Introduction

Colombia has a strong commitment for the protection and the respect for Human Rights and by means of Decree 4100 of 2011, created the National System for Human Rights as a request for the coordination and articulation of the entities and public policies to guarantee the rights of the entire population.

In addition, during the years 2012 and 2013 a participative process was carried out to formulate a proposal for the Integral Public Policy on Human Rights in which 33 Departmental Forums were held with the presence of more than 19,000 social leaders and 9,000 organisations, including representatives from national and territorial institutions to identify problems in the areas of human rights and design action plans in an integrated manner.

As a result of this process, in August 2014, The Presidential Advisory Office for Human Rights (formerly the Presidential Programme on Human Rights and International Humanitarian Law) presented the Colombian Government the National Strategy on Human Rights in order to supply the government agencies with the necessary tools to facilitate the adoption of the Focus Based on Rights by the actions developed by the National System.

It was through this large scenario of discussions that the need for a guidance framework was identified that would allow for the harmonisation of business activities with respect to human rights according to the leaders of the United Nations who in July 2014 published the Guidelines for Public Policy on Business and Human Rights. This document was formulated with the participation of civil society organisations, corporations, government entities and with the technical cooperation of the International Community.
With the objective of guaranteeing the Guiding Principles as well as other international standards that include the OECD Guidelines for Multinationals, The Ten Principles of the Global Compact, The ISO 26000 Guide for Social Responsibility and the Voluntary Principles on Security and Human Rights, the Colombian government took on the task of structuring The National Action Plan on Business and Human Rights, led by the Presidential Advisory Office as the entity responsible for promoting this public policy.

As a result, a high-level meeting took place at the beginning of 2015 at which Ministers expressed their commitment to formulate this Plan under the leadership of the Presidential Advisory Office for Human Rights and accompanied by the Minister and Special Advisor to the Government and the Private Sector which in turn created The Technical Advisory Committee made up of delegates from the Ministries responsible for the joint construction of the plan.

During February and March a participative process took place during which meetings were held with companies, civil society organisations and government entities with the purpose of consulting on the vision, interest and concerns of the different players, likewise, meetings were held with representatives from various governments and International organisations which enriched the debate on which direction the National Action for Business and Human Rights should take.

With the objective of guiding the formulation of The National Action Plan, in accordance with the National Strategy on Human Rights, the process of writing the guidelines for a Public Policy on Business and Human Rights and the dialogues held that year, a Technical Team was created under the leadership of the Presidential Advisory Office for Human Rights made up of the Public Defender’s Office, the Ideas for Peace Foundation as the civil society representative and the technical secretariats of Guias Colombia y Compromiso Etico, the Mining and Energy committee, the Spanish Agency for International Cooperation and development (AECID), the United Nations Development Programme (UNDP) and the office of United Nations High Commissioner for Human Rights.

In continuing the discussions on the subject of business and human rights in Colombia and strengthening the exchange of ideas on the building of the National Action Plan, the Colombian Government renews their commitment on the protection of Human Rights and in the same manner urges public and private companies in the country to comply with national laws and respect those Human Rights recognised internationally.

In addition, it reaffirms its will to promote the implementation of standards regarding Business and Human Rights in the regions and countries where there are little advancements in this area.

Let this be the moment to thank all the social organisations, entities, embassies and international organisms that have for many years supported and accompanied Colombia in the arduous task of advancement in the areas of protection and respect for Human Rights in business activities.

**Past History**

For over a decade Colombia initiated the adoption of international standards related with corporate activities and the respect for human rights leading to the creation of the Mining and Energy Committee (CME) in 2003 responsible for promoting the implementation of Voluntary Principles on Security and Human Rights in the extractive industry sector.

Subsequently, in 2004 the Local Network of the Global Compact was set up to drive the respect, support and the commitment from organisations involved in the construction of Sustainable Development governed by ten principles recognised and accepted globally.

In 2006 Guias Colombia, an initiative designed to implement the Voluntary Principles for the non-extractive industries sector was created, and in 2010 widened its scope to the framework of the Guiding Principles.
In 2009, the Colombian Government joined the International Initiative on Voluntary Principles and Security that was created in 2000; making it the only country in Latin America to do so.

Later on, in 2011, Colombia adheres to the Declaration of Foreign Investment and Multinational Companies of the OECD, made up of guidelines established by the OECD for Multinational Enterprises and establishes a National Contact Point, under the jurisdiction of the Ministry of Commerce, Industry and Tourism that subscribes its implementation under Decree 1400 of 2012.

