



# Security Council

Distr.: General  
31 December 2019

Original: English

## Children and armed conflict in Colombia

### Report of the Secretary-General

#### *Summary*

The present report, submitted pursuant to Security Council resolution [1612 \(2005\)](#) and subsequent resolutions, is the fourth report of the Secretary-General on children and armed conflict in Colombia and covers the period from 1 July 2016 to 30 June 2019. The report provides information on the six grave violations against children, on parties to conflict responsible, where identified, and on progress made in the protection of children affected by armed conflict.

The reporting period was marked by the implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace ([S/2017/272](#), annex II) between the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP), which put an end to a five-decade-long conflict. A decrease in the total number of grave violations against children was documented and can be explained in part by the signature of the peace agreement and the subsequent demobilization of the largest armed group in the country. Over the same period, however, other armed groups expanded their territorial presence, including in areas vacated by FARC-EP, and FARC-EP dissident groups emerged. These developments have continued to expose children to grave violations, in particular recruitment and use and sexual violence.

Highlighted in the report are the efforts made by the Government of Colombia to strengthen the framework to respond to, end and prevent grave violations against children, including through prevention strategies. The report also contains recommendations to all parties aimed at ending and preventing grave violations against children and strengthening child protection in Colombia.



## I. Introduction

1. The present report, submitted pursuant to Security Council resolution [1612 \(2005\)](#) and subsequent resolutions on children and armed conflict, is my fourth report on the situation of children affected by armed conflict in Colombia. Covering the period from 1 July 2016 to 30 June 2019, it presents the trends and patterns of grave violations committed against children since the period covered in my previous report ([S/2016/837](#)). It also includes an outline of progress made and challenges in addressing the violations, in accordance with the conclusions of the Working Group on Children and Armed Conflict on the situation in Colombia ([S/AC.51/2017/1](#)). Where feasible, parties to conflict who are responsible for grave violations are identified.

2. In annex I to my most recent report on children and armed conflict ([A/73/907-S/2019/509](#)), the Ejército de Liberación Nacional (ELN) remained listed for the recruitment and use of children as a party to conflict that had not put in place measures to improve the protection of children. Following the signing of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace ([S/2017/272](#), annex II), in 2016, and the transformation of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) into a political party – the Fuerza Alternativa Revolucionaria del Común (FARC) – FARC-EP ceased to exist as an armed group, released children from its ranks and was delisted, as a result of having ceased the recruitment and use of children ([A/72/865-S/2018/465](#), para. 63).

3. The information contained in the present report was gathered, documented and verified by the United Nations country task force on monitoring and reporting in Colombia, co-chaired by the United Nations Children’s Fund (UNICEF) and the Resident Coordinator. The monitoring and reporting of grave violations was at times limited by security and logistical constraints that had an impact on access to conflict-affected areas. Therefore, the information in the report is only a partial representation of grave violations committed against children during the reporting period.

## II. Overview of political, military and security situation

4. The reporting period was marked by the signature of the peace agreement, on 24 November 2016, which put an end to a five-decade-long conflict and led to the demobilization of FARC-EP and its transformation into a political party. The signature of the agreement resulted in a significant reduction of violence throughout the country. However, violence and insecurity linked to armed groups seeking to exert control in areas vacated by the former FARC-EP continued to have an impact on the rights and well-being of children. In section 3 of the peace agreement, it was emphasized that children associated with FARC-EP would be released and would benefit from special care and protection. In addition, section 6 of the agreement included a provision to guarantee the best interests of children, as well as the primacy of their rights. As described in my previous report, advocacy by my Special Representative for Children and Armed Conflict resulted in the signing, in May 2016, of the agreement between the Government of Colombia and FARC-EP on the separation of children under 15 years of age from FARC-EP and the commitment to preparing a road map and a special comprehensive reintegration programme.

5. In October 2017, ELN and the Government agreed on a three-month bilateral ceasefire. The commitment by ELN to suspend the enrolment of children under 15 years of age in their ranks was one of the humanitarian measures agreed in parallel to the ceasefire. The temporary ceasefire ended on 9 January 2018, after which ELN resumed armed activities. ELN declared unilateral ceasefires during the legislative

and presidential elections that were held in March, April and June 2018. While the peace negotiating table established in March 2016 continued to function, little progress was made on its agenda items by the time the former President of Colombia, Juan Manuel Santos Calderón, finished his term of office, in August 2018.

6. In June 2018, Iván Duque Márquez was elected as President of Colombia. The electoral campaign that led to the legislative and presidential elections was marked by polarization with regard to the peace process, among other issues. Upon taking office, on 7 August 2018, the President pledged to support the reintegration of law-abiding former combatants and bring development, security and investment to former conflict-affected areas. Following an initial assessment of what had been accomplished at the negotiating table with ELN, the President conditioned the continuation of dialogue on the suspension by the armed group of all of its criminal activities and the release of all victims of kidnapping. On 18 January 2019, he suspended negotiations following the deadly detonation of a car bomb inside the General Santander National Police Academy in Bogotá on 17 January, for which ELN claimed responsibility.

7. Major milestones were achieved during the first year of implementation of the peace agreement. By September 2017, FARC-EP had completed the laying down of arms and transformed itself into a political party, FARC. Former FARC-EP combatants who had laid down weapons initiated their legal and socioeconomic reintegration into civilian life. However, there were delays in the implementation of the agreement and difficulties in extending the presence of State authority to former conflict zones, where the continued presence of armed groups and insecurity remained a concern.

