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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Visit to Colombia

**Report of the Independent Expert on protection against violence and
discrimination based on sexual orientation and gender identity,
Graeme Reid***

Summary

In the report, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Graeme Reid, sets out the findings from his official visit to Colombia, conducted from 19 to 30 May 2025. Drawing on information gathered before, during and after the visit, the Independent Expert assessed the implementation of national and international human rights standards aimed at combating violence and discrimination based on sexual orientation and gender identity. The report provides a comprehensive analysis of the human rights situation of lesbian, gay, bisexual, transgender and other gender-diverse persons in Colombia, highlighting both good practices and persisting challenges. The Independent Expert also offers recommendations to enhance protection against violence and discrimination on these grounds.

* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and Spanish only.



Annex

Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Graeme Reid, on his visit to Colombia

I. Introduction

1. The mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, established by the Human Rights Council in 2016¹ and renewed in 2019,² 2022³ and 2025,⁴ was created in response to the global and systemic nature of violations that fall within the scope of the mandate. Country visits form a key part of the mandate, enabling the Independent Expert to assess progress, identify challenges and provide guidance to States.
2. The Independent Expert conducted an official visit to Colombia from 19 to 30 May 2025 to assess the implementation of the State's human rights obligations relating to sexual orientation and gender identity. He met with national, regional and local authorities in Bogotá, Cúcuta, Medellín, Cali and Barranquilla, and expressed his appreciation to the Government of Colombia for its invitation and for the spirit of cooperation and the constructive engagement demonstrated throughout the visit. The Independent Expert noted the openness of State entities in acknowledging existing gaps and candidly describing the challenges faced in advancing equality for lesbian, gay, bisexual, transgender and other gender-diverse (LGBT) persons, as well as their efforts to identify solutions. Many of those observations are reflected in the present report as the basis for constructive engagement.
3. The Independent Expert was grateful for the opportunity to engage with LGBT individuals and civil society representatives across Colombia, and deeply appreciated the strength, diversity and resilience of the country's LGBT communities.
4. The Independent Expert was appreciative of the warm hospitality, practical support and substantive engagement received from the Office of the United Nations High Commissioner for Human Rights in Colombia. Its deep expertise and sustained monitoring of the human rights situation in the country were invaluable to the success of the visit.
5. The Independent Expert was honoured to visit a country that has played a leading role, both regionally and internationally, in advancing the human rights of LGBT persons. The 1991 Constitution of Colombia⁵ enshrines the principles of equality and non-discrimination, guaranteeing all individuals equal protection before the law and equal rights, irrespective of their personal characteristics or status. The Constitutional Court has issued a substantial body of jurisprudence affirming and safeguarding the rights of LGBT persons, establishing Colombia as a judicial reference in Latin America and beyond. Colombia also stands out for its robust policy framework aimed at protecting and promoting the rights of LGBT individuals.
6. At the same time, Colombia is a country marked by profound contrasts and contradictions. As Nobel Laureate Gabriel García Márquez alluded to, the tension between aspiration and reality is a recurring motif in the national consciousness: "It was as if God had decided to put to the test every capacity for surprise and was keeping the inhabitants of Macondo in a permanent alternation between excitement and disappointment, doubt and revelation, to such an extreme that no one knew for certain where the limits of reality lay."⁶

¹ Council resolution 32/2.

² Council resolution 41/18.

³ Council resolution 50/10.

⁴ Council resolution 59/5.

⁵ Available at <https://dapre.presidencia.gov.co/normativa/normativa/Constitucion-Politica-Colombia-1991.pdf>.

⁶ *One Hundred Years of Solitude* (Gregory Rabassa, trans., New York, Harper & Row, 1970).

This dynamic is reflected in the lived experiences of LGBT persons, whose everyday realities often diverge from the constitutional promises of equality and dignity and fall short of policy goals.

7. A significant gap persists between the aspirational commitments of the 1991 Constitution and prevailing social attitudes and practices – at times manifesting in discrimination, exclusion and, in its most extreme form, violence, including lethal violence. During the visit, on 22 May 2025, the Independent Expert received the deeply disturbing news of the murder of Nawar Jiménez,⁷ a transgender woman human rights defender and participant in *Tejiendo Dignidad*, a joint initiative of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Special Jurisdiction for Peace – supported by the Peacebuilding Fund⁸ – in El Carmen de Bolívar. This brutal killing underscored both the urgency of effective protection measures and the need for accountability.

8. In the present report, the Independent Expert takes that gap, compounded by impunity for violent crimes, as a central analytical frame and considers the need for outcome-focused indicators, developed with civil society, to measure impact across sectors and territories. Such indicators are essential to accurately reflect the disparities experienced by LGBT persons and to better understand the disconnect between legal and policy frameworks and their implementation in the lived realities of affected individuals.

9. Civil society input highlighted the distinct and often overlooked experiences of lesbian, bisexual and queer women, who face intersecting forms of gender-based and prejudice-based violence. Contributors described high levels of domestic and sexual violence, family rejection, economic exclusion and psychosocial harm, combined with limited access to protection, justice and sustained care. The absence of tailored protection measures and the marginal visibility of lesbian, bisexual and queer women in data systems were identified as significant gaps requiring targeted attention.

10. Given the wide diversity of experiences, geographies, histories and identities across Colombia, it would be both inaccurate and reductive to make broad generalizations based on the realities of any single region or group. The specific vulnerabilities faced by individuals are shaped by intersecting factors that vary significantly across contexts. The Independent Expert is grateful to have had the opportunity to visit multiple cities and engage with individuals living in both rural and urban areas, including regions profoundly affected by the multiple internal armed conflicts. These conversations included migrants, lesbian, bisexual and queer women, transgender persons, Indigenous and Afro-Caribbean communities, and persons with disabilities, among others, and reinforced the need for territorially differentiated analysis.

II. Legal, institutional and public policy framework

A. Legal framework

11. The Constitutional Court applies a normative framework grounded in constitutionality and conventionality, integrating constitutional principles with international human rights standards to promote equality and non-discrimination. Through *tutela* actions and constitutional review, the Court ensures that laws, policies and administrative practices are interpreted and applied in line with human rights obligations. The *tutela* mechanism has proven to be an essential tool for the protection of fundamental rights, with more than 800 rulings strengthening protections for women and LGBT persons.⁹ Through this extensive body of jurisprudence, the Court has repeatedly intervened to address a range of issues, including police violence against transgender women, discrimination in education and

⁷ Special Jurisdiction for Peace, public statement. Available at <https://web.archive.org/web/20251006075514/https://www.jep.gov.co/Sala-de-Prensa/Paginas/-la-jep-hace-un-llamado-para-proteger-la-vida-y-garantizar-los-derechos-de-las-personas-lgbtq.aspx>.

⁸ See <https://mptf.undp.org/project/00140531>.

⁹ Information provided to the Independent Expert by representatives of the Constitutional Court during a meeting held on 19 May 2025.

employment, barriers to healthcare – including access to gender-affirming care – and unequal treatment in places of detention. Its decisions have also advanced rights relating to same-sex marriage and adoption, protected students from bullying and upheld international standards of equal treatment across sectors. In practice, the Constitutional Court has played a central and corrective role as a systemic guarantor of equality and non-discrimination, compensating for persistent gaps between formal legal protections and their effective implementation by authorities at the national and territorial levels.

12. In this context, Colombia possesses one of the most advanced constitutional, jurisprudential and policy frameworks for the protection of the rights of LGBT persons in the region. Nevertheless, discrimination and violence, particularly against transgender persons, persist, reinforced by impunity and uneven territorial implementation. The report therefore assesses not only the existence of norms and policies, but their demonstrated impact on protection and access to rights.

