

Evaluation of the OHCHR Colombia Country Programme 2017-2021

Evaluation report

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A team of external consultants has prepared this report. The views expressed herein are those of the consultants and therefore do not necessarily reflect the official opinion of OHCHR.

Composition of the Evaluation Team

Evaluation Team

The Evaluation Team was composed of two external evaluators, with extensive experience of human rights in Colombia.

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Table of Acronyms

• AWP	Annual work plan
• CEDAW	Convention on the Elimination of Discrimination against Women
• CERREM (Sp.)	Risk Assessment and Recommendation of Measures Committee
• CEV	Truth Commission
• COVID-19	Coronavirus disease
• CPEM (Sp.)	Colombian Council for Gender Equality
• CSO	Civil Society Organizations
• DPPA	Department of Political and Peacebuilding Affairs
• ELN (Sp.)	Army of National Liberation
• EOY	End of the year report
• ESCR	Economic, Social and Cultural Rights
• FARC (Sp.)	Revolutionary Armed Forces of Colombia
• FOTCD	Field Operations and Technical Cooperation Division
• GBV	Gender-based violence
• GoC	Government of Colombia
• HC	UN High Commissioner for Human Rights
• HQ	OHCHR Headquarters
• HR	Human rights
• HRBA	Human Rights-Based Approach
• HRC	Human Rights Council
• HRO	Human rights officer
• IHL	International Humanitarian Law
• IHRL	International Human Rights Law
• JEP (Sp.)	Special Peace Jurisdiction
• LGBTI	Lesbian, Gay, Bisexual, Trans and Intersex
• MoU	Memorandum of Understanding
• NGO	Non-governmental organization
• OAS	Organisation of American States
• OHCHR	Office of the UN High Commissioner for Human Rights
• OIOS	Office of Internal Oversight Services
• OMP	Office Management Plan
• PDET (Sp.)	Local Development Projects
• PMS	Performance Management System
• PMU (Sp.)	Centers of Unified Command
• PNIS (Sp.)	Integrated National Illegal-Drugs Substitution Programme
• PMS	Performance Monitoring System
• PPMES	Policy, Planning, Monitoring and Evaluation Service
• PwD	Persons with Disabilities
• RBM	Results Based Management
• RoL	Rule of Law
• SDG	Sustainable Development Goals
• SIVJRNR (Sp.)	Integrated System of Truth, Justice, Reparation and Non-Repetition
• The Office	OHCHR Colombia

- TJ Transitional justice
- ToR Terms of reference
- UBPD (Sp.) Search Unit for Disappeared Persons
- UEI (Sp.) Special Investigations Unit
- UN United Nations
- UNEG United Nations Evaluation Group
- UNP (Sp.) National Protection Unit
- UNVM UN Verification Mission
- UN Women United Nations Entity for Gender Equality and the Empowerment of Women

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Executive Summary

Programme Background

OHCHR has been present in Colombia since 1997. It is OHCHR's largest stand-alone field presence (103 staff), with headquarters in Bogota and currently 9 field offices across the country. In October 2019, the Government of Colombia and the High Commissioner signed a new agreement to extend the presence of the Office in Colombia until 31 October 2022. Since the signing of the 2016 Colombian peace agreement, OHCHR Colombia monitors and reports on the implementation of the human rights aspects of the peace agreement.

Evaluation Background

A funding agreement was signed with Sweden to support the OHCHR work in Colombia from 1 July 2017 to 31 October 2019. Subsequent amendments to this agreement have extended the support until 31 December 2021. As per that funding agreement, OHCHR was requested by the Swedish International Development Agency (SIDA) to carry out an independent evaluation of the OHCHR Colombia Country Programme 2017-2021.

Evaluation Methodology

The evaluation was carried out by two independent consultants between the months of August and November 2021. A mixed methodology was applied, which allowed for appropriate triangulation of information using the following methods.

- **Desk Review** of OHCHR Colombia's country programme document, the annual work plans, annual progress reports, previous evaluations, the Organisational Management Plan (OMP), other OHCHR strategies and studies as well as external documents and reports;
- **Secondary data analysis of existing data sets** e.g. monitoring information contained in OHCHR's Performance Monitoring System (PMS)
- **Field visits** to three of OHCHR Colombia's field offices (Barranquilla, Cali and Arauca)
- **Semi-structured interviews** (mostly conducted virtually) with key stakeholders in Colombia and in Geneva;
- **In-person thematic focus group discussions** during the field visits

Conclusions

1. The data collected indicate that there is broad agreement among stakeholders, inside and outside of Colombia, on the important role of the OHCHR Colombia Office for the situation of human rights in the country, and wide spread praise for its independent and crucial role in the critical Colombian human rights context, including in relation to the implementation of the peace agreement.
2. During the period under review (2017-2021), OHCHR Colombia has achieved important results in several areas of its extensive Country Programme. Evidence point to OHCHR's technical expertise, its effective use of the organization's public voice and the trust it has created with large segments of the Colombian population as crucial factors of success. Some of the results most appreciated by stakeholders include the following:
 - Extensive strengthening of human rights defenders/social leaders and prevention/protection programmes in the Ombudsperson's Office, the Ministry of Interior and the Attorney General's Office aimed at pursuing prevention, protection and investigation of attacks against human rights defenders.
 - Comprehensive support to the three bodies of the Integrated System of Truth, Justice, Reparation and Non-Repetition (SIVJRNR) resulted in increased technical capacity of the Truth Commission, the Special Jurisdiction for Peace and the Search Unit for Disappeared Persons. Trust built between many local CSOs and the three bodies of the SIVJR allowed for fruitful cooperation and crucial information flows.
 - Technical cooperation and sharing of information with the Attorney General's Special Investigative Unit (UEI), the Unit of Organized Crime, Citizen Security and Human Rights and the Office of the Deputy Attorney General resulted in increased AG capacity and progress on emblematic human rights investigations
 - OHCHR's presence and facilitation of dialogue in the context of social protest prevented violence and facilitated peaceful conflict resolution
 - Results not reflected in Annual Work Plans but equally effective include:
 - "protection through presence" at the very local level
 - use of OHCHR's public voice to embolden representatives of state institutions, UN agencies and diplomatic missions to take principled human rights positions
 - successful OHCHR efforts to counter initiatives to pursue policy and legislative initiatives contrary to international human rights norms
3. In terms of the scope and focus of the OHCHR Colombia Country Programme, available evidences for the period 2016-2021, suggest the concern that the Office might be too ambitious when drawing up its Annual Work Plans, the current one consisting of 13

expected results, 37 outcomes and 136 activities. The Programme is a result of an attempt to cover all aspects of its mandate: the multifaceted and complex Colombian human rights situation, the OHCHR Colombia role as a peace accord implementation monitoring actor, as well as the global OHCHR and UN thematic priorities (OMP and SDGs).

4. Data show the extensive national human rights capacity in Colombia and suggest that the OHCHR Colombia Country Programme should focus more strictly on the Office's strong comparative advantages, to complement the strengths of the national human rights community. Evidence suggests the following OHCHR Colombia comparative advantages:
 - a. The OHCHR Colombia Office's reputation as an independent, neutral and reliable actor
 - b. The highly respected public voice of the Office and the High Commissioner
 - c. The Office's convening power, based on its extraordinary access to key interlocutors, including, local communities, organized civil society, the media, high-level policy makers in all three branches of the State, the Colombian armed forces and representatives of the international community in Colombia.
 - d. The Office's organic connection to the UN human rights system (Special Procedures, UPR, Treaty Bodies and the Human Rights Council)
 - e. OHCHR's broad and comprehensive human rights mandate
5. The relevance of the Country Programme could be further enhanced by seeking increased coherence between country-specific human rights challenges, the capacity of national human rights community and OHCHR's comparative advantages.
6. The strategies used to achieve some of the results have shifted markedly during the period under review (2017-2021). Prior to the start of the current Country Programme, a new focus on accompaniment and capacity building of local communities to support their active participation in local policy-making and to strengthen ethnic governance structures reportedly took resources and attention away from monitoring, verification and reporting of serious human rights cases. A change of OHCHR Representative in 2018 led to attempts at reversing the strategy change, but the evaluations' conclusions point to continuous weaknesses (exacerbated by COVID-19) in the area of field monitoring and verification of cases. The evaluation concludes that bringing field monitoring and verification of cases to the core of OHCHR efforts, both at national and field office level, is an existing challenge that require special attention from Senior Management.
7. OHCHR Colombia has become increasingly involved in support to peaceful dialogue and prevention of violence by attending social protest situations. Through its presence

at these social protests, OHCHR has been able to directly address situations related to the use of force by law enforcement officials, as well as generate relief actions to allow access to medical assistance for those injured during their exercise of the right to peaceful assembly.

8. Long-term transformative human rights improvements (impact orientation) are difficult to identify during the 2017-2021 Country Programme. The OHCHR Office has been present in the country for almost 25 years, with many results to show, but a review of the annual reports since the establishment of the Office reveals that many of the most serious human rights challenges addressed by OHCHR during these years unfortunately persist, including high levels of impunity for serious International Humanitarian Law (IHL) and International Human Rights Law (IHRL) violations, the vulnerability of human rights defenders and social leaders, and the lack of effective State protection of local communities, often victims of violence in the context of organized illegal activities.
9. Interlocutors unanimously stressed the importance of OHCHR Colombia working through field offices and often suggested a strengthening and an expansion of the field presence. However, the findings of the evaluation suggest that several of the OHCHR Colombia field offices operate with much independence, sometimes without feeding established information systems or providing sufficient input to national activities, but also not being sufficiently involved in, or receiving support from the thematic work carried out in Bogotá. Considering the key roles that all stakeholders attribute to field offices for the accomplishment of OHCHR's mandate in Colombia, the evaluation suggests that Senior Management should focus its efforts in ensuring that all field offices consistently follow a unique strategy, respond to the same country priorities and that their efforts are fully aligned with the priorities established in the Country Programme and Annual Work Plans. Too much independence can jeopardize the results achieved by the whole agency.
10. OHCHR Colombia's Country Programme 2017-2021 and the five AWP's extensively include strategies and activities aimed at gender equality. The mid-term and public annual reports describe numerous gender equality outputs that were highly praised by representatives of women's organisations and other involved entities that the evaluation team spoke to. In relation to disability inclusion, while some activities were aimed at disability inclusion, the evaluation team has not found evidence that the Country Programme has sufficiently included this aspect.
11. The annual OHCHR Colombia report is by many considered the Office's most useful product, even if most CSOs interviewed find it increasingly timid. Many requested a return to an earlier OHCHR Colombia practice of follow-up to recommendations from the previous year in the annual report. Both OHCHR Colombia staff and external interviewees wished to see the Office produce public thematic and/or geographic reports through-out the year. Collected evidence suggests that many in favor of such reports blamed their absence on a certain degree of OHCHR self-censorship in view of government push back, not on a lack of mandate or capacity. According to the

conclusions of the evaluation, thematic and/or geographic reports would allow OHCHR to make best use of all the data collected at field level, it would increase its advocacy capacity and could also contribute to the advocacy efforts of local partners.

12. The evaluation team concludes that there is room for improvement in the area of coordination and cooperation between OHCHR Colombia and the UN Verification Mission. Collaboration at the local level has seemed to function better than at the central, more political level. At the local level, inter-personal skills and attitudes of individual coordinators and staff of the two respective entities have often helped to overcome the certain overlap of mandates. During the last year, coordination and cooperation has improved markedly even at the central level.

Recommendations

1. OHCHR Colombia should consider conducting a strategic planning exercise for the coming years characterized by:
 - a. A realistic notion of its available resources (“do what we can do, not what we want to do”¹)
 - b. A clear definition of its comparative advantages in relation to the capacity of the national human rights community (CSOs, NHRIs, academia, justice institutions, legislative and executive human rights actors) and the UN Verification Mission
 - c. An understanding of OHCHR Colombia as a voice, facilitator and bridge-builder, more than a direct implementer of for example capacity building and promotional activities
 - d. The full and equal participation of its field offices in a horizontal planning process
2. While maintaining flexibility to adapt to an evolving context, OHCHR in Colombia should ensure, during the next programmatic period, to avoid periodic shifts of focus and working methods as a result of a change of Representative by ensuring that OHCHR’s standard working methods are effectively used and included in staff’s job descriptions. This includes the necessity to ensure this strengthens OHCHR Colombia’s monitoring and verification capacity.
3. Retain its useful role as a bridge-builder and reduce its role as a direct implementer, by working much more with trusted partners (academia, specialized INGOs, other UN agencies etc.), according to the findings related to the comparative advantage of OHCHR in Colombia. Reflect on the need for large-scale OHCHR-conducted training programmes and massive OHCHR distribution of publications/promotional materials.²

¹ Interview with OHCHR Colombia staff person, Aug-Oct 2021

² In 2020, OHCHR Colombia organized 798 workshops/trainings and distributed 44.996 publications/promotional materials. End of Year Progress Report OHCHR Colombia (2020), p.3

4. Seek internal conceptual agreement on the ultimate purpose and role of the field offices in Colombia. Then, address and strengthen several management issues related to the optimal functioning of the field offices, including the following:
 - a. Determine, in writing, clear roles and responsibilities of the field offices and their staff, including use of OHCHR standard methodologies (monitoring & reporting, advocacy dialogue with local authorities etc.)
 - b. Take concrete steps to integrate the field offices into OHCHR Colombia's national activities, ensuring that thematic units and senior management in Bogotá consistently support the work of the field offices while receiving situation analysis and verified cases from the field offices
 - c. Strengthen the field offices by ensuring they are coordinated by experienced international staff (P4-level) and can count on the number of human rights officers and infrastructure necessary to effectively carry out OHCHR Colombia's programme in the regions. Critically assess the staffing needs in OHCHR Bogotá and consider deploying some Bogotá staff to the field.
 - d. Expand the coverage of OHCHR Colombia's field presence based on an analysis of the most violence affected regions and current gaps in OHCHR field coverage
 - e. Develop an OHCHR Colombia knowledge management strategy that provides for horizontal exchanges and learning between field offices
5. Continue to monitor social protests, provide "good offices" to facilitate dialogue and thereby prevent violence. Project future scenarios and anticipate possible increased demand for OHCHR's role in this context and realistically determine the scope of OHCHR involvement. Ensure sustainability of this area of work by setting realistic limits to OHCHR involvement. Avoid a "guarantor of agreements role" which would require monitoring of implementation of agreements that might not be sustainable/appropriate for OHCHR Colombia to take on. Develop a written strategy with clear objectives, recommended action and limitations that can provide guidance to field Coordinators and staff.
6. With strong backing from OHCHR Geneva, and based on a globally accepted OHCHR practice, assert OHCHR Colombia's mandated right to publicly inform (through the HC) Colombians and the international community of its field observations. Periodically produce and publish thematic and geographical human rights reports aimed at triggering the authorities' remedial action and civil society's advocacy efforts.
7. Re-initiate discussions with the UN Verification Mission in order to formally agree on and develop a coordination and cooperation protocol that can enhance and harmonize the current cooperation in the field and at Bogotá-level. Address duplications and consider a division of labor where mandates overlap.