8. The Comprehensive System of Truth, Justice, Reparation and Non-Repetition, which was established under the terms of the peace agreement, is composed of a judicial mechanism, the Special Jurisdiction for Peace; two extrajudicial mechanisms, the Commission on Truth, Coexistence and Non-Repetition and the Unit for the Search for Persons deemed missing in the context of and due to the armed conflict; as well as measures for comprehensive reparations for peace and non-repetition. Under the peace agreement, crimes against humanity, including crimes committed against children in the context of the armed conflict, will be adjudicated in the framework of the Comprehensive System. The President approved the statutory law of the Special Jurisdiction for Peace, promulgated officially as Law No. 1957 of 6 June 2019, statute of the administration of justice in the Special Jurisdiction for Peace. The law establishes the legal regime of the functioning of the Special Jurisdiction for Peace.

9. Since the laying down of weapons by the former FARC-EP, other armed groups – including ELN; the Autodefensas Gaitanistas de Colombia (AGC), also known as Clan del Golfo; the Ejército Popular de Liberación (EPL), also known as Los Pelusos; Los Caparrapos (previously associated with AGC); and others – have expanded their territorial presence. In some cases, the groups have expanded into areas vacated by the former FARC-EP, such as Chocó, Antioquia and Cauca Departments.

10. Dissident groups of the former FARC-EP<sup>1</sup> have been operating in some departments, including Nariño, Putumayo, Caquetá, Guaviare and Meta. FARC-EP dissidents include groups, such as Frente Primero and Frente 7, that did not accept the peace process at the outset, alleging differences with the negotiations and maintaining themselves as armed organizations that would continue to defend the

<sup>1</sup> The Government of Colombia refers to FARC-EP dissident groups as residual organized armed groups.

FARC-EP programme. The FARC-EP dissidents also include groups that laid down their weapons as part of the peace process, but took up arms again and reconstituted themselves into armed groups. Some groups also aim to control the illegal economy. They are composed of former FARC-EP combatants as well as new recruits.

11. The above-mentioned armed groups, through their presence, activities and clashes among themselves when exercising control of territories and illegal economies, continued to violate the rights of children and of their communities. They exposed children to violence as direct victims of grave violations, such as recruitment and use and sexual violence, and limited the realization of their rights, such as the right to education. Chocó, Arauca, Norte de Santander, Cauca and Antioquia were the most affected departments. The situation was aggravated by a limited presence of State authority, provided through both security and civilian institutions in those areas, including those vacated by the former FARC-EP. It was further compounded by challenges in the implementation of the peace agreement, in particular provisions on land reform and combating illicit drugs.

12. Social leaders and human rights defenders were affected by the violence that persisted after the signing of the peace agreement, which is a situation of great concern. According to the Office of the United Nations High Commissioner for Human Rights in Colombia, 230 killings have been verified since the signature of the agreement (see [S/2019/530](#), para. 54). Initiatives and consultative platforms on prevention and protection have been established, involving the Government, local authorities, affected communities and civil society.

13. According to early warning system reports issued by the Office of the Ombudsman of Colombia, in 2017, child recruitment occurred in several parts of the country, including in the departments of Chocó (9), Cauca (7), Meta (6), Córdoba (5), Amazonas (4), Antioquia (4), Guaviare (4), Putumayo (4), Nariño (3), Valle del Cauca (3), Norte de Santander (3), Casanare (2) and Sucre (2), and in the departments of Arauca, Bolívar, Boyacá, Caldas, Caquetá and Cundinamarca (1 each), in which groups such as ELN, AGC and dissident FARC-EP groups used child recruitment as a strategy to increase their ranks and further their operations.

14. Between January 2018 and May 2019, the Office of the Ombudsman issued 105 early warnings, 63 of which identified contexts where children were at risk of recruitment and use by armed groups. The early warnings covered 94 municipalities in 23 of 32 departments throughout the country. The departments at the highest risk included Nariño and Putumayo, with territories in which the population assessed to be at risk included not only Colombian children but also Venezuelan refugees and migrants in border areas or in transit across Colombia to other countries in the region. During the reporting period, the situation of tens of thousands of undocumented children of Venezuelan migrants and refugees born in Colombia, who were at risk of statelessness, was of particular concern. On 6 August 2019, the President announced that Colombia will grant Colombian nationality to children born to Venezuelan parents on Colombian territory between January 2015 and August 2021, thus facilitating their access to education, health care and other services. As of October 2019, according to the National Registry of Civil Status, 18,115 children out of 28,000 cases thus far identified had obtained legal status as Colombians under the Government programme. In addition, unaccompanied boys and girls faced considerable risks owing to their high level of vulnerability, including as a result of living in areas in which armed groups operate. In 2019, the Colombian Family Welfare Institute issued a new protocol for the protection of Venezuelan unaccompanied and separated children.

15. The recruitment and threats of recruitment and use of children continued to generate population displacement, as families fled in order to protect their children.

Indigenous and Afro-Colombian communities were particularly affected. According to the Office of the United Nations High Commissioner for Refugees, mass displacement rose, from 47 reported events (4,075 families) in 2016 to 73 reported events (4,302 families) in 2017, and continued to increase to 91 reported events (9,777 families) in 2018, mainly in the departments of Antioquia, Cauca, Chocó, Córdoba, Nariño, Norte de Santander, Putumayo and Valle del Cauca. In the first six months of 2019, 24 events of mass displacement were reported, affecting 2,542 families. According to the unique registry of victims of the Unit for Comprehensive Victim Support and Reparation, forced displacement continued to affect children and their families. Between 2016 and 2017, the number of children registered as victims of displacement decreased from 41,419 to 39,503, but rose to 55,448 in 2018. During the first half of 2019, 24,248 children were reported as being in situations of displacement, mainly a result of confrontations between armed groups and their interests in exerting territorial control.