13. As part of ongoing efforts to address structural discrimination, two legislative initiatives are currently under debate in Colombia. The draft comprehensive trans law¹⁰ (now also known as the Sara Millerey law, in memory of a young transgender woman who was brutally murdered in Bello, Antioquia) seeks to guarantee equal rights and protections for transgender and gender-diverse persons, contributing to the advancement of legal recognition and substantive equality. In parallel, another bill seeks to prevent and sanction conversion practices and promote non-discrimination. Both initiatives were prioritized through sustained advocacy by LGBT civil society and human rights defenders.

B. Institutional framework

14. Colombia demonstrates strong political commitment to protecting and advancing the human rights of LGBT people. A congressional ad hoc diversity commission¹¹ has been established, comprising members from across the political spectrum and tasked with advancing legislation and overseeing the human rights of LGBT persons. The National Development Plan (2022–2026)¹² includes concrete measures to advance LGBT rights, including an inter-institutional mechanism to prevent and address violence and discrimination, provide legal assistance to victims and integrate LGBT protections into local development plans. The Ministry of Equality and Equity, established by Law No. 2281 of 2023 and launched in June 2023, is a government body tasked with addressing structural inequalities and promoting the rights of marginalized groups, including women, ethnic communities, LGBT persons, migrants and persons with disabilities. In May 2024, the Constitutional Court, in judgment C-161/24 of 8 May 2024,¹³ declared Law No. 2281 unconstitutional due to the absence of a required fiscal impact analysis. The Court deferred the effects of the annulment until 2026, allowing a transitional period during which either Congress, at the initiative of the national Government, may re-establish the Ministry in compliance with constitutional and organic requirements, or the Government may reassign its functions and restructure the administration to ensure continued coordination of public policy for persons and groups subject to special constitutional protection.

¹⁰ Bill No. 122 of 2024 (draft text approved at first reading, 20 June 2025). Available at https://www.camara.gov.co/wp-content/uploads/2025/10/proyectos-ley/publicaciones/proyecto-31493/65_pl_122_24c_textaprobcom_6-4b4015d8.docx.

¹¹ See <https://comisionlgbtiq.com.co/la-comision/>.

¹² Adopted through Law No. 2294 of 19 May 2023. Available at <https://colaboracion.dnp.gov.co/CDT/Prensa/Publicaciones/plan-nacional-de-desarrollo-2022-2026-colombia-potencia-mundial-de-la-vida.pdf>.

¹³ Available at <https://www.corteconstitucional.gov.co/relatoria/2024/c-161-24.htm>.

15. The country's National Policy for the Guarantee of the Rights of the LGBTIQ+ Population, outlined in CONPES Document 4147¹⁴ and approved in March 2025, sets out an 11-year (2025–2035) road map for the full inclusion and protection of LGBT persons. Coordinated by the Ministry of Equality and Equity and led by the National Planning Department, the policy commits 49 national-level government entities, including 16 ministries, to implement 162 actions across 26 sectors aimed at advancing equality, protection and inclusion. Although not legally binding, CONPES Document 4147 provides strategic direction, with an estimated total cost of close to 259.1 billion Colombian pesos.¹⁵ Its implementation is monitored through the SisCONPES platform, with oversight by the Office of the Inspector General and the Ombudsman's Office, and includes a participatory monitoring mechanism involving LGBT civil society. While the policy will remain obligatory despite institutional changes, civil society organizations have raised concerns about its implementation in the light of the uncertain future of the Ministry of Equality and Equity.

16. CONPES Document 4147 is structured around four strategic objectives: (a) cultural transformation to reduce stigmatization and discrimination; (b) increased access to public services, inclusion and social protection for LGBT persons; (c) the prevention, addressing and elimination of prejudice-based violence; and (d) the strengthening of institutional coordination, which includes data production and accountability. A cross-cutting element of the policy is the mainstreaming of variables related to sexual orientation, gender identity and gender expression across public information systems. The policy further establishes a plan of action and follow-up aimed at preventing delays and fragmentation by prioritizing dissemination, mapping institutional capacities and funding, sequencing priority actions and creating intersectoral coordination spaces to support effective territorial implementation.

C. Public policy framework

17. Decree No. 762 of 2018¹⁶ establishes the institutional architecture for national LGBT public policy, designating a lead coordinating authority and creating inter-institutional technical and thematic bodies responsible for implementation. The Decree provides for the adoption of four-year action plans with defined responsibilities, indicators and monitoring arrangements, as well as mechanisms for periodic review and evaluation. While this framework offers a clear governance model for policy delivery, government and civil society actors have noted that delays in updating action plans and uneven institutional follow-through have limited its impact, particularly at the territorial level.

18. Senior representatives of regional and municipal governments with whom the Independent Expert met also showcased the principled policymaking processes by which they had successfully designed impressive public policies, strategies and action plans to respect, protect and ensure the human rights of LGBT people in their respective jurisdictions. While challenges persist in adequately funding the implementation of those public policies and action plans, they nonetheless included an array of good practices to address protection gaps, including: direct provision of psychosocial support, legal support and social support to LGBT persons; sensitization of civil servants toward the needs of LGBT persons; capacity-building trainings for police and attorneys; and the deployment of "purple patrols" to help LGBT community members connect to care pathways. Some of those regional and local governments also established working groups and advisory committees to involve affected communities and their representative organizations in the design and implementation of public policies pertaining to their human rights.

¹⁴ CONPES Document 4147(National Policy for Guaranteeing the Rights of the LGBTIQ+ Population), 26 March 2025. Available at <https://colaboracion.dnp.gov.co/CDT/Conpes/Economicos/4147.pdf>.

¹⁵ Ibid., pp. 4 and 13.

¹⁶ Available at <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=86303>.

19. In international relations, Colombia formally adopted its Feminist Foreign Policy in March 2026, following an announcement of the policy in June 2025.¹⁷ The policy seeks to integrate gender equality and an intersectional approach across the country's external relations and international engagement. It is structured around five core pillars: social justice; environmental justice; peace; education, science and culture; and institutional strengthening. Colombia also collaborates internationally to advance feminist approaches in foreign policy.

20. Colombia is co-chair of the Equal Rights Coalition, an alliance of 44 States committed to promoting and protecting the human rights of LGBTI persons globally. Established in 2016, it works in partnership with civil society, multilateral agencies and activists to advance equality and inclusive development. Colombia is a member of the United Nations LGBTI Core Group, an informal cross-regional coalition of 45 members, including 42 States Members of the United Nations, established in 2008 to promote and protect the human rights of LGBTI persons globally. In 2016, Colombia co-sponsored Human Rights Council resolution 32/2, which created the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, and continues to support its periodic renewal. Through active engagement in multilateral forums and by hosting a visit by the mandate holder in 2025, Colombia has reinforced its commitment to equality, human rights and inclusive development.

D. Data

21. Colombia currently lacks an operational, unified national information system for recording violence, discrimination and exclusion affecting LGBT persons; however, several institutional measures indicate movement towards a more structured differential data architecture. The National Development Plan provides for strengthened recognition and development of LGBT issues within the gender affairs observatory, including the establishment of a baseline on the human rights situation of LGBT persons. It also mandates the creation of an inter-institutional coordination mechanism to formulate and monitor pathways, processes and procedures for the prevention, care and timely investigation of violence and discrimination based on sexual orientation and gender identity, to be articulated with the National System for the Recording, Management, Follow-up and Monitoring of Gender-Based Violence. Notwithstanding these provisions, the envisaged national observatory on violence against the LGBTIQ+ population is not yet operational, and the State therefore lacks a consolidated national statistical baseline.

22. CONPES Document 4147 formally recognizes the historical deficit of statistical data on LGBT populations as a principal technical obstacle to effective policy formulation and implementation. In response, coordination is under way with the National Department of Statistics to introduce structured variables on sexual orientation and gender identity into national administrative data sets, particularly within health and victims' registries. The Document further establishes a national monitoring and accountability framework through the CONPES plan of action and follow-up, comprising 162 defined actions, and SisCONPES, the reporting platform through which State entities must record implementation progress. In addition, the relevant CONPES framework provides that, for the period 2025–2034, the Ministry of Equality and Equity will establish and operationalize an observatory dedicated to monitoring the human rights situation of the LGBTIQ+ population.

