.pdf>
- ⁴⁴⁸ AIDA, Moorlands: Defending water in Colombia, 2015:

<http://www.aida-americas.org/en/project/protectingandeanecosystems>

⁴⁴⁹ Semana, ABC of the Court's decision to halt mining in moorlands, 2016:

<http://www.semana.com/nacion/Articulo/claves-del-fallo-de-la-corte-sobre-priorizar-mineria-en-los-paramos/460051>

⁴⁵⁰ El Tiempo, '17 Provinces affected by mercury contamination from illegal mining', 2014:

<http://www.eltiempo.com/politica/justicia/contraloria-advierte-contaminacion-por-mercurio-usado-en-mineria-ilegal-/14367976>

⁴⁵¹ Comptroller General, Mining in Colombia, The basis for overcoming the extractive industry model, 2013: <http://www.oidhaco.org/uploaded/content/article/613117262.pdf>

⁴⁵² Network for Environmental Justice in Colombia, Colombia undertakes an ecosystem delimitation process, 2013: <http://justiciaambientalColombia.org/2013/04/page/3/>

⁴⁵³ Hydrology, Meteorology and Environmental Studies Institute, National Water Study, 2014:

http://documentacion.ideam.gov.co/openbiblio/bvirtual/023080/ENA_2014.pdf

⁴⁵⁴ Inter-American Commission on Human Rights, 149th Period of Sessions, Hearing on Human Rights, Development and Extractive Industry in Colombia, 2013:

<http://www.oas.org/es/cidh/multimedia/sesiones/149/default.asp>

⁴⁵⁵ In defense of territories affected by "Ríos Vivos" dams, Ríos Vivos destruction, Hydroelectrics construction, Human Rights abuses and violation of Motherland rights, 2015:

<https://defensaterritorios.wordpress.com/2015/08/02/destruccion-de-los-rios-vivos-construccion-de-hidroelectricas-violacion-de-los-derechos-humanos-y-de-los-derechos-de-la-madre-naturaleza/>

⁴⁵⁶ Ministry of Environment and Sustainable Development and National Planning Department, CONPES No. 2834, 1996:

https://www.minambiente.gov.co/images/BosquesBiodiversidadyServiciosEcosistemicos/pdf/Normativa/Políticas/555_politica_de_bosques.pdf

⁴⁵⁷ El Espectador, Deforestation rate in Colombia increases 16%, 2014:

<http://www.elespectador.com/noticias/medio-ambiente/aumenta-16-tasa-de-deforestacion-colombia-articulo-600483>

⁴⁵⁸ El Tiempo, 80% of worldwide deforestation as of year 2030 will take place in 11 zones, Colombia included, 2015: <http://www.eltiempo.com/estilo-de-vida/ciencia/deforestacion-en-el-mundo/15648135>

⁴⁵⁹ El Espectador, Colombia among the 500 countries responsible for worldwide deforestation, 2015:

<http://www.elespectador.com/noticias/medio-ambiente/Colombia-entre-los-500-responsables-de-deforestacion-gl-articulo-543630>

⁴⁶⁰ Fedesarrollo, Deforestation in Colombia: Challenges and perspectives, 2011:

http://www.fedesarrollo.org.co/wp-content/uploads/2011/08/KAS-SOPLA_Deforestaci%C3%B3n-en-Colombia-retos-y-perspectivas.pdf

IPS News Agency, Agriculture is still Cinderella in Colombia, 2013:

<http://www.ipsnews.net/2013/04/agriculture-still-the-cinderella-of-Colombia/>

⁴⁶¹ El Tiempo, Fedesarrollo, Deforestation in Colombia: Challenges and perspectives, 2011:

http://www.fedesarrollo.org.co/wp-content/uploads/2011/08/KAS-SOPLA_Deforestaci%C3%B3n-en-Colombia-retos-y-perspectivas.pdf

El Espectador, Colombia among the 500 countries responsible for worldwide deforestation, 2015:

<http://www.elespectador.com/noticias/medio-ambiente/Colombia-entre-los-500-responsables-de-deforestacion-gl-articulo-543630>

⁴⁶² El Tiempo, Pollution in Bogotá triples international ceiling, 2014:

<http://www.eltiempo.com/bogota/alerta-por-indice-de-polucion-en-bogota/13972358>

⁴⁶³ Revista Semana, the world breaths CO₂, undated:

<http://www.semana.com/especiales/contaminacion/>

⁴⁶⁴ OECD & Cepal, Assessment of environmental performance, Colombia, 2014:

http://repositorio.cepal.org/bitstream/handle/11362/36663/lcl3768_es.pdf?sequence=1.

-
- ⁴⁶⁵ El Tiempo, WHO: More than half of the world population breaths polluted air, 2014: <http://www.eltiempo.com/archivo/documento/CMS-13949217>
- ⁴⁶⁶ El Tiempo, Pollution in Bogotá triples the world ceiling, 2014: <http://www.eltiempo.com/bogota/alerta-por-indice-de-polucion-en-bogota/13972358>
- ⁴⁶⁷ International Comparative Legal Guide Series, Environment & Climate Change Law: Colombia, undated: http://www.iclg.co.uk/index.php?area=4&country_results=1&kh_publications_id=187&chapters_id=4423
- ⁴⁶⁸ Law 99/1993: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=297>
- ⁴⁶⁹ Office of the Attorney-General, Created the Prosecutor's National Unit to prosecute crimes against the natural resources and the environment, 2012: <http://www.fiscalia.gov.co/colombia/noticias/nace-unidad-nacional-de-fiscalias-para-perseguir-delitos-contr-recursos-naturales-y-el-medio-ambiente/>
- ⁴⁷⁰ International Finance Corporation, CAO, Compliance Advisor Ombudsman, Colombia, Eco – Oro, 2013: http://www.cao-ombudsman.org/cases/case_detail.aspx?id=187
- ⁴⁷¹ El Espectador, Why the municipality of Sibate said no to a mining company? 2015: <http://www.elespectador.com/noticias/bogota/sibate-dicen-no-minera-articulo-591566>
- ⁴⁷² El País, Epsa would be required to compensate the Anchicaya river community for environmental damages, 2015: <http://www.elpais.com.co/elpais/valle/noticias/epsa-tendria-indemnizar-comunidad-rio-anchicaya-por-danos-ambientales>
- ⁴⁷³ El Tiempo, Alert for environmental damages produced by three coal companies in the Province of Cesar, 2014: <http://www.eltiempo.com/politica/justicia/dano-ambiental-de-carboneras-en-cesar/14413963>
- ⁴⁷⁴ Business & Human Rights Centre, Colombia: Peasant farmers file a complaint against the Ocesa pipeline (partially owned by BP) for environmental damages to their lands, 2014: <http://business-humanrights.org/es/Colombia-campesinos-demandan-al-oleoducto-ocensa-parte-de-bp-por-da%C3%B1os-en-sus-tierras>
- ⁴⁷⁵ Equitable Origin, EO100 Standard, 2012: http://www.equitableorigin.org/media/eoweb-media/files/db/EO100_Standard_for_Responsible_Energy.pdf
- ⁴⁷⁶ International Organization for Standardization, ISO 14001, 2004: <https://www.iso.org/obp/ui/#iso:std:iso:14001:ed-3:v1:en>
- ⁴⁷⁷ United Nations Program for the Environment, 2015 Annual Report, 2015: <http://www.unep.org/publications/>
- ⁴⁷⁸ Fundación Ideas para la Paz, Ethical Commitment of Swiss Companies in Colombia, 2014: <http://www.ideaspaz.org/publications/posts/931>
- ⁴⁷⁹ Business & Human Rights Centre, UN: Report of the Special Rapporteur includes business enterprises' obligation to disclose information on hazardous wastes and substances, 2015: <http://business-humanrights.org/es/onu-informe-del-relator-especial-incluye-la-responsabilidad-de-empresas-sobre-el-derecho-a-la-informaci%C3%B3n-sobre-sustancias-y-desechos-peligrosos>
- ⁴⁸⁰ United Nations, United Nations Framework Convention on Climatic Change, 1992: http://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/convsp.pdf
- ⁴⁸¹ United Nations, Convention on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters, 1999: <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43s.pdf>
- ⁴⁸² Forest Stewardship Council, To be Certificated, undated: <https://es.fsc.org/es-es/certificacin>
- ⁴⁸³ La República, Colmotores seeks that more companies join the initiative of Shared Car, 2014: http://www.larepublica.co/colmotores-busca-que-m%C3%A1s-firmas-se-sumen-la-iniciativa-carro-compartido_169321
- ⁴⁸⁴ Fundación Ideas para la Paz, Prochables was recognized as an environmental friendly company, 2015: <http://www.ideaspaz.org/tools/download/73317>

⁴⁸⁵ Ecopetrol, Ecopetrol handed over nearly 40 thousand trees in Huila and Tolima in 2014, 2015:

http://www.ecopetrol.com.co/wps/portal/es/ecopetrol-web/nuestra-empresa/sala-de-prensa/noticias/Noticias-2015/Noticias-2015/cerca-de-40-mil-arboles-entrego-ecopetrol-en-huila-y-tolima-en-el-2014/!ut/p/z0/rY6xTgMxEES_heLK1TqnEEFpIRSUXlgQIB1uoo1ZLgaffbE3QP4eX4rQUdHNG-3MDhps0QT6dB2Ji4F84Rcz21yvJ_P53aNaXj2vb5XWzez-qWnqB61wgebv9JQp9XNqkMzkOzAhbelreVkcV4Zpgp654HSNnrOwEESdxHYxoEIRV8c2B2cJziCRO96Gh32UKvJdCx37_u90WhsDMLfgu05uuFcqTNVKhw4Syr5fkicqVKZ_GIDwTByiOKso_yrxi-XITp1Bynif2YPH2Z7_NIXP2Fo6kk!/

⁴⁸⁶ Ecopetrol, Proactive Environmental Management: Climate Change, 2014:

<http://www.ecopetrol.com.co/wps/portal/es/ecopetrol-web/medio-ambiente/gestion-ambiental-proactiva/cambio-climatico>

Ministry of Environment and Sustainable Development, Ecopetrol, National Parks and Natura Foundation join efforts to reduce climate change impacts, undated:

<https://www.minambiente.gov.co/index.php/component/content/article?id=832:el-uso-sostenible-de-los-bosques-prioridad-de-minambiente-197>

⁴⁸⁷ La República, Green Pages launches the second version of its directory with 1.600 companies, 2014:

http://www.larepublica.co/p%C3%A1ginas-verdes-lanza-la-segunda-versi%C3%B3n-de-su-directorio-con-1600-empresas_186441

⁴⁸⁸ On 9 March 2016, the Danish Institute for Human Rights and *Fundación Ideas para la Paz* held a Forum in Bogotá relating “Progress and Challenges in Business and Human Rights in Colombia and Latin America”. The Forum aimed at identifying key issues on human rights and businesses in Colombia, in businesses, government, and civil society sectors; analyzing the role of Human Rights National Institutions; carrying in-depth studies on implemented actions, cases, challenges and recommendations for businesses in the field of human rights; disseminating the Human Rights and Business National Action Plan; and, reviewing the progress made on the Colombia Country Guide.

⁴⁸⁹ UN Global Compact and FIP Interview, 17 July 2015, Bogotá, Colombia. <http://www.pactoglobal-colombia.org/>

⁴⁹⁰ FIP Interview, 17 July 2015, Bogotá, Colombia.