That same year a group of Swiss companies formally made their commitment to the protection of human rights and International Humanitarian Law throughout their operations in Colombia which gave rise to the initiative known as “Compromiso Etico Suizo”.

In September 2013, the working groups of the Training for Dialogues on Business and Human Rights financed by AECID contributed a document on Conclusions and Proposals for the application of the United Nations leadership principles on Business and Human rights.

Added to this is the territorial dialogue process for the formulation of guidelines on Public Policy and Directive 001 of 2014 issued by the Public Ministry, which promotes the adoption of the Guiding Principles and its support by the members of the Ministry.

It is worth noting that during recent years the country was the headquarters for international activities that resulted in an exchange of experiences regarding the implementation of the standards for Business and Human rights, amongst them the 2013 Latin American and Caribbean Forum on Business and Human Rights and the 2014 Latin American talks on the implementation of the National Framework for Business and Human Rights, which allowed for a better positioning of the subject within the national agenda and provided much needed materials for the construction of Colombia’s plan.

Additionally, in 2014 the Guidelines for Public Policy on Human Rights and Business were published based on the problems that were identified during the structuring of the National Strategy on Human Rights and workshops held in Casanare, Huila, Norte de Santander, Bolivar, Antioquia and Valle del Cauca which held presentations on the subject matter to civil society, local government entities and companies of the region and generated discussion points relevant to the document.

After this brief summary of progress made in the country it followed that the Colombian Government decided to create its own National Action Plan for Business and Human Rights as a tool to implement the Guiding Principles and other international standards on the subject.

**Scope**

The National Action Plan on Business and Human Rights in Colombia is a public policy instrument built with the participation of companies, civil society organisations and with the support of the International Community aimed at guaranteeing respect for human rights in corporate activities.

This represents the joint efforts of companies, the harmonisation of public policies on Human Rights and Business and Corporate Social Responsibility, the concurrence of companies and civil society organisations to strengthen the performance of the State in the promotion, protection and vigilance of human rights and the remedies when they are affected by corporate activities.
The implementation will be promoted and carried out by national and regional companies including those who belong to the judicial branch and the Public Ministry, with the highest level of commitment by all public servants including Colombian Diplomatic Missions abroad.

This Plan is directed towards all companies being public or private, national or foreign, regardless of their size, sector, activity, operational context or structure, that having set up operations in the country should go beyond compliance with the Constitution and its laws, and in that regard, respect human rights in accordance with international standards.

This Plan seeks to overcome historic mistrusts with regard to the protection of Human Rights, therefore, it is indispensable to have the complete disposition of businesspersons and social and trade union organisations to promote the respect for human rights of ethnic groups, women, young boys and girls, adolescents, the LGBTI community, the handicapped, labour unions and other minority groups.

As set out by the United Nations Working Group on Business and Human Rights, each action plan should adjust itself to the context of the countries, and because of this, it is of special interest for the Government of Colombia that companies operating in high risk areas take extra special precautions in the management of their risks and possible effects on Human Rights.

In the same manner, it was determined that this Plan be an important ingredient for the Post Conflict stage (Post Agreement) keeping in mind the respect for Human Rights is indispensable for the execution of programmes and projects in this scenario. Nevertheless, the actions contemplated in this Plan will not be dependent on the signing of one or more agreements and the protection and guarantee of human rights shall prevail at all times, everywhere.

Due to the ampleness of the issues taken on by this Plan, it is considered that its implementation will be gradual and progressive, defining topics, sectors and priority regions that will be amplified and modified during the development of the proposed actions.

In the same manner, the Colombian Government is inclined to continue with the dissemination and exchange of experiences carried out by the International Community through its Embassies and Diplomatic Missions, with a focus on the optimum implementation of the Plan and the new challenges that arise surrounding corporate activities and the respect for human rights.

Objectives

This Plan is born out of the need to blend the protection of Human Rights with economic development activities that the government supports, and as new challenges arise in areas of Human Rights in the corporate environment it is necessary to have a public policy that joins these two objectives by means of specific actions to be monitored by different players that have worked on the process of building this Plan and the newcomers that become involved.

Main Objective

To guarantee that corporate activities in Colombia respect Human Rights and contribute to the sustainable development of the Country.
Specific Objectives

1. Guarantee the coherence between Government policy and international standards on Business and Human Rights.

2. Contribute towards the achievement of objectives and sustainable development.

3. Encourage a peaceful solution to conflicts that arise within the framework of business activities.

4. Drive the access to effective mediation when Human Rights are violated during corporate activities.

5. Articulate public policy in the areas of Human Rights and companies, Corporate Social Responsibility and Sustainable Development.