23. Taken together, these measures embed LGBT-related data production and reporting obligations within the country's national development planning system. While full operationalization remains pending, the measures represent a structural shift from ad hoc documentation towards institutionalized monitoring and evaluation.

24. Within the justice and forensic sectors, significant institutional advances are apparent. The Attorney General's Office has modified its internal registries to incorporate variables on

¹⁷ Ministry of Foreign Affairs, public statement, 19 March 2026, available at <https://www.cancilleria.gov.co/newsroom/news/politica-externo-feminista-ya-no-idea-derecho-cuando-derechos-convierten-politica>, and public statement, 24 June 2025, available at <https://www.cancilleria.gov.co/newsroom/news/dia-mujer-diplomacia-colombia-reafirma-su-compromiso-igualdad-genero-canciller-laura>.

sexual orientation and gender identity and established the National Working Group for the Investigation of Violence Based on the Sexual Orientation and/or Gender Identity of Victims.¹⁸ In May 2024, it also created a trans operational committee as a national mechanism for dialogue with transgender and non-binary persons.¹⁹ That committee is intended to rebuild engagement with victims' social (chosen) families, obtain first-hand information that may not otherwise reach State institutions and facilitate exchange regarding the functioning and impact of the judicial system.

25. Together, these mechanisms constitute a sustained effort within the prosecutorial system to generate differential qualitative and quantitative data on prejudice-motivated crimes. Nonetheless, the Office has acknowledged that nationally extractable statistics disaggregated by sexual orientation and gender identity remain limited.

26. Despite these emerging positive developments, available official and civil-society data demonstrate both persistent and severe levels of violence and discrimination and discrepancies between official and civil-society generated statistics. The Ombudsman's Office recorded 65 murders of LGBT persons in 2023, 52 in 2024 and 36 in early 2025, alongside 185 health-sector discrimination complaints and 107 cases of barriers to access to justice in 2024. Approximately 800 of 11,000 violence complaints received that year were classified as prejudice-based.²⁰ The Attorney General's Office recognized 30 homicides of transgender persons in 2024 and 14 further cases as at 20 May, 2025.²¹ The civil-society organization Caribe Afirmativo documented 164 murders of LGBT persons in 2024²² and 689 cases of sexual violence.²³ Differences across official and civil-society data sets underscore the need for cautious, comparative interpretation.

27. Separately, the National Institute of Forensic Medicine and Science maintains a specialized forensic information system that incorporates sexual orientation and gender identity variables within medico-legal assessments, supported by routine quality-control procedures and epidemiological analysis, and disseminates anonymized outputs through public data platforms. This framework constitutes the most developed national source of systematic statistical visibility regarding violence affecting LGBT persons, particularly in contexts where other official data systems remain limited or fragmented.

28. Building on this institutional capacity, epidemiological outputs from the Institute reveal patterns of both lethal and non-lethal violence affecting LGBT persons beyond homicide alone. In 2024, medico-legal records documented 105 alleged homicides, 137 suspected suicides, 932 cases of interpersonal violence resulting in injury and 475 examinations related to sexual offences involving persons identified as LGBT.²⁴ For the period January–March 2025, the preliminary data indicated 30 alleged homicides, 38 suspected suicides, 250 cases of interpersonal violence and 121 sexual-offence examinations. While the Institute has underscored that these figures derive from medico-legal assessments rather than official crime statistics, they nonetheless provide critical insight into

¹⁸ Resolution No. 0-0077, 26 February 2024. Available at <https://revistaraya.com/pdf/0-0077.pdf>.

¹⁹ Information provided to the Independent Expert during a meeting with representatives of the Attorney General's Office, 20 May 2025.

²⁰ Information provided to the Independent Expert during a meeting with the Ombudsman, 20 May 2025.

²¹ Information provided to the Independent Expert during a meeting with representatives of the Attorney General's Office, 20 May 2025.

²² See <https://www.caribeafirmativo.lgbt/164-personas-lgbtq-fueron-asesinadas-en-colombia-durante-el-2024-caribe-afirmativo-presento-su-informe-anual-de-dd-hh>.

²³ Information provided to the Independent Expert during a meeting with civil society organizations, 21 May 2025.

²⁴ National Institute of Forensic Medicine and Science, *Forensis 2024*, March 2026, in particular the sections on homicide in Colombia, 2024, on suicide in Colombia, 2024, on non-fatal interpersonal violence in Colombia 2024, and on medico-legal examinations for alleged sexual offences in Colombia, 2024, including tables disaggregated by sexual orientation and gender identity. Available at https://www.medicinalegal.gov.co/documents/20143/1269218/Forensis_2024.pdf. Access from outside Colombia to this website and some others referenced in the present report may require the use of a virtual private network (VPN).

the nature and scale of violence experienced by LGBT persons, including suicide, which remains significantly underdocumented in other national data sources.

29. In the health, education and child-protection sectors, data architecture remains significantly underdeveloped. Resolution No. 2138 of December 2023 of the Ministry of Health,²⁵ in which the Ministry adopts guidelines for integrating a gender approach within the health sector, requires that data be disaggregated by sex and, where feasible, by sexual orientation and gender identity, and instructs authorities to generate the necessary information where it is not yet available. However, limited institutional capacity to collect and systematize such data remains a significant obstacle to effective implementation. This gap continues to impede the identification of access barriers and health outcomes for LGBT persons within the general health system, including in the context of developing national guidelines for comprehensive healthcare for transgender persons. In the education sector, civil-society data indicate that 64 per cent of LGBT children experience discrimination in school and that 67 per cent do not feel safe in school environments. The Ministry of Education acknowledges that there is no reliable or systematic national data set on bullying, violence or discrimination affecting LGBT students. Reporting remains fragmented and dependent on individual complaints, and anonymous reporting platforms remain underutilized. Similarly, the Colombian Family Welfare Institute does not systematically record sexual orientation or gender identity as structured variables in its information systems. Although violations of children's rights are documented, these characteristics are not captured as disaggregated, searchable data, and references to gender identity remain qualitative. This prevents the statistical identification of LGBT children affected by family violence, forced recruitment into criminal networks, or school exclusion. Reforms to incorporate these variables are anticipated for 2025–2026, subject to significant technical and institutional investment.²⁶

30. Comparable limitations persist within migration and defence systems. Migration Colombia does not maintain accurate records on the number of transgender migrants or LGBT asylum-seekers. Persons without temporary protection permits are not included in health, housing and social-protection data sets, and migrants frequently suppress self-identification to avoid discrimination, further distorting available data. The absence of systematic collection of data on sexual orientation and gender identity within asylum, refugee and complementary protection procedures results in the statistical invisibility of LGBT refugees and asylum-seekers. This limits the ability to assess protection outcomes, design evidence-based responses and monitor compliance with international protection obligations, and contributes to continued reliance on fragmented or ad hoc documentation. Within the defence sector, the Ministry of Defence is in the process of strengthening the defence sector Gender Observatory with the aim of producing and consolidating information on gender and diversity. At the same time, it acknowledges the absence of systematized figures on violence against LGBT persons within the Armed Forces. While such cases are recognized to have occurred, available information remains partial.²⁷

31. At the territorial level, Bogotá demonstrates that structured municipal-level data systems are feasible in practice. The city has developed one of the most consolidated local data ecosystems relating to LGBT inclusion, integrating research, documentation and service-use data across specialized LGBTI Houses, gender clinics, emergency protection units and social-inclusion programmes. The district has documented hundreds of cases of legal-document rectification, labour inclusion, emergency shelter provision and protection services for transgender persons, illustrating that territorial administrative systems can track service access and outcomes with specificity.

