

Colombian intervention at “National action plans to implement the UN Guiding Principles on Business & Human Rights: stepping up Government commitments and action” delivered by the Presidential advisor for Human Rights, Paula Gaviria, 16th of November 2016

- Allow me first to thank the chair for the invitation and the opportunity to participate in this panel. It’s a great honor to be here.
- In the aim of quickly embarking on the type of **leadership** that is needed I would say that the key words are **commitment and sustainability**. Now, what do I mean by this?
- In 2011 after an important participatory process of victims and civil society, President Santos presented to Congress, and then Congress approved, the **victims and land institution law**.
- In the year 2012, the government of Colombia initiated peace talks with the **FARC** rebel group.
- This same year, 19.000 social leaders, and 9.000 organizations participated in a process to formulate an integral **Public policy on Human Rights**. The policy, adopted in 2014, has a long term vision- **2034 that aims to achieve** and we believe that can surely enable **policy coherence**. Business and Human Rights was identified as an essential priority from this consultations. And shortly after the 4th Annual Forum in 2015, the National Action Plan was adopted by the Colombian President Juan Manuel Santos. ..
- Today Colombia is close to putting an end to the protracted conflict that has elapsed for five decades. The strive to realize human rights is the flagship of this government. We are firmly convinced that –the only way to reach sustainable and stable peace– is through a strong commitment to human rights, which also implies as the SDG states, that No one must be left behind.
- We are aware that the world is looking at us being the first non-European state with a NAP, and we aim to lead by example in the implementation of this plan, by setting high demands on the performance of **State Owned Enterprises**.

- There is a need to strengthen government diagnoses on territorial conflicts that generate extractive projects. This is also recognized in the NAP. In Colombia, the post-conflict scenario can lead to an increase in social conflicts related to business activity, in this regard
- we recognize the need for joint efforts with Civil Society organizations, the Academy, and experts in the field.
- The space here today, and the opportunity to engage, listen to and learn from other actors is essential. We were privileged to count with a lot of support from the international community in the development of the plan. From countries such as the **UK, ES, CA, NL** and the **US** international actors including the **UN Global Compact**. I am pleased to be able to continue this collaboration and exchange in the current phase of implementation.
- Now, the UN guiding principles require **local adaptation. No, one-size fits all:**
 1. In Colombia the plan has to be implemented with a **territorial approach**. In order to guarantee the sustainability and its true impact, -the Plan's actions in the territory, seek to include local agendas recognizing the constitutional autonomy of the authorities and governments of the territories as well as the knowledge of their local context and their realities. We are currently working on pilot projects (Civil Society, Business and Local Governments) in Valle, Antioquia and Bogotá. With this work we hope to link in the local agenda the implementation of NAP through the territorial instances of Human Rights. (Territorial Committees, Sub regional Tables) and Public Policy tools (Territorial Human Rights Plans).
 2. **Mining and energy, infrastructure and agriculture** are the priority sectors of the plan. The Colombian Mining and Energy Committee, in which the presidency is involved, gives important guidance to companies. And is currently focused on analysis non-judicial remedy, risk and opportunities in the post conflict scenario for mining companies.
 3. We also work with **capacitation in order to empower actors** and encourage respect for human rights. A survey conducted at the launch of the plan, underlined the need to capacitate companies on UNGPs and reporting standards. That is why we work with the

Global Reporting Initiative to increase knowledge among CSOs and enterprises. In other words UN guiding principle 3.

4. We are working in inter institutional working group within the government to create **mechanisms for monitoring and evaluation** in the implementation of the plan.
5. **Participation is key.** It is an opportunity to strengthen the existing processes to guarantee rights. The Colombian NAP (in difference to other NAP) sets out an Advisory Committee which, as a governance mechanism. This is done together with the Ombudsman's Office, the Ministry of Interior and the entities responsible for implementation. The Committee will allow the implementation to be based on the actual local context and legitimacy.
6. The **guarantee of rights will be the victory of the stable peace** that we are seeking to construct and the participation is the best tool to reach this objective.
7. At last I would like to stress the importance of **public policy coherency**. The National Action Plan is a very important tool, but is part of part of bigger framework that includes the human rights policy, and development policy, as well as the peace building process. And today in Colombia's actual moment, it should be part and can play an important role as a tool for the peace building process.

Thank you.