<http://www.anglogoldashanti.com.co/saladeprensa/Paginas/Inicio.aspx>

⁴⁹¹ Cerrejón and FIP Interview, 17 July 2015, Bogotá, Colombia. <http://www.cerrejon.com/site/>

⁴⁹² Isagén and FIP Interview, 23 July 2015, Medellín, Colombia. <https://www.isagen.com.co/>

⁴⁹³ Business & Human Rights Centre, Colombia: OECD recommendations call for due diligence in extractive industries, more taxes paid by companies, and reforms to reduce poverty, 2015:

<http://business-humanrights.org/es/Colombia-recomendaciones-de-la-ocde-piden-debida-diligencia-en-extractivas-que-m%C3%A1s-empresas-paguen-impuestos-y-haya-reformas-para-reducir-la-pobreza>

⁴⁹⁴ National Center for Cleaner Production:

http://www.cnpml.org/index.php?option=com_content&view=article&id=41&Itemid=1

⁴⁹⁵ Ministry of Environment and Sustainable Development, Colombian environment seal, undated:

<https://www.minambiente.gov.co/index.php/component/content/article?id=366:plantilla-asuntos-ambientales-y-sectorial-y-urbana-19>

⁴⁹⁶ Ministry of Environment and Sustainable Development, Water Resources Integral Management National Policy, undated:

<https://www.minambiente.gov.co/index.php/component/content/article/1932-politica-nacional-para-la-gestion-integral-del-recurso-hidrico>

⁴⁹⁷ Dinero, Colombia Sows: The ambitious plan to develop rural areas in Colombia, 2015:

<http://www.dinero.com/economia/articulo/plan-Colombia-siembra-2015/214281>

⁴⁹⁸ Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015:

<http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-Business>

[Human Rights and Business Country Guide - Colombia](#)

-
- ⁴⁹⁹ OECD, Colombia and México will sign international tax standards, human rights and clean business: <http://www.oecd.org/countries/Colombia/Colombiaymexicofirmaranlosestandaresdistribucioninternacionalderechoshumanosynegocioslimpios.htm>
- ⁵⁰⁰ SDG Compass. <http://sdgcompass.org/>
- ⁵⁰¹ UN Global Compact, SDG vs MDG: The private sector *momentum*, 2015: <http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ⁵⁰² United Nations, Towards a new agenda of sustainable development, undated: <http://www.un.org/sustainabledevelopment/es/mdgs/>
- ⁵⁰³ Colombian Political Constitution Article 329, 1991: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>
- ⁵⁰⁴ ODHACO, Land in Colombia – Between eviction and business, 2014: <http://www.oidhaco.org/?art=1597&lang=es>
- ⁵⁰⁵ Universidad Libre, Land ownership and land reform in Colombia: <http://www.unilibre.edu.co/verbaiuris/25/la-tenencia-de-la-tierra-y-la-reforma-agraria-en-colombia.pdf>
- ⁵⁰⁶ INDEPAZ, Land, for whom? 2012: http://ediciones.indepaz.org.co/wp-content/uploads/2012/02/PE_5731.pdf
- ⁵⁰⁷ Council on Foreign Relations, Foreign Affairs, Peace Signs in Colombia, 2013: <http://www.foreignaffairs.com/articles/139620/anne-phillips/peace-signs-in-Colombia>
- ⁵⁰⁸ Administrative National Statistics Department, National Rural Census 2014, 2016: <http://www.dane.gov.co/files/CensoAgropecuario/entrega-definitiva/Boletin-12-UPNA/12-presentacion.pdf>
- ⁵⁰⁹ El Espectador, There are 593 thousand hectares unsuitable for agriculture, 2015: <http://www.elespectador.com/noticias/economia/593-mil-hectareas-no-son-de-uso-agropecuario-articulo-601227>
- ⁵¹⁰ Toledo International Center for Peace (CITpax), V Report 2012 of the International Observatory DDR - Law on Justice and Peace, 2012: <http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>
- ⁵¹¹ Reuters, Colombians debate land, key issue at close door peace talks, 2012: <http://www.trust.org/item/?map=Colombians-debate-land-key-issue-at-secret-peace-talks>
- ⁵¹² Las 2 Orillas, The wastelands (*baldíos*) in Colombia, an unresolved issue, 2014: <http://www.las2orillas.co/el-problema-de-los-baldios-en-Colombia-un-asunto-sin-resolver/>
- ⁵¹³ Las 2 Orillas, The wastelands (*baldíos*) in Colombia, an unresolved issue, 2014: <http://www.las2orillas.co/el-problema-de-los-baldios-en-Colombia-un-asunto-sin-resolver/>
- ⁵¹⁴ Verdad Abierta, Violence and purchase of ranches in lowlands (*Llanos Orientales*), 2013: <http://www.verdadabierta.com/tres-agroindustrias-de-los-llanos-compraron-tierras-con-lios-y-violencia>
- ⁵¹⁵ El Espectador, Law on Zidres, 2015: <http://www.elespectador.com/noticias/economia/el-proyecto-de-ley-de-zidres-articulo-605547>
- ⁵¹⁶ El Espectador, The new “round” on Zidres, 2015: <http://www.elespectador.com/noticias/politica/el-nuevo-round-zidres-articulo-566692>
- ⁵¹⁷ The Comptroller General, Serious shortcomings of INCODER in the process of purchase and legalization of lands for the indigenous and black communities, 2015: http://www.contraloriagen.gov.co/web/guest/sist-gral-participaciones-cgr/-/asset_publisher/sZh3/content/graves-deficiencias-del-incoder-en-compra-y-legalizacion-de-tierras-para-comunidades-indigenas-y-negras?redirect=http%3A%2F%2Fwww.contraloriagen.gov.co%2Fweb%2Fguest%2Fsist-gral-participaciones-cgr%3Fp_id%3D101_INSTANCE_sZh3%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-3%26p_p_col_count%3D1

⁵¹⁸ Incoder, INCODER intensifies its actions to improve the process of purchase and legalization of lands for indigenous and black communities, 2015:

http://www.incoder.gov.co/documentos/3102_Bol_025_INCODER_intensifica_acciones_para_corregir_compra_y_legalizaci%C3%B3n_de_tierras_para_comunidades_ind%C3%ADgenas_y_negras.pdf

⁵¹⁹ Amnesty International, Colombia's land restitution process failing those forced off their land, 2014: <https://www.amnesty.org/en/press-releases/2014/11/Colombia-s-land-restitution-process-failing-those-forced-their-land/>

⁵²⁰ Amnesty International, Ownership titles are not enough, 2014: <https://www.amnesty.ch/de/laender/amerikas/kolumbien/dok/2014/friedensprozess-in-kolumbien-vollumfaengliche-landrueckgabe-nicht-gewaehrleistet/bericht-un-titulo-de-propiedad-no-basta-por-una-restitucion-sostenible-de-tierras-en-Colombia>

⁵²¹ Land Restitution Unit: <http://restituciondetierras.gov.co/?action=category&id=3>

⁵²² UNDP, A graphic overview to land restitution in Colombia, 2015: <http://www.co.undp.org/content/colombia/es/home/presscenter/articles/2015/10/05/una-mirada-grfica-a-la-restituci-n-de-tierras-en-colombia.html>

⁵²³ Verdad Abierta, three Agribusiness in the lowlands (Llanos) purchased land with legal problems and violence, 2013: <http://www.verdadabierta.com/tres-agroindustrias-de-los-llanos-compraron-tierras-con-lios-y-violencia/249-especiales/especial-altillanura/4551-la-batalla-legal-por-la-acumulacion-de-tierras>

⁵²⁴ Colombia Reports, Colombia's land restitution law defrauding victims: Amnesty International, 2015: <http://Colombiareports.com/Colombias-land-restitution-law-defrauding-victims-amnesty-international/>

⁵²⁵ Ministry of Political Affairs, The Prior Consultation to Ethnic Groups in Colombia, 2009: <http://www.mininterior.gov.co/sala-de-prensa/noticias/la-consulta-previa-grupos-etnicos-en-colombia-compendio-de-legislacion-jurisprudencia-y-documentos-de-estudio-tomos-i-ii>

⁵²⁶ ILO, Indigenous and tribal peoples, undated: <http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm>

⁵²⁷ Inter-American Commission on Human Rights, V Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>

⁵²⁸ Ministry of Political Affairs, Prior Consultation Directorate, undated: <https://www.mininterior.gov.co/mision/direccion-de-consulta-previa>

⁵²⁹ El País, Afro communities will be consulted on Monday by the Government, 2015: <http://www.elpais.com.co/elpais/Colombia/noticias/comunidades-afro-seran-consultadas-desde-hoy-por-gobierno>

⁵³⁰ Razón Pública, prior consultation in environmental projects: a right or a hurdle? 2013: <http://www.razonpublica.com/index.php/politica-y-gobierno-temas-27/7073-la-consulta-previa-en-proyectos-ambientales-i-un-derecho-o-un-obstaculo.html>

⁵³¹ Razón Pública, prior consultation in environmental projects: a right or a hurdle? 2013: <http://www.razonpublica.com/index.php/politica-y-gobierno-temas-27/7073-la-consulta-previa-en-proyectos-ambientales-i-un-derecho-o-un-obstaculo.html>

⁵³² International Trade Union Confederation, Internationally Recognized Core Labour Standards in Colombia, Report for the WTO General Council Review of the Trade Policies of Colombia, 2012: http://www.ituc-csi.org/IMG/pdf/final_colombia_tpr_2012_.pdf

⁵³³ IWGIA, The Indigenous World 2012, 2012: http://www.iwgia.org/iwgia_files_publications_files/0573_THE_INDIGENOUS_ORLD-2012_eb.pdf

⁵³⁴ UNDP, A graphic overview to land restitution in Colombia, 2015: <http://www.co.undp.org/content/colombia/es/home/presscenter/articles/2015/10/05/una-mirada-grfica-a-la-restituci-n-de-tierras-en-colombia.html>

⁵³⁵ Ministry of Justice, What land restitution is and how can I make use of it? undated: <http://www.minjusticia.gov.co/Portals/0/Documentos/Manual%20de%20Procedimiento%20para%20la%20Restituci%C3%B3n%20de%20Tierras%20Ind%C3%ADgenas%20y%20Negras/Preguntas%20y%20Respuestas%20Frecuentes/tabid/359/Definitivo.aspx?QuestionID=256&AFMID=1980>