32. Across all sectors, the documentation consistently identifies systemic data weaknesses. These include the current absence of a unified national observatory, inconsistent or absent sexual-orientation and gender-identity variables across justice, health, education,

²⁵ Available at

https://www.minsalud.gov.co/Normatividad_Nuevo/Resolución%20No%202138%20de%202023.pdf.

²⁶ Information provided to the Independent Expert during a meeting with representatives of the Colombian Family Welfare Institute, 19 May 2025.

²⁷ Information provided to the Independent Expert during a meeting with representatives of the Ministry of Defence, 20 May 2025.

child-protection, migration and defence systems, heavy reliance on civil-society data sets for national trend analysis, persistent underreporting (particularly in rural and conflict-affected areas) and weak territorial statistical capacity. These data gaps and inconsistencies emphasize the urgent need to ensure effective implementation of existing data-related policies designed to ensure systematic LGBT-related data collection, including by establishing a national LGBT-violence information system or observatory, mandating the integration of structured sexual-orientation and gender-identity variables across administrative data sets and creating school-violence monitoring systems. In doing so it will be important to develop impact-based indicators rather than relying solely on legal-compliance metrics.

E. Safety and security

33. The overall security environment for LGBT persons in Colombia remains characterized by persistently high levels of lethal and non-lethal violence, entrenched impunity and significant implementation gaps, despite the notable recent expansion of formal protection frameworks. Transgender persons, and transgender women in particular, face a markedly elevated risk of homicide and sexual violence. Official and civil society sources consistently record high numbers of killings and sexual-violence cases, with civil society actors raising concerns that the overwhelming majority remain in preliminary investigation stages.²⁸ This pattern reflects systemic weaknesses in investigation, prosecution and accountability. Regional variation is a striking feature; for example, Antioquia and other rural and conflict-affected departments continue to register particularly high levels of violence, linked to weak State presence and the lingering influence of criminal and armed groups.

34. At the same time, Colombia has undertaken important institutional reforms intended to strengthen protection against prejudice-based violence. The creation of the Ministry of Equality and Equity, together with the adoption of CONPES Document 4147 as the first national framework on LGBT rights to address violence prevention, investigation and care, has significantly expanded the formal architecture for prevention, protection and monitoring. CONPES Document 4147 establishes a framework of actions that contribute to the fulfilment of the objectives of the Policy and formally integrates the Ombudsman's Office and the Office of the Inspector General into monitoring mechanisms. The National System for the Recording, Management, Follow-up and Monitoring of Gender-Based Violence and the national desks on urgent cases constitute functioning early-warning and emergency-response mechanisms to address cases of violence, and in Bogotá a network of emergency units, LGBTI Houses and the "Refuge" shelter programme provides temporary housing, psychosocial support and reintegration assistance for persons at imminent risk. These measures represent concrete institutional advances in front-line protection.

35. Despite normative advances, challenges persist in implementation. Gaps remain between formal anti-discrimination standards and everyday policing practices, with reports that complaints by LGBT persons are sometimes minimized, misclassified or insufficiently investigated, contributing to underreporting. Concerns have also been raised regarding investigative rigour in certain contexts, including the collection and preservation of evidence. Police violence continues to be reported, particularly affecting transgender sex workers.²⁹

36. As detailed above, the Ombudsman's Office has consistently documented high levels of lethal and non-lethal violence affecting LGBT persons, alongside systemic institutional failures. In its 2023 annual report on prejudice-based violence, the Office recorded 65 killings and followed up on 480 cases involving LGBT persons,³⁰ identifying patterns of institutional deficiencies across policing, health services, education, detention settings and access to justice, as well as persistent shortcomings in investigation, victim support and

²⁸ Information provided to the Independent Expert during a meeting with civil society organizations, 21 May 2025.

²⁹ Information provided to the Independent Expert during a meeting with representatives of the Attorney General's Office, 20 May 2025.

³⁰ See <https://www.defensoria.gov.co/-/mujeres-transg%C3%A9nero-las-principales-v%C3%ADctimas-de-la-violencia-contra-la-poblaci%C3%B3n-con-orientaci%C3%B3n-sexual-e-identidad-de-g%C3%A9nero-diversa>.

inter-institutional coordination, compounded by gaps in funding, monitoring and implementation following the expiration of action plans under Decree No. 762 of 2018. More recent data indicate that in 2024 the Ombudsman's Office documented 52 murders of persons with non-hegemonic sexual orientations, gender identities and expressions, with transgender women disproportionately affected.³¹ While this represents a numerical decrease compared to 2023, the level of lethal violence remains alarming. The 2024 figures are based on triangulated information from Ombudsman's Office registries, prosecutorial mechanisms within the Attorney General's Office and civil-society monitoring, strengthening their evidentiary reliability and reinforcing concerns regarding the persistent disconnect between formal policy commitments and their effective operationalization in practice. One human rights defender observed that the way in which violence has evolved is not so easy to understand, noting its deep roots in the country's internal armed conflict. For instance, civil society organizations based in Cali underscored the serious situation facing LGBT persons in conflict-affected areas.

37. LGBT human rights defenders face particularly acute and differentiated risks in Colombia. Their visibility, leadership roles and engagement in territorial advocacy place them at heightened risk of threats, harassment, forced displacement and lethal violence by both State and non-State actors. Documented cases indicate that killings of LGBT defenders have been directly linked to their activism, with transgender women and grass-roots community leaders disproportionately affected. Defenders consistently reported that their work exposes them to targeted persecution and that existing protection mechanisms are often insufficient, delayed or inaccessible, particularly in conflict-affected and rural areas. These patterns underscore the need for specific, tailored protection strategies that recognize LGBT human rights defenders as a distinct at-risk group.

38. There are territorial disparities in the implementation of protection and accountability mechanisms. For example, in Valle del Cauca, authorities have documented persistently high levels of lethal violence against LGBT persons, alongside recurrent obstacles to access to justice, including revictimization, investigative delays and weak coordination among institutions. In May 2025, an inter-institutional working group was established to address these gaps, including through commitments to issue directives on police conduct, strengthen follow-up of urgent cases and improve coordination between prosecutorial, police and protection authorities. This initiative reflects both the severity of territorial disparities and the potential value of coordinated, territorially grounded responses.

39. Despite some advances in political representation, LGBT persons seeking public office continue to face significant barriers to equal political participation. During electoral periods, LGBT candidates and activists are frequently subjected to threats, stigmatization and intimidation, with limited access to effective protection mechanisms. These risks are particularly pronounced at the local level and in areas affected by armed conflict, where the intersection of political participation, sexual orientation or gender identity, and weak institutional protection, creates heightened vulnerability. Such patterns undermine the rights to political participation and equality and contribute to the exclusion of LGBT voices from democratic processes.

40. Beyond threats and violence, civil society actors identified structural barriers to political participation, particularly affecting transgender and non-binary persons. They cited identity-document mismatches, inconsistent application of names and gender markers, and weak implementation of the trans voting protocol as having hampered the ability of some transgender individuals to exercise their voting rights, including through incidents of harassment at polling stations. These barriers disproportionately affect those in rural and conflict-affected areas and undermine the equal exercise of political rights, even where formal legal recognition mechanisms exist.

41. Certain environments present especially acute security risks. Some LGBT persons deprived of liberty continue to face abuse, discrimination and denial of healthcare, including access to HIV treatment and gender-affirming care. Although differentiated protection

³¹ Information provided to the Independent Expert during a meeting with the ombudsperson, 20 May 2025.

protocols exist within the prison system, they are frequently not implemented in practice, prompting repeated remedial interventions by the Constitutional Court. Educational settings continue to present challenges for many LGBT children and adolescents, with reports of discrimination and insecurity in some contexts. The absence of a reliable national system to systematically record school-based violence further limits the ability to prevent such incidents and ensure accountability.³²

42. In some regions, new modalities of targeting have emerged, including the weaponization of digital dating applications to entrap and target gay men for violence, including killing, indicating the changing nature of risk in both public and online spaces.