6. Contribute to the implementation of Due Diligence as a corporate management process encouraging responsible investments in Colombia.

7. Promote the respect for Human Rights as a corporate competitive advantage.

8. Develop and strengthen the capacity for effective participation by the civil society regarding corporate activities.

9. Promote a culture of respect and promotion of Human rights within the corporate environment.

It is essential that this plan has a territorial emphasis since the major challenges in the area of Human Rights occur in the outer regions.

For this reason, the national government commits to strengthening the capabilities of local entities with regard to this Plan and the international standards, and, in the same manner, national government entities commit themselves in assisting territories in the joint adaptation of plans, programmes or strategies they design for the execution of the actions described herein.

Strategic Alliances will be set up with the regional chambers of commerce, trade groups, social organisations and syndicates and other relevant stakeholders in order to drive the activities stipulated in the Plan and its territorial adaptation in articulation with the companies and peace process at the local level, keeping in mind that this Plan is being built at a time when there are significant advances towards the termination of the armed conflict.

It is for this reason that The National Action Plan on Business and Human Rights is in line with the Framework of Companies and Peace, being designed by the Directorate of the Post Conflict in coordination with the Office of the High Peace Commissioner, and that this framework brings to light the Government’s vision on the role of companies and peace in which corporations have a much more active role in the positive transformations required by the Country.

With regard to this aspect, it is important to emphasise the strategies, programmes and plans that have been developed to promote reconciliation in Colombia, that require dedicated support while exercising historic recollection carried out throughout the country, in addition to a larger participation by companies in the productive insertion of victims into the labour force and those persons in the reintegration process.

Understanding that the post-conflict scenario can bring with it an increase in conflicting social activities related to corporate activity, a joint effort is required between the State, labour unions, companies, civil society organisations and the International Community to improve the performance in Human Rights in the corporate environment and to secure remedies if violations occur.
In accordance with the diagnostic approximation found in the Guidelines and the follow-up carried out by the Ministry of the Interior on instances of public disorder, the mining and energy, agricultural and roadworks infrastructure sectors are those that should be dealt with first due to the fact that they generate the most social conflict because of their impact on human rights and the environment. It is for this reason that emphasis will be placed on the design of strategies to improve the performance in the regions where these companies operate.

**Calls for Action**

This Plan is formulated in line with the foundations of the United Nations Guiding Principles. It establishes activities that are in harmony with the strategies set out in the Guidelines for Public Policy on Human Rights and Business, and therefore takes on the performance by the government, the companies and their relations with the Civil Society.

In this manner, there are proposed obligations related to the political coherence of entities and the strengthening of their capabilities, the implementation of Due Diligence mechanisms, the respect for Human Rights as a competitive advantage, active participation by civil society and a culture of respect for Human Rights in the business environment with the cross component of access to remediation.

**STATE - PROTECT**

**I. Inter-institutional Coordination**

1. **By strengthening the capabilities of competent entities, generating greater coherence in responding articulately to the challenges of Human Rights and the Corporate Environment.**

   From the National System for Human Rights and Subsystem for economic, social, cultural and environmental rights-DESCA, the entities involved will direct and articulate the actions related to the implementation of this plan.

   With this in mind, the following shall take place upon formalising the Plan:

   **1.1 The Human Rights and Companies working group will issue its rules and regulations that will contain the competent entities, functions and exchange of information and periodic meetings. Likewise, it should have an operational plan that sets out its activities on an annual basis.**

   The national government entities that make up part of the working group will have at least one public servant in charge of carrying out and monitoring the performance of this Plan.

   The *Presidential Advisory Office for Human Rights* will preside over the work group that will manage the administration of the rules and regulations for the six months following the date of the formalisation of this Plan.
1.2 The working group will issue a diagnostic document to identify the normative gaps and those of the policies relating to Human Rights and Business, in order to advance in the protection, promotion and respect for Human Rights in the Corporate environment. To do so, it is necessary to keep in mind the studies and diagnosis on the subject matter prior to the formulation of the Plan, as well as the suggestions made by companies, syndicates, civil society and the inhabitants affected.

The working group will undertake the subject matter for this analysis, the methodology and the timing schedule.

1.3 A result of the diagnostic analysis will be a series of recommendations and the design of an action plan to suggest prioritised normative changes required that will assist in filling the gaps in the protection of Human Rights in the corporate environment.

The document shall be presented to the Inter-sectorial Commission for Human Rights and International Humanitarian Law no later than one year after the date of issue of this Plan.