16. The United Nations Mission in Colombia, established in January 2016 to monitor and verify the laying down of arms of FARC-EP and to be part of the tripartite mechanism for monitoring and verifying the definitive bilateral ceasefire and cessation of hostilities, completed its mandate on 26 September 2017. The United Nations Verification Mission in Colombia started its activities immediately thereafter, with the mandate to verify the implementation by the Government of Colombia and FARC-EP of sections 3.2 and 3.4 of the peace agreement as called for in section 6.3.3 of the peace agreement, including the reincorporation of FARC-EP members, including children, into political, economic and social life; the implementation of personal and collective security guarantees; and comprehensive programmes on security and protection measures for communities and organizations in the territories.

### **III. Grave violations against children**

17. Between July 2016 and June 2019, the country task force verified 850 grave violations against children, representing a decrease compared with the 2,078 grave violations that were verified between September 2011 and June 2016, as cited in my previous report. While that report covered a longer time frame, the decrease in grave violations remains noteworthy and can be explained in part by the signature of the peace agreement and subsequent demobilization of the largest armed group in the country. Within the reporting period, the year 2018 observed the highest number of grave violations (430), representing an increase of 77 per cent compared with the previous year (243). The recruitment and use of children was the most prominent grave violation verified, also reaching a peak in 2018. The geographic scope of violations also changed since my most recent report. While grave violations at the end of 2015 were concentrated in 20 of the 32 departments in Colombia, during the current reporting period, verified cases were concentrated in 15 departments, notably, Norte de Santander, Nariño, Antioquia, Cauca, Valle del Cauca, Chocó, Guaviare, Arauca, Putumayo, Vichada, Caquetá, Meta, Huila, Tolima and Caldas, owing to the presence of other armed groups in those areas.

18. The documentation and verification of information continued to be challenging owing to conditions of insecurity, which limited access in departments including Chocó, Arauca, Norte de Santander and Putumayo, and fear on the part of communities and victims with regard to reporting violations. Furthermore, the categorization of armed groups remained complex owing to their reorganizations and/or fragmentation. Between 2018 and the first half of 2019, the security of local communities worsened owing to the presence of armed groups and disputes over territorial control among them. The lack of security has been particularly critical among the indigenous and Afro-Colombian communities in the departments of Cauca,

Nariño and Chocó. Chocó experienced the most severe restrictions to freedom of movement, whereby, owing to the presence of, and control over the territory by, armed groups, a state of confinement was imposed on several communities, thereby restricting their movement and access to crops and reducing the subsistence capacity of the communities. Children were exposed to grave violations, in particular recruitment and sexual violence, and their access to education and medical services was seriously affected.

## **A. Recruitment and use**

19. According to information gathered and verified by the country task force, child recruitment and use accounted for the greatest number of verified violations, with 599 children affected in 307 incidents during the reporting period. The children, between 13 and 17 years of age, including five Venezuelan children, were recruited and used in 12 departments, namely, Norte de Santander, Nariño, Antioquia, Cauca, Valle del Cauca, Chocó, Guaviare, Arauca, Putumayo, Vichada, Caquetá and Meta. While still a matter of concern, the figures represent a decrease from the previous reporting period, during which 1,556 cases of child recruitment and use were verified.

20. The main perpetrator was ELN, recruiting and using 235 children (37 during the last two quarters of 2016, 113 in 2017, 69 in 2018 and 16 in the period from January to June 2019), followed by dissident FARC-EP groups, with 102 children (11 in 2017, 82 in 2018 and 9 from January to June 2019), AGC, with 51 children (35 in 2017, 12 in 2018 and 4 from January to June 2019), EPL (7) and Los Caparrapos (4). The remaining 200 children were recruited and used by unidentified armed groups.

21. During the second half of 2016, 104 children were verified as having been recruited and used. In 2017, a total of 169 children were affected by this violation, which subsequently dramatically peaked in 2018 with 292 children. The upwards trend could be a result in part of the competition among armed groups for territorial control, in particular in areas previously held by FARC-EP, and of the armed groups' intention to increase their ranks. During the first half of 2019, 34 children were recruited and used in 29 verified incidents.

22. Recruitment and use by ELN reached its peak in 2017, with children from indigenous communities often targeted. For instance, in February 2017, five indigenous children between the ages of 14 and 17 years were recruited by ELN and in June that same year, seven children, including four girls, all members of an indigenous community, were recruited and used by ELN. Both incidents occurred in Chocó Department. In December 2017, a 14-year-old boy, also a member of an indigenous community, was recruited by ELN and used as a collector of illegal crops. Furthermore, the dissident FARC-EP groups represented a new risk to children. In July 2018, four children between the ages of 14 and 17 years were forcibly recruited by such dissident groups. The children were mistreated and forced to participate in the groups' activities. In February 2019, a 13-year-old boy recruited by FARC-EP dissidents, rescued by the Colombian armed forces in the department of Arauca, reported having been used as part of the security ring of the dissident group's commander.