43. Intersectional vulnerabilities further compound insecurity. Migrant transgender women, particularly Venezuelan sex workers, experience physical, psychological and institutional violence alongside barriers to healthcare, housing, documentation and regularization. LGBT persons with disabilities face heightened levels of revictimization and exclusion from protection protocols, while children and adolescents remain exposed to elevated risks of discrimination and psychological harm within family and school environments.

44. LGBT refugees and asylum-seekers, particularly nationals of the Bolivarian Republic of Venezuela, face compounded protection risks arising from the intersection of migration status and sexual orientation or gender identity. Fear of deportation, lack of regular migration status and prior experiences of discrimination frequently deter individuals from approaching State authorities, humanitarian actors or law-enforcement bodies. As a result, many remain excluded from protection mechanisms and referral pathways, conceal their sexual orientation or gender identity and continue to face heightened exposure to violence, exploitation and abuse in informal and unregulated settings. One human rights defender in Cúcuta expressed the challenges in access to health for those experiencing intersectional discrimination as follows: “I am judged because I am an LGBT person, I am judged because I am a migrant, I am judged because I am poor, and I am judged because I am a woman.”³³

45. These protection gaps significantly increase exposure to trafficking, sexual exploitation and coercive labour, particularly for transgender women engaged in informal economies. Social and economic marginalization, coupled with reliance on informal (and in some cases criminalized) economic activities, heightens vulnerability. A member of civil society described this as “double vulnerability”, arising from the intersection of migration status and sexual orientation or gender identity. The absence of systematic procedures to identify protection needs related to sexual orientation and gender identity, together with limited specialized training and referral mechanisms, contributes to the underidentification of victims and constrains access to appropriate protection, assistance and remedies. Interlocutors further reported that fear of deportation and discriminatory treatment deter access to protection and healthcare, with consequences including interruptions in HIV treatment and self-medication, in the absence of alternatives.

46. The country’s transitional justice framework represents a globally significant development in the recognition of violence against LGBT persons in the context of armed conflict. The Commission for the Clarification of Truth, Coexistence and Non-Repetition has documented how armed actors targeted individuals on the basis of sexual orientation and gender identity or expression,³⁴ while the Special Jurisdiction for Peace has integrated a gender-sensitive approach across its macrocases, including macrocase 11 on gender-based and prejudice-motivated crimes committed against LGBT persons. Macrocase 11 recognizes that persecution during the armed conflict frequently operated along intersecting axes of discrimination. Lesbian and transgender women were targeted for defying imposed gender norms; Afro-Colombian and Indigenous women faced violence shaped by both ethnic marginalization and patriarchal control; and LGBT persons living in territories under armed-group control were subjected to threats, displacement and killings aimed at enforcing

³² Information provided to the Independent Expert during a meeting with representatives of the Ministry of Education, 20 May 2025.

³³ Meeting with civil society in Cúcuta, 22 May 2025.

³⁴ “La verdad es arcoíris”, in *Mi cuerpo es la verdad: experiencias de mujeres y personas LGBTIQ+ en el conflicto armado* (2022). Available at <https://www.comisiondelaverdad.co/mi-cuerpo-es-la-verdad>.

rigid social regulation. The Judicial Panel for Acknowledgement of Truth, Responsibility and Determination of Facts and Conduct, a body of the Special Jurisdiction for Peace, has acknowledged that these harms were structured through overlapping systems of discrimination that compounded vulnerability. In macrocase 7, the Special Jurisdiction also established that the recruitment and use of children by the former Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) involved multiple macrocriminal patterns, including large-scale violence based on prejudice against children and adolescents with diverse sexual orientation and gender identity and expression, and attributed responsibility to six former members of the FARC-EP Secretariat – the group’s highest decision-making body – based on a theory of command responsibility.

47. Complementing these accountability efforts, the Unit for the Search for Persons Deemed Missing in the context of and due to the armed conflict established under the 2016 Peace Agreement plays a central humanitarian role in searching for persons reported missing in the conflict and recognizes the participation of both biological and social or chosen families, an approach of particular relevance for LGBT persons.³⁵ The Unit has incorporated a differentiated LGBT perspective into its work. Civil society initiatives, including the Rainbow Search Network for LGBTIQ+ persons,³⁶ further support searches with a focus on prejudice-motivated violence. These measures mark important progress towards acknowledgement and accountability. Civil society groups have, however, expressed concern that limited investigative time frames may constrain the ability to fully address the scale and complexity of such crimes.

48. Important advances have also been made within the justice and security sectors. The Attorney General’s Office has established specialized working groups and operational committees on sexual orientation and gender identity, modified internal records to incorporate sexual orientation and gender identity variables and adopted specialized investigative protocols for violence against transgender women.³⁷ The national forensic system has incorporated sexual orientation and gender identity variables into its databases and technical regulations, strengthening visibility and evidentiary capacity. Within the defence and security sector, gender and human-rights mainstreaming policies have been adopted, protocols are being updated to strengthen criminal and disciplinary responses to prejudice-based violence, and permanent directives and focal-point systems are being developed to protect LGBT persons within the Armed Forces, including through actions under the national action plan on women, peace and security.

49. Overall, the documentation points to a security environment in which high levels of lethal violence and systemic impunity coexist with a growing but unevenly implemented protection architecture. Allegations of institutional misconduct, including instances of police violence in specific contexts, continue to raise concern. Fragmented data systems, territorial disparities and weak enforcement further undermine prevention, early warning and accountability. While Colombia has made demonstrable progress in establishing legal, institutional and operational frameworks to address prejudice-based violence, the persistence of significant levels of lethal and non-lethal harm suggests that these efforts have yet to translate into consistent and territorially effective protection for LGBT persons across the country.

³⁵ See, for example, the guidelines issued by the Unit in 2020 on applying a gender approach for LGBTI persons in the search process for persons deemed disappeared. Available at <https://unidadbusqueda.gov.co/wp-content/uploads/2021/02/Lineamientos-del-Enfoque-de-Genero-para-Personas-LGBTI-en-el-proceso-de-busqueda-de-Personas-dadas-por-desaparecidas-%E2%80%93Enfoque-LGBTI-Recuperando-y-dignificando-Identities.pdf>. See also <https://unidadbusqueda.gov.co/actualidad/lgbtiq-orgullo-busqueda-diversa/>.

³⁶ See <https://unidadbusqueda.gov.co/actualidad/lgbtiq-red-arcoiris-junio-2024/>.

³⁷ Information provided to the Independent Expert during a meeting with representatives of the Office of the Attorney General, 20 May 2025.

F. Right to health

50. Colombia possesses a comparatively strong formal framework governing access to healthcare for LGBT persons. The right to health in Colombia is recognized as a fundamental right under Law No. 1751 of 2015, which establishes the State's obligation to guarantee equitable and non-discriminatory access to health services. The Constitution also guarantees equality and non-discrimination, and this is reinforced by anti-discrimination legislation. For transgender persons, administrative procedures allow changes of name and sex on identity documents without medical or psychological preconditions. Extensive jurisprudence of the Constitutional Court has further clarified that gender-affirming treatments are medically necessary and must be covered by the public health system, and that medical interventions may not be a prerequisite for legal gender recognition. Together, these norms establish binding obligations for both public and private healthcare providers.³⁸

51. Within this framework, several significant positive developments were under way at the time of the visit. The Constitutional Court ordered the development of clinical practice guidelines for healthcare for transgender persons in 2020. A major structural advance is the finalization by the Ministry of Health of a national guide for comprehensive care for transgender persons. Developed with the participation of health experts, transgender community representatives and Ministry technical teams, the guide integrates scientific evidence, clinical consensus and a community-based approach. It includes provisions on recognition of identity, use of social names, identification of specific health risks, mandatory professional training and adaptation to diverse territorial contexts, and is intended to become the most comprehensive national reference of its kind in the region. It was expected to be implemented nationally in 2025 and to require all territorial health authorities to align their local protocols accordingly; however, as of early 2026, its roll-out appeared to be progressing more slowly than anticipated.

