



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 and questions in relation to the ninth periodic report of Colombia

Constitutional, legislative and institutional framework

1. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with Sustainable Development Goal 5, target 5.1, to end all forms of discrimination against all women and girls everywhere, please indicate whether any measures have been taken, or are envisaged, to incorporate the principle of equality in all legislation. Please also indicate what measures are in place to prohibit all forms of intersecting discrimination against women, in particular against rural, indigenous, Afro-Colombian, internally displaced and migrant women, women with disabilities, and lesbian, bisexual, intersex and transgender women. In that regard, please indicate what measures are in place to ensure the implementation of the strategy to strengthen public policy on gender equity (CONPES 161) and the strategy to protect and guarantee the rights of women victims of the armed conflict (CONPES 3784), as set forth in paragraph 10 of the ninth periodic report of the State party ([CEDAW/C/COL/9](#)).¹

Access to justice

2. Please indicate whether steps have been taken to measure the impact of legislative provisions to strengthen women's access to justice and ensure access to justice for victims of sexual violence, in particular during armed conflict. Please also elaborate on the interpretative criteria applied by judges in the resolution of cases and specify the mechanisms in place to implement Agreement No. 10,554/2016 (para. 17) as a means of identifying discriminatory rulings and practices. Please also provide information on any steps that have been taken to ensure due diligence by law enforcement personnel when conducting investigations, so as to encourage reporting

¹ Unless otherwise indicated, paragraph numbers refer to the ninth periodic report of the State party.



and avoid re-victimization. Please indicate what measures are in place to coordinate and monitor the implementation of procedures by Family Commissions (*comisarias de familia*) and to ensure that civil protection orders relating to domestic violence include cases of violence perpetrated by ex-partners who no longer live under the same roof as the victim.

3. Please indicate whether the impact of jurisdictional coordination through the Supreme Court between the indigenous normative and national judicial systems has been evaluated in relation to cases of sexual and domestic violence (para. 83) and whether the scheme will be expanded to other areas of justice for indigenous women. Please also provide information on any steps taken to address the persistent barriers that prevent rural, indigenous and Afro-Colombian women from obtaining access to justice. Please indicate whether all women and girls, including those with little or no income, have adequate access to legal aid.

National machinery for the advancement of women

4. It is noted in the report that the ratification of Decree No. 672/2017 reinforces the existing functional competencies of the Presidential Council for Women's Equity (para. 12). Please indicate whether any steps have been taken to further strengthen its mandate, as recommended in the Committee's previous concluding observations (CEDAW/C/COL/CO/7-8, para. 12 (a)). Please also indicate whether there are plans to raise the profile of the Intersectoral Commission and elaborate on any measures taken to ensure effective coordination between its 13 constituent entities, in particular in rural and remote areas.

Women and peace and security

5. Please specify what measures are in place to evaluate the 51 indicators designed for monitoring the implementation of the gender provisions outlined in the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace (2016) and elaborate on the mandate of the Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement (Decree No. 1995), indicating whether the necessary human, technical and financial resources have been allocated for its functions. Please also provide an update on the status of the establishment of the special body for ensuring a gender perspective within the peace agreements, in line with Security Council resolution 1325 (2000) on women and peace and security and the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations. In particular, please provide information on what measures have been taken to ensure: the restitution of victims' rights and the prevention of sexual violence in areas affected by criminal structures that have emerged in the wake of demobilization; the active, open and transparent participation of women's organizations in the implementation process; gender parity in the decision-making bodies established for the transition; and meaningful access for victims to reparations in all cases of conflict-related crimes of sexual violence committed against women and girls, in a manner that ensures truth, justice and non-repetition.

Temporary special measures

6. Initiatives that have been introduced to facilitate the participation of women in political and public life, as well as in the peace process, are outlined in the report. Please specify whether the State party envisages the adoption of temporary special measures, in particular any that would benefit rural, indigenous and Afro-Colombian women, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures,

in order to accelerate the full and equal participation of women in all areas covered by the Convention, in particular where they are disadvantaged or underrepresented.