The Inter-sectorial commission will be in charge of studying the document and guiding the working group on the actions to take forward.

1.4 The national government entities will be inclined towards the adoption of Human Rights Policies in accordance with the National Strategy on Human Rights and this Action Plan.

The Working Group will define the basic criteria for these policies in order to prevent, investigate and remedy possible violations of human rights, clearly establishing what is expected of all the companies operating in Colombia. This should be carried out gradually and progressively during the implementation of this Plan.

1.5 Develop structural strategies regarding the international standards in matters of Business and Human Rights and the actions set forth in this Plan, directed at public servants of national and regional agencies.

In line with availability of budget and operational plans each entity within the working group will determine its training and education plan and will promote awareness in order to guarantee continuity in the execution of the actions set forth in this Plan.

Formation of the inter-institutional processes will be encouraged to widen comprehension of the subject matter and its different aspects, for this, the national agencies together with their partners in other countries or Embassies in Colombia will facilitate the needed tools.

This action will take place upon the structuring of the Work Group during the implementation of this Plan gradually and progressively.

1.6 The Colombian Ministry of Foreign Affairs will provide training to members of Diplomatic Missions in Colombia, permanent representatives, Consular Office and other agencies in charge of international business affairs with regard to corporate responsibility in the area of Human Rights supplying information on human rights risks in other countries where Colombian companies carry out activities, and what is expected of their behavior in these countries with regard to Human Rights and this Plan.

1.7 The national agencies that form part of the DECSA sub-system and the competent regional agencies, will supply the necessary information to the Observatory of the Presidential Advisory Office for Human Rights to consolidate socio-political documents useful to public and private entities in
identifying the risks in Human Rights in operational areas and assist them in taking action to mitigate and prevent abuses.

1.8 From the formalisation of this plan, the Public Defender's Office will include in its early alerts systems information related to the violation of Human rights in company operations. For this purpose it will liaise with the National System for Information on Human Rights which is coordinated by the Presidential Advisory Observatory.

1.9 From the formalisation of this Plan, a Commission of experts will be created and will consist of a representative from the Public Ministry, headed up by the Public Defender, two representatives for the multi-actor initiatives on Business and Human Rights in the country (Guias Colombia, CME Compromiso Etico Suizo), two members from international organisations that carry out activities related with Business and Human Rights, one representative from the International Community, one representative from civil society, one representative from the Trade Unions, and the Presidential Advisory Office for Human Rights as the representative of the national government that will lead.

In line with availability of budget and operational plans each entity within the working group will determine its training and education plan and will promote awareness in order to guarantee continuity in the execution of the actions set forth in this Plan.

Formation of the inter-institutional processes will be encouraged to widen comprehension of the subject matter and its different aspects, for this, the national agencies together with their partners in other countries or Embassies in Colombia will facilitate the needed tools.

This action will take place upon the structuring of the Work Group during the implementation of this Plan gradually and progressively.

1.10 The National Government will strengthen effective coordination between the national and regional in matters concerning Human Rights and Companies. For this, the Human Rights working group will be charged with designing a training process with the regional players.

1.11 The Presidential Advisory Office for Human Rights together with the Post Conflict Directorate will drive the agenda on Human Rights and Peace in the business community in alliance with local Chambers of Commerce. They will be given a set of tools to spread throughout the local business sector to help establish responsible corporate behavior in the area of Human Rights.

II. The State as an Economic Player

2. The inclusion of the focus on Human Rights and Companies by the government as an economic player.

Bearing in mind that the State is one of the principle economic players it is necessary that its commercial activities display a respect for Human Rights.

2.1 The government agency, “Colombia Compra Eficiente” (Colombia Buys Efficiently) will adapt the existing system for public purchasing applying criteria for sustainability and respect for Human Rights including measures to ensure that suppliers comply with due diligence on Human Rights.
2.2 During the implementation phase of this Plan, Colombia Compra Eficiente will improve the judicial efficiency of the system by introducing a bill of law; and formulate policies associated with public contracting. This will allow for inclusion at this level of certain provisions addressing the life-cycle of products and services, criteria for sustainability in the purchases made by government entities regarding their economic, social and environmental dimensions that can be used in the future to develop criteria for the promotion of policies on Human Rights through public purchasing viewed as a government strategy; along with the introduction of incentives on certain matters from a perspective of competition and competitiveness.

2.3 Upon the formalisation of this Plan, Colombia Compra Eficiente will implement and set in motion the Public Policy on Innovative Purchasing and in compliance with the National Development 2014-2018 will propose a policy on sustainable public purchasing.