23. Autodefensas Gaitanistas de Colombia continued to represent a threat in terms of child recruitment and use, although a downward trend in verified cases has been observed since 2017. For instance, in May 2018, around 100 AGC combatants entered a region of Chocó Department and used an undefined number of children as young as 8 years of age as guides in the territory. Since the end of 2018, Los Caparrapos have increased their activities, including in the Bajo Cauca region of Antioquia Department. Several allegations were received by the country task force of additional

children, both boys and girls, associated with Los Caparrapos. Reports indicated that these children were used to commit crimes, including carrying and dealing drugs, and were also used as bodyguards for the commanders or as spies, and that the girls were subjected to sexual violence.

24. Strategies used by armed groups to recruit children involved promises of money and protection or other forms of support and benefits for their families. Girls were often exposed to sexual violence during their association with armed groups. For instance, during operations against armed groups in Caquetá Department in April 2019, the national armed forces recovered three girls who were associated with dissident FARC-EP groups. It was alleged that they were victims of sexual violence while associated with the armed group. Refugee and migrant children from the Bolivarian Republic of Venezuela in the border departments of Arauca and Norte de Santander were exposed to the activities of armed groups, including recruitment and use, and the country task force received allegations of Venezuelan boys and girls having been abducted, recruited and used by armed groups, all of which gives cause for concern.

25. At least 27 civilian-military activities were reported during the period under review. In areas in which armed groups were present, such social, development, cultural and sports activities carried out by the national armed forces put children at risk of retaliation, solely as a result of interacting with the national armed forces, and at risk of being used in intelligence activities. Such activities are also a violation of article 41, paragraph 29, of the Law on Childhood and Adolescence of 2006, according to which the armed forces must abstain from using children in such activities.

## **B. Killing and maiming**

26. During the period under review, the country task force verified the killing (91) and maiming (95) of 186 children, some as young as 5 years of age. As detailed in my previous report, child casualties were the result of crossfire, indiscriminate attacks, the direct targeting of children, and bombing, as well as accidents caused by anti-personnel landmines and unexploded ordnance. Children associated with armed groups were killed or maimed during fighting. ELN was the main perpetrator, responsible for 20 child casualties, namely 15 children killed and 5 children maimed (1 during the last half of 2016, 2 in 2017, 14 in 2018 and 3 from January to June 2019); followed by dissident FARC-EP groups (16 casualties), namely 11 children killed and 5 children maimed (3 in 2017, 11 in 2018 and 2 through June 2019), AGC (14 casualties), namely 12 children killed and 2 maimed (8 in 2018 and 6 in 2019) and EPL: 1 girl maimed in 2018. A total of 12 child casualties resulted from operations of the national armed forces against armed groups that occurred in 2017 (1) and 2018 (11). Responsibility for the remaining 123 child casualties, namely, 41 children killed and 82 maimed, could not be attributed to specific perpetrators and resulted from various incidents, such as the use of explosive devices, or occurred during confrontations among armed groups over territory, as well as confrontations between armed groups and the national armed forces. The departments with the greatest number of child casualties were Chocó, Norte de Santander, Antioquia and Arauca.

27. In some cases, children were targeted directly. For example, in September 2018, ELN killed a 16-year-old boy and left a note taking responsibility for the act. In other instances, armed groups targeted children who were formerly associated with a given group for leaving the group. In October 2018, in Nariño Department, a boy from an indigenous community who had been recruited by ELN and had subsequently fled the group was killed in retaliation. Similarly, in January 2019 in Antioquia, a 14-year-old boy previously associated with AGC was killed by the group for his desertion.

28. Children recruited and used by armed groups were killed and maimed during their association, which underscored the dangers inherent to their association with parties to conflict. For instance, in September 2018 in Arauca Department, three Venezuelan children, who were being used by FARC-EP dissidents to bring food to the group, were killed as a result of their camp being bombarded by the national armed forces. In March 2018, a national armed forces bombardment of the ELN camp in Antioquia Department killed five children who had been recruited by ELN (two girls and three boys). Children were also caught in crossfire. In April 2018 in Putumayo Department, two boys were killed in clashes between the dissident FARC-EP group Frente Primero and an unknown armed group. In May 2019, in Nariño Department, a girl was injured by crossfire during clashes between Frente Oliver Sinisterra and Guerrillas Unidas del Pacífico, both dissident FARC-EP groups.

29. Colombia is one of the countries most affected by the presence of anti-personnel landmines, unexploded ordnance and improvised explosive devices, which constituted a major cause of killing and maiming of children during the period under review. The country task force verified 12 child casualties as a result of explosive devices (7 anti-personnel landmines and 5 improvised explosive devices). For example, in Antioquia, a 6-year-old boy was maimed by an anti-personnel mine in July 2017 and subsequently lost his right leg. In July 2018, a 9-year-old boy in Cauca was injured while manipulating an object that he had found while on his way home, which exploded in his hands. In June 2019, three boys in Chocó, 12, 13 and 17 years of age, who had been playing together, were injured by the detonation of an improvised explosive artefact.

30. An irregular trend was observed during the mapping of reports of events. Between 2016 and 2018, there was a significant reduction in the figures reported by the Directorate of Mine Action in Colombia (known as Descontamina), with 1,760 incidents reported in 2016, 649 reported in 2017 and 552 reported in 2018. However, 289 incidents were registered for January to May 2019, demonstrating a significant increase, compared with the 161 events registered during the same period in 2018. When analysing the number of accidents that mainly affected the civilian population, a similarly alarming trend was observed: 40 accidents were registered in 2017 and 117 in 2018. During the reporting period, the Directorate recorded a total of 43 children (38 boys and 5 girls) who had been victims of anti-personnel landmines, unexploded ordnance and improvised explosive devices, namely, 7 children affected between July and December 2016, 10 in 2017, 22 in 2018 and 4 between January and June 2019.