8. Take stock of and properly document the multiple positive results not reflected in the AWP's but produced by OHCHR Colombia and highlighted in this report.
9. Plan and schedule comprehensive, external evaluations after the completion of each Country Programme, supported by reference groups made up of internal and external stakeholders. Ensure follow-up to evaluation findings, including from the 2019 OIOS internal audit and from this evaluation.
10. Consider commissioning an independent thematic evaluation/lesson learned exercise of OHCHR Colombia's ethnic strategy and activities, including a review of the aspects suggested in this report.

I Introduction

Programme Background

OHCHR-Colombia was established, upon request of the Commission on Human Rights to the High Commissioner (Statement by the Chairman of the Commission on Human Rights on the situation in Colombia of 23 April 1996) and the initiative of the Government of Colombia on 29 November 1996.³ OHCHR has been present in Colombia since 1997 and the Office is the organisation's largest stand-alone field presence. OHCHR's personnel (currently 103) is based in headquarters in Bogota and 9 field offices across the country. In October 2019, the Government of Colombia and the High Commissioner signed a new agreement to extend the presence of the Office in Colombia until 31 October 2022. As per the 2016 Colombian peace accord, and as reflected in the agreement signed in October 2019, OHCHR Colombia is mandated to also monitor and report on the implementation of the human rights aspects of the peace agreement.

Evaluation Background, Purpose and Objectives

During OHCHR's 24 years of presence in Colombia, few efforts have been made to independently and comprehensively evaluate the country programme.⁴ An agreement was signed with Sweden to support the OHCHR work in Colombia from 1 July 2017 to 31 October 2019. Subsequent amendments to this agreement have extended the support until 31 December 2021. As per that funding agreement, OHCHR was requested by the Swedish International Development Agency (SIDA) to carry out an independent evaluation of the OHCHR Colombia Country Programme.

Following this request, the evaluation of the Colombia Country Programme was included in the Office's Evaluation Plan 2018-2021 submitted to the Senior Management Team and endorsed by the Deputy High Commissioner, considering that an assessment of the work undertaken by OHCHR in the country, during recent years, will provide important information for OHCHR's future presence in Colombia.

The purpose of the evaluation was to assess the Country Programme and produce recommendations in terms of these evaluation criteria:

- Relevance – the extent to which the Country Programme has been and is still relevant to the situation in the country and the needs of stakeholders (both duty bearers and right-holders), and its focus is on the areas where it has comparative advantages;
- Efficiency – the extent to which the Country Programme has economically converted resources into results, including synergies within the organization and with the efforts of stakeholders and partners;
- Effectiveness – the degree to which the Country Programme's planned results and targets have been achieved, at outcome and output levels, including the identification of areas of intervention where results have not yet reached the expected targets;

³ E/CN.4/1997/11, <https://digitallibrary.un.org/record/238315?ln=en>

⁴ The results of one (1) previous evaluation/audit of OHCHR Colombia was shared with the evaluation team: Office of Internal Oversight Services (OIOS), Audit of the Office of the High Commissioner for Human Rights country office in Colombia, Report 2019/071, 15 August 2019

- Impact orientation – the extent to which the strategic orientation of the Country Programme points toward making a significant contribution to broader, long-term, sustainable changes on human rights issues;
- Sustainability – the likelihood that the results of the Country Programme are durable and can be maintained by the stakeholders in the future;
- Integration of a gender perspective in the human rights work and disability inclusion – the degree to which the results obtained have contributed to a gender focus and principles of non-discrimination and equality, with emphasis on women rights and disability inclusion.

The objectives of the evaluation were:

- To identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender and human rights integration;
- To produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results; and
- To produce clear and actionable recommendations identifying concrete actions and responsibilities for OHCHR to undertake towards these ends.

Evaluation Methodology

The evaluation was carried out by two independent consultants between the months of August and November 2021. The evaluation team worked in close collaboration with the OHCHR Colombia Office, the Evaluation Manager and the Americas section at headquarters to carry out the evaluation in line with the agreed upon inception report. A mixed methodology was applied, which allowed for appropriate triangulation of information.

The following methods were used:

- **Desk Review** of OHCHR Colombia's country programme document, the annual work plans, annual progress reports, previous evaluations, the Organisational Management Plan (OMP), other OHCHR strategies and studies as well as external documents and reports;
- **Secondary data analysis of existing data sets** e.g., monitoring information contained in OHCHR Colombia's PMA system;
- **Field visits** to three of OHCHR Colombia's field offices;
- **Semi-structured interviews** (mostly conducted virtually) with key stakeholders in Colombia and in Geneva;
- **In-person thematic focus group discussions.**

The field visits were hosted and organized by OHCHR Colombia's field offices in three very different regions: Barranquilla, Cali and Arauca. From Barranquilla, counterparts in Cordoba (Montería) were also visited and interviewed. Similarly, from Cali, stakeholders in Cauca (Popayan) made themselves available for in-person interviews.

The evaluation team interviewed a total of 120 stakeholders (51,5% men and 49,5% women), distributed over the following interest groups:

- OHCHR Colombia staff (current and former) 44
- Other UN agencies in Colombia 6
- GoC and State representatives 22
- CSOs 33
- Ethnic communities 6
- Church representatives 4
- International donors 5

Out of the 120 persons who informed the evaluation, 34 interlocutors participated in thematic focus groups during the three field visits to OHCHR Colombia's sub offices and 86 in bilateral interviews.

In line with the inception report, the evaluation team also prepared an online, self-administered perception survey with key stakeholders in Colombia and submitted it to OHCHR Colombia for distribution through its mailing list. Unfortunately the perception survey was not distributed. The lack of quantitative perception information constitutes a limitation of the evaluation.

2 Main Findings⁵

The evaluation team could witness the great appreciation Colombians of all stripes have for OHCHR Colombia. In a highly politically sensitive context, the Office has managed to keep its reputation as an independent and reliable voice for all rights-holders, particularly the victims of human rights violations and other vulnerable groups. But the findings also point to areas where the Office might want to reflect on possible adjustments, later summarized in the conclusions and recommendations of the report.

Relevance of the OHCHR Colombia Country Programme 2017-2021

- How relevant has the OHCHR Country Programme been in relation to the human rights situation in the country during the period of 2017-2021, the agreement between OHCHR and the Government, the HC/OHCHR global mandate, and OHCHR's Organizational Management Plan?
- How does the OHCHR Country Programme align with and support national plans, programs and priorities of national stakeholders on those issues that should be considered as human rights priorities in Colombia, taking into account OHCHR's comparative advantages and mandates of relevant national institutions?
- How does the OHCHR Country Programme and the support received from Sweden align with the strategy for Sweden's development cooperation with Colombia?
- Have the strategies used to achieve results been adequate for the local context and stakeholders, based on a context analysis where risks and assumptions were considered and assessed all along to adapt the strategies?

⁵ Main Findings presented according to evaluation criteria and evaluation questions agreed in the inception report.

OHCHR Colombia's Country Programme: in line with OHCHR's global mandate and the OMP

In short, the heading above summarizes the evaluation team's finding regarding the Country Programme's compatibility with OHCHR's global mandate and the OMP: no contradictions were reported. However, when addressing this evaluation question, the evaluation team benefitted from the OMP analysis produced by the Independent Evaluation of the Implementation of Results-Based Management at OHCHR (Sep 2019), which highlights that "because the OMPs comprise so many priorities and do not draw a hierarchy among them, prioritization is limited [and]... the OMP is too general to purposefully provide a strong steer on results-based resource allocation."⁶ This was confirmed in interviews with current and former OHCHR Colombia senior management who, on the positive side, did not experience the OMP to be a straight-jacket when designing the Programme. Rather, the priorities stemming from their analysis of the Colombian human rights situation could easily be accommodated under the OMP, but the OMP was of little help with prioritization, which many think is needed in relation to the OHCHR Colombia Country Programme.

One challenge identified by senior OHCHR Colombia staff is the "organisation's culture of not saying no", resulting in the "AWP filling up with many things".⁷ Today, the 81-page 2021 Annual Work Plan consists of 13 expected results, 37 outcomes and 136 activities. Evidence indicates this is a too unwieldy of a programme to function optimally and to effectively implement, follow-up and evaluate its effectiveness. Prioritization might therefore be of essence, but the OMP will not necessary be the tool needed. In the next section, the evaluation team discusses how priorities can be identified using a framework made up of the Colombia-specific human rights challenges, the national human rights capacities and the Office's comparative advantages.

OHCHR Colombia's comparative advantages vs. national human rights capacities

As mentioned above, the OHCHR Colombia Office is over-all highly appreciated in Colombia and the vast majority of interviewees would like to see it continue its important work. At the same time, collected evidence signals the profound and extensive national human rights capacity available in Colombia, including in State and Government institutions, National Human Rights Institutions, the legislator, the judiciary, in civil society and in academic institutions. The Evaluation Team therefore considers the concept of "comparative advantages" or "added value" crucial to the relevance review and analysis of the OHCHR Colombia Country Programme.

The national human rights capacity is difficult to precisely and comprehensively define, but it could include the capacities summarized in the box below:

⁶ Camille Massey and Mark Singleton, Independent Evaluation of the Implementation of Results-Based Management at the United Nations Office of the High Commissioner for Human Rights (OHCHR), Final Evaluation Report, September 2019, p.22

⁷ Interview with senior OHCHR Colombia staff.

Colombia's National Human Rights Capacity

Many argue that Colombia has the strongest national human rights capacity in Latin America. The network of organizations working for human rights include strong and well financed national institutions, as well as highly competent national NGOs, robust academia and think tanks. (1)

Civil society organizations:

- A large number of civil society organisations, possibly over 500, organized in networks and platforms pursuing human rights protection and promotion at the local, regional, national and international levels. (2)

Academia

- Academic institutions teaching human rights and implementing investigative and capacity building projects in the area of human rights. Of a total of 110 universities in Colombia, at least 17 are offering Masters' degrees in human rights and/or specialized human rights courses.

State institutions:

- The National Human Rights Ombudsman's Office (International A status), with regional offices in all of the 32 departments and a budget of USD 171 million (COP 649,994 million, 2021). (3)
- The National Procurator's Office, also with sub-offices in all 32 provinces, has a budget of USD 248 million (2020) and a staff of more than 4,100 employees. (4)
- Personería, or local (municipal and city districts), law graduated human rights focal points, with presence in 1102 municipalities and city districts in Colombia (part of the Public Ministry).

Government institutions:

- The Office of the Presidential Counselor for Human Rights.
- The National Protection Unit (UNP, Ministry of Interior) in charge of protection measures for human rights defenders, other social leaders and threatened groups has a budget of USD 247 million (COP 939.365 million, 2020).
- Extensive human rights departments in many government ministries, in the armed forces, in the police and in the prison service.

Transitional Justice System

- System of Transitional Justice with a budget of USD 148 million in 2020: USD 82,7 Special Jurisdiction for Peace, USD 39,8 Search Unit for Disappeared Persons and USD 25,9 Truth, Coexistence and Non-Repetition Commission (5)

(1) In addition to the entities listed here, Colombia has a well-developed judiciary and legislative branch with many human rights functions, including the rights-oriented work of the Constitutional Court.

(2) There are no official figures indicating the total number of civil society organisations, associations, networks and platforms of human rights defenders in Colombia. However, interviewees estimate that the three main human rights platforms in Colombia (the Colombian Human Rights, Democracy and Development Platform, the Colombia-Europe-USA Coordination Platform, and the Alliance of Social Organizations) bring together more than 500 human rights organisations.

(3) <https://www.defensordepueblo.es/transparencia/informacion-institucional-y-organizativa/estructura/organigrama/>

(4) <https://www.asuntoslegales.com.co/actualidad/el-impacto-economico-si-se-aprueba-el-aumento-de-la-nomina-de-la-procuraduria-general-de-la-nacion-3180751>

(5) GoC response to OHCHR Colombia's annual report 2021, A/HRC/46/G/8, 23 February 2021

The Evaluation Team has consistently asked interviewees what they consider the OHCHR Colombia's comparative advantages to be. Respondents, asked to take into consideration the national capacity, often mentioned the following OHCHR comparative advantages and added value:

- The OHCHR Colombia Office's reputation as an independent, neutral, trustworthy and reliable actor.
- The highly respected public voice of the Office and the High Commissioner.
- The Office's extraordinary access to key interlocutors:
 - including high-level policy makers (senior GoC officials, legislators etc).
 - local communities (including those sometimes not easily accessible to government/state agencies and/or the judiciary).
 - privileged access to the media.
 - privileged access to the international community (in Colombia and at international fora).
- The Office's effective bridge-builder role (as a result of above)
- The Office's organic connection to the UN human rights system (Special Procedures, UPR, Treaty Bodies and the Human Rights Council)
- The Office's broad and comprehensive human rights mandate

Given the impressive national capacity of the Colombian human rights community, the relevance analysis of the OHCHR Colombia Programme should therefore use the above comparative advantages as its starting point to ensure the Programme strengthens and complements national capacities, by adding value not already present in the wider Colombian human rights community (or potentially activated). The key relevance question then becomes, is the Colombia Office making optimal use of its comparative advantages, both when choosing strategies and when identifying areas of work/activities? Based on the data gathered, the next section will try to answer that question.

Evidence collected during the evaluation reveals that the relevance analysis shaping the OHCHR Country Programme should also take into consideration a possible focus on the human rights challenges specific to Colombia, as opposed to those generally prevailing in the region. This argument goes back to the creation of the Office and the initial focus on more context-specific human rights challenges at the time, such as: grave violations of international humanitarian law, state collusion with illegally armed groups, high levels of extrajudicial executions, enforced disappearances and torture, military justice system and attacks on human rights defenders. It is further argued that issues such as the right to participation, to prior consultation, insufficient realization of economic, social and cultural rights, discrimination against ethnic groups, respect for human rights by businesses and others, are issues that need to be addressed in pretty much all Latin American countries and that the Colombia situation is far from the worst in relation to those issues. Proponents of this view, recognize the international discourse rejecting a hierarchy among rights but argue that in a

context of finite resources (available to OHCHR and other human rights actors), OHCHR Colombia should be called on to prioritize certain rights over others. One interviewee quipped: “Yes, it's great if local ethnic governance structures are strengthened and they can better participate, but first and foremost they must survive the violence surrounding them.”⁸

Need to enhance coherence between country-specific human rights challenges, capacity of national human rights community and OHCHR’s comparative advantages

During interviews, interlocutors with a historical perspective on the Office stressed how OHCHR Colombia was established to respond to a very Colombia-specific context, characterized by:

- On-going internal armed conflict with extensive IHL and IHRL violations committed by all sides.
- Collusion and sometimes extensive cooperation between the Colombian armed forces, local authorities, some legislators and illegally armed groups.
- Government denial of such collusion and forceful rejection of national actor’s documentation of cooperation between illegally armed groups and state institutions/local authorities.
- Government failure to protect vulnerable rural communities and human rights defenders accused of sympathizing with guerrilla groups.
- Active Government engagement with the UN on human rights, but consistent rejection of the national human rights community’s well-documented reports.
- Need for a highly respected and independent voice to provide authoritative situation analysis and recommendations to the national and international community.