Discriminatory gender stereotypes and harmful practices

7. Please elaborate on any measures that are in place to address intersecting discrimination against women and indicate whether any steps have been taken to develop a comprehensive strategy to change social and cultural patterns that reinforce traditional stereotypes regarding the roles and responsibilities of women and men in the family, in communities and in society in general, as well as within certain sectors, including in the education system and health sector. Please also specify whether there has been progress in developing awareness-raising campaigns, in collaboration with civil society and women's organizations, directed at indigenous and Afro-Colombian communities to enhance a positive and non-stereotypical portrayal of women. Please provide more information on the two strategies referred to in the report (para. 78) and the results of any measures taken to address cases of female genital mutilation, in particular in indigenous communities.

Violence against women

8. Please indicate what steps have been taken to strengthen institutional capacity for the effective implementation of Act No. 1257 (2008), as previously recommended by the Committee ([CEDAW/C/COL/CO/7-8](#), para. 16 (a)), including through the allocation of sufficient human, financial and technical resources. Please provide updated information on the number of cases of femicide that have been heard in the criminal courts since the adoption of Act No. 1761/2015, under which femicide is categorized as a separate offence, indicating how many have resulted in prosecution, and on measures taken to eradicate impunity in such cases. Please also indicate what measures are envisaged for training the judiciary, the police and public health officials to identify the causal factors of gender-based violence, including femicide, when dealing with individual cases.

9. Please indicate what steps have been taken to conduct awareness-raising campaigns, in particular for girls, parents and caregivers, in order to prevent persisting violence against women and girls, and to prevent the stigmatization of victims of sexual violence and abuse, in particular given the high rate of pregnancy among girls (aged 10 to 14 years) in the State party. Please provide information on the steps taken to investigate and prosecute all cases of sexual abuse of girls, to ensure that the Sexual Violence Investigation and Prosecution Protocol of 2016 (para. 19) is appropriately applied by the police, prosecutors, the judiciary and legal professionals in such cases and to address the increasing violence against women and girls in some regions where demobilized paramilitary groups have a considerable presence.

10. Please detail any developments regarding the establishment of the integrated information system on gender-based violence (para. 27) for the regular collection, interpretation and use of statistical data on violence against women, disaggregated by type of violence and the circumstances in which the violence occurred.

Trafficking and sexual exploitation

11. Please specify what measures are in place to ensure effective coordination between national entities and territorial committees to implement the national strategy against trafficking in persons for the period 2014–2018 (para. 86). Please specify whether any steps have been taken to address the increasing incidence of trafficking, sexual exploitation and sexual violence faced by migrant and refugee women and girls, in particular those from Venezuela. Please indicate what measures are in place to identify the alleged perpetrators, including those who are involved in armed groups

and organized crime, and provide information on any prosecutions involving violations perpetrated by the public authorities and law enforcement personnel and specify the sanctions imposed. Please indicate what measures have been taken to prevent trafficking for the purposes of sexual exploitation and forced labour of indigenous, Afro-Colombian and internally displaced women.

Participation in political and public life

12. Please indicate what measures are in place to implement Act No. 1475/2011, pursuant to which candidate lists must contain at least 30 per cent females, and specify the results achieved. Please provide information on any measures in place to support women candidates for elected positions in the State party, in particular at the local level, and to increase the number of women in appointed positions at all levels. Please also indicate what measures have been taken to address the structural, gender and ethnic-based discriminatory practices and attitudes and economic and social barriers that prevent rural, indigenous and Afro-Colombian women from enjoying full and equal participation in political decision-making.

Women human rights defenders

13. Please provide information on what procedures are in place to ensure effective coordination between the Intersectoral Commission on Guarantees for Women Leaders and Human Rights Defenders and protection mechanisms at the territorial, municipal and local levels, with a view to protecting all women human rights defenders. Please also indicate whether measures are in place to monitor the implementation of the comprehensive programme of guarantees for women leaders and human rights defenders and whether cases of women who have been the victims of attacks, including femicide, after being placed in a protection scheme are registered. Please provide an update on the investigations referred to in the report (paras. 62–63), indicating how many cases have been fully examined and whether sentences have been handed down for violations against women human rights defenders.