### **C. Rape and other forms of sexual violence against children**

31. The country task force verified that 17 girls between 14 and 17 years of age were victims of rape and other forms of sexual violence, compared with the 23 children affected by such violations as cited in my previous report. The scale of sexual violence affecting children is believed to be underreported, as documenting such violations remains challenging, owing largely to the survivors' fear of reporting, the lack of appropriate care and programming from public institutions in many areas and logistical and access constraints faced by the country task force and its partners.

32. The main perpetrator was AGC (eight girls: two in 2017, four in 2018 and two from January to June 2019), followed by dissident FARC-EP groups (six girls: five in 2018 and one from January to June 2019) and ELN (one girl in 2017). One incident affecting two girls that occurred during the second half of 2016 was attributed to the national armed forces.



33. Armed groups exercised their power and domination through sexual violence and the control of the bodies and lives of women and girls. For instance, in April 2019 in Antioquia, a 16-year-old girl was killed by an AGC commander. The victim was found hanged, with signs of sexual violence and evidence of torture. In 2017, in Valle del Cauca Department, the media reported that a message had been disseminated by AGC through a communication application, which read: “We are the Autodefensas Gaitanistas of Colombia, we will rape all 15-year-old girls that we find in the streets”.<sup>2</sup> Also in 2017, the media reported that an AGC commander who was killed in a military operation had been sexually abusing girls, some younger than 10 years of age.

34. In some instances, girls were subjected to sexual violence during their association with armed groups. In August 2018, in Putumayo Department, a 17-year-old indigenous girl who had been associated with the FARC-EP dissident group Frente Primero was sexually abused by a member of the group and forced to use injectable contraceptives. She had been recruited by the group through the false promise of economic security.

#### **D. Abduction**

35. During the reporting period, the country task force verified eight incidents of abduction affecting 16 children as young as 2 years of age, an increase since my previous report, in which it was cited that three children had been verified as abducted. The main perpetrator was ELN, which was responsible for the abduction of eight children, followed by AGC (three) and dissident FARC-EP groups (two), while three children were abducted by unidentified perpetrators. While no cases were verified in the second half of 2016, nine children were abducted during 2017, six in 2018 and one in the first half of 2019.

36. Children were often abducted for the purpose of recruitment and use by armed groups. In April 2018 in Arauca, a 14-year-old girl was abducted by FARC-EP dissident groups, who claimed that their aim had been to recruit her. In April 2017, two girls and one boy from an indigenous community were abducted by AGC in Chocó, presumably also for recruitment and use.

37. In September 2018, ELN confirmed its responsibility for the abduction of a 15-year-old girl in Chocó, who was released after approximately five days in captivity. The reasons given by the group for the abduction involved the alleged identification of the young girl as a national armed forces informant. The case verified in 2019 involved the abduction by FARC-EP dissident group Frente 28 of a girl and her entire family for economic purposes. The national armed forces carried out the rescue in Putumayo Department.

#### **E. Attacks on schools and hospitals**

38. A total of 24 incidents of attacks against schools (21) and hospitals (3) were verified during the reporting period. Rural areas were most affected in this regard.

39. Attacks on schools were attributed to AGC (four), dissident FARC-EP groups (two) and ELN and national armed forces (one each). Responsibility for the remaining 13 attacks on schools, as well as the 3 attacks on hospitals, could not be attributed, given that in most cases more than one armed group was involved. The departments most affected were Antioquia, Chocó, Norte de Santander and Nariño. For example,

<sup>2</sup> See [www.vice.com/es\\_co/article/kb4kxm/ninas-de-15-anos-el-nuevo-blanco-de-los-gaitanistas-en-buenaventura](http://www.vice.com/es_co/article/kb4kxm/ninas-de-15-anos-el-nuevo-blanco-de-los-gaitanistas-en-buenaventura).

in September 2018, FARC-EP dissident groups detonated a car bomb close to a school in Arauca Department, which impacted the school and damaged its installations.

40. Incidents of attacks on schools and hospitals were often associated with threats directed towards education and health personnel, which in some cases led to the suspension of classes or restriction of medical services. For example, 13 teachers from a school in Nariño were threatened, including with death threats, by an unidentified armed group in February 2018, resulting in the cancellation of classes for a number of days as a protective measure. An unidentified armed group entered a school in Chocó Department and threatened students and accused them of collaborating with ELN in January 2018. Medical personnel in Norte de Santander were threatened, including with death threats, by unidentified armed groups in several municipalities of Catatumbo region in May 2017.

41. In addition, seven instances of the military use of schools were verified by the country task force and attributed to the national armed forces (three), AGC (two) and ELN and unidentified armed elements (one each). For example, one school in Chocó was used by ELN for at least two nights in September 2016. The national armed forces entered a school in Nariño in June 2018 and used some of the classrooms for approximately six days.

42. Clashes between armed groups and the presence of explosive artefacts near schools reported in the departments of Huila, Chocó, Putumayo, Nariño, Norte de Santander, Cauca, Caquetá, Tolima, Guaviare and Valle del Cauca raised serious concerns during the reporting period and affected more than 52,000 children, as a result of classes being suspended.