2.4 Qualified government agencies will fortify the criteria on Human Rights in the negotiation of agreements on trade and investment and will include criteria for sustainability the respect for Human Rights in all such agreements.

2.5 The Ministry of Commerce Industry and Tourism and the agencies that subscribe to this ministry will establish requirements for sustainability and respect for Human Rights as part of the selection process criteria for companies that participate in their programmes for corporate development.

2.6 The Ministry of Commerce, Industry and Trade and associated agencies (PROCOLOMBA) will work to insure that Colombian companies are respectful of Human Rights standards and will work towards securing incentives for them in the international market.

III. Effective participation by civil society

3. Strengthen and develop the capability of the civil society to effectively participate in the defence of human rights in corporate activities.

One of the fundamental activities of the government is to offer individuals and civil society organisations the appropriate conditions for the Human Rights leaders to express their demands without a threat to their security.

3.1 Within the year following the formalisation of this Plan, the Human Rights and Companies working group will design a strategy for the training of national and regional government agencies, strengthen and empower civil society in accordance with the United Nations Guiding Principles and international standards on the contents of this Plan and the mechanisms for access to remedial actions.

3.2 The Ministry of the Interior will design a protocol for dialogue between communities, companies and entities that can facilitate the participation by organisations based on the principles of protection, respect and remedy and on mutual respect.

3.3 The National Government, through the Integrated System for the Prevention of Conflict, will create mechanisms for social dialogue between the government entities at all levels, communities and companies. The purpose of this is to generate formal settings for discussion between parties with different interests and a means by which to contribute to the construction and stabilisation of peace in the regions. This action will commence once the System for Integrated Prevention has been implemented.
IV. Government guidelines for the respect of human rights in corporate activities


To guarantee that Companies respect Human Rights is not only a matter of regulation or vigilance. The government is required to be the guiding force on the respect for Human Rights in the scope of the business world.

There are a multiple number of settings, mechanisms and opportunities for companies to come into contact with the Government: the Government promotes investment, the Government supervises, the Government regulates business practices, etc.

It is of vital importance that in all meetings between the government and companies the Human Rights agenda be promoted in an adequate manner, that is to say, by regulation, conditioned corporate development, or on occasion, as information available to those interested in doing business in the country.

4.1 Strengthen the channels of communication between the State and the business sector, as well as other initiatives, to design guidance strategies for the promotion of Human Rights during times of interaction between public entities and companies.

4.2 The Government will encourage the adhesion to multi-actor initiatives on Human rights and Companies that are active or under construction as well as the implementation of guides or recommendations developed to strengthen the capabilities of companies in the management of risks and impact on Human Rights that are active or soon to be created.

The Presidential Advisory Office on Human Rights, acting as the government’s representative on the multi-actor initiatives, will make a micro-site available on their webpage to publish the activities carried out by the initiatives in agreement with the respective technical staff as to the content.

4.3 In order to avoid that companies commit activities that imply any type of discrimination, the National Government will boost the transfer of knowledge and tools outlined in the framework of the National Strategy on Human Rights as it refers to Right of Equality and non-discrimination.

4.4 The Public Policy on the LGBTI community presently under construction by the national government, will promote business practices that respect, recognize and value the diversity of the part of the population.

4.5 The Ministry of Labour will provide companies with advice on hiring handicapped persons and provide consultancy services on labour mediation in accordance with the public national policy on handicapped and social inclusion.

4.6 The Presidential Advisor on women’s Rights will strengthen the articulation for the application of the public policy aimed at guaranteeing equal rights for women in the workplace.
4.7 The Ministry of Labour will fortify the actions geared at preventing child labour and the sexual and commercial exploitation of children and adolescents. In addition, it will formulate strategies that will link up with the private sector on actions to prevent the violation of the Human Rights of young boys, girls and adolescents.

4.8 The Ministry of Labour will strengthen activities directed at protecting the rights of labour unions and collective bargaining.

4.9 The Ministry of the Interior will clearly define actions to identify problems in the existing process of prior consultation, and will boost and improve those practices that allow for participation by affected areas of the population in respect of the indigenous, afro descendent and ethnic minority communities.

4.10 In the year following the formalisation of this plan, the Ministry of Mines will design a strategy to advance the respect for Human Rights in the mining and energy sector. The strategy will spell out what is expected of the companies in the sector with regard to Human Rights and the remedies to apply in the case of violations.