Interviewees point out that, in addition, Colombia shared many other human rights challenges with other Latin American countries, but the initial OHCHR Colombia programme was designed to address the Colombia-specific context described above.

Evidence shows how the focus of the OHCHR Colombia Office has expanded significantly over the years, from a strict conflict-focused monitoring/reporting/advocacy agenda during the first years of the Office, followed by technical cooperation activities (years later) and an ambition to also cover economic, social and cultural rights.

Later, the establishment of numerous field offices opened the door to a direct and continuous work with local communities, as opposed to brief investigative missions from Bogotá. Some of the activities pursued with local communities during the period of review are far from the original human rights priorities, including for example OHCHR capacity building for citizens participation in local policy-making and strengthening of ethnic communities' governance structures.

⁸ Interviews with stakeholders in Colombia and abroad, September-October 2021

The latest expansion of the Country Programme resulted from the inclusion of OHCHR Colombia in the 2016 peace accord which tasks OHCHR with monitoring, reporting and “accompaniment” (acompañamiento in Spanish) of several processes related to human rights, that are contemplated in the peace accord, in particular in relation to victims' rights in the transitional justice process (point 5 of the accord) and to security for victims and communities as well as for members of the political party formed by demobilized FARC members (point 2 of the accord). OHCHR Colombia was also asked to include a section in its annual report on the implementation of the human rights aspects of the peace accord.⁹

In addition to the areas in the peace accord where the Office is explicitly mentioned, OHCHR decided to also monitor the implementation of local development projects (PDET) and the government's Integrated National Illegal-Drugs Substitution Programme (PNIS). For that purpose, OHCHR Colombia decided to recruit two rural development analysts in November 2021. It is the evaluation team's understanding that no additional resources were provided to OHCHR Colombia for the tasks related to the peace accord, nor did the Office terminate other activities in order to accommodate the new activities.

Broad evidence and sources of information indicate concern about how broad the programme has become and questioned OHCHR's comparative advantage to carry out some of the activities, particularly those with local communities, while what they saw as “core human rights activities” were given insufficient attention.¹⁰ A frequent argument was: “only one UN agency has a mandate to monitor and verify alleged cases and bring them to the authorities' attention, let's not dilute that mandate with other activities”¹¹

Since the arrival of the current Representative in August 2020, OHCHR Colombia has gone through a process of consultations with staff in order to define priorities for the future. Those priorities are presented in a 13-page document shared with the evaluation team. As the areas of work, themes and approaches presented in that document are broad and numerous, it is difficult to identify substantial areas that have been de-prioritized and hard to assess if the Office will end up doing less or more, compared to previous years.¹² However, the stated intention of the Representative is to reduce the focus and prioritize certain areas in the AWP 2022 and the following Country Programme. Priorities would include:

⁹ The peace accord invites OHCHR Colombia to fulfill the following functions: <https://www.hchr.org.co/index.php/sobre-nosotros/onu-ddhh-en-colombia/mandato-de-la-oficina>

¹⁰ A water-shed moment can be identified in the 2018 End-of-Year Report (p.18) which states: “OHCHR Colombia gathered in Bogotá on 24 and 25 September 2018 to review its country strategy[...] The need to prioritize rigorous human rights monitoring in line with its core mandate, including the documentation of emblematic cases by the numerous field offices across the country was underlined for more efficient advocacy at the national and international levels.”

¹¹ Interviews with national and international counterparts in Colombia, Aug-Oct 2021.

¹² The following areas of work are addressed in the mentioned document: Violence and prevention, Protection of Human Rights Defenders, Peaceful Assembly and Freedom of Expression, Transitional Justice, Economic, Social and Cultural Rights, Human Rights and Drug Policies, Peace Accord, Priority Projects and Institutions, Visibility & Communication.

1. Documenting and exposing the wide range of human rights violations in territories where armed groups are expanding territorial control. Exposing how this violence is affecting human rights defenders and community and ethnic authorities. As well as showing the particular impact of growing violence on women and their leadership role.
2. Advocating for the strengthening of the implementation of the peace agreement to address this violence, including the implementation of a policy to dismantle violent groups and paramilitary structures and the strengthening of the early warning system of the Ombudsman's office and the institutional response.
3. Supporting HRD and communities and the state to strengthen collective and self-protection mechanisms; documenting threats and attacks on HRDs and helping to strengthen the institutional protection and prevention responses to them, including investigations.
4. Monitoring and advocating for respect for freedom of assembly and association in the country and strengthen dialogue processes and implementation of agreements that have resulted from such processes – particularly agreements that address grievances about inequalities.
5. Accompanying and strengthening the transitional justice mechanism and victims' capacity to interact with them.
6. Advocating for compliance with the rural reform agenda as the main tool to address inequalities in Colombia. Advocating for participatory implementation of local development project (PDETs) and a focus on substitution policies and respect for human rights in coca eradication.

Local capacity building and dissemination of international standards

The evaluation comes to the conclusion that the relevance of OHCHR's extensive training activities at the national and local level should be critically assessed. Targeted trainings, just like technical cooperation projects, can often be a strategic and effective way to engage with important interlocutors, but a review of the scope of the capacity building activities carried out by the Office during 2017-2021 indicates the use of capacity building, not only as a targeted strategic tool, but some years on a massive scale. Several of the End-of-Year-Reports from 2017-2020 report hundreds of yearly capacity building activities, last year reaching a total of 798 workshops/trainings.¹³ Also, as pointed out in the OIOS (Office of Internal Oversight Services) 2019 audit report of OHCHR Colombia, the Office lacks a clear plan for evaluating the impact of its numerous trainings.¹⁴

Seen through the prism of "OHCHR comparative advantages vs capacity of the national human rights community" it was argued that many of the OHCHR trainings could have been carried out by national actors. Interviewees suggested that OHCHR Colombia would still have an important role in identifying the needs/beneficiaries, and use its bridge-building function to connect to the most suited delivering organisations or institutions, and maybe even suggest

¹³ End of Year Progress Report – OHCHR Colombia (2020) p.3

¹⁴ Office of Internal Oversight Services, Internal Audit Division, Report 2019/071 (OHCHR Colombia), 15 August 2019, p.4

and connect with possible funding sources. OHCHR is already effectively collaborating with universities and specialized NGOs on many issues, including on training on the UN Guiding Principles on Business and Human Rights (Javeriana University and Rosario University) as well as investigative training of judicial operators (Chemonics, Development INGO).¹⁵ This is a model that could apply to other capacity building and technical cooperation activities that might not necessarily be carried out directly by OHCHR Colombia staff.

Similarly, the Evaluation Team took note of the number of promotional materials and publications on international norms produced and distributed by the Office. According to the End-of-Year-Reports, during the last three years, a total of 255.055 publications/promotional materials have been distributed by the Office.¹⁶ Several interviewees suggested this is an activity that is not necessary for a UN agency to carry out to that extent, in a context of high national human rights capacity, including a well-sourced and independent National Human Rights Institution, over 110 universities and other academic institutions, in addition to all the human rights NGOs and think-tanks already doing this. If specific gaps are identified in the national production of international norms and promotional materials, OHCHR Colombia could easily work with appropriate national actors and international donors to support the production of those materials, while avoiding straining its own resources.

OHCHR Colombia Country Programme and the Swedish Cooperation Strategy for Development Cooperation with Colombia¹⁷

On 6 May 2021, the Swedish Government approved a new Development Cooperation Strategy for Colombia (2021-2025). The new Swedish Strategy contains many priorities that coincide with OHCHR Colombia's current Country Programme. It aims to support conditions for sustainable peace and respect for human rights through a focus on the rights of victims, equality, accountability and access to justice. Geographically, it pays particular attention to the needs in those rural areas most affected by the conflict.

In addition to coinciding on those priorities, the OHCHR Country Programme and the new Swedish Cooperation Strategy align around a number of thematic human rights issues, the most obvious being:

- Protection of human rights defenders and social leaders
- Transitional justice processes, including property restitution and search for disappeared persons
- Rule of law and effective measures to address impunity for human rights violations
- Participation of civil society and independent media organisations

¹⁵ End of Year Progress Report – OHCHR Colombia (2020) p.12-13

¹⁶ End of Year Progress Reports – OHCHR Colombia (2018-2020). 73.822 in 2018, 136.237 in 2019 and 44.996 in 2020.

¹⁷ An agreement was signed with Sweden to support the Colombia Country Office's work based on the priorities of the Office's Country Programme 2018-2021 and its respective Annual Work Plans. As per the funding agreement with Sweden, OHCHR was requested to carry out an independent evaluation of the Country Programme. The ToR for the evaluation includes a review of how the OHCHR programme aligns with Sweden's Cooperation Strategy for Colombia.

- Increased protection from sexual and gender-based violence

OHCHR Colombia still has to develop its next Country Programme, but senior staff interviewed by the evaluation team are confident the next programme will equally coincide with key areas of the Swedish Development Cooperation Strategy for Colombia.

Effectiveness

- What have been the main results achieved in the key areas of the OHCHR Country Programme during the period assessed, if any?
- Where positive results of the OHCHR Country Programme were found, what were the enabling factors?
- Are there areas where it is not possible to identify positive human rights results? What prevented the OHCHR Country Office from achieving results in those areas? [See Impact section]

Important OHCHR Colombia results not explicitly included in the 2017-2021 Country Programme

Before looking at the effectiveness of some of the planned and expected results it is important to highlight the multiple unexpected positive results produced by the OHCHR Colombia office over the reviewed period. For example, many interlocutors reported feeling supported and to some extent embolden by the Office’s presence, activities and particularly its public stand on many crucial human rights issues. OHCHR reportedly helped to “raise the ceiling” in relation to many subjects. Representatives of the Colombian institutions, judiciary and the Public Ministry reported feeling strengthened to take principled human rights positions on the issues they dealt with in their daily work.

A similar effect was reported from within the UN community in Colombia. It was argued that the presence of OHCHR, and its known positions, makes it more difficult for other agencies, including the Verification Mission, to not take principled positions on human rights issues relevant to their respective mandates and activities.

Also, through formal and informal meetings with representatives of the Office, the Diplomatic Community in Colombia has a trusted source of information.

Further, the well-known position of OHCHR Colombia on a given issue can reportedly counter or hamper efforts to pursue policy and legislative initiatives contrary to international human rights norms. Often, the Office provides formal written input to legislative processes or to Constitutional Court reviews of bills, laws and particular human rights situations. Other times the OHCHR Colombia position is expressed by the Representative in a public event or to the media. For example, the JEP has been subject to misinformation in the media and unfounded political attacks since its creation. Stakeholders whom the evaluation team spoke to argued that the Office’s support of the work of the transitional justice process, including the work of the JEP, is publicly known and could have contributed to contain attempts to reform the jurisdiction and weaken its mandate. The Office’s public positioning on women’s and LGBTI rights reportedly had a similar preventive effect on efforts to weaken those rights.

In 2018 conservative members of Congress launched a bill to create a Ministry of Family Affairs, which would have been a clear setback for women's and LGBTI rights, but ultimately failed.

Positive results, not reflected in the AWP, are not only visible at the Bogotá-level but also in the regions. According to Colombian human rights defenders, OHCHR's mere presence in the provinces, its active reach-out to human rights defenders, state institutions, local authorities and local communities is part of an unformulated but equally elaborate and effective strategy of "protection by presence". This "strategy" includes:

- Cooperate with (or at least periodically meet with) the most exposed local organisations and communities
- Establish a fluid protection dialogue with local civil and military authorities,
- Signal to illegal and violent actors that their action is being monitored and will have consequences that might not be in their interest (publicity, judicial investigations etc.).

In addition to protection from physical harm, OHCHR's local presence through the field offices can also enlarge the space available for local associations and organisations to pursue their activities, many aimed at realizing and/or claiming rights. This reportedly happens through a number of dynamics, most importantly through the use of OHCHR's bridge-building function, which often open doors to local authorities for local organisations, or puts local communities in contact with CSOs based in regional centers.

Monitoring and reporting of cases of IHL and IHRL violations

This function has been unevenly exercised through-out the different field offices and during different time periods of the evaluation period under review (see also discussion on the role of the field offices). The country strategy followed by OHCHR Colombia since 2015 did not emphasize the importance of monitoring of human rights cases, but rather focused on local communities' right to participate and the strengthening of their governance structures.¹⁸ It consisted of four main areas:

- Observation and analysis
- Strengthening of communities
- Social dialogue
- Technical assistance to state institutions

This was a time of decrease in violations¹⁹ and growing hope for peace, when participation of and enabling the voice of communities was seen as critical. During this period, until September 2018 when different guidelines were provided by OHCHR country office leadership at that

¹⁸ ESTRATEGIA ONU-DDHH COLOMBIA 17 años promoviendo un cambio positivo en materia de derechos humanos: entre el conflicto y el pos-acuerdo ("Strategy, UN Human Rights Colombia, 17 years promoting a positive human rights change: between the conflict and the postaccord")

¹⁹ The number of individual attacks on human rights defenders continued to be high: 2014: 626 attacks, 2015: 682, 2016: 481, 2017: 560 (Source: Annual Reports of "Somos Defensores")

time²⁰, interviewees report a gradual de-prioritizing of monitoring and reporting in general and hiring preferences for field staff with experience from working directly with communities, rather than traditional human rights monitoring skills. This led to a deficiency of OHCHR-produced case information and an increased reliance on local civil society counterparts. The OIOS audit of OHCHR Colombia in 2019 reports that this situation resulted in a backlog of 25 cases of killings of human rights defenders that were not followed up in 2018.²¹

The evaluation found that the relationship with civil and military authorities is not uniform at field level. Not all field offices attribute the same importance to building capacities, trust and partnerships with civil and military authorities, while most of them feel very comfortable in supporting civil society organizations and accompanying ethnic community associations. This is an example of the large autonomy accorded to field offices that jeopardizes the agency's overall strategy and results. This heterogeneous implementation of the mandate at field level has caused weaknesses in collecting information about cases of violations and advocating with local authorities.²² This lack of verified and documented cases occasionally complicated the production of the annual report and unintentionally challenged the higher figures in relation to killings of human rights defenders registered by the Ombudsman's Office.²³ To fill certain gaps, last-minute additional research sometimes had to be conducted from Bogotá, according to interviewees.