## **F. Denial of humanitarian access**

43. Nine incidents of denial of humanitarian access to children were verified during the reporting period, six in 2017, two in 2018 and one during the first half of 2019. Incidents were attributed to ELN (two) and to FARC-EP dissidents (one) and AGC (one), while responsibility for the remaining incidents was not attributed. In July 2017, AGC took control of a municipality of Antioquia Department for an entire day. Restrictions on movement were imposed, and civil society organizations reported that they could not carry out their daily work owing to the presence of at least 50 AGC elements exercising control over the municipality. In November 2017, in Boyacá Department, ELN refused entry to the Colombian Family Welfare Institute, which had intended to attend to girls and boys. In December 2017, FARC-EP dissident groups imposed restrictions on movement, curfews and limited times for fluvial transport on the Putumayo River.

44. Restrictions to freedom of movement owing to the presence of, and control of territory by, armed groups led to limitations being imposed on the delivery of humanitarian aid and access, especially since 2018 and thus far in 2019. The situation was of great concern in the departments of Chocó and Norte de Santander. Owing to recurring armed confrontations, rural communities have been forced to stay put, which has drastically reduced their activities related to subsistence agriculture. For example, in Chocó Department, an indigenous baby girl of six months of age died in March 2019 because it was impossible to bring in medical care to treat her for malaria.

45. Restrictions of movement, continuing violence and the presence of armed groups have at times affected the ability of United Nations agencies and civil society organizations to carry out humanitarian missions to some areas. Security conditions to enable humanitarian work have also deteriorated. According to the United Nations, during the first 10 months of 2019, such restrictions affected more than 30,000 children, who also face restrictions on access to education and are at risk of being

recruited by armed groups, in the departments of Norte de Santander, Antioquia, Chocó, Cauca, Nariño and Putumayo.

#### IV. Release of children and programmatic response

46. The Colombian Family Welfare Institute continued to implement a specialized programme for the protection and reintegration of children released from armed groups. According to the Institute, a total of 673 children (251 girls and 422 boys) joined the programme during the period under review (99 children from July to December 2016, 114 girls and 171 boys in 2017, 59 girls and 137 boys in 2018 and 37 girls and 56 boys from January to June 2019). The children were formerly associated with ELN (250), FARC-EP<sup>3</sup> (246), residual organized armed groups (82), EPL (19) and the remaining 76 children with other armed groups.

47. During the peace process between the Government and FARC-EP, UNICEF supported the release and reception of children who had formerly been part of FARC-EP. UNICEF provided technical assistance regarding the protocol for release and the model of temporary care, jointly with the Presidential Council for Human Rights, the Office of the Ombudsman, civil society organizations and other international agencies. Since September 2016, 144 children (78 girls and 66 boys) have been officially released from FARC-EP. A total of 124 of those children (68 girls and 56 boys) were received in temporary reception centres established by UNICEF with the support of the International Organization for Migration and joined a special programme for their reintegration entitled “A different path of life”, led by the Presidential Council for Human Rights. Of the 124 children who had joined the programme, 120 turned 18 years of age during the reporting period and 111 of them have transitioned to the adult phase of the reintegration process, led by the Agency for Reintegration and Normalization. A total of 110 children had been receiving monthly stipends at the time of writing, and eight adolescents were still under the protection of the Colombian Family Welfare Institute. Of the remaining 20 children who had been officially released, 11 decided to join the Institute’s specialized reintegration programme, while the remaining 9 did not join either “A different path of life” or the reintegration programme and, when they turned 18 years of age, reportedly joined the adult reincorporation programme.

48. The United Nations Verification Mission in Colombia, through the presence of a child protection adviser, maintained regular contact with the Presidential Counsellor for Human Rights, the National Agency for Reintegration and the family defenders assigned to children in the “A different path of life” programme. In addition, at the request of the national Government, UNICEF designed two strategies, which were approved by the National Reincorporation Council and were focused on psychosocial care, as well as support at the community level benefiting children and young people released from FARC-EP. The National Agency for Reintegration has increased its involvement in the “A different path of life” programme, improving the support and follow-up provided at the local level, but more efforts are required to provide adequate support for the reintegration of these children. A legal instrument that guarantees the programme’s sustainability and resources is urgently needed, as well as access to psychological and family support and productive projects with a youth-sensitive approach. Of 83 participants in the programme, 64 had benefited from reparations as victims. It is important that timely disbursement be guaranteed to the remaining participants.

<sup>3</sup> During most of the period under review, children released from FARC-EP dissident groups were registered as released from FARC-EP. As of January 2019, children released from FARC-EP dissident groups were registered as released from residual organized armed groups.

49. The peace agreement included provisions for social services for the family members of former combatants, in particular children, as part of their reintegration process. UNICEF and the United Nations Verification Mission supported activities in the territorial areas for training and reintegration of children of former FARC-EP combatants to enhance their protection and promote child-friendly spaces and adequate childcare. However, providing sustainable social services to more than 800 children living in the territorial areas remained a challenge.

50. Security guarantees for the members of the programme remained a concern. As highlighted in my report on the activities of the United Nations Verification Mission in Colombia during the period 27 December 2018 to 26 March 2019 (S/2019/265), the killing of a young beneficiary of the “A different path of life” programme, was verified by the United Nations in February 2019. That case, along with other security-related cases, raised concerns about social and economic reintegration and the effectiveness of early warnings and protection measures for persons at high risk. By the end of February 2019, at least seven young adults participating in the programme had reported receiving threats, and their cases were addressed by the National Protection Unit. In two additional cases, young adults from the programme were victims of sexual violence and were once more recruited by armed groups.

51. Difficulties were also identified regarding the protection, comprehensive reparations, reincorporation and social and economic inclusion of the children included in the “A different path of life” programme. For example, the continued presence of active armed groups, including FARC-EP dissidents in some regions, and the lack of economic opportunities for families were two major concerns that continued to put children at risk of being recruited and used and hampered their access to education, health, shelter and income-generating projects.

