



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Item 4 of the provisional agenda

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues in relation to the combined seventh and eighth periodic reports of Colombia

Note by the Committee

The pre-session working group considered the combined seventh and eighth periodic reports of Colombia (CEDAW/C/COL/7-8).

Constitutional, legislative and institutional framework

1. One of the main legislative developments during the reporting period was the adoption of Act 1257 (2008), on awareness-raising, prevention and punishment of acts of violence and discrimination against women (para.104)¹. Please provide detailed information on the mandate of and activities undertaken so far by the Follow-up Committee of Act 1257 (art. 35) and indicate if Act 1257 foresees any complaint mechanism?
2. The 2010-2014 National Development Plan “Prosperity for All” (approved in June 2011) contains a chapter on achieving gender equity. Please provide information on the current status of the national public policy on the elimination of discrimination against women and gender equality referred to in paragraphs 117-118 and its degree of implementation. Please also clarify whether this policy complements or substitutes the five thematic areas of the expired “Women as builders of peace and development” policy (paras. 52 and 134).
3. According to the report there are various policies and strategies as well as inter-institutional and intra-institutional coordination mechanisms (paras. 49, 50, 53, 67, 68 and 70) that aim at preventing, combating and protecting women and girls from acts of violence. Please indicate if these policies and strategies have been monitored and evaluated and if so, please provide information on the results achieved. How does the State party ensure that there is no overlap between the different inter-institutional and intra-institutional

¹ Unless otherwise indicated, paragraph numbers refer to the combined seventh and eighth periodic reports of the State party (CEDAW/C/COL/7-8).

coordination mechanisms and that information is effectively shared among them? Please also indicate whether there is cooperation established among national, regional, departmental and local levels.

Legal complaint mechanisms/Access to justice

4. Please provide updated information on the status of the decree laying down regulations on the access to justice provisions of Act 1257 (2008), mentioned in paragraph 607 (a) of the report, including the number of requests for legal aid (para. 87) and the number of men who have attended or are attending the re-education and therapy programmes at public or private institutions (para. 96). Please indicate if Act 1257 (2008) has been evaluated and if so, what are the results.

5. Please provide further information on steps undertaken by the National Gender Commission of the Judiciary (paras. 74 and 597) or other relevant bodies, including the Office of the Ombudsman, in particular through its Programme “Guidance, Legal Advice and Technical Legal Assistance to Strengthen Access to Justice for Women and Child Victims” (para. 89), to formulate strategies and policies to eliminate institutional, social, economic and other barriers faced by women in accessing justice, in particular women belonging to ethnic minorities and internally displaced women. Please indicate any measures taken to guarantee access to justice to women victims of sexual violence in the context of the armed conflict and its aftermath, and to ensure that all victims benefit from the same protection of their rights and that all cases of sexual violence are examined by civilian rather than military courts.

National machinery for the advancement of women

6. Please provide further information on the measures taken to enhance the human and financial resources of the High Presidential Council for Women’s Equity (ACPEM), which is the national machinery for the advancement of women in the State party (paras. 42, 134 and 136). Please also explain the role of the Ombudsman in the protection of women’s rights and the collaboration established between these two institutions.

Temporary special measures

7. Temporary special measures have been implemented in some thematic areas, i.e., enterprise development and employment, eradication of violence against women, education and culture, and women’s political participation (para. 106). However, some of these and other measures mentioned in paragraphs 14, 106 and 159-179 do not correspond to the definition of temporary special measures under article 4 of the Convention. Please clarify which temporary special measures aiming at substantive equality of women with men have been put in place and provide concrete examples of their results.

Violence against women

8. High levels of domestic and sexual violence against women exist in the State party (paras. 108-116, annex 4). Please provide detailed information on the number of domestic and sexual violence cases reported, the relationship between the victim and the perpetrator, and the number of prosecutions and convictions of perpetrators, as well as on the sentences imposed on them. Please provide updated information on the establishment of the national monitoring centre on violence, as well as on the strategy of the Prosecutor General Office which foresees measures to strengthen and expand the investigation and support centres on sexual violence (CAIVAS) and on domestic violence (CAVIF) (paras. 75 and 121). Please indicate the developments with respect to the establishment of a national mechanism which would provide shelter for women victims of violence, in accordance with Act 1257 (2008). Please also provide information on the current status of the Bill mentioned in para. 664 and

its relationship to the comprehensive victim support model developed by the National Commission for Reparation and Reconciliation.

Female genital mutilation

9. In light of the agreements reached during the second symposium of Emberá women in the municipality of Marsella in August 2009 (paras. 205 and 207), please provide further information on the measures taken to eliminate FGM in the department of Risaralda.

Trafficking and exploitation of prostitution

10. Please provide further information on the developments and challenges in the establishment of the Anti-Human Trafficking Operations Centre (COAT) (paras. 222 and 238), the status of the draft assistance decree and other measures mentioned in paragraphs 236-238. Please also provide information on the coordination of the measures taken to address the links between drug trafficking and human trafficking and their negative impact on women. In light of Decision C-636 (2009), mentioned in paragraph 233 (b) of the report, please provide information on measures taken by the State party to limit the harmful effects of prostitution of women and girls.