The evaluation team received positive information about the scope and effectiveness of OHCHR Colombia's monitoring efforts. Due to the Covid-19 pandemic, OHCHR Colombia has had to reduce its monitoring and reporting activities during the last couple of years. The monitoring activities from 2017-2019 are therefore more representative of the Country Programme as a whole. In 2019, OHCHR Colombia conducted around 1.151 missions to monitor the human rights situation on the ground. It registered 36 massacres and documented 15 cases of alleged arbitrary deprivation of life by the Colombian armed forces. The Office also registered and published statistics on killings of human rights defenders. This information was used in multiple ways, most importantly in an on-going dialogue with the Colombian armed forces about their responsibilities to prevent and protect rights-holders and to support accountability for these crimes. OHCHR Colombia also used these monitoring results to publicly draw attention to the urgent need for preventive, protective and investigative measures (through the annual report and through statements issued in Bogotá).²⁴

In 2021, the Office has continued to conduct monitoring and verification of alleged human rights violations by the armed forces and is preparing a structured dialogue with the Colombian armed forces, in the form of four technical roundtables to be organized with the Ministry of Defense. The expected outcome of these roundtables is the full inclusion of international IHL and IHRL in all programmes, directives, orders and policies of the Ministry of Defense, the Armed Forces and the National Police. In addition, such technical meetings

²⁰ End-of-Year Progress Report OHCHR Colombia (2018)

²¹ Office of Internal Oversight Services, Internal Audit Division, Report 2019/071 (OHCHR Colombia), 15 August 2019, p.3

²⁴ End of Year Progress Report – OHCHR Colombia (2019)

²⁴ End of Year Progress Report – OHCHR Colombia (2019)

²⁴ End of Year Progress Report – OHCHR Colombia (2019)

are an opportunity to improve the dialogue between OHCHR sub offices and the police and military at the local level.²⁵

Based on the monitoring findings in the context of social protests in 2021, OHCHR Colombia developed advocacy notes on international standards on the use of force and fire arms by law enforcement officers, the deployment of the armed forces to address public order concerns, particularly related to peaceful protest and its consequences, which were shared with the Ministry of Defense, the Presidential Council on Human Rights and made public on the website. Also, OHCHR Colombia published in December 2021 a lessons learned document based on its monitoring during the 2021 social protests of the National Strike, to inform comprehensive reform of the National Police.

To achieve these monitoring results, some of the field offices have benefitted from technical support on monitoring and verification of alleged human rights violations from OHCHR Bogotá. As necessary and useful as this might be, the Office should aim to recruit field staff already with experience from monitoring and ensure they are already familiar with the OHCHR Field Monitoring Manual so that the focus can be on transferring skills from the field presences to local counterparts (as opposed to from OHCHR Bogotá to OHCHR sub offices).²⁶

Efforts to prevent and protect from violence against human rights defenders

In the face of the alarming statistics on attacks against human rights defenders and social leaders in Colombia, it is difficult to talk about an effective OHCHR result on human rights defenders, but the evaluation team has received and corroborated information from multiple sources indicating that OHCHR Colombia seems to have effectively achieved the results planned in this area. Unfortunately, those efforts have not stemmed the continued commission of violent acts against defenders, but many OHCHR activities can have prevented acts of harm to defenders. Protection programmes have been strengthened and investigative efforts have been effectively supported through OHCHR's activities. The most effective OHCHR Colombia activities to protect defenders reportedly include:

- Public and private advice to the GoC to take measures to avoid civil servants, office-holders and other policy makers' stigmatization of human rights defenders through public statements
- Training of local human rights defenders and authorities in the legal and material mechanisms for prevention and protection
- Support to and participation in early-warning mechanisms implemented by the Public Ministry²⁷

²⁵ OHCHR Colombia Mid-Year Report, Rule of Law, Security and Peace, 2021

²⁶ OHCHR Colombia Mid-Year Report, Rule of Law, Security and Peace, 2021

²⁷ In just 2020, the cooperation between OHCHR's field offices and the regional analysts of the Ombudsperson's Office led to the initiation of 50 early-warning processes. End-of-Year Progress Report, OHCHR Colombia 2020, p.12.

- Verification and submission of a large number of cases of threats and/or attacks against human rights defenders to the Risk Assessment and Recommendation of Measures Committee (CERREM) of the Ministry of Interior²⁸
- Regular OHCHR Colombia participation in the CERREM, which analyzes close to 500 requests for individual protection every month²⁹ and full involvement in the decision-making process that determines the specific protection measures³⁰
- Submission of cases of attacks against human rights defenders to the Attorney-General's Office and follow up of processed cases
- Technical support to the Attorney-General's Office, including training of prosecutors, investigators and forensic scientists in investigations of crimes against human rights defenders.
- The establishment and support of five local networks of human rights defenders in order to assess their security situation, enhance their capacity to engage with local and national authorities and provide spaces for exchanges and learning between organizations and networks³¹

OHCHR Colombia's role in monitoring social protests

OHCHR's involvement with acts of social protest is here treated separately from general human rights observation, monitoring and reporting because in that context OHCHR Colombia's engagement has reportedly often gone beyond just monitoring and reporting of violations. To quote one strategic counterpart interviewed by the evaluation team: "OHCHR has had a crucial role advising the strike committee and break the asymmetries [between protesters and the authorities] in relation to access to information and negotiation capacities"³²

Other interviews and reports describe how OHCHR Colombia, since almost two decades and certainly during the period of review, effectively facilitated meetings between protest organizers, local governments and representatives of public security forces, and held bilateral meetings with the different actors involved, reminding them of Colombia's international obligations on the right to peaceful assembly, discouraging the use of force, and encouraging them to strengthen the participation and political dialogue between the parties. The Office has also contributed to obtain greater protection for the members of the participating social organizations. It further drew attention to the violations committed during the demonstrations and accompanied investigative processes initiated before the authorities to ensure that the human rights violations reportedly committed by state agents were investigated.

²⁸ For example, in 2019, OHCHR Colombia participated in 58 sessions of the CERREM and presented 7,214 cases to this body. End-of-Year Progress Report, OHCHR Colombia 2019, p.11.

²⁹ End-of-Year Progress Report, OHCHR Colombia 2020, p.12.

³⁰ In 2017 alone, OHCHR Colombia participated in the definition of 8,261 protection measures. End-of-Year Progress Report, OHCHR Colombia 2017, p.13.

³¹ Networks in Chocó, Southern Bolívar, Arauca, Cauca and Serranía del Perijá (Cesar)

³² Interview with a representative of a Colombian State entity, October 2021

Remarkable OHCHR Colombia contributions were made to support negotiation, mediation and prevention of violence by being present during the civic strikes in for example Buenaventura (2017), the “indigenous march for life” (Minga 2017), the strike of the coca growers in Cordoba (2019) and the rural strike in Arauca (2020).

During the first half of 2021, OHCHR Colombia strongly advocated for dialogue between social movements and the State authorities to avoid an escalation of violence in the context of social protests situations in several locations of the country during the National Strike that started on 28 April 2021 and lasted for nearly 3 months. Through its presence at these social protests, OHCHR was able to directly influence situations related to the use of force by law enforcement officials, as well as generate relief actions to allow access to medical assistance for those injured during their exercise of the right to peaceful assembly. OHCHR Colombia staff were even present in the so-called Centers of Unified Command (Puestos de Mando Unificado) in different cities and could pursue direct and immediate advocacy in relation to the use of force by the authorities.

Sources indicate that OHCHR Colombia also followed up on its field work with written advocacy notes to State entities related to international standards on the use of force and firearms by law enforcement officials, on the use of the army in citizen security tasks within the framework of the exercise of the right to peaceful assembly and on the scope of the protection of article 21 of the International Covenant on Civil and Political Rights in relation to the blockades derived from the exercise of the right to peaceful assembly. OHCHR Colombia also provided crucial input to Presidential Decree 003 on the “Statute of reaction, use and verification of the legitimate force of the State and protection of the right to peaceful citizen protest” (January 5, 2021). For an analysis of the sustainability of OHCHR Colombia’s role in social protest, see Section 2.5 Sustainability.

OHCHR Colombia effectively “protects” and strengthens the Integrated System of Truth, Justice, Reparation and Non-Repitition (SIVJNR)³³

At first glance, it can seem illogical that OHCHR Colombia would invest heavily in supporting the SIVJNR given the impressive Colombian expertise in this area and the robust budgets of the three bodies making up the SIVJNR.³⁴ However, a closer look at that support reveals its strategic nature. First, the relatively large transitional justice team at OHCHR Colombia is/was almost exclusively made up of Colombians, including the expert consultants that supported the start-up of the JEP. Secondly, it can be argued that the OHCHR Colombia engagement consist of two components: technical support and public political support. The former is a natural ingredient in a TJ-support package, but interviewees suggest that it is

³³ The Integrated System of Truth, Justice, Reparation and Non-Repitition (SIVJNR in Spanish) comprises the set of mechanisms to guarantee the rights of victims to truth, justice, reparation and non-repetition stipulated in the Agreement for the End of the Conflict and to Build a Stable and Lasting Peace, signed between the Colombian Government and the FARC-EP. <https://comisionverdadcol.eu.org/en/multimedia/integral-system-of-truth-justice-reparation-and-non-repetition-sivjnr/> The peace accord invites OHCHR, UNHCR, ICTJ and the ICRC to accompany the implementation of Chapter 5 of the accords, which covers the rights of the victims. OHCHR Colombia cooperate with and has developed memoranda of understanding with each of the three transitional justice bodies.

³⁴ In 2020, the SIVJNR had a total budget of USD 148 million (82,7 JEP, 39,8 UBPD and 25,9 CEV). Also, the Colombia chapter of the well-known INGO International Center for Transitional Justice is the biggest in the world. Further, some of the worlds most experienced and sharp transitional justice practitioners and researchers happen to be Colombian, including the former UN Special Rapporteur on Transitional Justice, Pablo de Greif, and the international Truth Commission expert, Alejandro Valencia Villa (currently Commissioner on the CEV).

through the latter, OHCHR's public political support, that OHCHR Colombia really adds value in this area.

From the very early conceptualizing of what became the SIVJRNR, OHCHR Colombia has systematically and publicly supported the creation and design of an independent and effective transitional justice body. Even before the SIVJRNR, the Office played an important support role in relation to legislation and institutional set up and functioning of the Colombian Victims Unit and the Land Restitution Unit, important components of the Colombian transitional justice effort established under the Law on Victims' Rights and Land Restitution (2011). This has been achieved through written communications (public annual reports and public statements as well as advocacy notes/advise provided bilaterally to the authorities), the Representative's oral interventions in meetings, panels and seminars with participation from diverse sectors of society, including government officials, legislators and the media, and of course through staff's interaction with state counterparts at the technical level. A substantial part of this advocacy has reportedly been directed at preventing policy and legislative developments that could weaken the establishment and functioning of independent and effective transitional justice bodies.

In addition to the important political support, in the regions OHCHR Colombia has effectively used its bridge-builder function to inform local partners about the work of the three transitional justice bodies, promote participation and collaboration with the SIVJRNR through capacity and bridge-building with local communities. It could be argued that given the robust budgets of the TJ entities, this could have been done by their own outreach departments, but trust with local communities takes time to build up, which made OHCHR Colombia's contribution of a strategic added value.

The evaluation found that OHCHR was a key entry point for the Truth Commission and the Search Unit for Disappeared Persons (UBPD) to enter and operate at the local level. The Office supported the UBPD's regional agreements with local institutions on the issue of enforced disappearances, and in 2022 the Office will follow up on the regional plans to prevent disappearances and locate disappeared persons.

The Office not only brought together local institutions, civil society and victims' organisations with the SIVJRNR bodies but also helped to harmonize the unique indigenous justice system with the Special Jurisdiction for Peace.

Support to the ordinary justice system

OHCHR Colombia has also achieved encouraging results in its work to strengthen the ordinary justice system through technical cooperation and capacity building activities with the Special Investigative Unit (UEI) and the Citizens Security Unit of the Attorney General's Office. Priority areas of cooperation include strategies for the selection and prioritization of cases showing patterns of serious human rights violations, as well as ensuring serious human rights violations are investigated and prosecuted by the ordinary justice system and not by the military justice system.

OHCHR Colombia's efforts to strengthen access to justice is not limited to its work with the Attorney General's Office but also includes capacity building with human rights NGOs and platforms interested in pursuing strategic litigation in cases of serious human rights violations. For example, training on documentation of gross human rights violations took place in the framework of a working group made up of 11 organizations representing victims in ordinary judicial processes and with the Special Jurisdiction for Peace. Beneficiaries of these OHCHR activities, both from the Attorney General's Office and from civil society, attest to their effectiveness in interviews with the evaluation team.

Defending the rights of ethnic communities

The evaluation team learnt how much work OHCHR Colombia has undertaken to defend the rights of ethnic communities over the reporting period. The resources dedicated to this area do not seem to be fully reflected in the Country Programme 2017-2021, but do come out in the Annual Work Plans for the period under review. The 2021 AWP, for example, includes outputs and results in the following areas related to ethnic communities:

- Coordination and collaboration between the ordinary justice system, the JEP and the special indigenous jurisdiction
- Strengthened organizational capacity of ethnic groups to claim their right to land restitution
- Support to the realization of the right to health for ethnic communities
- Right to participation in decisions that affect ethnic communities
- Strengthening of ethnic peoples' governance structures in order to enhance right claims
- Contributions to OHCHR Geneva's annual reports to the Human Rights Council in relation to the human rights situation of ethnic groups

Further, it is clear from the extensive documentation received³⁵ and the interviews conducted with representatives of ethnic organisations (6 interviews in Bogotá and in the field) and interviews with OHCHR Colombia staff in charge of, or involved in, implementation of the mentioned outputs and expected results that OHCHR Colombia has also mainstreamed the rights of ethnic communities in many other activities and areas. This mainstreaming includes, for example, special attention to protection of indigenous and Afro-Colombian human rights defenders as well as ethnic communities' access to the three transitional justice bodies.

Evidences coming from representatives of ethnic organisations interviewed for this evaluation indicate that the activities of the Office in this area have indeed been effective. Indigenous and Afro-Colombian interviewees spoke warmly of the committed work of OHCHR staff, particularly in relation to accessing protection measures and basic services provided by state institutions, but also about extensive OHCHR accompaniment and capacity building of ethnic communities and their governance structures.

³⁵ Dozens of relevant documents, including strategies and progress reports on OHCHR Colombia's work with ethnic communities.