-
- ⁵³⁶ La Silla Vacía, Land restitution judges seek protection, 2015: <http://lasillavacia.com/historia/los-jueces-de-restitucion-preocupados-por-su-seguridad-51343>
- ⁵³⁷ Ombudsman, Information to be provided to citizens in the accountability report, issues of citizens' interest, undated: <http://www.defensoria.gov.co/public/pdf/01/InformacionRendiciondeCuentas14.pdf>
- ⁵³⁸ OAS, Inter-American Commission on Human Rights, Precautionary Measures PM- 131/12 Hernan Henry Diaz, PM 355-10 Nonam Community of the Wounaan Indigenous People, PM-61/11 Members of the Awa Indigenous People, PM 12-09 Alto Guayabal, 2013: <http://www.oas.org/en/iachr/indigenous/protection/precautionary.asp>
- ⁵³⁹ Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ⁵⁴⁰ Ministry of Trade, Industry and Tourism, OECD National Contact Point, 2013: <http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=2241>
- ⁵⁴¹ Verdad Abierta, This land is mine, 2015: <http://www.verdadabierta.com/lucha-por-la-tierra/5956-esta-tierra-es-mia>
- ⁵⁴² El Espectador, Land claims against Argos, 2015: <http://www.elespectador.com/noticias/investigacion/los-reclamos-de-tierras-argos-articulo-585700>
- ⁵⁴³ Business & Human Rights Resource Centre, Colombia: Justice overrides mining licenses in Timbiquí Afro territories and calls for driving out illegal mining, 2015: <http://business-humanrights.org/es/Colombia-justicia-ordena-suspender-t%C3%ADtulos-mineros-en-territorio-afro-de-timbiqu%C3%AD-y-expulsar-miner%C3%ADa-ilegal>
- ⁵⁴⁴ Business & Human Rights Resource Centre, Colombia: Amnesty International concerned over threats to land claimants & community leaders in lands occupied by multinational companies, 2015: <http://business-humanrights.org/en/Colombia-amnesty-intl-concerned-over-threats-to-land-claimants-community-leaders-in-lands-occupied-by-multinational-companies>
- ⁵⁴⁵ El Espectador, Indigenous communities from Chocó recover 50 thousand hectares from mining companies, 2014: <http://www.elespectador.com/noticias/judicial/indigenas-del-choco-recuperan-50-mil-hectareas-de-manos-articulo-518851>
- ⁵⁴⁶ FAO, Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, 2012: <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>
- ⁵⁴⁷ IFC, Performance Standard 5. Land Acquisition and Involuntary Resettlement, 2012: http://www.ifc.org/wps/wcm/connect/3d82c70049a79073b82cfaa8c6a8312a/PS5_English_2012.pdf?M OD=AJPERES
- ⁵⁴⁸ FAO, IFAD, the UNCTAD Secretariat and the World Bank Group, Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources, 2010: http://www.fao.org/fileadmin/templates/est/INTERNATIONAL-TRADE/FDIs/RAI_Principles_Synoptic.pdf
- ⁵⁴⁹ Colombia Guides on Human Rights and International Humanitarian Law, Guidelines for the purchase and acquisition of land ownership and land use rights, 2014: <http://www.ideaspaz.org/tools/download/72993>
- ⁵⁵⁰ On 9 March 2016, the Danish Institute for Human Rights and *Fundación Ideas para la Paz* held a Forum in Bogotá relating "Progress and Challenges in Business and Human Rights in Colombia and Latin America". The Forum aimed at identifying key issues on human rights and businesses in Colombia, in businesses, government, and civil society sectors; analyzing the role of Human Rights National Institutions; carrying in-depth studies on implemented actions, cases, challenges and recommendations for businesses in the field of human rights; disseminating the Human Rights and Business National Action Plan; and, reviewing the progress made on the Colombia Country Guide.
- ⁵⁵¹ Land Restitution Unit, Law 1448/2011: <https://www.restituciondetierras.gov.co/web/guest/-quienes-somos>

-
- ⁵⁵² Office of the President, Presidential Directive 10/2013: Guidelines on Prior Consultations, 2013: <https://redjusticiaambientalColombia.files.wordpress.com/2013/11/directiva-presidencial-nc2b0-10-del-07-de-noviembre-2013-1.pdf>
- ⁵⁵³ SDG Compass. <http://sdgcompass.org/>
- ⁵⁵⁴ UN Global Compact, SDG vs MDG: the private sector *momentum*, 2015: <http://www.pactomundial.org/2015/04/ods-vs-odm-la-hora-del-sector-privado/>
- ⁵⁵⁵ United Nations, Sustainable Development Goals, undated: <http://www.un.org/sustainabledevelopment/es/poverty/>
- ⁵⁵⁶ National Citizen Commission for the Fight against Corruption, Fifth Report, 2015: http://www.anticorrupcion.gov.co/SiteAssets/Paginas/Informes_CNCLCC/quinto-informe-CNCLCC.pdf
- ⁵⁵⁷ Office of the President de Colombia, President Santos enacts Law against international bribing, a milestone in the fight against corruption, 2016: <http://es.presidencia.gov.co/noticia/Presidente-Santos-sanciona-ley-contra-soborno-transnacional-un-hito-en-la-lucha-anti-corrupcion>
- ⁵⁵⁸ Revista Dinero, Corruption is still rampant in Colombia, 2015: <http://www.dinero.com/país/articulo/corrupcion-Colombia-segun-barometro-americas/208665>
- ⁵⁵⁹ Transparency for Colombia, Corruption Perception Index, 2015: <http://www.transparency.org/cpi2015/>
- ⁵⁶⁰ Transparency for Colombia, Annual Report, 2015: <http://transparenciacolombia.org.co/wp-content/uploads/2016/03/Informe-Anual-2015.pdf>
- ⁵⁶¹ Transparency International, Anti-corruption Resource Centre, Colombia Overview, 2013: http://www.transparency.org/files/content/corruptionqas/373_Colombia_Overview_of_corruption_and_anti-corruption.pdf
- ⁵⁶² Transparency for Colombia, Ranking Municipal Administrations, 2015: <http://indicedetransparencia.org.co/ITM/Alcaldias>
- ⁵⁶³ El Espectador, The Government suspends royalties to 127 municipalities, 2015: <http://www.elespectador.com/noticias/politica/gobierno-suspende-giros-de-regalias-127-municipios-articulo-606454>
- ⁵⁶⁴ Transparency for Colombia, Institutionality in Province administrations is weak, 2015: <http://indicedetransparencia.org.co/Analisis/Departamental>
- ⁵⁶⁵ Portafolio, Mining and energy companies signed a commitment, 2015: <http://www.portafolio.co/negocios/eiti-compromio-empresas-mineras-Colombia-transparencia>
- ⁵⁶⁶ Transparency for Colombia, Annual Report, 2015: <http://transparenciacolombia.org.co/wp-content/uploads/2016/03/Informe-Anual-2015.pdf>
- ⁵⁶⁷ Ministry of Mines and Energy, First transparent report of Colombia's extractive industry was presented in Casanare, 2016: <https://www.minminas.gov.co/historico-de-noticias?idNoticia=23759312>
- ⁵⁶⁸ Law 80/1993: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=304>
- ⁵⁶⁹ Law 1150/2007: http://www.mineducacion.gov.co/normatividad/1753/articles-146168_archivo_pdf.unknown
- ⁵⁷⁰ Decree 1510/2013: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=53776>
- ⁵⁷¹ Colombia Purchases Efficiently, 2011: <http://www.Colombiacompra.gov.co/es/Colombia-compra-eficiente>
- ⁵⁷² National Planning Department, Public Procurement Electronic System, undated: <https://community.secop.gov.co/STS/Users/Login/Index?SkinName=CCE>
- ⁵⁷³ Transparency for Colombia, ITEP alarming sounds finger point uncontrolled risks of corruption , 2015: <http://www.indicedetransparencia.org.co/Noticias/ArtMID/432/ArticleID/10/Las-principales-alertas-del-ITEP-apuntan-a-los-riesgos-de-corrupci243n-menos-controlados>
- ⁵⁷⁴ Transparency for Colombia, National Ranking , 2015: <http://indicedetransparencia.org.co/ITN/EntidadesNacionales>

-
- ⁵⁷⁵ El Universal, Direct contracting increases corruption risks, 2013:
<http://www.eluniversal.com.co/cartagena/politica/con-la-contratacion-directa-aumenta-el-riesgo-de-corrupcion-112599>
- ⁵⁷⁶ Transparency for Colombia, Annual Report, 2015: <http://transparenciacolombia.org.co/wp-content/uploads/2016/03/Informe-Anual-2015.pdf>
- ⁵⁷⁷ We are Defenders, Annual Magazine “Revelando”, Number 4, 2013:
<http://www.somosdefensores.org>
- ⁵⁷⁸ INDEPAZ, Oil and Transformation Conflicts, 2011:
http://ediciones.indepaz.org.co/wp-content/uploads/2012/02/petroleo_Revista1.pdf
- ⁵⁷⁹ National Planning Department, General System of Royalties, undated:
<https://www.sgr.gov.co/Qui%C3%A9nesSomos/SobreelSGR.aspx>
- ⁵⁸⁰ Ministry of Mines and Energy, Colombia has received COP\$31,4 billion from mining and energy royalties, 2015: <https://www.minminas.gov.co/historico-de-noticias?idNoticia=17483644>
- ⁵⁸¹ El Tiempo, Regions start to feel the slump in oil royalties, 2015:
<http://www.eltiempo.com/economia/sectores/petroleo-en-colombia-regalias-petroleras-caen-la-tercera-parte/15274976>
- ⁵⁸² Law 1607/2012, Tax provisions and regulations, 2012:
http://www.secretariassenado.gov.co/senado/basedoc/ley_1607_2012.html
- ⁵⁸³ El Tiempo, Tax evasion continues despite DIAN controls, 2015:
<http://www.eltiempo.com/economia/sectores/dian-evasion-no-cede/15088389>
- ⁵⁸⁴ Friedirch Ebert Stiftung en Colombia, The fight against corruption in Colombia: The absence of an integral policy, 2011: <http://library.fes.de/pdf-files/bueros/kolumbien/08285.pdf>
- ⁵⁸⁵ National Tax and Customs Directorate (DIAN), e-mail boxes, undated:
<http://www.dian.gov.co/content/contactenos/otrosbuzones.htm>
- ⁵⁸⁶ Ministry of Trade and Industry, National Contact Point, Structure, undated:
<http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=7850>
- ⁵⁸⁷ Semana, Fine worth millions to former Minister Mr. Hernán Martínez Torres, 2015:
<http://www.semana.com/nacion/Articulo/hernan-martinez-torres-tendra-que-pagar-millonaria-multa/427271-3>
- ⁵⁸⁸ Revista Semana, Corruption case announced by President Santos, 2015:
<http://www.semana.com/nacion/Articulo/cual-es-el-caso-de-corrucion-que-anuncio-juan-manuel-santos/421253-3>
- ⁵⁸⁹ Noticias RCN, Petro Tiger allegedly paid US\$300.000 to a former Ecopetrol employee, 2015:
<http://www.noticiasrcn.com/nacional-justicia/petrotiger-habria-pagado-300000-dolares-un-exfuncionario-ecopetrol>
- ⁵⁹⁰ Revista Semana, Saludcoop, a historic fraud, 2015:
<http://www.semana.com/nacion/Articulo/desfalco-de-saludcoop/365644-3>
- ⁵⁹¹ Transparency International, Business Principles to counter Bribing, 2002:
<http://www.pactomundial.org/wp-content/uploads/2015/08/Principios-Empresariales-para-Contrarrestar-el-Soborno-de-Transparencia-Internacional-Ingl%C3%A9s.pdf>
- ⁵⁹² Transparency International, Business Principles to counter Bribing. Small and medium enterprises Edition, 2008:
http://www.transparency.org/whatwedo/publication/principios_empresariales_para_contrarrestar_el_soborno_edicion_para_pequena
- ⁵⁹³ Business and Human Rights, Principles and standards, undated: <http://business-humanrights.org/en/principles-standards>
- ⁵⁹⁴ Fundación Ideas para la Paz, Publication of the Guidelines of the Ethical Commitment of Swiss Companies in Colombia, 2014: <http://www.ideaspaz.org/publications/posts/931>
- ⁵⁹⁵ EITI, Handbook on the extractive industry transparency initiative, 2005:
https://eiti.org/files/sourcebookspanishapril06_0.pdf

⁵⁹⁶ Argos Group, Transparency for Colombia participated in Argos Group sustainability week, 2015: <http://transparenciaColombia.org.co/es/noticias/transparencia-por-Colombia-participo-en-la-semana-de-la-sostenibilidad-de-cementos-argos-y-grupo-argos>

⁵⁹⁷ Transparency for Colombia, 40 SAP Miller Bavaria suppliers put ethics into action, 2015: <http://transparenciaColombia.org.co/es/noticias/40-empresas-proveedoras-de-sabmiller-bavaria-llevan-la-etica-a-la-accion>

⁵⁹⁸ XM, Electric sector ratifies its commitment with transparency, 2015: <http://www.xm.com.co/EnMovimiento/Pages/Etica-Nov2015.aspx>

⁵⁹⁹ Cerrejón, Transparency and Ethics, undated: <http://www.cerrejon.com/site/desarrollo-sostenible-•-responsabilidad-social-rse/transparencia-y-etica.aspx>

⁶⁰⁰ Empresas Públicas de Medellín, Transparent Contact, undated: <http://www.epm.com.co/site/Home/Institucional/ContactoTransparente.aspx>

⁶⁰¹ On 9 March 2016, the Danish Institute for Human Rights and *Fundación Ideas para la Paz* held a Forum in Bogotá relating “Progress and Challenges in Business and Human Rights in Colombia and Latin America”. The Forum aimed at identifying key issues on human rights and businesses in Colombia, in businesses, government, and civil society sectors; analyzing the role of Human Rights National Institutions; carrying in-depth studies on implemented actions, cases, challenges and recommendations for businesses in the field of human rights; disseminating the Human Rights and Business National Action Plan; and, reviewing the progress made on the Colombia Country Guide.