Participation in political and public life

11. Please provide information on the challenges faced by the State party to meet the established 30 percent quota for women in decision-making positions in public institutions, in particular in legislative bodies and in the judiciary (para. 253). Please provide detailed information on measures taken to prevent and protect women civic and community leaders and women human rights defenders from acts of violence (paras. 259 - 267). What is the status of the public policy on women's protection (para. 268)?

12. Please provide information on measures taken to ensure the participation of women in the ongoing peace process between the State party and the illegal armed groups. Please also provide information on steps taken towards the formulation and implementation of the National Action Plan for the implementation of the Security Council resolution 1325 on Women, Peace and Security (2000).

Education

13. Please provide data disaggregated by sex on the dropout rates in upper-secondary and higher education levels, as well as information on measures taken to reduce the dropout rates of girls, especially those resulting from adolescent pregnancies (paras. 329 and 344). Please provide information on measures taken to eliminate discrimination against girls and young women in the field of education (para. 320) and indicate the number of girls who receive subsidies to reduce or eliminate costs of schooling. Please also indicate whether the Sexuality and Citizenship Education Programme integrates women's rights, in particular sexual and reproductive health and rights (para. 315).

Employment

14. The report acknowledges the persistent discrimination against women in the field of employment (para. 418). Please provide information on concrete measures taken to: (a) facilitate women's access to the formal labour sector; (b) narrow the gender pay gap; (c) ensure the implementation of the principle of equal remuneration for work of equal value, which is not respected in Act 1946 of 29 December 2011, in order to ensure that women receive not only the basic salary, but also any other emoluments or benefits linked to the salary; and (d) guarantee that women working in the informal sector have access to social security and other benefits. Please also provide information on the achievements and

challenges related to the implementation of the 12 strategies of the employment equality agenda (paras 389-391). Please indicate how the law on sexual harassment is implemented, in view of the extensive range of mitigating circumstances. Please provide further information on measures taken to facilitate access to employment for internally displaced women, in addition to employment training (para. 387).

Health

15. Please provide information on the measures in place or envisaged to ensure equal access to health-care services and facilities, in particular sexual and reproductive health-care services, for indigenous, Afro-Colombian, displaced and rural women. Please also provide information on the measures in place to ensure the implementation of the Constitutional Court Decision C-355 (2006) which guarantees access to voluntary termination of pregnancies to women (paras. 477-479). In view of the numerous obstacles preventing the implementation of that decision, please indicate if there are plans to present a Bill that would enable legal abortions and impose adequate sanctions in case of violations of women's rights to legal abortion (see paragraphs 477-481). In light of information received about the practice of forced sterilizations on women with disabilities, as well as about forced abortions and forced use of contraception by women and girls recruited by illegal armed groups, please provide information on the measures in place or envisaged to address these issues, in particular plans to revise Law 1412 which currently allows legal representatives to impose sterilization without free and informed consent of women or girls with disabilities. Please also provide information on the measures taken to address the high proportion of adolescent pregnancies and pregnancies of very young women (para. 36) as well as the very high rate of sterilization of young women as a method of family planning (para. 519).

Rural women

16. Please provide updated information on the status of the regulation process of Act No. 731 (2002), (para. 562). Please provide further information on the guidelines and measures adopted by the Inter-Institutional Committee on the Promulgation of Regulations of Act No. 731 to improve rural women's enjoyment of their rights in all spheres of life (para. 562). Please provide further information on the participation of rural women in the adoption and implementation of policies and strategies aimed at land restitution.

Indigenous women and Afro-Colombian women

17. Please provide information on the measures taken and envisaged to improve the socio-economic situation of women living in indigenous and Afro-Colombian communities, which are the poorest in the country.

Women affected by the armed conflict

18. In the context of Ministerial Directive No. 11 (2010) on zero tolerance of sexual violence and its supplementary measures (para. 647), please provide information on the number of cases of sexual violence which have been recorded, investigated and prosecuted, as well as the number of perpetrators who have been punished. Please provide updated information on the implementation of the 2010-2013 Project on combating impunity in sexual violence cases within the context of the armed conflict (para. 652). Please also provide information on the number of girls and young women forcibly recruited by illegal armed groups. Please also indicate whether the reintegration and rehabilitation programmes for women ex-combatants have been successful, in particular whether such programmes have fostered their social reintegration (para. 655).

19. In light of the peace negotiation process between the State party and illegal armed groups, please indicate how the State party prioritizes the rights of women and girls affected by the armed conflict to have access to the non-repetition guarantees and reparations stated in the Victim and Land Restitution Act (Act No. 1448/2011). Please also provide information on measures taken to protect women and girls victims of acts of violence by illegal armed groups that have emerged after the demobilization process. What is the status of Legislative bill No. 213 of 2010 (Senate) (para. 664)?

Internally displaced women

20. Please provide updated information on the proposed strategy to enhance the support provided to internally displaced women and women at risk of displacement (para. 687). Please provide information on the current living conditions of internally displaced women, in particular in relation to housing, food security, protection against violence and access to justice, as well as on their access to health, education and employment. Please also indicate if women, forced to displacement due to threats by post-demobilization criminal groups, benefit from the same protection and rights as women displaced in the context of the armed conflict.

Marriage and family relations

21. Please provide information on measures taken to eliminate discrimination against women in all matters related to marriage and family relations, in particular with respect to the dissolution of marriage.