Given the resource limitations of this evaluation exercise, and the scope and depth of OHCHR Colombia's engagement with ethnic communities (which reportedly goes beyond what most OHCHR field presences pursue), the evaluation team suggests that a separate, thematic evaluation/lessons learned exercise be conducted to properly assess achievements and challenges in this thematic area during the last ten years of the OHCHR operation in Colombia. Some of the issues to be addressed in that thematic evaluation could be:

- Mainstreaming of ethnic considerations vs dedicated staff/activities
- Human resource needs: international/national staff, professional profiles (sociologist, anthropologist, international human rights monitors?), ethnic representation in OHCHR Colombia
- Optimal organizational arrangement in OHCHR Bogotá (separate unit, part of another thematic unit, advisor to the Representative?)
- Role of the "prioritized communities strategy" vs current strategy
- Comparative advantages of OHCHR Colombia and other potential actors to conduct this work
- Sustainability of OHCHR Colombia's ethnic strategy and activities

Efficiency

- How efficient has the OHCHR Country Office been in using the human, financial and intellectual resources at its disposal to achieve its targeted outcomes? Are investments proportional to achieved results?
- Have the organizational arrangements within the OHCHR Country Office been adequate to the OHCHR Country Programme priorities, context and stakeholders? How has been the coordination of the OHCHR Country Office with Headquarters on programmatic, financial and administrative issues?
- Which strategies and methodologies have been used to work together, communicate and disseminate results among the local stakeholders, donors, partners and the UN Country Team?

Efficient use of human, financial and intellectual resources

Based on existing evidence, the evaluation can point to the existence of relevant concerns about the Office's capacity to efficiently manage and implement projects. There was however an understanding of the fact that in 2021 much of OHCHR Colombia's human resources had to be present at and monitor the multiple social protests that broke out. Even so, interviewees felt that OHCHR was not really set up to fund its activities through standard international cooperation project processes, particularly not joint projects with other agencies. Interviewees expressed concerns about several operative deficiencies, including lengthy delays, lack of accountability and absence of visibility for donors. Therefore, the Office needs to decide if it is willing to and capable of meeting the expectations that come with project funding. If so, OHCHR Colombia should review operational capacities and consider setting up ad hoc teams responsible for implementation of any given project.

On the human resource side, the evaluation found that frequently OHCHR Colombia staff complained about being overworked and exhausted. Others pointed to the need for more counselling and mental health support, particularly in the aftermath of the recent social protests. During the social protest, staff worked extremely long hours under stressful conditions, at a time when many were already deeply affected by the consequences of the Covid-19 pandemic. This situation has been acknowledged by senior management and the Office is planning to hire a full time psychologist to help staff regularly debrief about their work, assist in team building and conflict resolution and be available for those who might need mental health support.

The need for knowledge management and opportunities for internal learning through horizontal exchanges and identification of lessons learned came up several times. OHCHR Colombia has now sought Geneva HQ support to put in place systems to improve information and knowledge management and has decided to develop better information management and analysis processes through the use of technology in 2022.

The use of multiple different contract forms for staff basically carrying out similar tasks was flagged and addressed by the OIOS audit in 2019. The evaluation team was told of a gradual improvement of the contractual situation since then. OHCHR Colombia is now undergoing a regularization process to ensure that staff working for the Office on a long-term basis are no longer employed as consultants, but rather, enjoy the full rights of working staff. The Office has also obtained clearance from Geneva to upgrade several administrative staff positions, recognizing real levels of responsibilities. OHCHR Colombia has also brought in a professional administrator at the P4 level to support adequate administrative management of the office.

One peculiarity in the OHCHR Colombia office is the number of staff with many years of service in the Office, including in different field offices. On the positive side, this creates a core group of staff with very profound knowledge of the national and even local contexts. However, evidence suggests that this could reduce the perception among government and other counterparts of the Office as a neutral and independent UN agency, operating strictly in line with a centrally agreed 5-year Country Programme. Sources express concern that, at the very local level, when the Office is working with communities over an extended period of time, independence and complete objectivity can be lost.

Considering the evidence collected during the research process, the evaluation team would recommend that OHCHR caps the maximum length of deployment in one and the same field office. Beyond a certain time-frame, OHCHR Colombia and the staff person risk experiencing a lose-lose situation.

Investments vs achieved results

In order to answer the evaluation question on proportionality between OHCHR Colombia resource investments vs. results, the evaluation team reviewed past and present resource

availability and compared to achieved results. This is by definition a highly imprecise exercise as results are inevitably subject to interviewees' judgement calls.

In terms of OHCHR Colombia's public products -the annual report, public statements (written and oral) and promotional materials- there is relatively little change over time.³⁶ The annual report has remained similar over the reporting period (and indeed, over the last 20 years). This is of course determined by two unchanging factors: a) the UN-imposed page-limit of the report, and b) the relatively unchanged OHCHR Colombia mandate agreed with the GoC.

The evaluation found a degree of frustration across civil society organizations because public output remains relatively unchanged despite the increased availability of resources compared to the earlier years of the Office.³⁷ This prevalent perception is based on the fact that the office produces a huge amount of information related to human rights violations that is not reflected in the reports, nor used for advocacy efforts. In the words of one of the sources: "the Office sits on so much information that never sees the light of day".³⁸ Indeed, the Reports reviewed by the evaluation team, together with multiple other qualitative evidence, indicate that some information gathering and analysis serves the limited purpose of providing analytical reports for the Representative, as it is not used for broader policy or advocacy efforts.³⁹

During the reporting period, the number of field presences has fluctuated between 9 and 18 field offices. Independently of that number, it seems that the information-gathering capacity of the Office has increased multifold while the public output has remained similar to periods with limited field presence, or reliance on field missions from Bogotá. Civil society views on this topic are clearly heavily influenced by the absence of OHCHR Colombia public, periodic reports (thematic and geographic), other than the annual report. Such reports would reportedly be of great support to civil society efforts to gain traction with the authorities on many human rights issues. OHCHR's annual reports and statements, together with those issued by the Constitutional Court⁴⁰, are reportedly those carrying the most weight and are those most frequently cited by civil society human rights advocates.

The evaluation team accessed information that indicates that OHCHR Colombia has made some efforts to produce public reports during this Country Programme, but these thematic reports were never published as consensus could not be reached internally on the relevance of publishing them. This creates a double negative effect: a) it decreases the efficiency of the teams that spend important efforts in a product that is not used for advocacy purposes, b) if

³⁶ Except for the production of promotional materials which has increased substantially.

³⁷ Availability of financial and human resources have been relatively stable over the Country Programme 2017-2021. The Office provided the evaluation team with a list of 103 staff. Sixty-two percent of them (including UNVs) are listed as fulfilling substantial human rights functions and 38 % serve in support roles (administrative, human resources and financial assistants, IT, security, drivers etc.).

³⁹ See for example Mid-Year-Report 2021, Rule of Law, Security and Peace, p.13

³⁹ See for example Mid-Year-Report 2021, Rule of Law, Security and Peace, p.13

⁴⁰ The Colombian Constitutional Court has declared "a state of unconstitutional affair" in relation to many human rights challenges in Colombia. The Court's public reports, its recommendations/decisions and follow-up reports are important references for human rights defenders in Colombia.

repeated, it can compromise the trust of partners in OHCHR capacity to publish high quality reports that respond to right-holder's needs.

During the last month of the period under review, the Office published a highly appreciated lessons learned document about the human rights dimensions of the April-June 2021 national strike, which effectively amounts to a thematic report. A very significant amount of work has been carried out to document and publish this report, which interlocutors agreed would become a key reference and advocacy tool to enhance freedom of association and peaceful assembly in Colombia and promote police reform.

Evidence collected during the evaluation suggest that although the the annual report is universally considered a very effective advocacy tool, it is not sufficiently extensive to communicate all the Office's findings and recommendations, and to respond to the expectations of counterparts. The conclusions of the evaluation point to the opportunity and need for the elaboration of more public reports on the diverse issues it is working on. Reports could have both a geographical and/or a thematic focus, depending on the advocacy goals set by the country strategy.

When inquiring into why so few thematic and/or geographic public reports have been produced, collected evidences suggest that there are three main reasons:

- 1) OHCHR Colombia senior management feels the political pressure from the government, which effectively results in OHCHR self-censorship
- 2) To research and draft a public report requires a lot of time and resources and everyone is already stretched
- 3) Staff knows that any draft report will be thoroughly scrutinized and it is likely that the original author will not recognize his/her initial product

Public reports are of course not the only way to make productive use of gathered data, but if, as reported, the Office has gone through periods of insufficient flow of information between field offices and OHCHR Bogotá, there seems to be a risk that the monitoring information is not properly feeding advocacy efforts at the central level

The data gathered on this subject (interviews and document review) therefore seem to indicate that one way of improving the balance between investment and achieved results could be to make enhanced public use of the monitoring information reaching the Office.

Use of OHCHR Colombia field presences – an important but undefined and shifting strategy

The Evaluation Team had the opportunity to interview many current and former OHCHR Colombia field staff and also conducted three visits to the field offices in Barranquilla, Cali and Arauca where staff and local counterparts were interviewed.

Practically all interviewees, staff and counterparts, agree that the field presences are of crucial importance for OHCHR Colombia's overall success, and many would like to see them strengthened. At the same time, the number of field offices, their leadership, focus and activities as well as the relationship with OHCHR Bogotá are areas receiving critical comments and suggestions by a large number of interviewees. These are some of the areas addressed by interlocutors interviewed by the evaluation team:

- a) Need for internal conceptual agreement on the ultimate purpose of the field presences:
1) to support high-level advocacy in Bogotá through monitoring and documentation in order to achieve structural policy and legal change at the central level; or, 2) to prevent violations, and protect and build local communities' capacities with the support of thematic areas and senior management in Bogotá; or 3) a mix of 1) and 2).
- b) The geographical deployment of field offices and the minimum composition of staff and other resources⁴¹
- c) The optimal profile of Field Coordinators and their responsibilities in terms of standard OHCHR field activities, dialogue with local civil and military authorities and periodic reporting to Bogotá
- d) The optimal profile and responsibilities of the Bogotá-based Coordinator of Field Coordinators
- e) The need to create one cohesive OHCHR Colombia Team, which equally includes Field Presences and the Bogotá Office, staffed by professionals that are familiar with and effectively use standard OHCHR strategies in the field, including monitoring, verification and documentation of cases, regular reporting, and dialogue with local civil and military authorities.

In general, differences between field offices and HQs in the capitals is a widespread phenomenon far from unique to OHCHR and Colombia, which does not make it less urgent to address.⁴² Collected evidence suggests that, during periods of time, the Office (Bogotá and field) was experiencing a lose-lose situation in which the field offices were not tuned into the latest policy and thematic developments at the Bogotá level, while Bogotá did not receive periodic and analytical reports from all the field presences, some of which reportedly neglected monitoring and verification of cases.

With the arrival of a new Representative in 2018, attempts were made to address this situation, which reportedly led to confrontations between OHCHR Bogotá and some field offices over reporting, monitoring and how the individual case information was used in Bogotá.⁴³ A number of factors contributed to this situation. Evidences indicate that as the activities of the field offices since 2015 were more and more directed towards accompaniment and capacity building of local communities as well as bridge-building with local

⁴¹ Some donors expressed surprise the the Office is not permanently present in large and conflictive departments like Putumayo, Caqueta and Cauca. At least one donor expressed an interest in financing additional field offices, if an appropriately argued proposal were to be presented.

⁴² Liam Mahony & Roger Nash, Influence on the Ground, Understanding and strengthening the protection impact of United Nations human rights field presences, Fieldview Solutions 2012

⁴³ Interviews with current and former OHCHR Colombia staff.

institutions/authorities and mediation in social protests, staff with a slightly different profile were hired for the field offices. OHCHR bread-and-butter skills, such as monitoring and verification with technical knowledge of IHL and IHRL, were no longer in such demand. Rather, persons with experience from working directly with local communities increasingly filled field posts, according to interviewees.

Several senior OHCHR staff confirmed to the evaluation team that, in their view, not enough key field activities and products⁴⁴ such as case verification and documentation of human rights violations were no longer produced in the field offices. One senior staff argued: “The Office turned too much to the work of accompanying communities. As a result, rigorous monitoring and documentation of violations was lost.” This testimony coincides with evidences collected by the evaluation team indicating that monitoring and documentation of violations was not attributed the necessary importance and predominance during the assessed period.

The evaluation team therefore stresses the need to seek internal conceptual agreement on the ultimate purpose and role of the field presences in Colombia. Next, OHCHR Colombia should address and strengthen several management issues related to the optimal functioning of the field offices (see list in recommendations section).

Also, several field offices consider the reporting to Bogotá to have become increasingly excessive. Collected evidence at field level suggest that not all the requested information is used and that a lighter communication burden would allow them to better allocate their time.

Coordination and planning with headquarters in Geneva/NY

Overall, OHCHR interlocutors in both Geneva and Bogotá are pleased with the coordination and cooperation, which reportedly gets a bit more “complicated” around the publication of the annual report, renewal of the mandate and replacement of the Representative. Most OHCHR Colombia staff are pleased with the support from Geneva, particularly from managers and officers in FOTCD. They however point out that the overwhelming majority of OHCHR Colombia staff has no, or very limited, contact with Geneva, and therefore an incomplete understanding of the global planning processes and priorities.

OHCHR Colombia also coordinates frictionless with OHCHR NY staff, mostly in relation to inputs to the Secretary General’s quarterly progress report on the implementation of the peace accords in Colombia and when Colombia is discussed in UN inter-agency fora.