Education

14. Please provide information on any measures taken to address the geographic and socioeconomic factors and security concerns that limit access to universal education for girls, in particular those living in rural and remote areas and from indigenous and Afro-Colombian communities. Please specify what measures are in place to increase female enrolment in non-traditional areas of vocational training, including science, technology, engineering and maths (STEM) at the secondary and tertiary levels. Please also indicate whether there have been developments in terms of providing intercultural and bilingual education for indigenous girls to accelerate their access to all levels of education and specify what measures are in place to implement Decree No. 1421/2017, which regulates the provision of education for persons with disabilities within the framework of inclusive education. Please elaborate on the implementation of education strategies to prevent girls from dropping out of school (para. 125) and provide information on how the system helps adolescent mothers to return to school to complete their education, indicating whether any such measures have had any impact on overall dropout rates among girls.

Employment

15. Please specify what measures are in place to close the persistent pay gap between women and men, in particular in the case of indigenous and Afro-Colombian women, and to promote the employment of women in non-traditional, better paid sectors, including through the use of temporary special measures.

16. Please indicate what measures are in place to implement Act No. 1788/2016, which enshrines the right of women domestic workers to safe working conditions, equal remuneration and equal access to benefits and social security. Please also indicate whether labour inspection mechanisms are in place throughout the country and provide details of any discernible trends regarding the type of violations faced by female employees and how they are addressed.

Health

17. Please indicate whether any measures have been taken to evaluate the impact of the Ministry of Health programme on maternal and child health and what procedures are in place to address disparities in the availability, accessibility, quality and affordability of health-care services throughout the country, in particular in the case of women living in rural and remote areas and indigenous and Afro-Colombian women. Please provide updated information on the maternal mortality rate and its principal causes and indicate whether the clinical safety model for emergency obstetric care (para. 149) is being implemented nationwide. Please provide information on measures taken to implement the Protocol for Prevention of Unsafe Abortion (para. 148), in particular in rural, indigenous and Afro-Colombian communities, and Resolution No. 1904/2017, to ensure informed decision-making by persons with disabilities with regard to sexual and reproductive rights (para. 152).

Rural, indigenous and Afro-Colombian women

18. Please provide an update on progress in the adoption of the comprehensive public policy on rural women (para. 160), indicating whether sufficient human, financial and technical resources and the required institutional support have been provided for its implementation. In line with the Committee's general recommendation No. 34 (2016) on the rights of rural women, please describe to what extent rural women have been involved in the development of this and other policies outlined in the report. Please further specify whether measures have been adopted to address the disparities that rural women face with regard to access to land and property and to basic social services, including education and health, and participation in decision-making processes.

19. Please indicate what measures are in place to regulate development, agro-industrial and other business projects; ensure that they are implemented only with the free, prior and informed consent of the affected rural, indigenous and Afro-Colombian women; provide alternative livelihoods; and offer benefit-sharing agreements concerning the use of their natural resources and lands. Please indicate what measures are in place to address femicide in rural areas where legal and illegal mining activities take place. Please also indicate what is being done to ensure that a gender perspective is taken into consideration in the implementation of Decree No. 896/2017, which establishes the comprehensive national programme for the substitution of illicit crops, specify the percentage of women, as compared with men, who benefit from the programme and indicate whether any assessment of its impact has been carried out.

Migrant, asylum-seeking and refugee women

20. Please provide information on measures taken or envisaged to combat all forms of discrimination against migrant women and to ensure that they have adequate access to training and employment, social security and social services, housing, health care and education, and receive adequate protection and assistance in cases of domestic or other gender-based violence, including sexual abuse. Please further provide information on measures to identify and protect migrant, asylum-seeking and refugee

women, who may need international protection if the State party is to better fulfil its obligations under the Convention.

Marriage and family relations

21. Please provide an update on any progress made in adopting the proposed amendments to the Civil Code contained in bill No. 50 of 2017 (para. 174) with regard to increasing the minimum age of marriage to 18 years. Please further indicate what safeguards are in place to protect girls under the age of 18 years who have been allowed to marry and specify what measures have been taken to change cultural attitudes to early marriage through awareness-raising campaigns, in particular in rural, indigenous and Afro-Colombian communities.

Disaster risk reduction and climate change

22. According to information before the Committee, the State party is susceptible to natural disasters, including earthquakes and flooding. In line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please provide information on whether a gender perspective has been incorporated into national disaster management and relief and recovery strategies and indicate whether women participate at all stages of the disaster management process and in climate change initiatives. Please also specify whether women and girls affected by natural disasters have access to livelihood support and other relief and recovery efforts.