⁶⁰² Office of the Presidency for Human Rights, National Plan on Action on Human Rights and Business, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>

⁶⁰³ UNEP, Group of Friends of Paragraph 47, undated: <http://www.unep.org/resourceefficiency/Business/SustainableandResponsibleBusiness/CorporateSustainabilityReporting/GroupofFriendsofParagraph47/tabid/105011/Default.aspx>

⁶⁰⁴ Business Foundations Association (AFE), The II Alliance for Open Government action plan was launched and AFE participates in the follow-up committee, 2015: <http://afecolombia.org/es-es/InformesGestion/ArtMID/524/ArticleID/4820/Se-lanz243-el-II-plan-de-acci243n-nacional-de-la-Alianza-para-Gobierno-Abierto-donde-AFE-participa-en-el-comit233-se-seguimiento>

⁶⁰⁵ NPD, Royalties Map, undated: <http://maparegalias.sgr.gov.co/#/?zoom=6¢er=4.3344012216447965,-77.76142578125&topLeft=12.907166580077373,-93.394970703125&bottomRight=-4.33651170402878,-62.127880859375>

⁶⁰⁶ Office of the President, National Development Plan 2014–2018, 2015: <https://colaboracion.dnp.gov.co/CDT/PND/PND%202014-2018%20Tomo%20%20internet.pdf>

⁶⁰⁷ Últimas Noticias, President Santos signs the Anticorruption Law, 2011: <http://www.ultimasnoticias.com.ve/noticias/actualidad/mundo/santos-firma-ley-anticorrupcion-en-colombia.aspx>

⁶⁰⁸ Colombian Political Constitution, Articles 11, 12, 28: <https://www.ramajudicial.gov.co/documents/10228/1547471/CONSTITUCION-Interiores.pdf/8b580886-d987-4668-a7a8-53f026f0f3a2>

⁶⁰⁹ Colombian Political Constitution, Article 15: <https://www.ramajudicial.gov.co/documents/10228/1547471/CONSTITUCION-Interiores.pdf/8b580886-d987-4668-a7a8-53f026f0f3a2>

⁶¹⁰ Ministry of Defense, Integral Human Rights and International Humanitarian Law Policy, undated: https://www.emavi.edu.co/sites/default/files/Politica_DDHH_MDN.pdf

⁶¹¹ Ministry of Defense, Integral Human Rights and International Humanitarian Law Policy, undated: https://www.emavi.edu.co/sites/default/files/Politica_DDHH_MDN.pdf

-
- ⁶¹² Office of the Attorney-General, Magazine "Procurando" Number 118, 2013:
<http://www.procuraduria.gov.co/portal/media/file/procurando%20118.pdf>
- ⁶¹³ Toledo International Center for Peace (CITpax), V Report 2012 from the DDR International Observatory - Law on Justice and Peace, 2012:
<http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>
- ⁶¹⁴ Office of the United Nations High Commissioner for Human Rights, Report of the United Nations High Commissioner for Human Rights on Human Rights Situation in Colombia, 2015:
http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/A_HRC_28_3_Add_3_SPA.pdf
- ⁶¹⁵ El Universal, The mining and energy sector targeted by the guerrilla, 2013:
<http://www.eluniversal.com.co/cartagena/nacional/el-sector-minero-energetico-esta-en-la-mira-de-guerrilla-107075>
- ⁶¹⁶ General Command: Colombian Army, Public force have provided security to Colombian infrastructure. Agreements with mining and energy companies will remain in force: Ministry of Defense, 2015: <http://cgfm.mil.co/-/fuerza-publica-ha-brindado-seguridad-a-la-infraestructura-del-pais-convenios-con-empresas-minero-energeticas-se-mantendran-mindefensa>
- ⁶¹⁷ Toledo International Center for Peace (CITpax), V Report 2012 of the DDR International Observatory - Law on Justice and Peace, 2012:
<http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>
- ⁶¹⁸ Toledo International Center for Peace (CITpax), V Report 2012 of the DDR International Observatory - Law on Justice and Peace, 2012:
<http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>
- ⁶¹⁹ Tierra Digna, Security and Human Rights for whom? 2015: http://tierradigna.org/pdfs/INFORME-SEGURIDAD-Y-DERECHOS%20HUMANOS-TIERRA%20DIGNA_WEB.pdf
- ⁶²⁰ El Espectador, Iván Cepeda complains for agreements between mining companies and military battalions, 2015: <http://www.elespectador.com/noticias/politica/ivan-cepeda-denuncia-convenios-entre-empresas-mineras-y-articulo-596735>
- ⁶²¹ El Espectador, Iván Cepeda complains for agreements between mining companies and military battalions, 2015: <http://www.elespectador.com/noticias/politica/ivan-cepeda-denuncia-convenios-entre-empresas-mineras-y-articulo-596735>
- ⁶²² Superintendence of Private Surveillance and Security, Legislation, Decree 356/1994, on the Statute of Private Surveillance and Security, Article 30, undated:
<http://www.supervigilancia.gov.co/index.php?idcategoria=1699>
- ⁶²³ Superintendence of Private Surveillance and Security:
<http://www.supervigilancia.gov.co/?idcategoria=31497>
- ⁶²⁴ Toledo International Center for Peace (CITpax), V Report 2012 of the DDR International Observatory - Law on Justice and Peace, 2012:
<http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>
- ⁶²⁵ Office of the United Nations High Commissioner for Human Rights, Annual Report of the United Nations High Commissioner for Human Rights, 2014:
<http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2013.pdf>
- ⁶²⁶ Fundación Ideas para la Paz, The opportunity for peace: a transformation proposal, 2016:
<http://www.ideaspaz.org/publications/posts/1289>
- ⁶²⁷ Revista Semana, Historic: Peace negotiations between the Government and the ELN start off, 2016:
<http://www.semana.com/nacion/Articulo/el-n-y-gobierno-instalan-mesa-de-negociacion-de-paz/467258>
- ⁶²⁸ Fundación Ideas para la Paz, The ELN and the oil industry: Attacks to Arauca infrastructure, 2015:
<http://cdn.ideaspaz.org/media/website/document/55411b8a3ccab.pdf>
- ⁶²⁹ Tierra Digna, Security and Human Rights for whom? 2015: <http://tierradigna.org/pdfs/INFORME-Human Rights and Business Country Guide - Colombia>
http://tierradigna.org/pdfs/INFORME-SEGURIDAD-Y-DERECHOS%20HUMANOS-TIERRA%20DIGNA_WEB.pdf

⁶³⁰ Office of the Attorney-General, Unit of Human Rights and International Humanitarian Law, undated: <http://www.fiscalia.gov.co/colombia/tag/unidad-nacional-de-derechos-humanos-y-dih/>

⁶³¹ National Colombian Police, General Directorate – Planning Office, Human Rights in the National Police, 2010: http://www.policia.gov.co/portal/page/portal/UNIDADES_POLICIALES/Direcciones_Apoyo_servicio/Insp_eccionGeneral

⁶³² Ministry of Trade, Industry and Tourism, OECD National Contact Point, 2013: <http://www.mincit.gov.co/mincomercioexterior/publicaciones.php?id=2241>

⁶³³ Inter-American Commission on Human Rights, Environment defenders and extractive industries, 2015: https://www.youtube.com/watch?v=k5qQwQj_R4E&feature=youtu.be

⁶³⁴ Superintendence of Private Surveillance and Security, The Superintendence concludes an interadministrative agreement with the Office of the Attorney-General, 2015: <http://www.supervigilancia.gov.co/?idcategoria=6831653>

⁶³⁵ Caracol Radio, Business that funded paramilitary are accountable before the Justice, 2015: http://caracol.com.co/radio/2015/05/10/regional/1431243420_754885.html

⁶³⁶ El Mundo, Eviction in the Arenera for the Hidroituango project, 2015: http://elmundo.com/portal/noticias/derechos_humanos/realizan_desalojo_en_la_arenera_por_proyecto_hidroituango.php#.Vi-KnNlvcdU

The Ríos Vivos Movement also filed a complaint before the IACHR in the Period of Sessions held in October 2015. https://www.youtube.com/watch?v=k5qQwQj_R4E&feature=youtu.be

⁶³⁷ Amnesty International, Land restitution process sparks more threats, 2015: http://www.amnestyusa.org/sites/default/files/uaa00915_1.pdf

⁶³⁸ Colombia Reports, ELN releases three oil workers kidnapped in the Northeast region of Colombia, 2013: <http://Colombiareports.co/eln-releases-3-kidnapped-oil-workers-northeast-Colombia/>

⁶³⁹ International Alert, Conflict Sensitive Business Practices: guidelines for the extractive industry, 2005: http://www.international-alert.org/sites/default/files/Economy_2005_CSBPGuidanceForExtractives_All_SP_v2013.pdf

⁶⁴⁰ International Alert & Fafo, Red Flags, 2008: <http://www.international-alert.org/news/red-flags-companies#sthash.EDMJ7Q1Y.dpbs>

⁶⁴¹ Colombia Guides on Human Rights and International Humanitarian Law, Security Guide, 2014: <http://www.ideaspaz.org/tools/download/72991>

⁶⁴² Colombia Guides on Human Rights and International Humanitarian Law, Guidelines for the purchase and acquisition of land ownership and land use rights, 2014: <http://www.ideaspaz.org/tools/download/72993>

⁶⁴³ Colombia Guides on Human Rights and International Humanitarian Law, Guidelines for claims and complaints on human rights and IHL, 2012: <http://cdn.ideaspaz.org/media/website/document/54f4c32f5967a.pdf>

⁶⁴⁴ International Commission of Jurists, Business complicity and legal responsibility, 2008: <http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2009/07/Corporate-complicity-legal-accountability-vol1-publication-2009-spa.pdf>

⁶⁴⁵ Fundación Ideas para la Paz, Operations in conflict areas and weak governance: Practical guidelines for business involved in non-extractive sectors, 2006: <http://www.ideaspaz.org/tools/download/46662>

⁶⁴⁶ Business & Human Rights Resource Centre, Prevention of conflicts during exploration – Handbook for Mining Explorers and Business, 2012: <http://business-humanrights.org/es/pdf-prevenci%C3%B3n-de-conflictos-en-la-exploraci%C3%B3n-manual-para-exploradores-y-empresarios-mineros>