The OHCHR Management Plan (OMP), with its pillars, “shifts” and “spotlight populations”, is not necessarily very present in the minds and daily work of most OHCHR staff. Staff report

⁴⁴ “Whether a presence is formally labelled “monitoring”, “observation”, “verification”, “technical cooperation”, or “advice”, one of its fundamental objectives must be to get good information and use it to influence human rights dynamics on the ground. [...] The daily interventions and constant discussions that human rights officers can have with authorities and other key stakeholders are the primary tools of any human rights field strategy”, Liam Mahony & Roger Nash, *Influence on the Ground, Understanding and strengthening the protection impact of United Nations human rights field presences*, Fieldview Solutions 2012, p.5, 13.

quarterly through the Performance Management System (PMS) but as concluded by the Independent Evaluation of the Implementation of Results-Based Management at OHCHR, many “doubt whether this information is easily navigable, accessible, and whether it is used to an extent that justifies the effort needed to use and maintain the system.”⁴⁵ In line with the findings of the mentioned evaluation, the PMS is only seen by interviewees as a reporting tool, “rather than as a knowledge management tool or an instrument for informed decision making”.⁴⁶ In 2019, when the Independent Evaluation of RBM at OHCHR exported a Colombian quarterly progress report to word format, it produced an 821-page document. The RBM Evaluation therefore concluded that “the costs, in terms of the amount of work needed to produce the report, is disproportionate to the benefits of each field presence, and arguably to the Office as a whole.”⁴⁷

Coordination and cooperation with the UN Verification Mission in Colombia

Interviewees, from both OHCHR Colombia and the UN Verification Mission (UNVMC), unanimously suggested that, when analyzing the entire Country Programme period, there was room for improvement in the area of coordination and cooperation between the two UN entities, but that cooperation had clearly improved during the last year. OHCHR staff with international experience argued that occasional friction between OHCHR stand-alone offices and peacekeeping entities have been a relatively common occurrence where they have co-existed (with certain exceptions) but should not be an excuse for the less-than-optimal collaboration reported in Colombia.⁴⁸ Most interviewees suggested that the collaboration at the local level has been functioning much better than at the central, more political level. At the local level, inter-personal skills and attitudes of coordinators and staff of the two respective entities reportedly is more important than the certain overlap of mandates. At the central level however, interviewees suggest that during the first 3 ½ years of the period under review the two entities failed to pursue effective coordination and cooperation. This situation has reportedly changed markedly during the last year when several important joint activities were undertaken, including collaborative mediation efforts during the social protest of the national strike in April-June 2021 and a joint mission to violence-struck Cauca department on 10 November 2021, followed by a joint press statement.⁴⁹

While the situation between the two entities in Colombia should be seen in the broader context of inherent tensions between the UN’s political and human rights bodies, interviewees argue that coordination and cooperation could have been done differently on the ground. First, an initiative to draw up a document between the two entities, defining the concrete areas of cooperation failed as it was never signed by the parties. Secondly, not enough has been made to discuss and agree on coordination in areas of overlap of mandates. It is clear that the UNVMC is very active in many areas that were previously the sole domain of

⁴⁵ Camille Massey and Mark Singleton, Independent Evaluation of the Implementation of Results-Based Management at the United Nations Office of the High Commissioner for Human Rights (OHCHR), Final Evaluation Report, September 2019, p.17

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Attempts were reportedly made to develop a joint document (“Pautas para Trabajo Conjunto-Guidelines for Joint Work”) but after four months of designing the protocol, consensus was not reached and it was not signed.

⁴⁹ <https://www.hchr.org.co/index.php/informacion-publica/comunicados-de-prensa/ano-2021/10222-comunicado-conjunto-de-la-mision-de-verificacion-de-la-onu-y-a-la-oficina-en-colombia-de-la-alta-comisionada-de-la-onu-para-los-derechos-humanos-sobre-visita-a-cauca>

OHCHR, such as support to human rights defenders with the Ministry of Interior (UNP), with the Ombudsperson's Office and the Prosecutor General's Office (UEI).

The peace agreements attribute a broad responsibility to OHCHR, but the resources of the agency are limited, and the entity faces real risks to overstretch its personnel in its willingness to cover all the HR aspects related to the implementation of the peace agreement. An internal reflection on the areas of the peace agreements where OHCHR monitoring could bring the highest added value is recommended.

Evidence confirms that OHCHR's mandate is very unique in the UN family (monitoring of the human rights situation, public voice etc.) and should be taken full advantage of, instead of duplicating efforts where a well-sourced UN mission, together with other agencies, can follow up on the development aspects of the peace accord.

In relation to coordination and cooperation with the UN Country Team, the evaluation team was told that the current OHCHR Representative participates in all UNCT meetings and has managed to mobilize the other UN agencies on key issues. In August 2020 a joint statement of concern on the increased occurrence of massacres was issued by the UN system. During the social protests in 2021 a joint statement was also issued by the UN system on the initiative of OHCHR Colombia.

Impact Orientation

- To what extent is the OHCHR Country Programme making a significant contribution to broader and longer-term enjoyment of rights? Or how likely is it that it will eventually make this contribution?
- What changes in the programme, strategies or organizational arrangements of the OHCHR Country Office could be made to address areas where positive results have not yet been achieved?

As one OHCHR interlocutor expressed it: "Impact is a big word" Indeed, as defined in the OECD/DAC Evaluation Criteria, impact refers to "higher-level" transformative change while the criteria "effectiveness" measures the degree to which results/outcomes have been achieved.⁵⁰

As we have seen under effectiveness, OHCHR Colombia has produced many significant and highly appreciated results during the reviewed period, which the team should be proud of. However, the evidence gathered through interviews and document review indicate that in terms of "higher-level impact" many of the fundamental human rights challenges that motivated the Colombian CSO's quest for involvement of the UN human rights system in Colombia remain today, including continued high levels of impunity for grave human rights violations.

When asked about OHCHR Colombia's impact several interviewees argued that it comes down to: a) a judgement call on what constitutes success and, b) what can be traced to

⁵⁰ "Better Criteria for Better Evaluation, Revised Evaluation Criteria Definitions and Principles for Use, OECD/DAC Network on Development Evaluation", 10 December 2019, p.11

OHCHR. For example, are the many judicial processes against alleged perpetrators of “false positives” proof of impact? Or is it disappointing that the pattern was not identified and made public earlier, or that relatively few high-ranking officers have been sentenced?

Sources also bring up the area of victims’ rights as an area where they have seen a drastic shift of State attitude, and, in general, a broader societal change of attitude. They point to the Colombian victims’ and land restitution law of 2011 and the increased respect for victims’ rights in State policies and agreements, most importantly in the final peace accord of 2016. Many agree that this is an incredibly important change, even transformative (though some argue that it is mostly a change of discourse). Evidence suggests that the Office has contributed to the increased respect for victims’ rights, including through its contribution to the inclusion of a chapter on victims’ rights in the peace accord, but some argue that the increased focus on victims’ rights is a global development that sooner or later would have been interiorized by the Colombian government anyhow.

Evidence collected during the evaluation process bring up two other areas where transformative change has taken place with the support of the UN. Firstly, they argue that the human rights content in the recent peace process compared to previous processes is impressive, thanks to a united front between mostly CSOs, OHCHR and supportive UN member States. Secondly, as a result of OHCHR (and many of the other 27 UN agencies present in Colombia) deploying staff to remote field locations, a spot-light has been shone on the level of socio-economic inequality between remote rural areas in some departments and the developed middle-income country in Bogotá and Medellín where most policy makers spend their lives. This has reportedly triggered the development of sophisticated indicators and inequality monitoring efforts on behalf of national planners and policy makers. OHCHR Colombia’s continued attention to inequality (as a violation in itself and as an underlying cause to other rights-deficits), through the annual reports and other public statements, has reportedly had an important impact on state efforts to address inequality.

In relation to the second evaluation question above (programme changes aimed at impact), many think of the shocking numbers of human rights defenders and social leaders killed every year during the period under review, which is most OHCHR-respondents’ biggest frustration. They all confirm the top priority OHCHR Colombia already gives to this issue, and lists all the effective results achieved (see effectiveness), but transformative change (impact) in the form of a drastic reduction of attacks on HRDs is still elusive. OHCHR staff argue that HRD protection requires broader changes to conditions at the local level, changes that go beyond the mandate and resources of the National Protection Unit in the Ministry of Interior and those of other specialized units. They involve addressing contexts of illegal and violent economies at the local level, as well as a lack of a state presence and failure to address inequalities, land grabbing and environmental degradation at the very local level. All of this in a country with an extension of over 1 million km² and an extremely complex topography.

Meanwhile, OHCHR Colombia should continue to prioritize the issue given its gravity, through its on-going work with the Protection Unit of the Ministry of Interior, the Attorney General’s Office and the Ombudsperson’s Office. It should also make sure it has the

monitoring and documentation capacity to quickly verify the many alleged cases submitted to it by civil society, avoiding a back-log of cases which reportedly has been a problem in the past.

Sustainability

- Are the results, achievements and benefits of the OHCHR Country Programme likely to be durable?
- Has the OHCHR Country Office contributed to build national ownership and necessary capacity among local stakeholders to continue working on the key issues addressed by the OHCHR Country Programme?

The evidences collected along the evaluation process suggest that OHCHR Colombia's activities are not necessarily designed to be sustainable. After 25 years of continuous renewal of the mandate and a chronically difficult human rights situation the evaluation team has not noticed explicit or obvious "exit-thinking" in the design of OHCHR Colombia's activities or in the discourse of interviewed staff.

It could be argued that the extensive capacity building carried out by the Office during the period under review is per definition an activity contributing to sustainable improvement of rights-holders capacity to claim their rights. The question is rather: is it, from an efficiency and sustainability perspective, a UN agency's role to directly train individuals at the very local level? The answer to that question might depend on the national capacities in any given country. In the case of Colombia, where there is such an extensive network of qualified CSOs and profound knowledge of international human rights norms, it would seem more sustainable to partner with civil society organisations that could carry out the trainings and, in the process, strengthen their organisations and their long-term capacity to operate at the very local level.

Some of OHCHR Colombia's local activities are more focused on the widely recognized bridge-builder capacity of the Office than direct training of individuals, including for example an OHCHR-facilitated dialogue between local women in Carmen de Bolivar and representatives of key state institutions in 2020. In Carmen de Bolivar municipality the Office brought together representatives of the Gender Secretariat and the International Cooperation Office of the Regional Government of Bolivar Department, representatives of the Ombudsman's Office and the Social Prosperity Agency in an exchange with local women on public policy on gender, pathways to attend to gender-based violence, access and design of international cooperation projects. Here, OHCHR is using one of its comparative advantages (access to authorities/institutions) to pursue sustainability through the establishment of trust between rights-holders, their associations and the local and regional authorities/institutions.⁵¹

Similarly positive examples of institutional strengthening successfully carried out by OHCHR Colombia can be identified in relation to the extensive engagement with the transitional justice system (see "Effectiveness"), the Ombudsman's Office (particularly its Early Warning system) and the Attorney General's Office (Special Investigative Unit). However, several interviewees

⁵¹ OHCHR Colombia, End of Year Report, ESCR and Gender, 2020

asked about the sustainability of OHCHR's programme praise these capacity building activities, but caution that the quick turn-over of State officials seriously hampers the impact of those activities.

In relation to OHCHR Colombia's role with different forms of social protest, most persons interviewed found OHCHR presence at the scene of potentially tense or violent demonstrations a priority for the Office. Such presence allows for first-hand observation and documentation of violations taking place in the context of protests. However, multiple sources, including some staff, did not think it was sustainable for OHCHR to become the primary go-to mediator and guarantor of agreements between the authorities and protesters. It was argued that such a role requires follow-up and monitoring resources not available to the Office. It is therefore slightly concerning that in interviews with relevant state institutions, the evaluation team was told that civil society organizations now often demand the presence of OHCHR on the scene, and as guarantor for possible agreements, as an explicit condition for sitting down to negotiate with the authorities.

Many national voices insist on the necessity for the Office to not just monitor, advice and report on violations but also facilitate dialogue and function as a guarantor of agreements. Given that social protests take place relatively frequently and in many different parts of the country, OHCHR needs a realistic, office-wide strategy and engagement policy, which should be well-known and easily applied, by colleagues in Bogotá and in the field offices. It should provide guidance and criteria for when to engage and with which objectives. A decision also has to be made on its role as a mediator and guarantor of agreements between protesters and the authorities. From a sustainability point of view, it seems highly uncertain that OHCHR Colombia could play the more ambitious role of mediator and guarantor if social protest in Colombia continues at the level of the last couple of years (or increases?). Once again, existing national capacity should heavily influence this decision on how far the Office should extend its services. Seen from an international perspective, there are few well-resourced Ombudsperson's institutions with a dedicated, thematic Ombudsperson and staff for the particular issue of social protest, which is the case in Colombia.⁵²

Gender equality and disability inclusion

- Did the OHCHR Country Programme plan results that contributed to gender equality and disability inclusion? Were women and persons with disabilities consulted during the planning stage?
- Have the programme's monitoring activities collected data disaggregated by sex and disability? Do the benefits of the programme accrue equally to women and persons with disabilities?
- Did the Country Programme achieve specific results in the areas of gender equality, women's rights and disability inclusion?

The Country Programme and the Annual Work Plans address many aspects of gender equality, including violence against women, access to justice and the right to health. This work

⁵² Defensoría Delegada para la Conflictividad Social, Defensoría del Pueblo Colombia

is pursued in several ways, based on close collaboration with women's rights groups, key Colombian institutions and other UN agencies. Most importantly, the Office is aiming to influence policy and practice, but also ensures its own empirical experience through OHCHR case monitoring of GBV incidents (or jointly with the Ombudsperson's Office).

OHCHR Colombia has provided information on its collaboration with several Colombian institutions on gender equality, most importantly with the Colombian Council for Gender Equality (CPEM). During the pandemic, OHCHR Colombia and the CPEM have cooperated on analysis of effects of the pandemic, including on violence against women and the deteriorating employment situation of rural women. One encouraging result is once again OHCHR's effective use of its bridge-building capacity and persuasive advocacy in order to convince CPEM to pursue the inclusion of women's organisations in the Colombian Action Plan to implement Security Council Resolution 1325. In addition to the work with the CPEM, OHCHR collaborated with and issued recommendations on violence against women to a total of 37 State institutions.⁵³

The office has made a significant contribution to the participation of women (victims and women's organizations) both in the comprehensive reparation processes and within the frame of the transitional justice architecture. This includes activities such as OHCHR Colombia support to Wayúu women's report to the Special Jurisdiction for Peace, Agoras women interaction with the Truth Commission and women organisations' engagement with the Search-Unit for Disappeared Persons.

Particularly relevant is the contribution of the office to truth-seeking efforts in relation to cases of sexual violence in the context of the armed conflict. Civil society representatives point out that the support of OHCHR was key to include sexual violence as a crucial aspect of truth and reparation processes. The Special Jurisdiction for Peace is now likely to open a macro case on this issue, which is also supported by the Joint Programme of the Multi-donor UN Fund for Sustaining Peace in Colombia.

A large number of other gender-specific activities are presented in the regular progress reports of the Office. They include extensive capacity building of both CSOs and state institutions, technical support, advise to state institutions and local/national authorities, bridge-building between women human rights defenders and UN agencies/diplomatic missions. The Office also plays a key role within the UNCT for the preparation of the CEDAW reports (in partnership with UN Women). A lost opportunity seems to be the absence of OHCHR Colombia in the programme ProDefensoras, financed by Norway and implemented by UN Women.

Also, internally, starting in 2020, the Office has made important investments to become "gender accredited" through a process led and supported by OHCHR Geneva. This shows a real institutional commitment to engage in gender equality and women's rights. This process successfully culminated in 2021 and the Office was "gender accredited" in January 2022.

The objective of this initiative is to strengthen the OHCHR Colombia Team's capacity to more fully implement OHCHR's Gender Equality Policy (2011) and its strategic action plan by pursuing concrete gender equality activities within the Colombia Team and through its Country Programme activities.

