

PRELIMINARY OBSERVATIONS

STATUS OF IMPLEMENTATION – COLOMBIA

COMMITTEE ON VICTIM ASSISTANCE (Algeria, Ecuador, Sweden and Thailand) Intersessional Meetings 22-24 June 2021

1. The Committee welcomes the submission by Colombia of updated information on its victim assistance activities. Based on the information provided, the Committee presents the following preliminary observations.

Mine casualties

2. The Committee observed that Colombia reported 167 casualties in 2020, of which 93% were male and 11% were children, showing an increase in casualties in comparison to 108 casualties Colombia reported the year before. Colombia reported recording a total 11,986 victims of anti-personnel mines and unexploded ordnance (UXO) until the end of 2020 and that 81% (9,687 persons) of the victims have survived and 19% (2,327 persons) have been killed.
3. The Committee appreciates Colombia's efforts in disaggregating data on mine victims and would welcome additional information on impairment/disability of the mine victims.

VICTIM ASSISTANCE ACTIONS:

Strengthen partnerships and integrate victim assistance into broader national policies, plans and legal frameworks and designation of a government entity to oversee the (Action #33 and also Actions #1 and #6)

4. The Committee observed that Colombia reported that the Office of the High Commissioner for Peace (OACP) and the national mine action centre (AICMA) remains responsible for coordination of activities related to mine and unexploded ordnances (UXO) victims, while the Presidential Council for Participation of Persons with Disabilities is the entity responsible for issues related to disabilities including coordination, planning, implementation, evaluation and monitoring.
5. The Committee would welcome further information on integration of the needs of mine and UXO survivors into policies and programmes of the Presidential Council for Participation of Persons with Disabilities.

Develop and implement measurable, realistic and time-bound national action plan (Action #33 and also Action #2)

6. The Committee observed that Colombia reported that in the period 2011-2020, tangible progress has been made in the development of a regulatory scheme for the care of mine victims in relation to the implementation of Law 1448 (2011). Colombia reported that a national action plan/pathway known as “La Ruta de Atención Integral en Salud a Víctimas de MAP -MUSE” was designed and implemented to turn the provisions of the Law 1448 into action and to ensure provision of comprehensive assistance to the victims. Colombia reported that in 2020 the intersectoral coordination efforts were carried out to assess and identify challenges experienced in different stages of the implementation of La Ruta.

7. Colombia reported that the Law 1448 solely protects the rights and needs of civilian victims and that there are other legal frameworks, such as the Law 1471 (2011) protecting the rights of armed forces mine victims and persons with disabilities.

Removing barriers including physical, social, cultural, political, attitudinal and communication barriers to access such services (Action #33)

8. The Committee observed that Colombia reported that the removal of barriers is considered in La Ruta and access to services has been ensured and guided by various kinds of legal frameworks and policies in areas of health care, social protection, education, safety and protection, and so on. The Committee would welcome an update on the progress made.

Applying multi-sectoral efforts to ensure that the needs and rights of mine victims are effectively addressed in line with the Convention on the Rights of Persons with Disabilities (Action #34)

9. The Committee observed that Colombia reported making increasing efforts in accordance with the Law 1448 which establishes the measures of assistance, attention and comprehensive reparation to victims. Colombia reported that victim assistance has been integrated into relevant national plans, policies and programmes. The Committee recalls that in 2020 Colombia reported that victim assistance activities were in line with the Convention on the Rights of Persons with Disabilities (CRPD).

Establish or strengthen of a centralised database / national information management system (Action #35 and also Action #9)

10. The Committee observed that Colombia reported that AICMA is a member of a Technical Subcommittee on Information Management that has been created by Law 1448. The Subcommittee's objective is to support the design and implementation of processes and procedures that allow interoperability, traceability, and the efficient flow of information between the entities that are involved in the National System of Attention and Comprehensive Reparation to Victims (SNARIV).
11. The Committee recalls that in 2020 Colombia reported that information on civilian mine victims was registered in the Anti-personnel Mine Survivors Information Service (SISMAP). Colombia reported that the information is disaggregated by gender, age, disability, status, ethnicity and they were shared with relevant ministries including with public health surveillance protocol of the National Institute of Health. Colombia also reported that a centralised database on disabilities exists within the Ministry of Health and Social Protection (MOHSP).
12. The Committee would welcome further information on the integration of mine survivors' data into the centralised database on disabilities.

Access to first aid and ongoing emergency medical care (Action #36)

13. The Committee observed that Colombia reported that effective and efficient first aid is available in mine affected communities and that victims have been provided with emergency assistance and healthcare. Colombia reported that the MOHSP provides comprehensive healthcare assistance to mine victims and systems and plans are in place to ensure the victims access various kinds of rehabilitation and social programmes, including the Ten-Year Health Plan (2012 -2021), Public Policy for Comprehensive Health Care – PAIS among others.