⁶⁴⁷ International Committee of the Red Cross (ICRC), Business and International Humanitarian Law, 2006: https://www.icrc.org/spa/assets/files/other/icrc_003_0882.pdf

-
- ⁶⁴⁸ UN Global Compact, Doing Business While Advancing Development and Peace, 2010: https://www.unglobalcompact.org/docs/issues_doc/Peace_and_Business/DBWAPD_2010.pdf
- ⁶⁴⁹ International Committee of the Red Cross, Montreux Document on private military and security companies, 2011: <https://www.icrc.org/spa/resources/documents/publication/p0996.htm>
- ⁶⁵⁰ Swiss Government, International Code of Conduct for Private Security Service Providers, 2010: http://www.icoca.ch/sites/all/themes/icoca/assets/icoc_spanish3.pdf
- ⁶⁵¹ Fundación Ideas para la Paz, Practical guide for business fight against extortion, 2013: <http://cdn.ideaspaz.org/media/website/document/52f2662736952.pdf>
- ⁶⁵² Ocesa, Guidelines on Human Rights for Private Surveillance and Security Companies, 2006: http://www.setianworks.net/indepazHome/attachments/142_guia%20seguridad%20privada.pdf
- ⁶⁵³ ECOPETROL, Practices on Human Rights, Human Rights and Security, 2012: <http://www.ecopetrol.com.co/wps/portal/es/ecopetrol-web/responsabilidad-corporativa/derechos-humanos/practicas-en-derechos-humanos/practicas-en-derechos-humanos-informacion>
- ⁶⁵⁴ Rees, Caroline “Piloting Principles for Effective Company-Stakeholder Grievance Mechanisms. A report of Lessons Learned” Corporate Social Responsibility Initiative, John F. Kennedy School of Government, Harvard University, 2011: http://www.hks.harvard.edu/m-rcbg/CSRI/publications/report_46_GM_pilots.pdf
- ⁶⁵⁵ Voluntary Principles on Security and Human Rights, Colombia Case Study, undated: http://voluntaryprinciples.org/files/vp_columbia_case_study.pdf
- ⁶⁵⁶ AngloGold Ashanti, Sustainability Report 2012, 2013: <http://www.aga-reports.com/12/os>
- ⁶⁵⁷ Voluntary Principles on Security and Human Rights, Colombia Case Study, undated: http://voluntaryprinciples.org/files/vp_columbia_case_study.pdf
- ⁶⁵⁸ Toledo International Center for Peace (CITpax), V Report 2012 of the DDR International Observatory - Law on Justice and Peace, 2012: <http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>
- ⁶⁵⁹ Talisman Energy, 2012 Corporate Responsibility Report, 2012: http://www.talisman-energy.com/upload/report_link/21/02/talismanenergy_cr_2012.pdf
- ⁶⁶⁰ Mining and Energy Committee (CME), CME, its actions, contributions and relevance, undated: <http://cmecolombia.co/que-es-hace-y-aporta-el-cme/>
- ⁶⁶¹ Sustentia Social Innovation, Guiding principles on UN Business and Human Rights, Port of Entrance, 2013: <http://www.sustentia.com/cuaderno-guia-principios-rectores-onu/>
- ⁶⁶² Sustentia Social Innovation, Guiding principles on UN Business and Human Rights, Port of Entrance, 2013: <http://www.sustentia.com/cuaderno-guia-principios-rectores-onu/>
- ⁶⁶³ Mining and Energy Committee, Recommendations for managing extortion and kidnapping risks, 2013: https://www.acp.com.co/images/pdf/buenaspracticas/seguridadyddhh/comitemineroenergetico/CME_extorsionysequestro.pdf
- ⁶⁶⁴ On 30 August 2013, the United Nations Program for Development (UNDP) and the Danish Institute for Human Rights (DIHR) held the workshop "Pillars in Practice" in Medellín, within the framework of the First Regional Forum on Human Rights and Business. Business, government and civil society representatives attended the workshop. Participants made recommendations to help businesses to respect human rights in Latin America. <https://forodefensoriasmetropolitanas.files.wordpress.com/2013/08/3-l-paloma-muc3b1oz.pdf>
- ⁶⁶⁵ Office of the Presidency for Human Rights, Human Rights and Business National Action Plan, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Paginas/Plan-Nacional-de-Accion-Empresa-y-DDHH.aspx>
- ⁶⁶⁶ Voluntary Principles on Security and Human Rights, Colombia Case Study, undated: http://voluntaryprinciples.org/files/vp_columbia_case_study.pdf

-
- ⁶⁶⁷ Voluntary Principles on Security and Human Rights, Workshop on the Voluntary Principles and UN Guiding Principles, Colombia, 2013: <http://www.voluntaryprinciples.org/news-events/>
- ⁶⁶⁸ Ombudsman, Early Warning Systems, National Map on armed conflict-related human rights abuses, 2013: <http://www.defensoria.gov.co/es/public/atencionciudadanoa/1469/Sistema-de-alertas-tempranas---SAT.htm>
- ⁶⁶⁹ Office of the Presidency for Human Rights, Human Rights Report, 2015: <http://www.derechoshumanos.gov.co/Prensa/2015/Documents/151209-INFORME%20DDHH%202015.pdf>
- ⁶⁷⁰ European Parliament, Resolution of 13 June 2012 on the EU-Colombia free trade agreement, 2012: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0249+0+DOC+XML+V0//ES>
- ⁶⁷¹ Portafolio, Agriculture: What happened in 2014 and perspectives for 2015, 2015: <http://www.portafolio.co/economia/agricultura-2014-perspectivas-del-2015>
- ⁶⁷² Portafolio, The OECD and the Colombian agriculture, 2015: <http://www.portafolio.co/columnistas/la-ocde-y-la-agricultura-Colombiana>
- ⁶⁷³ Portafolio, The OECD and the Colombian agriculture, 2015: <http://www.portafolio.co/columnistas/la-ocde-y-la-agricultura-Colombiana>
- ⁶⁷⁴ Minuto 30, The agricultural sector is key for the post-conflict context, says President Santos, 2016: <http://www.minuto30.com/el-sector-agropecuario-sera-clave-en-el-posconflicto-asi-lo-asegura-el-presidente-santos/427703/>
- ⁶⁷⁵ Office of the High Commissioner for Peace, General agreement to end the conflict and build lasting and stable peace, 2012: <http://www.altocomisionadoparalapaz.gov.co/procesos-y-conversaciones/proceso-de-paz-con-las-farc-ep/acuerdo-general/Pages/default.aspx#sthash.HbMVUhoB.dpuf>
- ⁶⁷⁶ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, 2013: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf
- ⁶⁷⁷ UNDP, Analysis of the socioeconomic status of Afro-Peruvian and Afro-Costa Rican population and, a comparison with Afro-Colombians and Afro-Ecuadorians, 2012: http://www.afrodescendientes-undp.org/FCKeditor_files/File/paal_pnud_analisis.pdf
- ⁶⁷⁸ Observatory against Discrimination and Racism, Second Report: Labor Discrimination in Cali, 2012: http://observatoriocdr.gov.co/images/pdfs/segundo_informe_observatorio_30_septiembre_de_20121.pdf
- ⁶⁷⁹ El Universal, commerce and agriculture, main sectors of child labor in Colombia, 2014: <http://www.eluniversal.com.co/Colombia/comercio-y-agricultura-principales-sectores-de-trabajo-infantil-en-Colombia-162205>
- ⁶⁸⁰ International Trade Union Confederation, Internationally Recognized Core Labour Standards in Colombia, Report for the WTO General Council Review of the Trade Policies of Colombia, 2012: http://www.ituc-csi.org/IMG/pdf/final_colombia_tpr_2012_.pdf
- ⁶⁸¹ International Trade Union Confederation, Internationally Recognized Core Labour Standards in Colombia, Report for the WTO General Council Review of the Trade Policies of Colombia, 2012: http://www.ituc-csi.org/IMG/pdf/final_colombia_tpr_2012_.pdf
- ⁶⁸² Colombian Institute of Family Welfare (ICBF), The ICBF has assisted 605 working boys, girls and adolescents in 2013, 2013: http://webcache.googleusercontent.com/search?q=cache:pqNyUREn4kMJ:www.icbf.gov.co/portal/pag_e/portal/Descargas/Presat/Com_TrabajoInf_EdAF_100612.pdf+&cd=1&hl=es&ct=clnk&gl=co

-
- ⁶⁸³ Portafolio, More than 200 workers died in occupational accidents, 2014:
<http://www.portafolio.co/economia/muertes-accidentes-laborales-primer-semester-2014>
- ⁶⁸⁴ UNTRAFLORES, Report on the situation of workers in the flower industry in Colombia, 2013:
<http://www.untraflores.org/index.php/75-documentos/dossier/407-informe-sobre-la-situacion-de-los-trabajadores-de-las-flores-en-Colombia-resumen-ejecutivo>
- ⁶⁸⁵ UNTRAFLORES, Report on the situation of workers in the flower industry in Colombia, 2013:
<http://www.untraflores.org/index.php/75-documentos/dossier/407-informe-sobre-la-situacion-de-los-trabajadores-de-las-flores-en-Colombia-resumen-ejecutivo>
- ⁶⁸⁶ Escuela Nacional Sindical, Report of the labor and trade union information system, 2013:
http://ens.org.co/apc-aa-files/40785cb6c10f663e3ec6ea7ea03aaa15/11_SISLAB_2013_2.pdf
- ⁶⁸⁷ Portafolio, Agricultural sector, A special labor regime needed, 2015:
<http://www.portafolio.co/opinion/Analisis-regimen-laboral-sector-agropecuario>
- ⁶⁸⁸ Fedesarrollo, Monthly report on the labor market, Wage differences between economic sectors in Colombia, 2013:
http://www.fedesarrollo.org.co/wp-content/uploads/2014/01/IML-Diciembre-2013_Web.pdf
- ⁶⁸⁹ Solidarity Centre: Colombian Sugarcane Worker, Trade Unionists Murdered, 2013:
<http://www.solidaritycenter.org/colombian-sugarcane-worker-trade-unionist-murdered/>
- ⁶⁹⁰ Solidarity Centre: Colombian Sugarcane Worker, Trade Unionists Murdered, 5 February 2013: <http://www.solidaritycenter.org/colombian-sugarcane-worker-trade-unionist-murdered/>
- ⁶⁹¹ National Union of Floriculture Workers (UNTRAFLORES), Report on the situation of workers in the flower industry in Colombia, Executive Summary, 2013: <http://www.untraflores.org/index.php/75-documentos/dossier/406-executive-summary>
- ⁶⁹² National Union of Floriculture Workers (UNTRAFLORES), Report on the situation of workers in the flower industry in Colombia, Executive Summary, 2013: <http://www.untraflores.org/index.php/75-documentos/dossier/406-executive-summary>
- ⁶⁹³ Revista Semana, The world breaths CO₂: <http://www.semana.com/especiales/contaminacion/>
- ⁶⁹⁴ Hydrology, Meteorology and Environmental Studies Institute, Water National Study, 2014:
http://documentacion.ideam.gov.co/openbiblio/bvirtual/023080/ENA_2014.pdf
- ⁶⁹⁵ El Heraldo, Agriculture consumes 70% of the water in the world, 2015:
<http://www.elheraldo.co/economia/la-agricultura-consume-el-70-del-agua-en-el-mundo-188535>
- ⁶⁹⁶ The network for Environmental Justice in Colombia, Colombia started the process of ecosystem delimitation, 2013: <http://justiciaambientalColombia.org/2013/04/page/3/>
- ⁶⁹⁷ El Espectador, Colombia among the 500 countries responsible for worldwide deforestation, 2015:
<http://www.elspectador.com/noticias/medio-ambiente/Colombia-entre-los-500-responsables-de-deforestacion-gl-articulo-543630>
- ⁶⁹⁸ Fedesarrollo, Deforestation in Colombia: Challenges and perspectives, 2011:
http://www.fedesarrollo.org.co/wp-content/uploads/2011/08/KAS-SOPLA_Deforestaci%C3%B3n-en-Colombia-retos-y-perspectivas.pdf
- IPS News Agency, Agriculture, the ‘Cinderella’ of Colombia, 2013:
<http://www.ipsnews.net/2013/04/agriculture-still-the-cinderella-of-Colombia/>
- ⁶⁹⁹ El Tiempo, Deforestation in Colombia: Challenges and perspectives, 2011:
http://www.fedesarrollo.org.co/wp-content/uploads/2011/08/KAS-SOPLA_Deforestaci%C3%B3n-en-Colombia-retos-y-perspectivas.pdf
- El Espectador, Colombia among the 500 countries responsible for worldwide deforestation, 2015:
<http://www.elspectador.com/noticias/medio-ambiente/Colombia-entre-los-500-responsables-de-deforestacion-gl-articulo-543630>
- ⁷⁰⁰ Las 2 Orillas, The wastelands (baldíos) problem in Colombia, an unresolved issue, 2014:
<http://www.las2orillas.co/el-problema-de-los-baldios-en-Colombia-un-asunto-sin-resolver/>
- ⁷⁰¹ Las 2 Orillas, The wastelands (baldíos) problem in Colombia, an unresolved issue, 2014:
<http://www.las2orillas.co/el-problema-de-los-baldios-en-Colombia-un-asunto-sin-resolver/>
- Human Rights and Business Country Guide - Colombia

