

THE CHALLENGE OF CHANGE: CONTENTION REMAINS

Third Year of the Gustavo Petro
and Francia Márquez Administration

EXECUTIVE OVERVIEW

This report, 'The Challenge of Change: Contention Remains,' encompasses the third year of the Gustavo Petro administration. Nevertheless, as it has been pertinent in these Reports, it does not aim at an overall balance of the government; it strictly focuses on analysing the Human Rights situation and the responsibility the Colombian State has regarding it. Assessing structural factors explaining the violation of many of said rights is especially significant in this analysis, as it gauges how much they have been modified or whether they still remain, taking into consideration that a change was projected, an offer awakening much expectation.

It has been split into six chapters, each of which touches upon a particular point of view to lay on the facts and analyse the Human

Rights situation in Colombia. Its starting point is the international framework via a general assessment; it is followed by evaluating the result of the social reform endeavours; later on, the difficult situation faced in six regions is reported, followed by a chapter devoted to the balance of the 'Total Peace' policies; it finishes off with appraising the current democratic conditions in Colombia from a number of angles, as that has been highly controversial. Each chapter comprises a series of articles, having an interpretation hypothesis as a guiding thread.

A summary of the text and its main conclusions will be listed below, not without forewarning, of course, that a thorough comprehension and an improved value may only be obtained from an in-depth reading of the Report.

Chapter 1. International Context

Analysing the human rights situation in Colombia requires placing it within the world order transformations framework. The support the country has historically received in terms of cooperation and peace building is now under pressure from global changes altering the role of human rights as an ethical and legal landmark.

Moving towards a multipolar world led to a fierce hegemonic dispute where human rights

cease being the common ground amidst international affairs and often constitute an obstacle to overcome.

The 'America First' motto in the US government has radicalised demotion policies towards the region, tempering migration, cutting off financial aids, dwindling multilateralism and disdaining related values such as

supporting the Peace Agreement. In practical terms, no concrete actions have materialised beyond deportations, withdrawing USAID, some public quarrels with Republican senators and politicians, and certain warnings related to an alleged ‘closeness with China’, and the possible ‘decertification’ foreseen for September is still pending.

In Europe, political polarisation and the rise of the far right have redefined the global agenda, displacing cooperation priorities and reducing external resources, despite of which Colombia is still deemed a strategic ally and relevant commercial partner, though with financial adjustments in international aid.

Chapter 2. Right to Life: Old and New Risks

Colombia straddles one of its most critical humanitarian phases in the past eight years, visibly exacerbated in 2025. Violence is currently displayed collectively on entire communities subdued by different armed agents –including the State– amidst a territorial dispute leading up to different forms of violence such as recruitment, seclusion, massive forced displacement and, of course, murders and threats confirming the magnitude of the crisis.

The chapter puts together five articles reflecting the crude outlook: the persistent persecution to peace signatories and advocates,

violence against women and LGBTQI+ individuals; and structural State limitations in inclusion and protection.

It also underlines tensions surrounding regulatory progress in inclusions and rights, with a sector siding with equality and another one (e.g. the Congress) with global regressive trends. Women and LGBTQI+ organisations note the gap between the official discourse and the actual ineffectiveness of the State, which excludes their voices from crucial decisions involving peace, democracy and foreign policies.

Chapter 3. Change Indicators

The government accessing power under the ‘change’ promise rose expectations of social and political transformation, whose realistic progress in human rights relied on largely postponed structural reforms. A year from the administration concluding, results show partial progress, strong resistance from political and economic powers and a notorious gap between discourse and action regarding the environment.

Labour and pension reforms managed to gain access despite strong opposition and tortuous legislative proceedings. Though limited to recovering basic rights and overcoming inequities of the private system, these reforms were backed by citizens and mobilisations; on the other hand, the healthcare reform –despite the same social legitimacy– was thwarted by the Congress and Courts, leaving inequality,

corruption and structural crisis of the current system completely untouched.

The agricultural reform has been a historical and categorical grievance posed by the farming sector, rendering its substantiation unnecessary. In this case, the current government chose to lean on existing instruments, especially those laid out by the 2016 Peace Agreement and the land restitution law issued in 2021. There has been some progress in reinstatement, formalisation and restitution despite hardships, still far from what was avowed. Environmentally, the extraction model and the reliance on fossil fuels remain despite the official discourse of energetic transition. Communities in Cundinamarca, Boyacá and Santander uncover the territorial impact and question the government coherence before the climate crisis.

Chapter 4. Territorial Voices

A six-region sample illustrates one of the worst features of human rights disregard in Colombia, where violence befalls communities already worn by lack of financial choices and poor living conditions. 1) Catatumbo: the national peace capital in waiting; 2) Micay: bul-

lets are not the way; 3) Chocó: humanitarian situation; 4) Towards conflict characterisation in Mid-Magdalena; 5) Violence, isolation and illegal armed group expansion in five Caribbean departments; 6) North Tolima and human rights: a musing of inner Colombia.

