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Cancillería
Misión Permanente de Colombia
ante las Naciones Unidas en Ginebra

DCHONU No. 1483/20

La Misión Permanente de Colombia ante las Naciones Unidas y otras Organizaciones Internacionales con sede en Ginebra saluda de la manera más atenta a la Oficina de la Alta Comisionada de Naciones Unidas para los Derechos Humanos con el fin de remitir al honorable señor Nils Melzer, Relator Especial Relator Especial sobre la tortura y otros tratos o penas crueles, inhumanos o degradantes, las contribuciones del Estado colombiano al informe temático que presentará durante la cuadragésima sexta sesión del Consejo de Derechos Humanos en virtud de la solicitud que realizara el 12 de agosto de 2020.

Las contribuciones del Estado colombiano versan sobre el procesamiento de comunicaciones oficiales y requerimientos de información realizados por el señor Relator.

La Misión Permanente de Colombia ante las Naciones Unidas y otras Organizaciones Internacionales con sede en Ginebra aprovecha la oportunidad para reiterar a la Oficina de la Alta Comisionada las seguridades de su más alta y distinguida consideración.



Ginebra, 16 de octubre de 2020

Al honorable
**OFICINA DE LA ALTA COMISIONADA DE NACIONES UNIDAS PARA LOS
DERECHOS HUMANOS**
Ginebra



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CONTRIBUTIONS OF THE REPUBLIC OF COLOMBIA TO THE THEMATIC REPORT OF THE SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT, October 2020.

The following are the contributions presented by the Government of Colombia to the thematic report of the special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, as per his request issued on August 12th, 2020.

A. Procedures for the processing of official communications and requests

Q: Please describe the procedures applied by your government in responding to / following-up on official communications transmitted by the Special Rapporteur, in line with the responsibilities of States outlined in para 2 of Human Rights Council resolution A/HRC/43/L.30 of 31 march 2020, including the initiation of measures of prevention, investigation, prosecution and redress as may be required under applicable international law.

1. “Allegation letters” (AL) and “urgent appeals” (UA) on specific alleged acts or risks of torture or ill-treatment:

Allegation letters and urgent appeals are responded by the Ministry of Foreign Affairs. The procedure for responding to these communications has been officially designated Procedure DP-PT-173 of the Ministry of Foreign Affairs. The procedure calls upon the Human Rights Division to receive official communications, circulate the allegations and appeals made to the relevant national authorities, gather the information provided by national authorities, and draft responses to allegation letters and urgent appeals.

Colombian law requires that all allegations of wrongdoing by public officials, especially in matters relating to torture, must be adequately investigated, and that if substantial evidence is uncovered, individuals responsible of wrongdoing will be duly prosecuted for their behavior.

2. “Other letters” (OL) relating to current or envisaged legislation, regulation or policy measures:

Colombia has received no other letters from the Special Rapporteur. However, the established procedure is the same as with allegation letters and urgent appeals.

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3. Country visit requests:

Colombia has received no country visit requests from the Special Rapporteur during his mandate.

Due to the current situation caused by the Covid 19 pandemic, it has not been considered appropriate to schedule any visit. Eventually, the Government of Colombia will evaluate the country visit requests based on the relevance of the matter and the possibility that the mandate holder can be accompanied by official experts.

B. Interaction regarding “Urgent Appeals”, “Allegation Letters” and “Other Letters”

Q: How does your Government self-evaluate its interactions with the mandate of the Special Rapporteur relating to official communications on specific concerns or allegations regarding torture or ill-treatment during the past four years?

Colombia considers that its interactions with the mandate have been fully cooperative. Communications received from the mandate during the Special Rapporteur’s period, to wit, UA COL4/2020 and AL COL 1/2020, have been fully and expeditiously responded. Colombia has provided all the information requested by the mandate and has provided evidence of the undertaken measures to address potential wrongdoing.

C. Interaction regarding Country Visit Requests

Q: How does your Government self-evaluate its interactions with the mandate in response to official requests transmitted by the Special Rapporteur to conduct a country visit during the past four years?

No request received.