4.11 Support the diffusion of the UNGP, the OECD guidelines, the Voluntary principles on Security and Human Rights and the Principles of the Global Compact.

4.12 Welcome and develop tools available to the public that will permit for a universal spreading of knowledge of this Plan and the international standards in the area of Human Rights and companies. Those with low costs and maximum exposure and availability will be preferred.

4.13 Design strategies to train public servants of national and regional entities on this Plan and the international standards on matters of Business and Human Rights.

4.14 National Government entities will promote the use of the tools developed, especially in the areas influenced by the activities of companies and civil society organisations.

4.15 Design and implement training and management mechanisms on the knowledge of the international standards on Business and Human Rights directed at public and private companies and civil society organisations.

V. Due diligence on human rights

5. Guide and push forward the implementation of mechanisms for due diligence on human rights

As per the Guiding Principles and international standards such as the OECD guidelines for multinational enterprises, due diligence allows for a better management of risks and impact on human rights resulting from business activities.

In this regard, the implementation of due diligence constitutes a process that is indispensable so that companies meet with their obligations to respect human rights in their operations and contribute to the sustainable development of the country.
Colombia recently reaffirmed its commitment to the Sustainable Development Objectives; therefore, it is a priority of the government to promote socially responsible investment that contributes to regional development minimising the negative impact on the environment and the local communities, under the principles of efficiency and transparency.

Thus, through the Business and Human Rights Working Group, a subsystem of DESCA and at the same time as part of the National System for Human Rights and International Humanitarian Law the parties should:

5.1 Promote the adoption of the United Nations Guiding Principles and other international standards on Business Activity and Human Rights by trade organisations and companies so they adopt policies on Human Rights.

During the first year of the Plan, The Presidential Advisory Office for Human Rights will hold high level meetings with trade organisations to agree on goals and their commitment of follow up mechanisms to evaluate performance on Human Rights.

This action will be coordinated with the Working Group, especially with The Ministry of Commerce Industry and Tourism and in articulation with Post Conflict Directorate.

5.2 The working group will coordinate the production of a normative guide to define what is meant by due diligence, what it consists of especially as it applies to high risk business sectors.

5.3 The Ministry of Defence will promote the implementation of Voluntary Principles on Security and Human Rights for which it will design a strategy that will account for progress in this area allow for application of these principles. The time frame for this is three months from the formalisation of this Plan.

Keeping in mind that the Colombian Government is a member of the International Initiative on Voluntary Principles, the Presidential Advisory Office for Human Rights will coordinate with Ministries of Defence, Mines and Energy and Foreign Affairs on the presentation of annual reports to the International Initiative.

5.4 Formulate a guide on the increasing risks on Human Rights by corporate activities in the areas of conflict. With this purpose in mind, the Presidential Advisory Office for Human Rights and the Post conflict Directorate will liaise with the Integrated System for Management and Prevention of Conflict. This guide will be a joint effort with the business and civil society.

Keeping in line with the time frame established for the creation of the Integrated System for the Prevention and Management of Conflict, this activity should be completed within 6 months after the said system is up and running.

5.5 The Ministry of Commerce, Industry and Tourism will drive forward the efforts of companies to adjust their policies to meet the OECD Guidelines for Multinational Enterprises, and within three months after the execution of Plan, will evaluate the diffusion of strategies and directives in order to increase the knowledge of them for wider adoption.

5.6 The Working Group will design and implement a procedure that will enable companies to include a Due Diligence report on Human Rights in their Sustainability Reports and accountability mechanisms. This report should include information on the steps taken to mitigate and remedy negative impact where needed, along with responding to criteria on transparency and accessibility.

In the same manner, consulting companies that advise on or produce these reports for other companies should incorporate their methodology related to Due Diligence on Human Rights.
5.7 As a contribution to the competitiveness of companies and the well-being of the populations, The Ministry of the Environment and Sustainable Development will develop a strategy to communicate the National Policy for production and sustainable consumption. This strategy should commence within 6 months after the formalisation of this Plan.

COMPANIES/BUSINESS – RESPECT

Through this Plan the National government will focus its efforts on consolidating advancements on corporate commitments with regards to Human Rights. To achieve this government will:

- Generate a cultural of awareness on Human Rights and working towards building peace by the private sector.
- Lead and guide on the implementation of mechanisms of due diligence.
- Introduce incentives for large, medium, small and micro size companies that will covert human rights into a competitive advantage.
- Coordinate Corporate Social Responsibility (CSR) actions to make more impact whilst driving an agenda in which Human Rights will be the conceptual framework for an alliance between the State and the private sector.