Chapter 5. Perspectives on Peace: An Early Balance

Despite the initial good will from the government, it is clear no conducive peace process has been materialised. Due to the intricacy of violence manifestations, several aspects ought to be analysed to explain these regrettable results, some stemming from limitations in policies and others from challenges and resistance.

First of all, there is the paramilitary, reshaped and cemented via illegal economies and subjugating territories left with the Revolutionary Armed Forces of Colombia having demobilised, favouring groups not involved with the Peace Agreement. The main weakness of the policies posed has been not acknowledging them as the main obstacle for peace, lacking an integral strategy for its de-commissioning, and trusting their alleged will to legalise. 'Civil security fronts' fuelled by local powers reappear, there is no satisfactory progress by the National Commission of Security Guarantees, and defence policies reflect a paradox as both civilian space and respect

to protest have expanded but territorial violence persists, setting up illegal co-government forms between authorities and armed actors. Structural pledges such as aligning intelligence to human rights standards have not been met.

Adding to that, there are design errors and lack of a clear negotiation strategy, as well as lack of clear subjugation rules, cease-fire problems and weak humanitarian care. Systemic resistance is evident either by the Congress, the Armed Forces or local powers. Setbacks with the National Liberation Army led to breaches, violence and the political negotiation being forsaken in favour of military logistics.

Drugs policies have swerved towards security and control focus, a strong downturn regarding initial proclamations and grave uncertainties on programme continuity and concerns on reactivating practices such as chemical spraying.

Chapter 6. Democracy Redefinition Attempts

Addressing the Social Rule of Law and current state of democracy in Colombia, two approaches are seen: institutional behaviour respecting liberal democracy rules despite intense opposition and a will to move towards participative democracy despite limited institutional results.

Articles collected gauge chief items of this clash: tensions between representative and

participative democracies; weight of de facto powers such as entrepreneurial groups and the media; barriers set up by Courts and Congress to suggested reforms, defending a largely unequal social order.

Control bodies renovations and their partial progress facing serious debts in human rights guarantees are also analysed as well as the historical challenge faced by the Attor-

ney General to overcome decades of impunity, as exemplified by the case of the conviction against Álvaro Uribe Vélez, itself a milestone considering the persistence of the aforementioned impunity previously observed, rendering it significant and emblematic.

It is finally posed that the on-going changes must not be reduced to a government programme but instead understood as part of a historical transition which is already underway both socially and politically, whose effects set up the future political debate.

Recommendations

This issue of the report tracks 25 recommendations made in its predecessor, 'Pathway to Change', by the civil society to the National Government, Congress, control bodies and Public Ministry.

A lower figure was picked on this occasion, focused on urgent priorities favouring human rights, the implementation of the Peace Agreement and the strengthening of democracy.

Recommendations were sorted into three categories, namely Peace (8), Human Rights (14) and Democracy (3), with categories (low, medium and high) set up according to how much they have been met considering official data as well as what has been provided by the press and the civil society.

The balance reveals partial but fragmented progress: in terms of peace, there is division in three subcategories, namely Peace Agreement, Total Peace and Victim Reparation.

The monitoring made to these frameworks reflects non-compliance regarding the substitution of illicit crops, the implementation of recommendations made by the Truth Commission, and the Total Peace policy, imprinted by the suspension of dialogues with the National Liberation Army and weaknesses in their institutional articulation.

On the other hand, when it comes to human rights, some subcategories are listed such as advocates for human rights, gender and equality, social and political reforms and intelligence. In general terms, the text organises 15 recommendations where the overview

remains critical for those who promote human rights.

In this setting, despite positive signs such as the approval of the labour reform, the adoption of the LGBTQI+ branch of the National Council for Economic and Social Policies and specific actions by the Public Defender, an ineffective protection model was still identified as well as high levels of impunity regarding crimes against social leaders.

Finally, in the category of Democracy, recommendations in terms of legislative strengthening are submitted to the Congress as well as those which are related to absenteeism within that institution.

In second place, the Director of Public Prosecutions is mentioned and urged to heed the decisions made by the Inter-American Court of Human Rights on the destitution and debarment of elected public officers. In that respect, the levels of fulfilment are low in both cases.

All things considered, out of 25 recommendations, a low level of implementation still prevails, with progress being partial and fragmented thus far. Despite the political will declared, adherence to it has not been as expected, mirroring State difficulties to turn commitments into effective results.

It could be said that achievements made so far are limited by the inter-institutional articulation being scarce, the budgetary execution being low, political obstacles and frailty in territorial implementation, not to mention the absence of integral strategies.



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