-
- ⁷⁰² Verdad Abierta, Violence and the purchase of farm ranches in the lowlands (llanos), 2013: <http://www.verdadabierta.com/tres-agroindustrias-de-los-llanos-compraron-tierras-con-lios-y-violencia>
- ⁷⁰³ El Espectador, What is the Law on Zidres?, 2015: <http://www.elespectador.com/noticias/economia/el-proyecto-de-ley-de-zidres-articulo-605547>
- ⁷⁰⁴ El Espectador, The new “round” on Zidres, 2015: <http://www.elespectador.com/noticias/politica/el-nuevo-round-zidres-articulo-566692>
- ⁷⁰⁵ Business & Human Rights Resource Centre, Colombia, Colombia: NGOs allege palm company Poligrow has boosted forced displacement & land grabbing; opponents have received death threats, 2015: <http://business-humanrights.org/en/Colombia-ngos-allege-palm-company-poligrow-has-contributed-to-forced-displacement-land-grabbing-opponents-have-received-death-threats>
- ⁷⁰⁶ Verdad Abierta, 16 entrepreneurs of palm oil in Chocó were sentenced to prison, 2014: <http://www.verdadabierta.com/lucha-por-la-tierra/5543-a-la-carcel-16-empresarios-de-palma-de-choco>
- ⁷⁰⁷ Business & Human Rights Resource Centre, Colombia: NGO reports serious human rights abuses by paramilitaries that have relationships with Poligrow, undated: <http://business-humanrights.org/es/Colombia-ong-denuncian-graves-violaciones-de-derechos-humanos-por-paramilitares-que-estaran-relacionados-con-poligrow>
- ⁷⁰⁸ Verdad Abierta, this land is mine, 2015: <http://www.verdadabierta.com/lucha-por-la-tierra/5956-esta-tierra-es-mia>
- ⁷⁰⁹ Caracol Radio, Entrepreneurs that funded paramilitaries are accountable before the justice, 2015: http://caracol.com.co/radio/2015/05/10/regional/1431243420_754885.html
- ⁷¹⁰ El País, 9 injured in protests in the sugar refining company Ingenio Risaralda, 2015: <http://www.elpais.com.co/elpais/judicial/noticias/protestas-ingenio-risaralda-dejan-9-personas-heridas>
- ⁷¹¹ Verdad Abierta, 16 entrepreneurs of palm oil in Chocó sentenced to prison, 2014: <http://www.verdadabierta.com/lucha-por-la-tierra/5543-a-la-carcel-16-empresarios-de-palma-de-choco>
- ⁷¹² Verdad Abierta, “Laws regarding agriculture have not been fully enforced”: Jennifer Mojica, 2013: <http://www.verdadabierta.com/component/content/article/48-despojo-de-tierras/4895-las-leyes-agrarias-no-se-han-aplicado-en-serio-jennifer-mojica>
- ⁷¹³ El Economista América, Colombia, 49 detainees after two days of strike in the agriculture, cattle raising and transport sectors, 2013: <http://www.eleconomistaamerica.co/politica-eAm-co/noticias/5081854/08/13/Colombia-Ya-son-49-los-detenido-en-dos-dias-de-paro-del-sector-agricola-ganadero-y-del-transporte.html>
- ⁷¹⁴ Socialists Workers Organization, Colombia’s cafeteros make a stand, 2013: <http://socialistworker.org/2013/03/04/Colombia-cafeteros-take-a-stand>
- ⁷¹⁵ Solidarity Centre: Colombian Sugarcane Worker, Trade Unionists Murdered, 5 February 2013: <http://www.solidaritycenter.org/colombian-sugarcane-worker-trade-unionist-murdered/>
- ⁷¹⁶ Reuters, Colombia banana workers and growers reach an accord to avoid strike, 2013: <http://www.reuters.com/article/2013/06/19/Colombia-bananas-idUSL2N0EO16Y20130619>
- ⁷¹⁷ Fedesarrollo, The mining sector in Colombia: Macroeconomic impacts and sectoral linkages, 2013: <http://www.fedesarrollo.org.co/wp-content/uploads/2013/02/Leonardo-Villar-SMGE.pdf>
- ⁷¹⁸ OECD, OECD Economic studies on Colombia, 2015: http://www.oecd.org/eco/surveys/Overview_Colombia_ESP.pdf
- ⁷¹⁹ Portafolio, Construction and services boosted the 2014 GDP, 2015: <http://www.portafolio.co/economia/pib-Colombia-2014-3>
- ⁷²⁰ Inter-American Commission on Human Rights, 156th Period of Sessions: Situation of human rights of environmentalists in the context of extractive industries in Latin America, 2015: <http://business-humanrights.org/es/ong-defensores-y-autoridades-indigenas-presentan-la-grave-situacion-de-abusos-contra-personas-opuestas-a-proyectos-extractivos-ante-la-comision-interamericana-de-derechos-humanos>

-
- ⁷²¹ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, 2013:
http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf
- ⁷²² Inter-American Commission on Human Rights, 153rd Period of Sessions: Complaints on forced displacement and development projects in Colombia, 2014:
<http://www.oas.org/es/cidh/audiencias/Hearings.aspx?Lang=es&Session=136>
- ⁷²³ Inter-American Commission on Human Rights, 153rd Period of Hearing Sessions: Complaints on forced displacements and development projects in Colombia, 2014:
<http://www.oas.org/es/cidh/audiencias/Hearings.aspx?Lang=es&Session=136>
- ⁷²⁴ Office of the High Commissioner and the General Secretary, Annual Report of the United Nations High Commissioner for Human Rights, 2016:
http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe_anual_2015.pdf
- ⁷²⁵ El Universal, Five thousand children work in the mining sector, 2013:
<http://www.eluniversal.com.co/colombia/cinco-mil-menores-trabajan-actualmente-en-algun-sector-de-la-mineria-197704>
- ⁷²⁶ U.S. Department of Labor, Colombia: 2014 Findings on the Worst Forms of Child Labor, 2014:
http://www.dol.gov/ilab/reports/child-labor/Colombia.htm#_ENREF_5
- ⁷²⁷ El Universal, Five thousand children work in the mining sector, 2013:
<http://www.eluniversal.com.co/colombia/cinco-mil-menores-trabajan-actualmente-en-algun-sector-de-la-mineria-197704>
- ⁷²⁸ Ministry of Labor, Lumber occupational accidents have fallen, 2015:
<http://www.mintrabajo.gov.co/abril-2015/4398-disminuyen-muertes-por-accidentalidad-laboral.html>
- ⁷²⁹ Las 2 Orillas, What statistics say about mining in Colombia, 2014:
<http://www.las2orillas.co/Colombia-mineria-tragedia-social/>
- ⁷³⁰ Las 2 Orillas, What statistics say about mining in Colombia, 2014: <http://www.las2orillas.co/Colombia-mineria-tragedia-social/>
- El Tiempo, The tragedy of miners in Amagá: Hoping for a miracle, say villagers, 2014:
<http://www.eltiempo.com/Colombia/otras-ciudades/tragedia-de-mina-en-amaga-/14771837>
- ⁷³¹ Ministry of Labor, The number of affiliates to occupational risks insurance increases in construction and mining sectors, 2013: <http://www.mintrabajo.gov.co/septiembre-2013/2371-crece-numero-de-afiliados-a-riesgos-laborales-en-construccion-y-mineria.html>
- ⁷³² International Commission of Jurist, ICJ suggested recommendations for Colombia UPR, 2013:
<http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2012/10/ICJ-UPR16-Colombia-AdvocacyNote.pdf>
- ⁷³³ ODHACO, Extractive industry, natural resources, and human rights in Colombia, 2013.
<http://www.oidhaco.org/uploaded/content/article/1590673988.pdf>
- ⁷³⁴ Escuela Nacional Sindical, Report of the labor and trade union information system, 2013:
http://ens.org.co/apc-aa-files/40785cb6c10f663e3ec6ea7ea03aaa15/11_SISLAB_2013_2.pdf
- ⁷³⁵ OECD & Cepal, Assessment of the environmental performance, Colombia, 2014:
http://repositorio.cepal.org/bitstream/handle/11362/36663/lcl3768_es.pdf?sequence=1
- ⁷³⁶ El Tiempo, Colombia first in ecological conflicts in Latin America, 2014:
<http://www.eltiempo.com/archivo/documento/CMS-13747755>
- ⁷³⁷ Fedesarrollo, Deforestation in Colombia: Challenges and perspectives, 2011:
http://www.fedesarrollo.org.co/wp-content/uploads/2011/08/KAS-SOPLA_Deforestaci%C3%B3n-en-Colombia-retos-y-perspectivas.pdf
- IPS News Agency, Agriculture still the Cinderella of Colombia, 2013:
<http://www.ipsnews.net/2013/04/agriculture-still-the-cinderella-of-Colombia/>
- Office of the Comptroller General, Mining in Colombia. Basis for overcoming the extractive industry model, May 2013: <http://www.oidhaco.org/uploaded/content/article/613117262.pdf>

⁷³⁹ AIDA, Moorlands: Defending water in Colombia, 2015:

<http://www.aida-americas.org/en/project/protectingandeanecosystems>

⁷⁴⁰ Semana, ABC of the Court's decision to halt mining in moorlands, 2016:

<http://www.semana.com/nacion/Articulo/claves-del-fallo-de-la-corte-sobre-prihibir-mineria-en-los-paramos/460051>

⁷⁴¹ El Tiempo, "17 Provinces affected by mercury contamination from illegal mining", 2014:

<http://www.eltiempo.com/politica/justicia/contraloria-advierte-contaminacion-por-mercurio-usado-en-mineria-ilegal-/14367976>

⁷⁴² Office of the Comptroller General, Mining in Colombia. The basis for overcoming the extractive industry model, 2013: <http://www.oidhaco.org/uploaded/content/article/613117262.pdf>