52. Civil society groups expressed concern that significant barriers to healthcare for transgender persons persist. Reported challenges include the need to resort to litigation to access services, limited training of health personnel, continued reliance on pathologizing criteria, service gaps in many regions, delays and inadequate referral pathways, and instances of disrespect or denial of care. In addition, limited community participation in the drafting of the new national care guide for transgender persons has raised questions about the guide's responsiveness to lived realities and heightened concern that it may inadvertently reinforce pathologizing approaches.

53. At the system level, the gender and diversity approach is being mainstreamed across public and private health services through resolution No. 2138 of 2023, which obliges territorial health secretariats to recognize users' identities beyond identity-card data. Health is also explicitly integrated into CONPES Document 4147, which includes actions to improve access to public services, strengthen institutional capacities and improve health-related data systems. Planned comprehensive diversity care centres in regions historically impacted by armed conflict, such as Sur de Bolívar, Montes de María and Chaparral, are intended to integrate health services, psychosocial care, transgender-specific services and HIV prevention.

54. Further positive developments are evident in the strengthening of health-related data and forensic systems. The National Institute of Forensic Medicine and Science now systematically records sexual orientation and gender identity variables, applies differential forensic protocols nationwide and publishes anonymized data sets, significantly improving epidemiological visibility, documentation of prejudice-motivated violence and accountability. At the municipal level, Bogotá has developed an advanced model of health and psychosocial care, including a specialized gender clinic, five LGBTI Houses providing

³⁸ Ministry of Justice and Law, Decree No. 1227 of 4 June 2015, available at <https://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Decretos/30019850>; Constitutional Court, Ruling T-063/15, 13 February 2015, available at <https://www.corteconstitucional.gov.co/relatoria/2015/t-063-15.htm>; and Constitutional Court, Ruling T-033/22, 4 February 2022, available at <https://www.corteconstitucional.gov.co/relatoria/2022/t-033-22>.

psychosocial and health-related services, differential guidance for health personnel and comprehensive refuge programmes combining housing, food and psychological care for persons at imminent risk.

55. Notwithstanding these advances, serious structural gaps and persistent challenges remain. Around 80 per cent of LGBT persons access care through the subsidized health system, where outsourcing through insurance and provider (health promotion entities and health provider institutions) networks creates significant access gaps, particularly in rural and remote areas. Geographic isolation further limits the availability of services in some territories. Severe shortages of low-cost essential medicines affect HIV treatment and hormone therapy. Due to lack of access to medically supervised gender-affirming care, many transgender persons resort to unsupervised silicone or oil injections, generating significant health risks.

56. Persons deprived of liberty face particularly acute barriers. There are persistent difficulties in accessing HIV treatment and gender-affirming care in detention settings. Although protocols exist, they are often not implemented in practice, and jurisprudence requiring reform of prison regulations has translated only into limited practical change.

57. A differentiated clinical approach exists for transgender minors, providing psychosocial support for children under 12, possible access to puberty blockers for adolescents through specialist referral, and access to medical transition treatments for adults. However, access remains uneven, and the Ministry recognizes that social and emotional dimensions of transition must be addressed alongside biomedical care.

58. Civil society organizations documented the continued prevalence of conversion practices, in both formal and informal settings, including psychological, religious and pseudotherapeutic interventions aimed at suppressing or changing sexual orientation or gender identity. Input received from civil society groups described severe mental-health impacts associated with these practices, including depression, anxiety, suicidal ideation and long-term psychosocial harm.

59. LGBT migrants, particularly transgender women and persons living with HIV, encounter compounded barriers in accessing healthcare. Documentation requirements frequently restrict entry to public health systems, and reductions in international funding have further limited the availability of antiretroviral treatment. Civil society organizations have also reported instances of revictimization and institutional discrimination within health settings. These obstacles are closely intertwined with protection and regularization gaps: lack of migration status, coupled with fear of exposure to immigration enforcement, often deters individuals from seeking care, including HIV prevention and treatment services. In this context, documented consequences include interruptions in treatment, reliance on self-medication, and delayed access to essential services, with significant implications for physical and mental health. These patterns point to the absence of confidential and migration-status-independent pathways to healthcare within existing health and protection frameworks.

60. Taken together, these elements indicate that Colombia has developed an advanced formal framework and has initiated important policy and institutional reforms in the field of health for LGBT persons. Nevertheless, pronounced territorial inequalities, persistent access barriers, uneven implementation of standards in detention settings and serious obstacles faced by migrants demonstrate an ongoing disconnect, in some situations, between formal recognition of rights and their effective enjoyment in practice.

G. Right to adequate housing

61. At the municipal level, Bogotá provides the most developed and operational example of emergency shelter and integrated social protections for LGBT persons. Under its long-standing public policy, the city has established five LGBTI Houses, which function as community centres that provide comprehensive support services. In addition, a shelter initiative offers time-limited housing, food assistance, psychosocial support and job-search accompaniment for up to three months to persons facing imminent risk. In 2024,

17 transgender persons benefited from this programme, and a further 8 had benefited in 2025 at the time of the visit. This model demonstrates that targeted, publicly funded housing responses for LGBT persons are operationally feasible within municipal structures.³⁹

62. The Bogotá approach is underpinned by a formal public-policy framework, including a multi-year action plan structured around defined objectives, outcomes and measurable products. Municipal authorities report high levels of implementation across protection, housing, psychosocial care and labour-inclusion programmes, supported by dedicated budget lines and monitoring mechanisms. This structured policy design contributes to the city's capacity to deliver sustained and differentiated responses and offers a reference model for other territorial entities.

63. At the national level, Decree No. 762 of 2018 and the subsequent public policy framework (CONPES Document 4147) formally commit the State to eliminating barriers in housing, as well as in education, health and work, as part of its obligation to guarantee the rights of LGBT persons. The Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace (2016) also contains specific provisions relating to access to land, housing credit and productive initiatives, intended to support reintegration and reduce structural exclusion in conflict-affected territories. These instruments establish a clear normative and policy basis for housing inclusion.

64. Despite this formal framework, significant implementation gaps persist. Civil society reports indicate that the housing- and land-credit measures envisaged in the 2016 peace agreement have not been implemented in identified priority territories, more than eight years after its adoption. The continued absence of these measures in rural and conflict-affected regions perpetuates patterns of structural exclusion and undermines prospects for durable housing security outside major urban centres.

65. Access to housing is further constrained by persistent discrimination and administrative barriers, particularly affecting migrants. LGBT migrants are reported to face serious practical discrimination in access to accommodation, notwithstanding the formal legal recognition of housing rights for same-sex couples. Many suppress their gender identity to avoid discrimination in housing markets and public spaces. The absence of regular migration status, including lack of a temporary protection permit, directly limits access to basic services, including housing, and increases exposure to homelessness and unsafe or informal accommodation.

66. Territorial inequalities in institutional capacity compound these problems. Authorities acknowledge regional disparities, budgetary constraints and uneven implementation of public policies, which restrict the consistent roll-out of housing-related measures beyond large cities. These structural weaknesses hinder the translation of national commitments into effective, territorially balanced housing protection and contribute to the persistence of uneven, urban-concentrated housing responses for LGBT persons.