52. Additional concerns were raised with regard to the informal release of children from FARC-EP prior to the formal demobilization process, as noted in my most recent report on children and armed conflict. Among those children who did not take part in the formal process, many decided to return to their families. Informal demobilization made them more vulnerable and limited their access to basic services. Also, as highlighted in my report on the United Nations Verification Mission in Colombia covering the period from 27 June to 26 September 2019 (S/2019/780), clarification by the Agency for Reintegration and Normalization and the Office of the High Commissioner for Peace was required with regard to the situation of 218 new cases of young people identified by FARC-EP who could be included in the programme.

53. Through the “A different path of life” programme, coordination has been strengthened among government institutions to guarantee the rights of boys and girls, and actions have been developed that are aimed at ensuring the protection and prevention of grave violations against children. However, there is a marked difference between the speed of the institutional response provided to children who had obtained access to the programme and that of the response provided to the children who had been demobilized outside the framework of the peace agreement, including those released from other armed groups, who should benefit from more adequate opportunities for their reintegration.

## **V. Progress and challenges in addressing grave violations against children**

### **A. Transitional justice**

54. Section 5 of the peace agreement between the Government of Colombia and FARC-EP is dedicated to the care and reparations for victims of the armed conflict.

In that section, the parties committed themselves to implementing a series of mechanisms, both judicial and non-judicial, and to measures designed to guarantee effective reparations to victims and to prevent the repetition of serious human rights violations and serious breaches of international humanitarian law. The mechanisms and measures were enshrined in the Comprehensive System of Truth, Justice, Reparation and Non-Repetition and exist as part of the Colombian State architecture. Their mandates are defined under national law.

55. The transitional justice system created under the peace agreement established sentences of a restorative nature and works within the principle that if the persons accused of serious crimes committed during and within the armed conflict contribute fully and in a timely manner to truth and the acknowledgement of responsibility, they could complete the equivalent of an eight-year sentence. All serious crimes committed in the context of the armed conflict are addressed within this same framework, including grave violations against children. Debate persists among various actors: some are arguing for the transfer of such cases to the ordinary justice system, where prison sentences would apply, while others are stressing the high rates of impunity for such cases in the ordinary justice system and the importance of revealing the truth and identifying patterns of grave violations against children in armed conflict as inherent to the transitional justice framework.

56. In 2019, the Government proposed a constitutional reform through proposed legislative act No. 38, in which it was stated that sexual crimes against boys, girls and adolescents should be submitted solely to the ordinary penal code and should be investigated and judged in accordance with the norms defined in the Code of Criminal Procedure. However, the proposed reform was rejected by Congress in November.

57. There also remain important challenges in terms of defining the legal situation of the boys and girls who, while victims of recruitment and use, committed grave violations while they were under 18 years of age, in particular those participating in the “A different path of life” programme. Constitutional Court decisions C-007 and C-080 of 2018 left open the possibility that they may have to face legal sanctions for their actions.

58. In July 2018, the Office of the Attorney General submitted two reports to the Special Jurisdiction for Peace on cases of the recruitment and use of children in the armed conflict, covering the period from 1973 to May 2016. According to the statistics provided, there were 4,219 investigations of 5,043 alleged perpetrators of crimes related to the recruitment and use of 5,252 children and adolescents, including 1,790 female victims. Also according to the information provided, some of the girls were victims of sexual violence during their association. The investigations had mainly been conducted in the departments of Meta (23 per cent), Antioquia (11 per cent), Guaviare (11 per cent), Putumayo (9 per cent) and Caquetá (7 per cent), followed by Tolima, Cauca, Cundinamarca, Chocó and Nariño Departments. The most common age of children at the time of their recruitment was 14. According to the Office of the Attorney General, the ordinary justice system has handed down only 10 condemnatory sentences for child recruitment, thus revealing a significant concern regarding impunity for such a grave violation.

59. Among the advances in terms of accountability is case No. 007, opened in March 2019 by the Special Jurisdiction for Peace, which focuses on incidents of the recruitment and use of girls and boys in the armed conflict between 1 January 1971 and 1 December 2016. The case, which is still continuing, was opened to initiate the phase of determining the truth, responsibility, facts and behaviours. Civil society organizations and victims of recruitment and use during the armed conflict have been called on to submit reports. In addition to child recruitment, also considered in the case will be behaviours that put at risk the life, physical or psychological integrity

and development of children. Such behaviour includes, for example, sexual violence (including rape, sexual slavery and forced contraception methods and abortion), child labour, restricted liberty and any cruel, inhuman or degrading treatment.

60. With regard to the participation of children in the transitional justice processes, in 2019, the Commission for Truth, Coexistence and Non-Repetition developed work sessions with children and adolescents to understand their perceptions and needs vis-à-vis the task of building a narrative that includes their experiences and perspectives. In November 2019, the Commission organized a national event entitled “Encounter for Truth”, in which the impact of conflict on children was recognized and responsibilities were acknowledged.

## **B. Prevention**

61. In 2016, Directive No. 10 was adopted, and guidelines for the prevention and protection of the rights of the child, which included the prohibition of the use of children formerly associated with armed groups for intelligence purposes, were subsequently disseminated.

62. In 2017 and 2018, through the government strategy entitled “My future is today”, established in collaboration with the United Nations, child recruitment prevention activities were carried out in 593 rural zones in 167 municipalities of 22 departments. The activities, which involved the participation of 30,016 children, 12,027 families, 3,949 community leaders and 4,075 teachers at 821 schools, were aimed at strengthening skills and building protective environments for children.