Internally this was successfully achieved through the following activities:

⁵³ OHCHR Colombia, End of Year Report, ESCR and Gender p.4, 2020

- Staff training on gender equality and rights of LGBTI persons
- 99% compliance with compulsory self-administered OHCHR gender courses
- Inclusion of gender equality and relevant international norms in induction programmes for new staff
- Screening for satisfactory gender equality content in the annual report (2020)

Externally, the enhanced gender focus was incorporated in for example the following activities:

- Development of guidance for monitoring of sexual violence related to conflict
- Incorporation of a gender approach in efforts to protect human rights defenders
- Enhanced effort to document sexual violence cases during social protest⁵⁴
- Use of OHCHR Colombia social media messages
- Inclusion of gender equality messages in the Representative's public interventions

As seen, there is an explicit commitment by senior management to comprehensively and effectively pursue gender mainstreaming not only in State institutions and in civil society but also in the OHCHR Colombia Country Programme. Female leadership in the Office has been strengthened through the recruitment of women to many of the most senior positions. While gender mainstreaming is the preferred method, the Office continues to use a number of gender focal points in the field offices and in the thematic teams, in an effort to not limit the gender work to the thematic unit for economic, social and cultural rights.

To summarize, OHCHR Colombia's Country Programme and the five AWP's extensively include strategies and activities aimed at gender equality. The mid-term and annual reports describe numerous gender equality outputs that were highly praised by representatives of women's organisations and other involved entities that the evaluation team spoke to. The "gender accreditation" process is strengthening OHCHR Colombia's capacity to effectively implement the gender content of the Country Programme and the AWP's.

In relation to disability inclusion, while some activities were aimed at disability inclusion, the evaluation team has not found evidence that the Country Programme has sufficiently included this aspect.⁵⁵ This was discussed already at an early point of the evaluation process when OHCHR Colombia explained that due to capacity gaps, the Office had not been able to sufficiently prioritize this important aspect in their Country Programme.⁵⁶

⁵⁴ Between 28 April and 5 August 2021, OHCHR Colombia received 48 allegations of sexual violence during social protest, reportedly committed by the police. *State of Implementation of the gender accreditation programme*, power point presentation, OHCHR Colombia, September 2021

⁵⁵ However, under the ESCR agenda and the technical assistance to the Social Prosperity Department, the office promoted a review of the Familias en Acción program. There, OHCHR identified serious barriers to the exercise of rights of the families with children with disabilities, who did not access money transfer because their children with disabilities did not go to school (condition to receive the CCT). A change in the policy was achieved, contributing therefore to the income of families with children with disabilities. On occasions, OHCHR Colombia also supported the UN Partnership on the Rights of Persons with Disability through presentations in a series of workshops.

⁵⁶ On-line meeting with the OHCHR Colombia focal point for the evaluation and a representative of senior management, Aug 2021.

3 Lessons Learned

The implementation of the OHCHR Colombia Country Programme during the last five years has allowed for important lessons regarding what has or has not worked well in the Colombian context and in general:

1. Having eyes and ears on the ground is crucial for any OHCHR Country Office, but ensuring a well-functioning, mutually strengthening relationship between field offices and headquarters in the capital is often challenging. Inherent dynamics in both locations tend to pull them apart: headquarters often get too absorbed by national agendas playing out in the capital-based three branches of the State, while field offices develop profound local expertise and knowledge, which shape their view of OHCHR priorities, and therefore sometimes prioritize differently and on occasions fail to apply universal OHCHR strategies and methods. In order to ensure proper integration and mutually beneficial cooperation between capital-based headquarters and field offices, OHCHR Country Offices need a dedicated field office coordinator, at the appropriate level and with relevant professional background.
2. OHCHR supports the development of human rights policies and legislation in line with international human rights norms all over the world, including in Colombia. However, there was a consensus among interviewees that Colombia already has an extraordinary well-developed framework of human rights policies and legislation, not to mention one of the world's most modern and rights-based constitutions, and is a signatory to the most important UN and OAS human rights conventions. Therefore, evidence suggests the need for OHCHR Colombia to be very selective when engaging in lengthy and time-consuming processes of developing draft human rights policies and legislation. The still un-finished process to develop a National Human Rights Action Plan, for example, has now engaged the OHCHR Colombia office during almost two decades, including the five years of this Country Programme.

4 Emerging Good Practices

1. Recognition and JEP-coordination with indigenous justice systems

Through-out the country programme period, OHCHR Colombia has provided extensive and effective support to the Special Jurisdiction for Peace (JEP). One aspect of that work stands out as a new and innovative good practice: the coordination achieved between the JEP and the special indigenous jurisdiction. OHCHR worked with both JEP magistrates and several ethnic communities to ensure JEP's internal regulations call for ethnically differentiated approaches in all JEP procedures. This has resulted in many ethnic communities, from particularly violence-affected regions, expressing increased trust and willingness to cooperate with the Special Jurisdiction for Peace.

2. Coordination and cooperation with the UN Verification Mission

Collected evidence suggests that cooperation and coordination between the two UN bodies was deficient during the first 3 ½ years of the OHCHR Country Programme but has markedly improved over the last year. Some important instances of cooperation documented by the evaluation team give an idea of how effective such cooperation could be and constitute a good emerging practice. For example, fruitful cooperation took place when both entities jointly investigated an incident of children being killed as a result of a Colombian army bombardment of ELN positions in August 2019. Similarly, joint statements on highly political issues, such as the one issued in support of the JEP on 11 March 2019 shows a united UN front and reportedly has a decisive impact on Colombian policy makers. During the protests of the National Strike between April and June 2021, OHCHR and the UNVMC closely cooperated and played a major role in facilitating and accompanying dialogues between social sectors and the authorities to de-escalate tensions. More recently, on 10 November 2021, the heads of these two UN entities conducted a joint mission to Cauca department to learn about the dire security situation and show a common UN concern and commitment to support effective protection of vulnerable communities in that hard-hit area of the country.

3. The use of the annual OHCHR Colombia report – reaching out to the regions

For many human rights actors in Colombia, the publication of the annual OHCHR Colombia report (formally the High Commissioner's report on Colombia to the Human Rights Council) is a very welcome and anticipated moment. The presentation of the report is not limited to a small, elite circle of interested persons in the capital, but the Office has developed an interesting practice of presenting and explaining it also in the regions, including by the Representative him/herself. Interlocutors found this to be an excellent practice that allows the Office to give something back to local communities, explain and share concrete examples of its work.

4. Strengthening of local human rights defenders' networks in Chocó, Southern Bolivar, Arauca, Cauca and Cesar

The OHCHR Colombia establishment and support of five local networks of human rights defenders in diverse areas of influence of the ELN in 2018 fulfilled multiple objectives. It prepared the ground for civil society participation in a possible future peace process and opened the door to inter-ethnic exchanges between the Afro-Colombian and the indigenous communities, while also building a bridge to local authorities and institutions. The networks phased several challenges but with the support of OHCHR and the Ombudsman's Office some of their priority issues could be addressed.

5 Conclusions

- I. The data collected indicate that there is broad agreement among stakeholders, inside and outside of Colombia, on the important role of the OHCHR Colombia Office for the

situation of human rights in the country, and wide spread praise for its independent and crucial role in the critical Colombian human rights context, including in relation to the implementation of the peace agreement.

2. During the period under review, OHCHR Colombia has achieved important results in several areas of its extensive Country Programme. Evidence point to OHCHR's technical expertise, its effective use of the organization's public voice and the trust it has created with large segments of the Colombian population as crucial factors of success. Some of the results most appreciated by stakeholders include the following:
 - Extensive strengthening of human rights defenders/social leaders and prevention/protection programmes in the Ombudsperson's Office, the Ministry of Interior and the Attorney General's Office aimed at pursuing prevention, protection and investigation of attacks against human rights defenders.
 - Comprehensive support to the three bodies of the Integrated System of Truth, Justice, Reparation and Non-Repetition (SIVJR) resulted in increased technical capacity of the Truth Commission, the Special Jurisdiction for Peace and the Search Unit for Disappeared Persons. Trust built between many local CSOs and the three bodies of the SIVJR allowed for fruitful cooperation and crucial information flows.
 - Technical cooperation and sharing of information with the Attorney General's Special Investigative Unit (UEI), the Unit of Organized Crime, Citizen Security and Human Rights and the Office of the Deputy Attorney General resulted in increased AG capacity and progress on emblematic human rights investigations
 - OHCHR's presence and facilitation of dialogue in the context of social protests prevented violence and facilitated peaceful conflict resolution
 - Results not reflected in Annual Work Plans but equally effective include:
 - "protection through presence" at the very local level was an unplanned result that contributes to safety of communities
 - use of OHCHR's public voice to embolden representatives of state institutions, UN agencies and diplomatic missions to take principled human rights positions
 - successful OHCHR efforts to counter initiatives to pursue policy and legislative initiatives contrary to international human rights norms
3. In terms of the scope and focus of the OHCHR Colombia Country Programme, available evidences, for the period, 2016-2021, suggest the concern that the Office might be too ambitious when drawing up its Annual Work Plans, the current one consisting of 13 expected results, 37 outcomes and 136 activities. The Programme is a result of an attempt to cover all aspects of its mandate: the multifaceted and complex Colombian human rights situation, the OHCHR Colombia role as a peace accord implementation monitoring actor, as well as the global OHCHR and UN thematic priorities (OMP and SDGs).
4. Data show the extensive national human rights capacity in Colombia and suggest that the OHCHR Colombia Country Programme should focus more strictly on the Office's strong comparative advantages, to complement the strengths of the national human rights

community. The evaluation identified the following OHCHR Colombia comparative advantages:

- The OHCHR Colombia Office's reputation as an independent, neutral and reliable actor
 - The highly respected public voice of the Office and the High Commissioner
 - The Office's extraordinary access to key interlocutors, including, local communities, organized civil society, the media, high-level policy makers in all three branches of the State, the Colombian armed forces and representatives of the international community in Colombia.
 - The Office's organic connection to the UN human rights system (Special Procedures, UPR, Treaty Bodies and the Human Rights Council)
 - OHCHR's broad and comprehensive human rights mandate
5. The relevance of the Country Programme could be further enhanced by seeking increased coherence between country-specific human rights challenges, the capacity of national human rights community and OHCHR's comparative advantages (Why is OHCHR in Colombia? Why is it doing what it is doing?).
 6. The strategies used to achieve some of the results have shifted markedly during the period under review. Prior to the start of the current Country Programme, a new focus on accompaniment and capacity building of local communities to support their active participation in local policy-making and to strengthen ethnic governance structures reportedly took resources and attention away from monitoring, verification and reporting of serious human rights cases. A change of OHCHR Representative in 2018 led to attempts at reversing the strategy change, but the evaluations' conclusions point to continuous weaknesses (exacerbated by COVID-19) in the area of field monitoring and verification of cases. The evaluation concludes that bringing field monitoring and verification of cases at the core of OHCHR efforts, both at national and field office level, is an existing challenge that require special attention from the Senior Management.
 7. OHCHR Colombia has become increasingly involved in support to peaceful dialogue and prevention of violence by attending social protest situations. Through its presence at these social protests, OHCHR has been able to directly influence situations related to the use of force by law enforcement officials, as well as generate relief actions to allow access to medical assistance for those injured during their exercise of the right to peaceful assembly.
 8. Long-term transformative human rights improvements (impact orientation) are difficult to identify during the 2017-2021 Country Programme. The OHCHR Office has been present in the country for almost 25 years, with many results to show, but a review of the annual reports since the establishment of the Office reveals that many of the most serious human rights challenges addressed by OHCHR during these years unfortunately persist, including high levels of impunity for serious IHL and IHRL violations, the vulnerability of human

rights defenders and social leaders, and the lack of effective State protection of local communities, often victims of violence in the context of organized illegal activities.

9. Interlocutors unanimously stressed the importance of OHCHR Colombia working through field offices and often suggested a strengthening and an expansion of the field presence. However, the findings of the evaluation suggest that several of the OHCHR Colombia field offices operate with large independence, sometimes without feeding established information systems or providing sufficient input to national activities, but also not being sufficiently involved in, or receiving support from the thematic work carried out in Bogotá. Considering the key roles that all stakeholders attribute to field offices for the accomplishment of OHCHR's mandate in Colombia, the evaluation suggests that the Senior Management should focus its efforts in ensuring that all field offices consistently follow a unique strategy, respond to the same country priorities and that their efforts are fully aligned with the priorities established in the Country Programme and Annual Work Plans. Too much independence can jeopardize the results achieved by the whole agency.
10. OHCHR Colombia's Country Programme and the five AWP's extensively include strategies and activities aimed at gender equality. The mid-term and annual reports describe numerous gender equality outputs that were highly praised by representatives of women's organisations and other involved entities that the evaluation team spoke to. In relation to disability inclusion, while some activities were aimed at disability inclusion, the evaluation team has not found evidence that the Country Programme has sufficiently included this aspect.
11. The annual OHCHR Colombia report is by many considered the Office's most useful product, even if most CSOs interviewed find it increasingly timid. Many requested a return to an earlier OHCHR Colombia practice of follow-up to recommendations from the previous year in the annual report. Both OHCHR Colombia staff and external interviewees wished to see the Office produce public thematic and/or geographic reports through-out the year. Collected evidence suggests that many in favor of such reports blamed their absence on a certain degree of OHCHR self-censorship in view of government push back, not on a lack of mandate or capacity. According to the conclusions of the evaluation, thematic and/or geographic reports would allow OHCHR to make best use of all the data collected at field level, it would increase its advocacy capacity and could also contribute to the advocacy efforts of local partners.
12. The evaluation team concludes that there is room for improvement in the area of coordination and cooperation between OHCHR Colombia and the UN Verification Mission. Collaboration at the local level has seemed to function better than at the central, more political level. At the local level, inter-personal skills and attitudes of individual coordinators and staff of the two respective entities have often helped to overcome the certain overlap of mandates. During the last year, coordination and cooperation has improved markedly even at the central level.