H. Right to education

67. Colombia has developed one of the most advanced constitutional and statutory education frameworks in the region for the protection of sexual orientation and gender identity. Law No. 115 of 1994 (General Law on Education)⁴⁰ establishes that comprehensive sexuality education is compulsory in all public and private schools and must be implemented transversally across the curriculum as part of the right to education. The right to education without discrimination is grounded in Law No. 1098 of 2006 (Children and Adolescents' Code)⁴¹ which aligns domestic law with the Convention on the Rights of the Child, ratified by Colombia in 1991, and Law No. 1620 of 2013, which established the national system for

³⁹ Information provided to the Independent Expert during a meeting with Capital District officials, 20 May 2025.

⁴⁰ Available at <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=292>.

⁴¹ Available at <https://web.archive.org/web/20250423170448/https://www.ins.gov.co/Normatividad/Leyes/LEY%201098%20DE%202006.pdf>.

school coexistence and training on human rights, sexuality education, and the prevention and mitigation of school violence.⁴² This normative framework is reinforced by Constitutional Court jurisprudence, including rulings that have required the revision of school regulations to eliminate discriminatory norms, obliged educational institutions to adapt to the gender transition processes of transgender students rather than exclude them from in-person schooling, and addressed the dissemination of conversion-practice material in religious schools. Through *tutela* actions, the Court has also issued multiple rulings protecting children and adolescents from discrimination, bullying and hate speech in school environments.⁴³ Taken together, this framework establishes sexual orientation and gender identity as protected grounds within education and places Colombia among the States with the strongest formal legal protections in the region.

68. The Ministry of Education is responsible for national education policy, operating within a highly decentralized system of more than 80,000 educational establishments, many of them in remote areas. Within this complex institutional landscape, the Ministry has sought to advance comprehensive citizenship and social-emotional and sexual education, and has initiated a number of structural reforms. The Ministry of Education indicated that it was working on the development of a national action plan to clarify educational, disciplinary and criminal responses in cases of discrimination and violence, the establishment of support spaces in all regions and the introduction of anonymous reporting platforms for schools. The Ministry has also affirmed an institutional commitment to disseminating gender guidelines and to ensuring that the autonomy of educational institutions does not undermine the guarantee of human rights.⁴⁴ These measures constitute an emerging national reform architecture aimed at strengthening the protection of the right to education for LGBT persons.

69. At the same time, the Ministry acknowledges that implementation of these protections remains limited and uneven. Structural challenges include decentralization, uneven training on sexual and gender diversity for education professionals, and persistent cultural and ideological resistance within parts of the education sector.⁴⁵ As a result, the effective enjoyment of the right to education without discrimination continues to depend heavily on regional capacity, institutional leadership and individual school practices.

70. Mechanisms exist to address bullying and prejudice-based violence in school settings. Where the aggressor is another student, educational processes and possible school sanctions are applied, with referral to the Public Prosecutor's Office if the conduct constitutes a crime; where the aggressor is a member of teaching or administrative staff, internal disciplinary procedures are initiated. Serious cases are shared with the Colombian Family Welfare Institute, the Ombudsman's Office or the health system through rights-restoration mechanisms. However, there is no reliable or systematic national data set on violence and discrimination affecting LGBT students, and underreporting remains significant. The Ombudsman's Office has further warned that the lack of consistent institutional commitment to discrimination-free environments has contributed to serious harm, including cases of suicide linked to school-based discrimination, and has called for the updating of school regulations with a rights- and gender-focused approach, as well as the creation of participatory spaces for LGBT populations in the education sector.

71. Sex education in Colombia continues to be delivered primarily through a biological and medicalized lens, focusing on contraception, prevention of teenage pregnancy, and sexually transmitted diseases. Cultural perceptions that associate sex education with the "promotion" of homosexuality hinder the mainstreaming of sexual orientation and gender identity perspectives in curricula. Initial teacher training does not mandate the inclusion of

⁴² Available at <https://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Leyes/1685356>.

⁴³ See Ruling T-478/15 (Sergio Urrego case), 3 August 2015, available at <https://www.corteconstitucional.gov.co/relatoria/2015/t-478-15.htm>; Ruling T-192/20, 23 June 2020, available at <https://www.corteconstitucional.gov.co/relatoria/2020/t-192-20.htm>; and Ruling T-529/24, 16 December 2024, available at <https://www.corteconstitucional.gov.co/relatoria/2024/t-529-24.htm>.

⁴⁴ Information provided to the Independent Expert during a meeting with representatives of the Ministry of Education, 20 May 2025.

⁴⁵ *Ibid.*

content on sexual orientation and gender identity, and diversity-related training generally occurs, if at all, at postgraduate level. These limitations weaken the capacity of educational institutions to prevent discrimination and to provide inclusive, affirming learning environments.

72. In higher education, violence against LGBT students is recognized as a persistent concern. Nevertheless, important positive developments have emerged. A specific chapter on this issue has been incorporated into CONPES Document 4147, representing the first time that national development policy has explicitly addressed this population within higher education. In addition, an Inter-American Development Bank loan is supporting differentiated retention strategies and targeted institutional support. These measures constitute a concrete policy and financing framework aimed at reducing exclusion and improving educational outcomes at the tertiary level, although their effective dissemination and implementation remain ongoing challenges.

73. Inter-institutional coordination has been strengthened through initiatives led by the Ministry of Equality and Equity, in coordination with the Ministry of Education and the Ministry of Information and Communications Technologies, to establish a national fund to facilitate access to higher education for LGBT persons.⁴⁶ This initiative represents a significant step toward addressing structural access barriers in education.

74. The Colombian Family Welfare Institute has developed a national child-protection framework that includes educational and social-transformation actions to promote inclusion in school environments, to combat persecution of children and adolescents for their gender expression and to foster safe, discrimination-free spaces through educational actions, dialogues and staff training. It conducts campaigns with regional education secretariats to address bullying and discrimination in schools through national and regional technical committees.

75. Civil society organizations have documented persistent and widespread discrimination in school environments, reporting that a majority of LGBT children experience discrimination and do not feel safe at school. Civil society groups have called for the establishment of structured State information systems to monitor violence in school settings, the eradication of conversion practices, and strengthened budgeting and monitoring mechanisms based on indicators of real impact rather than formal compliance.

76. Overall, the country's principal challenge in relation to the right to education is not the absence of a normative or institutional framework, but the consistency of implementation, territorial reach, institutional capacity and accountability. Colombia demonstrates a clear reform trajectory, with emerging national architectures in education policy, higher education financing and child protection that provide a strong foundation for further progress. Strengthening teacher training, data systems, accountability mechanisms and territorial implementation remains essential to ensure that the right to education without discrimination is realized in practice for all LGBT learners.

III. Conclusion

77. The present report documents a country marked by a striking duality. Colombia possesses one of the most advanced constitutional, jurisprudential and policy frameworks for the protection of the human rights of LGBT persons in the region. Constitutional guarantees of equality and non-discrimination, an extensive and progressive body of Constitutional Court jurisprudence, and recent policy initiatives – including CONPES Document 4147 – reflect a strong normative commitment to inclusion, protection and substantive equality. Colombia has also demonstrated leadership at the international level, reinforcing these commitments through its foreign policy and multilateral engagement.

78. At the same time, the findings in the report confirm a persistent disconnect between formal recognition and effective protection in practice. High levels of lethal

⁴⁶ See <https://web.icetex.gov.co/es/-/fondo-eduminiigualdad-lgbtiq->.

and non-lethal violence – particularly against transgender women – as well as entrenched impunity, institutional and police violence in some contexts, and significant territorial disparities continue to undermine the effective enjoyment of rights. These challenges are compounded by uneven territorial implementation and the absence of a unified, operational national data system capable of capturing the full scale and patterns of violence, discrimination and exclusion.

79. Across the sectors examined, implementation gaps, fragmented delivery and limited reach in rural, conflict-affected and marginalized territories recur as cross-cutting constraints. Intersectional vulnerabilities, including those affecting migrants, refugees, human rights defenders, persons deprived of liberty, children and adolescents, persons with disabilities, and lesbian, bisexual and queer women, further exacerbate exposure to harm and exclusion. The emergence of political and social backlash against sexual orientation and gender identity also poses a growing risk to implementation, social cohesion and the sustainability of existing protections.