Developing national referral mechanism (Action #37)

14. The Committee observed that Colombia reported that a referral mechanism has been in place within the General System of Social Security in Health (SGSSS) and referrals were also made by the regulatory centre for emergencies of each department.
15. Colombia reported that a special directory of health service providers has been used to facilitate access to services.
16. Colombia reported that SISMAP seeks to streamline and provide transparency to the registration process, characterisation and monitoring of the measures of care, assistance and comprehensive reparation to victims through the implementation of shared registration processes.
17. Colombia reported that following a review of La Ruta in 2020, efforts have been made to further coordination with the Emergency Regulatory Centre at the national level in order to strengthen the referral process in healthcare.

Access to rehabilitation services including physiotherapy, assistive devices and occupational therapy (Action #38)

18. The Committee observed that Colombia reported availability of comprehensive functional rehabilitation in accordance with Resolution 2481 of 2020 and La Ruta. Colombia reported that following an assessment of La Ruta in 2020, the following measures have been considered to improve access to rehabilitation. Colombia reported that the MOHSP has been implementing several regulations to ensure provision of efficient, effective and affordable medical care and functioning rehabilitation to persons with disabilities.
19. Colombia reported that the mine victims that are members of the armed forces or armed forces with disabilities are provided with rehabilitation through armed forces institutions such as the Ministry of Defense. Among other services available for armed forces with disabilities, the Inclusive Rehabilitation Centre (CRI) with cooperation of Korea provides rehabilitation and socio-economic inclusion support to them. Since 2016, the Centre has assisted 4,000 persons.
20. Colombia reported the following progress in 2020:
 - 4,646 victims have been identified benefiting from social security system in health;
 - Survivors have accessed to 83,790 health services in the different stages of their recovery and reintegration, such as emergency care, hospitalization, surgical services, rehabilitation, among others; and
 - In 2020, 561 records were registered in the SISMAP, according to the follow-up of assistance to victims.
21. The Committee recalls that in 2020 Colombia reported that the Ministry of Health and Social Protection (MOHSP) was working on a mechanism to improve tariff conditions in favour of assistive devices that Colombia imports, and would welcome information on progress made in this regard.

Access to psychological and psychosocial services including peer-to-peer support (Action #38)

22. The Committee observed that Colombia reported the availability of psychosocial support as an integral part of a comprehensive healthcare programme to mine victims and their family members. Colombia reported that psychosocial support to mine victims is provided through the Program of

Psychosocial Care and Comprehensive Health for Victims (PAPSIVI) in each territory. The PAPSIVI includes a set of interdisciplinary activities, procedures and interventions to provide comprehensive health care and psychosocial care, designed and implemented by the MOHSP.

23.Colombia reported that in addition to PAPSIVI, the psychosocial needs of mine victims are also integrated into mental health in accordance with relevant provisions in the Convention on the Rights of persons with Disabilities.

24.Colombia reported that La Ruta also contributes to the provision of psychosocial support to mine victims, including affected communities, and following review of Ruta in 2020, efforts have been made to improve the referral process to psychosocial support.

Access to social and economic inclusion services, including in rural and remote areas (Action #39)

25.The Committee observed that Colombia reported progress in areas of social and economic inclusion, including through allocating national budget of USD 247,086 to support six survivor associations, as a result the following activities were carried:

- 4,555 persons were provided training on mine risk education;
- 2,834 people received awareness on La Ruta and their rights;
- 17 municipalities were engaged in mine action activities;
- 11 survivor associations' capacity and partnerships were strengthened through the National Network of Anti-Personnel Mines and UXO Survivors Associations;
- 22 projects developed Survivor Associations were contracted to implement targeted municipalities; and
- Efforts were made to ensure mine victims' access to education.

Taking measure for safety and protection of mine survivors in situations of risks and emergencies (Action #40)

26.The Committee observed that Colombia reported that the Ministry of National Education promoted the strategy of risk management and education in situations of emergencies with the aim to strengthen capacities of certified territorial entities to prevent threats, risks with regards to safety and protection of students.

Strengthening inclusion and participation of mine victims and their representative organisations in all matters that affect them (Action #41 and also Action #4)

27.The Committee observed that Colombia reported that 11 associations of mine and UXO survivors were provided assistance to strengthen their national network, which is regarded as a significant effort in relation to participation and inclusion of representative organisations of survivors. Colombia reported that representatives of survivors have been actively taking part in mine action including by implementing risk education projects in partnerships with AICMA.

CROSS-CUTTING ACTIONS:

Demonstrate high levels of national ownership, including [...] by making financial and other commitments to implementation (Action #1)

28.The Committee observed that Colombia reported that USD 247,086 was provided to survivor associations to implement risk education projects. Colombia also reported several policy

developments in 2020, that demonstrate national commitments to meet the rights and address the needs of mine victims.

Ensure that the different needs and perspectives of women, girls, boys and men are considered (Action #3)

29. The Committee observed that Colombia reported that gender and diversity considerations have been taken into account in accordance with Article 3 of the Law 1448. The Law requires the government to ensure age, gender, ethnicity, sexual orientation, and disabilities of the victims are considered in relevant policies and programmes.

Challenges in implementation of Victim Assistance Commitments (Action #8)

30. The Committee would welcome information on challenges faced by Colombia in meeting the needs and rights of mine victims, and any support it may require, including from the international community, to fulfil its victim assistance commitments under the Convention and the OAP.