⁷⁴³ Inter-American Commission on Human Rights, 149th Period of Sessions, Hearing on Human Rights, Development of the extractive industry in Colombia, 2013:

<http://www.oas.org/es/cidh/multimedia/sesiones/149/default.asp>

⁷⁴⁴ In defense of territories affected by "Ríos Vivos" dams, Ríos Vivos destruction, Hydroelectrics construction, Human Rights abuses and violation of Motherland rights, 2015:

<https://defensaterritorios.wordpress.com/2015/08/02/destruccion-de-los-rios-vivos-construccion-de-hidroelectricas-violacion-de-los-derechos-humanos-y-de-los-derechos-de-la-madre-naturaleza/>

⁷⁴⁵ El Tiempo, Unequal distribution, the food problem in Colombia, 2014:

<http://www.eltiempo.com/estilo-de-vida/salud/alimentacion-en-colombia-y-los-problemas-de-distribucion/14898368>

⁷⁴⁶ CM&, Colombia may face a food crisis because of poor soils': UDCA, 2015:

<http://www.cmi.com.co/Colombia-enfrentaria-emergencia-alimentaria-por-mal-estado-de-los-suelos-udca>

⁷⁴⁷ Inter-American Commission on Human Rights, 149th Period of Sessions, Hearing on Human Rights, Development and extractive industry in Colombia, 2013:

<http://www.oas.org/es/cidh/multimedia/sesiones/149/default.asp>

⁷⁴⁸ El Espectador, Other problems in *El Quimbo*, 2016: <http://www.elespectador.com/noticias/medio-ambiente/los-otros-peros-el-quimbo-articulo-610159>

⁷⁴⁹ Revista Semana, This is the rural Colombia, 2015: <http://www.semana.com/especiales/pilares-tierra/asi-es-la-colombia-rural.html>

⁷⁵⁰ Toledo International Center for Peace (CITpax), V Report 2012 DDR International Observatory Internacional - Law on Justice and Peace, 2012:

<http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>

⁷⁵¹ Verdad Abierta, Three agribusiness purchased lands with problems and violence in the lowlands

(Ilanos), 2013: <http://www.verdadabierta.com/tres-agroindustrias-de-los-llanos-compraron-tierras-con-lios-y-violencia/249-especiales/especial-altillanura/4551-la-batalla-legal-por-la-acumulacion-de-tierras>

⁷⁵² Colombia Reports, Colombia's land restitution law defrauding victims: Amnesty International, 2015:

<http://Colombiareports.com/Colombias-land-restitution-law-defrauding-victims-amnesty-international/>

⁷⁵³ Razón Pública, The prior consultation in environmental projects: a right or a hurdle?, 2013:

<http://www.razonpublica.com/index.php/politica-y-gobierno-temas-27/7073-la-consulta-previa-en-proyectos-ambientales-iun-derecho-o-un-obstaculo.html>

⁷⁵⁴ Razón Pública, The prior consultation in environmental projects: a right or a hurdle?, 2013:

<http://www.razonpublica.com/index.php/politica-y-gobierno-temas-27/7073-la-consulta-previa-en-proyectos-ambientales-iun-derecho-o-un-obstaculo.html>

⁷⁵⁵ Inter-American Commission on Human Rights. V Country Report: Truth, Justice and Reparation, 2013:

<http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>

⁷⁵⁶ Inter-American Commission on Human Rights. V Country Report: Truth, Justice and Reparation, 2013:

<http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>

⁷⁵⁷ Inter-American Commission on Human Rights. V Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>

Constitutional Court. Ruling T-769 of 2009, Ruling T-547 of 2010, Ruling T-745 of 2010, Ruling T-105 of 2010, Ruling T-129 of 2011 and Ruling T-693 of 2011.

Constitutional Court. Ruling U-039 of 1997 and Ruling T-652 of 1998.

⁷⁵⁸ Inter-American Commission on Human Rights. V Country Report: Truth, Justice and Reparation, 2013: <http://www.oas.org/es/cidh/docs/pdfs/justicia-verdad-reparacion-es.pdf>

For instance, in relation to projects implemented in territories of Barí people (ruling T-880/06), U'wa (ruling SU-039/97) or Embera-Katío (ruling T-652/98).

⁷⁵⁹ Ministry of Mines and Energy, Colombia has received COP\$31.4 billions from mining and energy royalties, 2015: <https://www.minminas.gov.co/historico-de-noticias?idNoticia=17483644>

⁷⁶⁰ El Tiempo, Regions start to feel the slump in oil royalties, 2015: <http://www.eltiempo.com/economia/sectores/petroleo-en-colombia-regalias-petroleras-caen-la-tercera-parte/15274976>

⁷⁶¹ El Tiempo, Regions start to feel the slump in oil royalties, 2015:: <http://www.eltiempo.com/economia/sectores/petroleo-en-Colombia-regalias-petroleras-caen-la-tercera-parte/15274976>

⁷⁶² El Tiempo, Regions start to feel the slump in oil royalties, 2015:: <http://www.eltiempo.com/economia/sectores/petroleo-en-Colombia-regalias-petroleras-caen-la-tercera-parte/15274976>

⁷⁶³ Law 1607/2012 Tax provisions and regulations, 2012: http://www.secretariassenado.gov.co/senado/basedoc/ley/2012/ley_1607_2012.html

⁷⁶⁴ Portafolio, Mining companies signed a commitment, 2015: <http://www.portafolio.co/negocios/eiti-compromio-empresas-mineras-Colombia-transparencia>

⁷⁶⁵ Transparency for Colombia, Annual Report, 2015: <http://transparenciacolombia.org.co/wp-content/uploads/2016/03/Informe-Anual-2015.pdf>

⁷⁶⁶ Ministry of Mines and Energy, The first transparency report of the extractive industry in Colombia has been presented in Casanare, 2016: <https://www.minminas.gov.co/historico-de-noticias?idNoticia=23759312>

⁷⁶⁷ We are Defenders, Annual Magazine “Revelando”, Number 4, 2013: <http://www.somosdefensores.org>

⁷⁶⁸ El Universal, Guerrillas are targeting the mining and energy sectors, 2013: <http://www.eluniversal.com.co/cartagena/nacional/el-sector-minero-energetico-esta-en-la-mira-de-guerrilla-107075>

⁷⁶⁹ Toledo International Center for Peace (CITpax), V Report 2012 of the DDR International Observatory Internacional - Law on Justice and Peace, 2012: <http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>

⁷⁷⁰ El Espectador, Iván Cepeda reports agreements between mining companies and military battalions, 2015: <http://www.elespectador.com/noticias/politica/ivan-cepeda-denuncia-convenios-entre-empresas-mineras-y-articulo-596735>

⁷⁷¹ El Espectador, Iván Cepeda reports agreements between mining companies and military battalions, 2015: <http://www.elespectador.com/noticias/politica/ivan-cepeda-denuncia-convenios-entre-empresas-mineras-y-articulo-596735>

⁷⁷² Toledo International Center for Peace (CITpax), V Report 2012 of the DDR International Observatory - Law on Justice and Peace, 2012: <http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>

⁷⁷³ Toledo International Center for Peace (CITpax), V Report 2012 DDR International Observatory - Law on Justice and Peace, 2012: <http://www.citpaxobservatorio.org/images/stories/documentos/vinforme/v.pdf>

-
- ⁷⁷⁴ Fundación Ideas para la Paz, The ELN and the oil industry: attacks to the infrastructure of the Arauca Province, 2015: <http://cdn.ideaspaz.org/media/website/document/55411b8a3ccab.pdf>
- ⁷⁷⁵ Tierra Digna, Security and Human rights for whom? 2015: http://tierradigna.org/pdfs/INFORME-SEGURIDAD-Y-DERECHOS%20HUMANOS-TIERRA%20DIGNA_WEB.pdf
- ⁷⁷⁶ Business & Human Rights Resource Centre, Colombia: Three new cases on miners died in an illegal gold mine, 2015: <http://business-humanrights.org/es/Colombia-tres-nuevos-casos-de-mineros-muertos-en-mina-de-oro-ilegal>
- ⁷⁷⁷ El Espectador, Why the municipality of Sibate said no to a mining company? 2015: <http://www.elespectador.com/noticias/bogota/sibate-dicen-no-minera-articulo-591566>
- ⁷⁷⁸ Escuela Nacional Sindical, Pacific Rubiales harasses affiliates of the USO trade union and refuses to negotiate, 2014: <http://www.ens.org.co/index.shtml?apc=a---;-20171344;-20171344;&x=20171344>
- ⁷⁷⁹ U.S. Province of Labour, Colombia Labour Rights Report, undated: <http://www.dol.gov/ilab/reports/pdf/ColombiaLaborRights.pdf>
- ⁷⁸⁰ Inter-American Commission on Human Rights. Report No. 33/15 Case 11.754. Report of admissibility of the complaint filed by U'wa people, Colombia, 2015: http://business-humanrights.org/sites/default/files/documents/informe_de_admisibilidad.pdf
- ⁷⁸¹ Semana, Fine worth millions to former Minister Mr. Hernán Martínez Torres, 2015: <http://www.semana.com/nacion/Articulo/hernan-martinez-torres-tendra-que-pagar-millonaria-multa/427271-3>
- ⁷⁸² Business & Human Rights Resource Centre, Colombia: Court instructs temporary suspension of environmental licenses of 516 mining projects for infringement of the prior consultation obligation, 2015: <http://business-humanrights.org/es/Colombia-corte-contenciosa-ordena-suspender-temporalmente-licencias-de-516-proyectos-mineros-por-violar-el-derecho-a-la-consulta-previa>
- ⁷⁸³ Business & Human Rights Resource Centre, Colombia: Communities protest against Pacific Rubiales and Ecopetrol for lack of jobs, social investment and infrastructure, 2015: <http://business-humanrights.org/es/Colombia-comunidades-protestan-contr-pacific-rubiales-y-ecopetrol-por-falta-de-empleos-inversi%C3%B3n-social-y-de-infraStructure>
- ⁷⁸⁴ Portafolio, Cerro Matoso trade union calls for strike, 2015: <http://www.portafolio.co/negocios/cerromatoso-paro-trabajadores>
- ⁷⁸⁵ Business and Human Rights, Colombia: Villagers filed a collective action against Ecopetrol for environmental damages caused by a spill-over; comments from the company included, 2015: <http://business-humanrights.org/es/Colombia-grupo-de-pobladores-interpone-acci%C3%B3n-de-grupo-contra-ecopetrol-por-da%C3%B1os-ambientales-y-sociales-causados-por-derrame-contiene-comentarios-de-la-empresa>
- ⁷⁸⁶ El Mundo, Eviction in the Arenera for Hidroituango project, 2015: http://elmundo.com/portal/noticias/derechos_humanos/realizan_desalojo_en_la_arenera_por_proyecto_hidroituango.php#.Vi-KnNlvcdU
- Episode reported by the Ríos Vivos Movement to the IACHR in the Period of Sessions held in October 2015. https://www.youtube.com/watch?v=k5qQwQj_R4E&feature=youtu.be
- ⁷⁸⁷ Greenpeace Colombia, Moorland of Pisba, Irregularities and inaction in the case of Hunza Coal, 2015: <http://www.greenpeace.org/Colombia/Global/Colombia/informes/escandaloPisba.pdf>
- ⁷⁸⁸ Noticias RCN, Petro Tiger allegedly paid US\$300,000 to a former Ecopetrol employee, 2015: <http://www.noticiascn.com/nacional-justicia/petrotiger-habria-pagado-300000-dolares-un-exfuncionario-ecopetrol>
- ⁷⁸⁹ Revista Semana, The oil company that negotiated with the ELN, 2015: <http://www.semana.com/nacion/Articulo/la-petrolera-que-negociaba-con-el-eln/416475-3>