80. The report also documents meaningful positive developments. These include the corrective role of the Constitutional Court as a systemic guarantor of equality, advances in transitional justice recognizing violence against LGBT persons in the context of armed conflict, the expansion of institutional protection mechanisms, and concrete good practices at the territorial level, most notably in certain municipalities. Emerging reforms in healthcare, education policy, data systems and victim support demonstrate that progress is both possible and under way.

81. The central challenge identified in this report is therefore not the absence of legal standards or policy frameworks, but the need to translate existing commitments into consistent, territorially effective and rights-based protections in practice. Bridging this divide will require sustained political leadership, institutional continuity, robust and interoperable data systems, effective accountability for violence and discrimination, and the meaningful participation of affected communities throughout the policy cycle. Only through such measures can Colombia ensure that its constitutional promises and international commitments are realized in the daily lives, safety and dignity of all LGBT persons.

IV. Recommendations

Institutional continuity and leadership

82. The Ministry of Equality and Equity, with the office of the president and the National Planning Department, should guarantee the continuity, legal protection and political backing of the national institutional framework for LGBT public policy. In the event of institutional reform, they should ensure the effective transfer of all competencies, staff and budget to another lead authority with the mandate and capacity to coordinate national policy.

Adoption and operationalization of the national action plan

83. The office of the President should issue a presidential decree to operationalize CONPES Document 4147 as a national public-policy action plan, including through mandatory implementation duties, accountability mechanisms, structured monitoring and evaluation and minimum funding safeguards, in line with the parameters of its budgetary authority.

Financing and participation

84. The Ministry of Equality and Equity, with the Ministry of Finance and the National Planning Department, should ensure adequate and sustainable financing of national and territorial LGBT public policies and formally recognize, resource and institutionalize the participation of LGBT civil society organizations throughout the full public-policy development process.

Investigation and prosecution of hate crimes

85. The Attorney General's Office, with the Ministry of Justice and Law, should establish and systematically pursue priority lines of investigation for crimes motivated by prejudice based on sexual orientation and gender identity.

Access to justice and accountability

86. The Ministry of Justice and Law, the judiciary and the National Police should redesign access-to-justice routes for LGBT victims, strengthen inter-institutional coordination for the enforcement of judicial decisions and ensure effective disciplinary and punitive measures, including dismissal, for public officials responsible for prejudice-based violence or repeated negligence.

Electoral participation

87. Electoral authorities, in coordination with the Ministry of the Interior and the National Civil Registry, should ensure the effective implementation of the trans voting protocol nationwide, address identity-document mismatches, train polling officials and establish monitoring mechanisms to prevent discrimination and harassment of LGBT voters and candidates.

Police discipline and oversight

88. The Ministry of the Interior and the National Police, in coordination with the Attorney General's Office, should adopt binding national directives prohibiting profiling, harassment and abuse of LGBT persons, particularly transgender women and sex workers, and establish independent oversight and complaint-review mechanisms, with civil-society participation.

Healthcare standards specific to transgender persons

89. The Ministry of Health should fully implement the Constitutional Court-mandated healthcare guidelines for transgender persons, depathologize transgender identities within the health system and ensure effective, non-discriminatory access to gender-affirming care, HIV prevention and treatment, and mental-health services.

Conversion practices in health settings

90. The Ministry of Health and the National Health Authority should strengthen supervision and sanctions against conversion practices in the health sector and require mandatory sexual orientation and gender identity training for health professionals.

Targeted measures for lesbian, bisexual and queer women

91. State authorities should develop and implement targeted protection, health and psychosocial support measures for lesbian, bisexual and queer women, ensuring their visibility in data systems, protection mechanisms and public policies addressing gender-based and prejudice-based violence.

Continuity of essential medicines

92. The Ministry of Health, in coordination with the Ministry of Finance and Public Debt territorial authorities, should establish protected procurement, financing and supply mechanisms to ensure uninterrupted access to antiretroviral treatment, hormone therapy and other essential medicines for LGBT persons, including LGBT migrants and persons deprived of liberty.

Safe and inclusive school environments

93. The Ministry of Education should establish a national system for monitoring violence and discrimination in school settings, update school regulations in line with

Constitutional Court jurisprudence and ensure the effective implementation of comprehensive, sexuality education inclusive of sexual orientation and gender identity.

Teacher training and impact monitoring

94. The Ministry of Education should require mandatory sexual orientation and gender identity training in initial and in-service teacher education and measure progress through indicators of real impact, rather than formal compliance alone.

Protection of educators implementing inclusive education

95. The Ministry of Education should adopt safeguards to protect educators and school administrators implementing sexual orientation and gender identity-inclusive education from disciplinary retaliation, harassment and political pressure, and provide institutional backing where inclusive practices are challenged.

LGBT protection in the women, peace and security framework

96. The monitoring and follow-up committee for the national action plan on women, peace and security should ensure effective budgeting for, implementation of and monitoring of the national action plan on women, peace and security relating to Security Council resolution 1325 (2000), incorporating specific measures for LGBT persons, including human rights defenders.

Protection of LGBT human rights defenders in security planning

97. Relevant authorities should respond to the specific patterns of violence and risk faced by LGBT human rights defenders by ensuring that early-warning, security and protection frameworks provide tailored, context-specific measures, including individualized risk assessments, rapid-response mechanisms and territorial protection strategies proportionate to the risks identified.

Differential approach in asylum and migration

98. The Ministry of Foreign Affairs, with the Ministry of the Interior, should explicitly recognize sexual orientation and gender identity as criteria in asylum and international protection determinations and ensure mandatory training for immigration personnel on sexual and gender diversity.

99. Relevant authorities should integrate a differential approach recognizing the compounded vulnerabilities of LGBT migrants into protection, health, anti-trafficking and labour-inspection frameworks, and ensure that the approach includes the provision of confidential access to services irrespective of migration status and specialized referral mechanisms for victims of trafficking and exploitation.

Regularization, and healthcare access for migrants

100. The Ministry of the Interior and the Ministry of Health should reopen and strengthen immigration regularization mechanisms with a differential approach and guarantee effective access to healthcare, including HIV treatment, for LGBT migrants.

Harmful conversion practices

101. Congress, with the Ministry of Justice and Law and the office of the President, should take steps to ensure that harmful conversion practices are brought to an end in line with international human rights standards.

International instruments

102. Congress and the office of the President should ratify the Inter-American Convention against All Forms of Discrimination and Intolerance, signed in 2014.

Accountability for crimes based on sexual orientation and gender identity in transitional justice

103. Congress and the Ministry of Justice and Law should ensure that time frames, resources and mandates within transitional justice mechanisms, including the Special Jurisdiction for Peace, are sufficient to investigate and address prejudice-motivated crimes based on sexual orientation and gender identity, and reinforce efforts to advance investigations within ongoing cases, particularly macrocase 11. At the same time, the role of the ordinary jurisdiction in investigating and prosecuting such crimes committed in the present should be clearly underscored and strengthened.

Prejudice-based violence as a national security concern

104. The National Security Council and the Ministry of Defence should recognize that human rights violations, in all their dimensions, have implications for national security, including in the context of ongoing reforms to the intelligence framework, and should explicitly address prejudice-based violence against LGBT persons within the national security strategy.

Constitutional guarantees

105. The Ombudsman's Office and relevant State authorities should protect and reinforce the role of the Constitutional Court as a central guarantor of equality and non-discrimination and ensure full implementation of its jurisprudence.

Integration of prejudice-based violence into early-warning systems

106. The National Security Council and the Ombudsman's Office should ensure that prejudice-based violence against LGBT persons is systematically integrated into early-warning, risk-analysis and territorial prevention mechanisms, and the national desks on urgent cases.