63. Between January 2018 and July 2019, the Presidential Council for Human Rights and International Affairs, through the intersectoral committee on preventing the recruitment and exploitation of, and sexual violence against, children and adolescents by illegal armed groups and organized criminal groups, promoted the implementation of activities aimed at the prevention of child recruitment. The activities included monitoring the dynamics and risks linked to child recruitment, following up on prevention activities implemented by national institutions that are members of the intersectoral committee, updating public policy to prevent child recruitment, providing technical assistance to local authorities to strengthen public policy to prevent child recruitment at the local level, promoting the investigation of reported cases of the recruitment and use of children and coordinating continuing projects such as “A different path of life” and “My future is today”.

64. In August 2018, the Government of Colombia issued Decree 1434, under which a public policy for the prevention of the recruitment and use of children and of sexual violence against children by organized armed groups and organized criminal groups was adopted. The decree set out the design and implementation of plans at the national and local levels for the prevention of grave violations, to be executed within one year. However, the steps taken towards the implementation thereof have not been documented. In November 2019, a new policy to prevent the recruitment and use of children and sexual violence against children was approved and was being rolled out at the time of writing.

65. As a result of joint efforts on the part of relevant State entities, the national policy for childhood and adolescence 2018–2030, aimed at the integral development of girls and boys and their access to equal opportunities, is in a process of continuous development.

66. My Special Representative for Children and Armed Conflict visited Colombia in November 2017, where she met with senior Government officials, the diplomatic community, United Nations partners and civil society organizations to follow up on

the implementation of the child protection provisions in the peace agreement between the Government of Colombia and FARC-EP, and urged the strengthening of adequate reintegration services for children released from armed groups. She returned to Colombia in May 2018 to take part in an event on lessons learned and best practices with regard to the prevention of child recruitment and the protection of children affected by armed conflict, jointly organized by the Government and the United Nations in Colombia.

## **VI. Observations and recommendations**

**67. I call upon all parties to abide by their obligations under human rights law and international humanitarian law and to end all grave violations against children. I am extremely concerned about the high number of cases of the recruitment and use of children by armed groups, in particular by ELN and dissident FARC-EP groups. I urge all armed groups to adopt and implement commitments to end this grave violation and release all children present in their ranks immediately. Children associated or formerly associated with armed groups and forces should be treated primarily as victims.**

**68. I welcome the progress that the Government of Colombia has made in preventing and responding to grave violations against children. I commend the advances made in the implementation of the prevention programme “My future is today”, which has empowered children and strengthened local communities and institutions seeking to mitigate recruitment risks. I encourage the Government to continue to prioritize its implementation, as well as the prevention of grave violations, in line with Security Council resolution [2427 \(2018\)](#). I call upon the Government to ensure that this and other prevention programmes have a budget allocated and institutions designated to ensure coordination and implementation in order to prevent new cases of the recruitment and use of children.**

**69. I welcome the issuance of Decree 1434, adopting a public policy to prevent the recruitment and use of children and sexual violence against children by organized non-State armed groups and organized criminal groups. I call upon the Government and local authorities to design and implement the ensuing plans in line with the Decree. I also encourage the strengthening of institutions and programmes that prevent child recruitment, in particular in vulnerable areas of the country, and exhort the Government to pay particular attention to migrant and refugee children, especially unaccompanied children, who are at higher risk of recruitment by armed groups.**

**70. I call upon armed groups to immediately cease the killing and maiming of children. I also strongly urge all parties to take additional extraordinary measures to protect children during military operations, including through the principle of precaution, and to avoid confrontations in areas in which civilians and children are present. I also call upon armed groups to end immediately and definitively the use of indiscriminate explosive devices that cause death or injury to children. Furthermore, I strongly encourage the Government to continue its activities related to mine risk education.**

**71. Sexual violence against children remains a great concern in Colombia, and I call upon all armed groups to end this violation immediately. I urge the Government to prioritize prevention activities and to ensure that adequate programmes are available and accessible to survivors. Furthermore, I appeal to the authorities to investigate, prosecute and sanction anyone found to be**

responsible for sexual violence against children, as well as all other grave violations against children.

72. I urge the Government of Colombia to pursue its efforts aimed at guaranteeing the implementation of the peace agreement to ensure the effective reintegration of children who have left the ranks of FARC-EP, while taking into consideration the specific needs of boys and girls, as well as their age and ethnicity, in all programmes.

73. With regard to transitional justice, priority should be given to the special protection needs of children as victims, but also as witnesses, and as perpetrators when they were associated with armed groups, through restorative justice processes and social rehabilitation, in accordance with their best interests.

74. I commend the efforts of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition to ensure the participation of children in the transitional justice processes and I welcome the advances in terms of accountability, with the opening by the Special Jurisdiction for Peace of case No. 007, which is focused on incidents of the recruitment and use of girls and boys.

75. In terms of reparations to victims, I urge the Government to strengthen the institutions of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, and to respond adequately and in an individualized manner to victims. It is important that children who are victims be recognized and registered in the registry of victims and that they gain access to assistance and reparations.

76. Considering the linkages between displacement and grave violations against children, I call upon the Government to strengthen its programmes and institutional response with respect to the relocation and return of displaced populations and to facilitate their access to basic services, including education and health care.

77. I commend the reaffirmation of the commitment to the implementation of the peace agreement and urge the Government to continue with the vital task of ensuring its continued implementation in the territories to ensure sustainable peace and that grave violations against children come to an end.

---