6 Recommendations

1. OHCHR Colombia should consider conducting a strategic planning exercise for the coming years characterized by:

- a. A realistic notion of its available resources (“do what we can do, not what we want to do”⁵⁷)
 - b. A clear definition of its comparative advantages in relation to the capacity of the national human rights community (CSOs, NHRIs, academia, justice institutions, legislative and executive human rights actors) and the UN Verification Mission
 - c. An understanding of OHCHR Colombia as a voice, facilitator and bridge-builder, more than a direct implementer of for example capacity building and promotional activities
 - d. The full and equal participation of its field offices in a horizontal planning process
2. While maintaining flexibility to adapt to an evolving context, OHCHR in Colombia should ensure, during the next programmatic period, to avoid periodic shifts of focus and working methods as a result of a change of Representative by ensuring that OHCHR’s standard working methods are effectively used and included in staff’s job descriptions. This includes the necessity to ensure this strengthens OHCHR Colombia’s monitoring and verification capacity.
3. Retain its useful role as a bridge-builder and reduce its role as a direct implementer, by working much more with trusted partners (academia, specialized INGOs, other UN agencies etc.), according to the findings related to the comparative advantage of OHCHR in Colombia. Reflect on the need for large-scale OHCHR-conducted training programmes and massive OHCHR distribution of publications/promotional materials.⁵⁸
4. Seek internal conceptual agreement on the ultimate purpose and role of the field presences in Colombia. Then, address and strengthen several management issues related to the optimal functioning of the field offices, including the following:
- a. Determine, in writing, clear roles and responsibilities of the field offices and their staff, including use of OHCHR standard methodologies (monitoring & reporting, advocacy dialogue with local authorities etc)
 - b. Take concrete steps to integrate the field offices into OHCHR Colombia’s national activities, ensuring that thematic units and senior management in Bogotá consistently support the work of the field offices while receiving situation analysis and verified cases from the field offices

⁵⁷ Interview with OHCHR Colombia staff person, Aug-Oct 2021

⁵⁸ In 2020, OHCHR Colombia organized 798 workshops/trainings and distributed 44.996 publications/promotional materials. End of Year Progress Report OHCHR Colombia (2020), p.3

- c. Strengthen the field offices by ensuring they are coordinated by experienced international staff (P4-level) and can count on the number of human rights officers and infrastructure necessary to effectively carry out OHCHR Colombia's programme in the regions. Critically assess the staffing needs in OHCHR Bogotá and consider deploying some Bogotá staff to the field.
 - d. Expand the coverage of OHCHR Colombia's field presence based on an analysis of the most violence affected regions and current gaps in OHCHR field coverage
 - e. Develop an OHCHR Colombia knowledge management strategy that provides for horizontal exchanges and learning between field offices
5. Continue to monitor social protests, provide "good offices" to facilitate dialogue and thereby prevent violence. Project future scenarios and anticipate possible increased demand for OHCHR's role in this context and realistically determine the scope of OHCHR involvement. Ensure sustainability of this area of work by setting realistic limits to OHCHR involvement. Avoid a "guarantor of agreements role" which would require monitoring of implementation of agreements that might not be sustainable/appropriate for OHCHR Colombia to take on. Develop a written strategy with clear objectives, recommended action and limitations that can provide guidance to field Coordinators and staff.
 6. With strong backing from OHCHR Geneva, and based on a globally accepted OHCHR practice, assert OHCHR Colombia's mandated right to publicly inform (through the HC) Colombians and the international community of its field observations. Periodically produce and publish thematic and geographical human rights reports aimed at triggering the authorities' remedial action and civil society's advocacy efforts.
 7. Re-initiate discussions with the UN Verification Mission in order to formally agree on and develop a coordination and cooperation protocol that can enhance and harmonize the current cooperation in the field and at Bogotá-level. Address duplications and consider a division of labor where mandates overlap.
 8. Take stock of and properly document the multiple positive results not reflected in the AWP's but produced by OHCHR Colombia and highlighted in this report.
 9. Plan and schedule comprehensive, external evaluations after the completion of each Country Programme, supported by reference groups made up of internal and external stakeholders. Ensure follow-up to evaluation findings, including from the 2019 OIOS internal audit and from this evaluation.
 10. Consider commissioning an independent thematic evaluation/lesson learned exercise of OHCHR Colombia's ethnic strategy and activities, including a review of the aspects suggested in this report.

Management response		
Overall comments on evaluation recommendations: We highly value the evaluation and its recommendations and think that it will help strengthen the Colombia Country Office and the process of seeking to gain in efficiency through strategic prioritization and information management.		
Recommendation 1: OHCHR Colombia should consider conducting a strategic planning exercise for the coming years characterized by: <ul style="list-style-type: none"> a. A realistic notion of its available resources (“do what we can do, not what we want to do”) b. A clear definition of its comparative advantages in relation to the capacity of the national human rights community (CSOs, NHRIs, academia, justice institutions, legislative and executive human rights actors) and the UN Verification Mission c. An understanding of OHCHR Colombia as a voice, facilitator and bridge-builder, more than a direct implementer of for example capacity building and promotional activities d. The full and equal participation of its field offices in a horizontal planning process 		
Management position on recommendation: ACCEPTED		
Management comment: OHCHR-Colombia is aware of the need to prioritize based on its mandate, comparative advantage and available recourses and efforts have been made in that direction particularly since the 2021 annual planning exercise and in the advocacy strategy with the full participation of the field offices. In line with the 2022-2023 OHCHR OMP extension, OHCHR Colombia will conduct a strategic planning exercise for the coming years, updating priorities, following the change of Government in Colombia and the renewal of the host country agreement in 2022.		
Key Actions	Responsibility	Time-frame
1. In line with OHCHR’s planning guidelines and the recommendations of the evaluation, the Country Office will conduct a strategic planning exercise to review current objectives and areas of work, including lessons learned for the upcoming global OMP planning cycle.	Colombia Country Office	Q4 2022 and 2023
Recommendation 2: While maintaining flexibility to adapt to an evolving context, OHCHR in Colombia should ensure, during the next programmatic period, to avoid periodic shifts of focus and working methods as a result of a change of Representative by ensuring that OHCHR’s standard working methods are effectively used and included in staff’s job descriptions. This includes the necessity to ensure this strengthens OHCHR Colombia’s monitoring and verification capacity.		
Management position on recommendation: PARTIALLY ACCEPTED		
Management comment: There has been a serious increase of violence and human rights violations in various areas of the country since 2020. This context has required strengthening OHCHR’s monitoring functions to document the situation in affected conflict areas and has oriented OHCHR advocacy to preventing violence and improving protection in these areas. OHCHR has given particular attention to the need to strengthen its monitoring capacity in		

its fundraising strategy. The current vision of the Office to strengthen monitoring, however, clearly integrates previous work developed to enhance protection of and empower communities at risk, including ethnic peoples. It is normal for each country Representative to develop his or her own vision to steer the work of the Office and for this vision to be adapted to the challenges and context of the country at the given time. This vision will be developed within the framework of OHCHR's standard working methods and will seek to innovate these when it is strategic and impactful.

Key Actions	Responsibility	Time-frame
1. The Colombia Country Office will strengthen existing OHCHR working methods, through the participation of staff in induction/specialized trainings, as well as the participation in networks and communities of practices.	Colombia Country Office, in coordination with relevant Sections in HQ	On-going
2. OHCHR Colombia will strengthen the use of information technologies and monitoring methodologies, in cooperation with relevant sections in HQ in order to reflect a coordinated approach.	Colombia Country Office, in coordination with relevant sections in HQ	On-going

Recommendation 3: Retain its useful role as a bridge-builder and reduce its role as a direct implementer, by working much more with trusted partners (academia, specialized INGOs, other UN agencies etc.), according to the findings related to the comparative advantage of OHCHR in Colombia. Reflect on the need for large-scale OHCHR-conducted training programmes and massive OHCHR distribution of publications/promotional materials.

Management position on recommendation: PARTIALLY ACCEPTED

Management comment: OHCHR does not view itself as a direct implementer, rather as a facilitator and bridge builder. OHCHR will limit training methods to situations in which training enables it to build relations with key counterparts, but not as an end in itself.

Key Actions	Responsibility	Time-frame
1. As part of its strategic planning exercise for 2023, the Colombia Office will assess, redefine and strengthen/expand, as relevant, its strategic partnerships with key actors and in key areas.	Colombia Country Office	Q4 2022 and 2023

Recommendation 4: Seek internal conceptual agreement on the ultimate purpose and role of the field offices in Colombia. Then, address and strengthen several management issues related to the optimal functioning of the field offices, including the following:

- a. Determine, in writing, clear roles and responsibilities of the field offices and their staff, including use of OHCHR standard methodologies (monitoring & reporting, advocacy dialogue with local authorities etc.).
- b. Take concrete steps to integrate the field offices into OHCHR Colombia's national activities, ensuring that thematic units and senior management in Bogotá consistently support

the work of the field offices while receiving situation analysis and verified cases from the field offices.

c. Strengthen the field offices by ensuring they are coordinated by experienced international staff (P4-level) and can count on the number of human rights officers and infrastructure necessary to effectively carry out OHCHR Colombia’s programme in the regions. Critically assess the staffing needs in OHCHR Bogotá and consider deploying some Bogotá staff to the field.

d. Expand the coverage of OHCHR Colombia’s field presence based on an analysis of the most violence affected regions and current gaps in OHCHR field coverage.

e. Develop an OHCHR Colombia knowledge management strategy that provides for horizontal exchanges and learning between field offices.

Management position on recommendation: PARTIALLY ACCEPTED, especially in view of financial implications that would have to be met to implement this recommendation

Management comment: Efforts have been made over the last two years to strengthen internal coordination between field offices and thematic teams in Bogota, including through the restructuring of the management team. These efforts will be sustained. Proposals such as the expansion of the OHCHR’s field coverage and the coordination of these offices by P-4 staff will depend on the availability of funding.

With regard to knowledge management, OHCHR-Colombia has benefitted from OHCHR HQ’s support in 2021 to put in place systems to improve internal information and knowledge management. Based on this, OHCHR is currently developing better information management and analysis processes through the use of technology (as reflected in the 2022 AWP).

Key Action	Responsibility	Time-frame
1. OHCHR Colombia will assess -based on the availability of funding and the staffing rules- the possibility of strengthening of field offices.	Colombia Country Office, in coordination with relevant Sections in HQ	Q3-Q4 2022
2. OHCHR Colombia will develop an information management plan with clear responsibilities for all staff.	Colombia Country Office	Q4-2022 - 2023

Recommendation 5: Continue to monitor social protests, provide “good offices” to facilitate dialogue and thereby prevent violence. Project future scenarios and anticipate possible increased demand for OHCHR’s role in this context and realistically determine the scope of OHCHR involvement. Ensure sustainability of this area of work by setting realistic limits to OHCHR involvement. Avoid a “guarantor of agreements role” which would require monitoring of implementation of agreements that might not be sustainable/appropriate for OHCHR Colombia to take on. Develop a written strategy with clear objectives, recommended action and limitations that can provide guidance to field Coordinators and staff.

Management position on recommendation: ACCEPTED

Management comment: As part of its lessons learnt of the process of social protests in 2021, OHCHR has started to strengthen its capacity to process and systematize information gathered in the monitoring of protests and enhance the support provided from thematic

teams in Bogotá to field offices. In that regard, it has clarified the Office's role during negotiations.

Key Actions	Responsibility	Time-frame
I. Develop an internal instruction/guidance on OHCHR's facilitation role in these scenarios within a year.	Colombia Country Office	Q4 2022 - 2023

Recommendation 6: With strong backing from OHCHR Geneva, and based on a globally accepted OHCHR practice, assert OHCHR Colombia's mandated right to publicly inform (through the HC) Colombians and the international community of its field observations. Periodically produce and publish thematic and geographical human rights reports aimed at triggering the authorities' remedial action and civil society's advocacy efforts.

Management position on recommendation: ACCEPTED

Management comment: OHCHR-Colombia has put in place solid communication strategies, including joint-communications and strong support of partners when issuing public statements. The public voice of the High Commissioner has also been strategically used. Moreover, in 2021, OHCHR invested a major office-wide effort to draft and publish a thematic report on lessons learnt from the protests of the national strike (April-July 2021), containing good practices observed, findings related to human rights violations and recommendations. A significant amount of work has been done to put together and publish this document, as a key reference and advocacy tool to enhance the right of peaceful assembly in Colombia and promote police reform. In July 2022, OHCHR published another thematic report on territorial violence, with recommendations for the new Government.

Key Actions	Responsibility	Time-frame
I. In line with OHCHR's global mandate (GA res. 48/141) and the host-country agreement between OHCHR and the Government of Colombia, the Colombia Country Office will continue to produce and publish its mandated HRC annual report and other thematic reports.	Colombia Country Office	Q4 2022

Recommendation 7: Re-initiate discussions with the UN Verification Mission in order to formally agree on and develop a coordination and cooperation protocol that can enhance and harmonize the current cooperation in the field and at Bogotá-level. Address duplications and consider a division of labor where mandates overlap.

Management position on recommendation: PARTIALLY ACCEPTED

Management comment: The evaluation report reflects positively on the current cooperation between OHCHR and the UN Verification Mission, which has been strengthened over the past years, especially in the context of the 2021 national strike but also through regular joint missions and public statements on key human rights concerns. The UNVMC is supportive of OHCHR's specific mandate and voice. The arrival of a new Government offers opportunities for enhanced UN engagement in the country, including continued close cooperation between the UNVMC and OHCHR. In that promising context, a formal agreement between the two entities does not seem necessary.

Recommendation 8: Take stock of and properly document the multiple positive results not reflected in the AWP's but produced by OHCHR Colombia and highlighted in this report.

Management position on recommendation: ACCEPTED

Management comment: Recommendation accepted without particular comments

Key Actions	Responsibility	Time-frame
1. In line with the 2022-2023 OMP-Organization Effectiveness Action Plan (OEAP) on Dynamic Knowledge, the Colombia Country Office will develop tools to identify/document good practices and positive results in key thematic areas as evidence of the Office's impact.	Colombia Country Office	Q4 2022-2023

Recommendation 9: Plan and schedule comprehensive, external evaluations after the completion of each Country Programme, supported by reference groups made up of internal and external stakeholders. Ensure follow-up to evaluation findings, including from the 2019 OIOS internal audit and from this evaluation.

Management position on recommendation: PARTIALLY ACCEPTED

Management comment: External evaluations are wanted and needed and OHCHR will conduct them on a regular basis. All but one recommendations of the 2019 OIOS report have been implemented.

Key Actions	Responsibility	Time-frame
1. OHCHR will seek donors' support to regularly carry up external evaluations.	PPMES DEXREL Colombia Country Office	Ongoing
2. The Colombia Office will continue to ensure the follow-up to evaluation findings, including from the 2019 OIOS internal audit and this evaluation.	Colombia Country Office	Ongoing and as relevant following future evaluations

Recommendation 10: Consider commissioning an independent thematic evaluation/lesson learned exercise of OHCHR Colombia's ethnic strategy and activities, including a review of the aspects suggested in this report.

Management position on recommendation: PARTIALLY ACCEPTED depending on funding

Management comment: OHCHR is interested in this exercise and will carry out an internal discussion and consultations with ethnic groups and leaders on the matter in the

context of its planning exercise. Due to funding, it may not be possible to commission an independent evaluation.

Key Actions	Responsibility	Time-frame
I. OHCHR will prioritize the implementation of this recommendation in the planning exercise.	Colombia Country Office and HQ	Q4 2023