



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues relating to the combined fourth and fifth periodic reports of Colombia

**The State party is requested to submit in writing additional, updated information, if possible before 15 October 2014 (no more than 10,700 words).**

*The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.*

### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please provide information on any initiatives taken over the past four years to ensure that the Code on Children and Adolescents is implemented. Please indicate any relevant regulations adopted or pending adoption.
2. Please report on whether any assessment has been made of the National Plan for Children and Adolescents (2009–2019) and what the outcome was. Please also provide information on the implementation of the National Early Childhood Policy.
3. Please report on any measures taken to ensure that all professionals working in spheres relating to the rights of children and adolescents receive appropriate training that enables them to carry out their duties correctly.
4. Please provide details of the measures taken to develop a centralized system for the compilation of disaggregated data on the application of the Convention.
5. Please provide information on legal measures planned with a view to ensuring that enterprises operating in the territory of the State party, including those in the mining sector, respect the rights of children and adolescents in all their activities. Please specify what measures are under consideration to ensure that enterprises which fail to respect the rights of children and adolescents are held accountable and that those whose rights have been violated by enterprises are compensated.

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6. Please provide information on any measures taken to combat persistent discrimination against girls, gender stereotyping and patriarchal attitudes directed at adolescent girls and young girls that prevent them from fully exercising their rights. Please also report on progress made with regard to efforts to combat discrimination against children and adolescents belonging to other disadvantaged groups, including indigenous and Afro-Colombian persons and members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community.
7. Please report on how the principle of respect for the views of the child is being applied in practice. Specifically, please indicate any measures and indicators that have been used to monitor the effective implementation of that principle, particularly as regards administrative and legal procedures, within families, in schools and in the private sphere.
8. Please indicate any legislative, administrative or other measures that have been taken to protect children and adolescents from acts of violence that threaten their lives or physical or mental health, including their sexual integrity. Please highlight measures designed to investigate such offences, prosecute perpetrators, guarantee the enforcement of sentences and rehabilitate and compensate all victims, including those not covered by the Victims and Land Restitution Act. Please provide information on the outcome of the application of those measures. Please also explain the State's position as regards an explicit prohibition in law of the practice of female genital mutilation.
9. Please provide information on the final evaluation of the impact and the level of implementation of the National Plan of Action for the Prevention and Eradication of Commercial Sexual Exploitation of Children and Adolescents (2006–2011) and on its continuation.
10. Please indicate any new measures taken to prevent the abandonment of children and adolescents by vulnerable families; provide support for families involved in legal and administrative procedures, in order to help them to stay together; ensure that institutions are used only as a last resort; and shut down private adoption agencies. Please report on any new measures taken to ensure that institutions and foster homes meet international standards. Please also report on any measures taken to provide foster and adoptive families with training on issues relating to the rights of children and adolescents.
11. Please report on any measures taken since 2006 to safeguard the rights of children and adolescents with disabilities. Please report specifically on any progress made in the fields of education, health, accessibility and action against discrimination.
12. Please report on any measures taken to reduce the rates of infant mortality, maternal mortality, malnutrition, HIV/AIDS transmission, suicide, psychotropic substance use and mental illness. Please provide information on the application of the Nutrition Security Policy (2008). Please also report on any legislation currently in force or under discussion designed to regulate health, water and sanitation services and specify how such legislation conforms with international standards. Please also provide detailed information on the measures taken since 2006 to safeguard environmental health. Please describe any environmental impact studies carried out and any initiatives launched to combat pollution in large urban areas.
13. Please provide up-to-date information on the measures taken to guarantee children and adolescents access to quality sexual and reproductive health services, including access to safe abortion procedures in the circumstances at issue in Constitutional Court ruling No. C-355 of 2006. Please provide information on how the conduct of public officials and professionals working in this field is monitored and how their compliance with the law is ensured.