-
- ⁷⁹⁰ Verdad Abierta, Emberá-Katíos prevailed in the first ruling of land restitution to ethnic communities in Colombia, 2014: <http://www.verdadabierta.com/restitucion-de-bienes/5454-benefician-a-los-embera-katios-con-primera-sentencia-de-restitucion-etnica-en-el-país>
- ⁷⁹¹ Editorial Board, Damages caused to fauna and flora by mining, 2014: <http://consejoderedaccion.org/investigacion/item/908-danos-causados-por-explotaciones-mineras-a-la-flora-y-fauna-nacional.html>
- ⁷⁹² El Espectador, Indigenous population from Chocó recovered 50 thousand hectares from mining companies, 2014: <http://www.elespectador.com/noticias/judicial/indigenas-del-choco-recuperan-50-mil-hectareas-de-manos-articulo-518851>
- ⁷⁹³ El Universal, Trade unionists from Ecopetrol went on a 24-hour strike, 2014: <http://www.eluniversal.com.co/cartagena/sindicalistas-de-ecopetrol-adelantan-paro-por-24-horas-166754>
- ⁷⁹⁴ El Tiempo, Concerns for environmental damages produced by three coal companies in Cesar, 2014: <http://www.eltiempo.com/politica/justicia/dano-ambiental-de-carboneras-en-cesar/14413963>
- ⁷⁹⁵ Business & Human Rights Resource Centre, Colombia: Peasant farmers file a complaint against the Ocesa pipeline (partially owned by BP) for environmental damages to their lands, 2014: <http://business-humanrights.org/es/Colombia-campesinos-demandan-al-oleoducto-ocensa-parte-de-bp-por-da%C3%B1os-en-sus-tierras>
- ⁷⁹⁶ El Universal, Lack of safety controls may have caused the death of workers in Puerto Bahía, 2014: <http://www.eluniversal.com.co/sucesos/falta-de-control-de-seguridad-habria-causado-muerte-de-obreros-en-puerto-bahia-159689>
- ⁷⁹⁷ AECID. Risk analysis in for economic sectors: Agribusiness, Extractive, Public Works and Public Services, 2015: <http://www.aecid.org.co/index.php?idcategoria=3463>
- ⁷⁹⁸ Colombian Safety Council. Occupational risks affecting construction workers, 2014: http://ccs.org.co/salaprensa/index.php?option=com_content&view=article&id=385:2014-construccion&catid=256&Itemid=786
- ⁷⁹⁹ Colombian Safety Council. Occupational risks affecting construction workers, 2014: http://ccs.org.co/salaprensa/index.php?option=com_content&view=article&id=385:2014-construccion&catid=256&Itemid=786
- ⁸⁰⁰ Portafolio, More than 200 workers have died in occupational accidents, 2014: <http://www.portafolio.co/economia/muertes-accidentes-laborales-primer-semester-2014>
- ⁸⁰¹ Ministry of Labor, Deaths for occupational accidents have fallen, 2015: <http://www.mintrabajo.gov.co/abril-2015/4398-disminuyen-muertes-por-accidentalidad-laboral.html>
- ⁸⁰² Ministry of Labor, Deaths for occupational accidents have fallen, 2015: <http://www.mintrabajo.gov.co/abril-2015/4398-disminuyen-muertes-por-accidentalidad-laboral.html>
- ⁸⁰³ Escuela Nacional Sindical, Report on the first four years of implementation of the Labor Action Plan (2011-2015), 2015: http://ens.org.co/apc-aa-files/4e7bc24bf4203c2a12902f078ba45224/Informe_final_completo_Plan_de_Acci_n_Laboral_2011_2015_Versi_n_4_Abril..pdf
- ⁸⁰⁴ Escuela Nacional Sindical, Report on the first four years of implementation of the Labor Action Plan (2011-2015), 2015: http://ens.org.co/apc-aa-files/4e7bc24bf4203c2a12902f078ba45224/Informe_final_completo_Plan_de_Acci_n_Laboral_2011_2015_Versi_n_4_Abril..pdf
- ⁸⁰⁵ Escuela Nacional Sindical, Report on the first four years of implementation of the Labor Action Plan (2011-2015), 2015: http://ens.org.co/apc-aa-files/4e7bc24bf4203c2a12902f078ba45224/Informe_final_completo_Plan_de_Acci_n_Laboral_2011_2015_Versi_n_4_Abril..pdf
- ⁸⁰⁶ Escuela Nacional Sindical, Report on the first four years of implementation of the Labor Action Plan (2011-2015), 2015: http://ens.org.co/apc-aa-files/4e7bc24bf4203c2a12902f078ba45224/Informe_final_completo_Plan_de_Acci_n_Laboral_2011_2015_Versi_n_4_Abril..pdf

[files/4e7bc24bf4203c2a12902f078ba45224/Informe_final_completo_Plan_de_Acción_Laboral_2011_2015_Versión_4_Abril..pdf](http://files/4e7bc24bf4203c2a12902f078ba45224/Informe_final_completo_Plan_de_Acci_n_Laboral_2011_2015_Versi_n_4_Abril..pdf)

⁸⁰⁷ United Nations, Annual Report of the United Nations High Commissioner for Human Rights, 2015: http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/A_HRC_28_3_Add_3_SPA.pdf

⁸⁰⁸ El Universal, Prior consultation with Afro-Colombians seek to unblock government projects, 2015: <http://www.eluniversal.com.co/Colombia/consultas-previas-con-afrodescendientes-buscan-destrabar-proyectos-del-gobierno-183807>

⁸⁰⁹ El Tiempo, The Government provides training to communities on prior consultations, undated: <http://www.eltiempo.com/politica/gobierno/capacitacion-de-consultas-previas/15047547>

⁸¹⁰ AECID. Risk analysis for economic sectors: Agribusiness, Extractive, Public Works and Public Services, 2015: <http://www.aecid.org.co/index.php?idcategoria=3463>

⁸¹¹ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, 2013: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf

⁸¹² Fedesarrollo, Deforestation in Colombia: Challenges and perspectives, 2011: http://www.fedesarrollo.org.co/wp-content/uploads/2011/08/KAS-SOPLA_Deforestaci%C3%B3n-en-Colombia-retos-y-perspectivas.pdf

⁸¹³ WWF. Places menaced with deforestation in the world, 2015: <http://www.wwf.org.co/?245790/Estos-son-los-lugares-mas-amenazados-por-la-deforestacion-en-el-mundo>

⁸¹⁴ UNDP & Ministry of Environment and Sustainable Development, V National Report on Colombian biodiversity under the Convention on Biological Diversity, 2014: <http://www.undp.org/content/dam/colombia/docs/MedioAmbiente/undp-co-informebiodiversidad-2014.pdf>

⁸¹⁵ AECID. Risk analysis for economic sectors: Agribusiness, Extractive, Public Works and Public Services, 2015: <http://www.aecid.org.co/index.php?idcategoria=3463>

⁸¹⁶ AECID. Risk analysis for economic sectors: Agribusiness, Extractive, Public Works and Public Services, 2015: <http://www.aecid.org.co/index.php?idcategoria=3463>

⁸¹⁷ Revista Semana. Government procurement in Provinces is corrupted, April 2015: http://www.anticorruccion.gov.co/SiteAssets/Paginas/Informes_CNCLCC/CNCLC_PrimerInforme_2012_2013.pdf

⁸¹⁸ Revista Semana. Government procurement in Provinces is corrupted, April 2015: http://www.anticorruccion.gov.co/SiteAssets/Paginas/Informes_CNCLCC/CNCLC_PrimerInforme_2012_2013.pdf

⁸¹⁹ El Espectador, The Top 10 corruption cases close to a ruling, 2015: <http://www.elespectador.com/noticias/investigacion/el-top-10-de-los-casos-de-corrupcion-ad-portas-de-fallo-articulo-447582>

Dinero, The 15 confessions of the contract carousel, 2013: <http://www.dinero.com/país/articulo/las-confesiones-del-carrusel-contratacion/188288>

El Nuevo Siglo, Radiography of the contract carousel, 2014: <http://www.elnuevosiglo.com.co/articulos/8-2014-radiograf%C3%ADa-del-%E2%80%98carrusel%E2%80%99-de-la-contrataci%C3%B3n.html>

⁸²⁰ La F.M., Inviás Contractors have been convicted, 2013: <http://www.lafm.com.co/noticias/condenan-contratistas-del-150304>

⁸²¹ Colombian Central Bank. X-ray of health services provision in Colombia, 2014: http://www.banrep.gov.co/docum/Lectura_finanzas/pdf/dtser_202.pdf

Human Rights and Business Country Guide – Colombia, 2015: <http://www.eltiempo.com/estilo-de-vida/salud/la-ley-estatutaria-de-salud-abece/15283098>

-
- ⁸²³ Colombian Central Bank. X-ray of health services provision in Colombia, 2014:
http://www.banrep.gov.co/docum/Lectura_finanzas/pdf/dtser_202.pdf
- ⁸²⁴ Colombian Central Bank. Health in Colombia: More coverage but less access, 2014:
http://www.banrep.gov.co/docum/Lectura_finanzas/pdf/dtser_204.pdf
- ⁸²⁵ Office of the Ombudsman. Health actions of protection (*tutelas*) increase, 2015:
<http://www.defensoria.gov.co/es/nube/noticias/3414/Sigue-creciendo-el-n%C3%BAmero-de-tutelas-en-salud-Tutelas-salud-D%C3%ADa-Mundial-de-la-salud-justicia-Plan-Obligatorio-de-Salud-Fallos-de-tutela-Derechos-Humanos-EPS.htm>
- ⁸²⁶ UNDP. Roundtable of experts reviews corruption in the health sector, 2013:
<http://www.pnud.org.co/sitio.shtml?x=67431#.VmroQErhDIV>
- ⁸²⁷ Foros Semana. Please, no more corruption in the health sector, 2015:
http://www.forossemana.com/articulo/id/10303/no_mas_corrupcion_en_la_salud
- ⁸²⁸ El Tiempo. This is how Colombian health sector was stolen, 2012:
<http://www.eltiempo.com/archivo/documento/CMS-11420683>
- ⁸²⁹ El Tiempo. This is how Colombian health sector was stolen, 2012:
<http://www.eltiempo.com/archivo/documento/CMS-11420683>
- ⁸³⁰ Office of the Ombudsman. The Ombudsman ratifies that the reform to the health sector does not put an end to actions of protection, 2013: <https://www.minsalud.gov.co/Paginas/reforma-salud-no-acaba-la-tutela.aspx>
- ⁸³¹ El Pulso. The paradox of the human health talent in the Colombian health system, 2014:
<http://www.periodicoelpulso.com/html/1402feb/general/general-07.htm>
- ⁸³² El Pulso. The paradox of the human health talent in the Colombian health system, 2014:
<http://www.periodicoelpulso.com/html/1402feb/general/general-07.htm>
- ⁸³³ El País, This is how Saludcoop was bankrupted, 2015:
<http://www.elpais.com.co/elpais/economia/noticias/asi-fue-como-quebraron-saludcoop>
- Revista Semana, Saludcoop, the historic fraud, 2013:
<http://www.semana.com/nacion/Articulo/desfalco-de-salucop/365644-3>
- ⁸³⁴ Revista Semana, Saludcoop, the historic fraud, 2015:
<http://www.semana.com/nacion/Articulo/desfalco-de-salucop/365644-3>