VI. Human rights culture and peace building in the private sector

6. Consolidate a culture of respect for human rights and peace.

6.1 Within 6 months of the formalisation of this Plan, the Presidential Advisory Office for Human Rights will establish the mechanisms for companies to define and divulge to the public their political commitment on the respect of Human Rights. The government will accompany them on this endeavour.

6.2 The Presidential Advisory Office will build a cultural strategy designed to create a corporate environment that each time is more open and committed to the respect of Human Rights in its business activities and those of their employees. To accomplish this, meetings will be held with workers to guide them on the respect for Human Rights.

6.3 The Integrated System for the Prevention and Management of Conflict will guarantee that it is recognised as a valid interlocutor for civil society organisations that are created to present their concerns in respectful manner and in accordance with the national norms.

6.4 The Working Group will encourage companies to exchange ideas and experiences to gain more information on how the management of Human Rights is performing.
VII. Due diligence and human rights

7. Drive and guide the implementation of due diligence mechanisms for Human Rights.

7.1 The Working Group, together with a commission of experts, will advise companies on setting up mechanisms, offices or claims departments that are transparent and accessible to prevent, mitigate, and remedy negative impact on Human Rights caused by their business activities.

7.2 The Working Group, in consultation with a commission of experts, will support companies that have a strategy for following up on progress made in the mitigation of negative impact caused by business activities. It will be highly valued if these results are audited.

7.3 The Working Group, in consultation with a commission of experts, will assist companies in the evaluation of possible or existing impact on persons or the environment derived from their operations.

7.4 The Ministry of Commerce will encourage large companies to boost and strengthen their guidance and support work with small and medium-sized companies with whom they have commercial relations.

7.5 The Secretary of Transparency will support companies to strengthen their corporate governance structure to prevent acts of corruption and discrimination.

7.6 The Presidential Advisory Office will encourage companies to incorporate criteria for sustainability and the respect for Human Rights into their communications strategies.

7.7 The Ministry of Labour will encourage the respect for Labour Rights.

7.8 The Ministry of Commerce will promote dialogues between companies and the consumer.

7.9 The Secretary of Transparency will promote the adoption of pacts on transparency by companies with the intention of continuing with the fight against corruption in corporate management. The time frame for this is three months after the formalisation of the Plan.

7.10 The Working Group expects that companies, through their complaints departments, receive and act on complaints made by citizens and communities affected negatively by their operational activities.
VIII. The respect for human rights as a competitive advantage

8. Create incentives for large, medium, small and micro enterprises to convert human rights into a competitive advantage.

8.1 The Ministry of Commerce will design different strategies for small, medium and large companies with the objective of implementing policies on Human Rights that imply:

- Public Commitment
- Due Diligence Procedures
- Mechanisms for verification of results

8.2 The Ministry of Commerce, together with the Presidential Advisory Office for Human Rights will create a Prize for Human Rights in the Corporate Sector. The prize will be awarded annually taking into consideration the company’s advancements in the adoption of international standards on Business and Human Rights in Human Rights in their operation. The rules and regulations for this award will be structured by the Working Group 6 months after the formalisation of this Plan.

8.3 The Presidential Advisory Office for Human Rights will announce to the public the advancements on best practice that companies have on the implementation of Human Rights in the business environment.

8.4 The Presidential Advisory Office for Human Rights will coordinate the organisation of an international event each year with the support of the International Community, where companies leading in this field can share their challenges and difficulties.

8.5 The Presidential Advisory Office for Human Rights together with the Ministry of Foreign Affairs and The Ministry of Commerce will lean towards international exchanges amongst companies to improve good practices in the implementation of Human Rights in business activities.

8.6 The Presidential Advisory Office for Human Rights in coordination with the Post Conflict Directorate will identify opportunities for joint work in the public and private sectors to generate the development and achievement of peace.

8.7 The Presidential Advisory Office for Human Rights will generate and link strategies between the State Government and companies for the implementation of affirmative actions.

8.8 The Presidential Advisory Office for Human Rights will strengthen the alliance between the private sector and social prosperity sector and Victims Unit focused on the eradication of extreme poverty and overcoming conditions of vulnerability.

8.9 The Victims Unit will generate opportunities for the private sector to participate in the reparation of victims of the armed conflict.

8.10 The SENA (National Centre for Education and Training) will boost its support for companies that train workers in accordance with government strategies.
IX. Corporate social responsibility and the respect for human rights

9. Coordinate Corporate Social Responsibility Actions so that the respect for human rights becomes the framework for the alliance between the government and the private sector.