14. Please indicate any measures that have been implemented to guarantee access to quality education, including early education, and to prevent drop out, in particular among girls but also among children and adolescents in rural areas or those belonging to ethnic groups.

15. Please provide information on measures taken to prevent the displacement of children and adolescents, protect those already displaced and rehabilitate and provide redress for those displaced by armed conflict. Bearing in mind the fact that displaced persons are also highly vulnerable to natural disasters, please also provide information on existing disaster risk management policies, the relevant budgetary allocations and the inclusion in such policies of specific priorities for children and adolescents.

16. Please provide information on the outcome to date of the implementation of the National Strategy on the Prevention and Eradication of the Worst Forms of Child Labour and Protection of Young Workers (2008–2015).

17. Please indicate what measures have been taken to adopt a policy of prevention, protection and integration for children and adolescents in street situations, and also the measures taken to prevent social cleansing and other acts of violence directed at such persons.

18. Please report on the latest measures adopted to strengthen the juvenile criminal justice system and to appoint a coordinating body. Please describe any actions taken to apply restorative justice measures; ensure that deprivation of liberty is employed only as a last resort; improve the living conditions of adolescents deprived of their liberty; and prevent violence in detention facilities. Lastly, please provide information on any measures designed to protect child and adolescent victims or witnesses during legal proceedings.

19. Please provide up-to-date information on any measures taken to protect children and adolescents in conditions of armed conflict. Please include details of the implementation of the Victims and Land Restitution Law, where it concerns children and adolescents. Lastly, please report on any measures or mechanisms planned to facilitate the participation of children and adolescents in the ongoing peace process, taking their interests into account.

20. Please explain why the State party treats children and adolescents who were recruited by or were victims of armed groups created following the demobilization of the paramilitaries differently from children and adolescents who were recruited by or were victims of other armed groups. Please indicate whether there are any measures planned to protect, rehabilitate and reintegrate such children and adolescents, who can also be seen as victims of the armed conflict.

## Part II

**In this section, the Committee invites the State party to provide a brief update (no more than three pages in length) on the information presented in its report regarding:**

- (a) New bills or enacted legislation and any accompanying regulations;
- (b) New institutions, their mandates and funding;
- (c) Newly adopted and implemented policies and programmes and their scope;
- (d) Newly ratified human rights instruments.

## Part III

### Statistical and other information, if available

1. Please provide information on each line of the consolidated budget for the past four years as regards the resources allocated to children and adolescents. Furthermore, please indicate the percentage of each budget line in terms of the total national budget and the State party's gross domestic product (GDP). If possible, please provide budgetary information disaggregated by age, sex, disability, ethnic origin, rural/urban population and geographical location.

2. Please provide information on the number of legal proceedings brought involving the mismanagement of funds set aside for children and adolescents and on the number of final convictions. Where possible, please indicate the institution to which the perpetrator belonged and whether, as a consequence, the institution adopted measures to prevent such incidents in the future.

3. Please provide data disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban population and geographical location, covering the past four years, on the number of:

(a) Deaths of children and adolescents resulting from armed conflict, domestic violence, ordinary crime, easily preventable diseases and occupational accidents. Please also indicate the number of legal proceedings brought for each of the categories referred to (specifying whether the cases were dealt with by civil or military courts), final convictions and instances of compensation being granted. Wherever possible, please provide data on the perpetrators, specifying whether they were members of armed groups, the armed forces or the police, relatives or others;

(b) Children and adolescents who have been subjected to abuse and violence, including all forms of corporal punishment, with further information on the type of assistance provided to child victims, the compensation received and the follow-up action taken, including the prosecution of the perpetrators (specifying whether the cases were dealt with by civil or military courts) and the judgements handed down in the State party. Wherever possible, please provide data on the perpetrators (using the categories referred to in subparagraph (a));

(c) Children and adolescents who have been subjected to sexual violence (including sexual exploitation and female genital mutilation), and the outcome of the resulting prosecutions (specifying whether the cases were dealt with by civil or military courts), including information on the sentences imposed on perpetrators and the reparation and compensation offered to the victims. Wherever possible, please provide data on the perpetrators (using the categories referred to in subparagraph (a)).