9.1 The Ministry of Commerce with the support the advice of the Presidential Advisory Board for Human Rights will promote the articulation of CSR programmes with corporate policies on Human rights.

9.2 The CSR programmes shall encourage and enhance productivity in the areas of influence of their projects to generate development and economic empowerment of communities subject to due diligence procedures for the respect of Human Rights.

9.3 Increase the awareness of CSR and communicate good practices with the establishment of sectorial platforms in which companies and interested parties can make commitments and monitor progress together. The supervision will be the responsibility of the Ministry of Commerce.

9.4 The Post Conflict Directorate will launch a public debate on the potential role of companies in securing peace.

9.5 With the purpose of improving the corporate levels of confidence and tracking these levels, The Ministry of Commerce will lead and organise surveys about public confidence of businesses. These surveys will contain questions to identify public perception of corporate respect for Human Rights and the access to remedial actions that they offer.

9.6 The Ministry of Education will lead on the integration of CSR with the Guiding Principles for Business and Human Rights in education, training and investigation. For this the ministry will create a plan directly supported by the Working Group.

REMEDY

X. Access mechanisms for remediation

10. Strengthen judicial, administrative and legislative mechanisms for remediation

10.1 The Working Group for Business and Human Rights will establish a route map of mechanisms for remediation on Business and Human Rights that exist in the country and place it with major media companies with wide national coverage during the first year after the formalisation of this Plan. The map will diagnose the efficiency of judicial systems for remedial action in accordance with the United Nations Guiding Principles that outline the legal and practical difficulties in obtaining justice in affected areas.
10.2 The entities that make up the Working Group, with the support of the Public Defenders Office, will offer public consultancy services on the mechanisms for remediation that exist in the country by means of their channels of communication at the outset of this Plan.

10.3 The Ministry of Justice together with the Presidential Advisory Office for Human Rights will design strategies for the training and formation of judicial agents on international standards for Business and Human Rights within 6 months after the formalisation of the Plan.

10.4 The Working Group will establish a strategy to accelerate follow up on cases of violations of human rights in company operations in those sectors prioritised by this Plan. With this in mind, the Ministry of Justice and the Presidential Advisory Office will develop unified criteria for identifying routes for action.

10.5 In compliance with Directive 001 of 2014, the Public Ministry will design strategies on training and formation on United Nations Guiding Principles and other international standards on Business and Human Rights for its staff. The time allowed for this is six months after the formalisation of this Plan.

10.6 From the implementation of this Plan, the Public Defender will provide the services necessary for the judicial representation of communities negatively affected in their Human Rights by operational activities, and who cannot afford legal representation.

XI. Non-judicial mechanisms for remediation

11. Strengthen the non-judicial mechanisms for remediation

11.1 The Working Group will develop strategies to communicate the most relevant extrajudicial mechanisms pertaining to matters of Business and Human Rights. In addition, the Presidential Advisory Office will make available a space on their website to be ready during the first year of the Plan.

11.2 The Ministry of Commerce, Industry and Tourism together with the Public defender, will study the possibility of joining the National Contact Point Committee with the purpose of strengthening the mechanism for extrajudicial remediation. The time allowed for this is six months following the formalisation of this Plan.

11.3 Three months following the formalisation, The Ministry of Commerce, Industry and tourism will present to the National Contact Point Committee an analysis of its communications strategy and will establish which improvements are necessary to promote access to this committee by the conflicts under its jurisdiction.

11.4 The Ministry of Labour will continue promoting dialogues between workers, companies and government for the negotiations and labour consultation through the established mechanisms.

11.5 The Public Defender will design a protocol to optimise its performance in the resolution of Business and Human Rights conflicts in the regions. The time allowed for this is one year after the formalisation of this Plan.
EVALUATION AND FOLLOW UP

The Working Group with the support of the Advisory Commission shall be responsible for verifying the implementation of the actions of this Plan by a mechanism of evaluation and follow up that they will put together based on the level of achievement of the objectives and the indicators associated with each action of this Plan.

In the same manner, the government will call on the different players (Trade Unions, Academia, Civil Society) when it considers it necessary to get their opinions on the implementation of this Plan.

There will be two regional tours each year; one in the first half and one in the second semester, to verify the implementation of this Plan in the region. These tours will be programmed by the Presidential Advisory Office for Human Rights with the support of the technical committee.

This Plan will be reviewed every three (3) years and modified accordingly. The results will be presented to the public through media organisations selected by the national government, with wide coverage and audience. The review must not take more than 10 months.
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