4. Please provide data disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban population and geographical location, for the past four years, on:

(a) Infant mortality;

(b) Maternal mortality;

(c) Malnutrition;

(d) Children and adolescents infected or affected by HIV/AIDS, (and specifically cases of mother-to-child transmission);

(e) Birth weight;

(f) Mental illnesses;

- (g) Vaccination cover;
  - (h) Child and adolescent pregnancies;
  - (i) Child and adolescent suicides;
  - (j) Number of children and adolescents using narcotic drugs;
  - (k) Actual availability of drinking water and sanitary facilities.
5. Please provide data disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban population and geographical location, for the past four years, on the number of children and adolescents:
- (a) Abandoned;
  - (b) Separated from their parents;
  - (c) Living in institutions;
  - (d) Living with foster families;
  - (e) Adopted in Colombia or through intercountry adoption;
  - (f) Adopted as children or adolescents with “special needs” (please describe the criteria employed to define that category).
6. Please provide information disaggregated by age, sex, socioeconomic status, ethnic origin, rural/urban population and geographical location, for the past four years, on the number of children and adolescents:
- (a) Living with their families;
  - (b) Living in institutions;
  - (c) Attending ordinary primary schools;
  - (d) Attending ordinary secondary schools;
  - (e) Attending special schools;
  - (f) Not attending school;
  - (g) With disabilities (disaggregated by type of disability);
  - (h) With disabilities who have been abandoned;
  - (i) Receiving treatment as a part of a special physical or mental health rehabilitation programme.
7. Please provide data disaggregated by age, sex, socioeconomic status, ethnic origin, rural/urban population and geographical location, for the past four years, on:
- (a) Enrolment and completion rates in percentage terms for each relevant age group in preschool establishments and primary and secondary schools;
  - (b) The number and percentage of dropouts and repetitions;
  - (c) The teacher-pupil ratio.
8. Please provide data disaggregated by age, sex, disability, socioeconomic background, ethnic group, urban/rural area and geographical location, for the past four years, on the number of children and adolescents:
- (a) Engaged in child labour (please provide information by type of work, including hazardous work);

- (b) Living in the street;
- (c) Victims of trafficking in persons (please specify the purpose of the trafficking);
- (d) Victims of sale (please specify the purpose of the sale);
- (e) Victims of prostitution;
- (f) Victims of child pornography.

9. Please provide data disaggregated by age, sex, disability, ethnic origin, rural/urban population, geographical location and type of offence, for the past three years, on the number of:

- (a) Children and adolescents alleged to have committed an offence reported to the police;
- (b) Adolescents sentenced and the type of penalty or sanction imposed, including the length of deprivation of liberty;
- (c) Detention facilities for minors in conflict with the law, and their capacity;
- (d) Adolescents and young adults held in such facilities and those held in adult detention facilities;
- (e) Children in pretrial detention and the average length of such detention;
- (f) Cases of abuse and ill-treatment of children and adolescents occurring during arrest and detention.

10. Please provide data disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban population, and geographical location, for the past four years, on the number of:

- (a) Children and adolescents recruited or used for military purposes, specifying the armed group or the unit of the armed forces responsible;
- (b) Children and adolescents injured or killed by mines and other devices, specifying the armed group responsible;
- (c) Legal proceedings brought (specifying whether the cases were dealt with by civil or military courts) and final convictions handed down for the recruitment of minors, specifying the armed group or, where applicable, the unit of the armed forces responsible.

11. Please provide the Committee with an update of data contained in the report that may now be out of date and replace them with more recent data or other new developments.

12. Moreover, the State party may be able to provide the Committee with a list of issues relating to children and adolescents that it considers are priorities for the implementation of the Convention.

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