

**COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
37TH SESSION (NEW YORK, 15 JANUARY TO 2 FEBRUARY 2007)**

COLOMBIA (5th and 6th Periodic Report)

Information Submitted to the Committee

On 25 January 2007, Greece submitted its combined 5th and 6th periodic report¹ under the *Convention on the Elimination of All Forms of Discrimination against Women* (the Convention), as well as their written responses² and an annex to the responses³ supplied in Spanish language only, to the Committee on the Elimination of Discrimination against Women's (the Committee) list of issues and questions⁴.

The report outlines in great detail the legislative and administrative advances that have occurred under each article of the Convention, including the various programmes and policies that have been adopted and developed since the submission of Greece's last report at the Committee's 20th Session in 1999. The report's areas of general focus include crime and violence, participation of women in decision-making, social security and gender mainstreaming in health. One area that is granted comprehensive coverage and appears to have produced impressive achievements is education. Here, the objectives of the Ten-Year Education Plan (1996-2005) are clearly outlined and accompanied by comprehensive statistics and disaggregated data. The report furthermore comprises detailed consideration of the Committee's previous Concluding Comments,⁵ notably with regard to monitoring and follow-up of existing legislation, protection of human rights defenders and the situation of street children.

The Committee's issues and questions addressed legislation, stereotypes and education, trafficking and exploitation, political and public life, employment, health and the situation of vulnerable groups of women. Many of these questions had been raised in the Committee's previous Concluding Comments, but had not been dealt with adequately in the State party's report. Most emphatically, the Committee addressed the issue of violence against women and pressed for information on measures taken to comply with previous recommendations by the Special Rapporteur on violence against women, its causes and consequences and the Human Rights Committee on this issue. The Committee also inquired into the status of the ratification of the Optional Protocol to the Convention. The responses highlight the legislative and programmatic initiatives taken to address these issues and are generally comprehensive and detailed in nature, conveying the State party's firm grasp of the issues. A wealth of disaggregated data was also included, especially on education and employment, providing for a general overview of the improving situation for women in these areas. However, due to the absence of impact assessment, timetables for implementation and details of monitoring mechanisms, the responses do not provide a practical measure of women's *de facto* equality. This is particularly true in the areas of human rights education, reproductive and sexual health and forced displacement.

One joint shadow report was submitted in Spanish by the non-governmental organisations (NGOs) Confluencia Nacional de Redes de Mujeres, Comité de América Latina y el Caribe para la Defensa de

¹ <http://daccessdds.un.org/doc/UNDOC/GEN/N06/468/47/PDF/N0646847.pdf?OpenElement>.

² http://www.un.org/womenwatch/daw/cedaw/cedaw37/responses/colombia_e.pdf.

³ http://www.un.org/womenwatch/daw/cedaw/cedaw37/responses_annexes/colombia.pdf.

⁴ <http://daccessdds.un.org/doc/UNDOC/GEN/N06/468/47/PDF/N0646847.pdf?OpenElement>.

⁵ [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/0a318a243ffa4eff8025673200507f7a?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/0a318a243ffa4eff8025673200507f7a?Opendocument).

los Derechos de la Mujer (CLADEM) and Corporación Colombia Diversa y Profamilia⁶. This report briefly addresses all of the issues considered in the State party report and approvingly acknowledges the improvements made in most areas. However, it criticises the Government for not having taken efficient action to curb all forms of violence committed against women, especially during conflicts. Generally, it calls for the creation of public policies that incorporate specialised measures targeting the most vulnerable groups of women, specifically those affected by conflict and displacement, indigenous and minority women, lesbian, bisexual and transgender women and communitarian mothers.⁷ Although the report shows statistical improvements in overall access to education and female enrolment, it points out that gender clichés and stereotypes continue to prevail due to insufficiently gender-sensitised curricula.

Themes and Issues

Equity vs. Equality

Several Committee members were concerned about the State party's use of both the terms 'equity' and 'equality'. The delegation suggested that 'equity' looks to provide equal opportunities to everyone and is targeted particularly at underrepresented groups, such as ethnic minorities. 'Equality' on the other hand, aims to treat everyone the same and is particularly relevant for men and women. The Committee did not see any value in making this distinction, and suggesting it to be potentially dangerous, urged the delegation to seriously reconsider the use of the term 'equity'.

Education

In line with concerns voiced in the NGO shadow report, the Committee inquired about measures taken to revise textbooks with regard to stereotypes. The delegation cited several pilot projects underway, including new teaching methods, exercises in human and sexual rights and higher education programmes in human rights, but was unable to provide a practical assessment of these projects. The Ten-Year Education Plan was mentioned in brief with an emphasis on its focus on gender mainstreaming in textbooks. The Committee commended the delegation on the creation of relevant laws, citing in particular a law stipulating that access to education shall not be hampered by pregnancy, but again requested assessments of the impact of this legislation.

The Committee was concerned over the interrupted education of internally displaced persons (IDPs) and pressed for more information on provisions in place to secure their access to education and facilitate their reintegration into school. The delegation briefly mentioned the 'flexible care packages' that have been set up as special funding for IDPs, but did not elaborate on the success of this measure.

Trafficking

⁶ <http://www.iwraw-ap.org/resources/pdf/Colombia%20final%20Informe%20sombra.pdf>.

⁷ Mothers and women who act as administrators, food distributors and nannies in 'communitarian places' and for programmes sponsored by the *Colombian Family Institute of Welfare* (ICBF) and related NGOs. They have a shared commitment to the nutritional, physical and psychological health of children, families and communities in the poorest urban and rural sectors of the country.

The Committee showed great concern for the issue of trafficking, with Committee members pressing for a clearer overall picture, more comprehensive statistics, and an overview of Government initiatives, implementation strategies and NGO involvement. They were curious to learn what factors commonly lead women into trafficking, what health-provisions and exit-strategies are available for women and whether the law that criminalises prostitution has proven effective or been subject to NGO review. They furthermore inquired about measures in place to counter and tackle sexual tourism involving children. The delegation readily admitted that trafficking is a major concern and made no attempts to downplay the gravity of the situation. It assured the Committee that work is underway in several areas to combat this phenomenon, referring notably to the training of special judges. They confirmed the existence of financial efforts and programmes to curb child sex tourism and referred to exit-strategy programmes and measures encouraging alternative income for women involved in prostitution. These programmes, however, were not elaborated on, nor were relevant statistics provided.

Employment

The Committee addressed a broad range of issues relating to employment, including women's continued under-representation in the public sector, the salary gap and the scope and conditions of qualification for micro-credits. The Committee commended the delegation on this latter initiative but pressed for contextualisation, demanding specifics about its impact and beneficiaries. The delegation assured the Committee that although these questions are difficult to address in detail, the employment situation of women has improved overall, adding that 50 per cent of micro-businesses are led by women. They fully acknowledged that the informal sector and the wage gap remain a problem and declared that concerted efforts to improve this situation are underway, including awareness-raising initiatives and increased governmental inter-agency cooperation.

Health

The issue of abortion was at the forefront of the discussion on health. The Committee raised concerns about its criminalisation,⁸ the commonplace of unhygienic abortions and the refusal of doctors to perform legal abortions. The delegation provided brief responses to these issues, confirming without elaboration that education programmes on contraceptive use are in place. It also pointed out that a doctor's decision to refrain from performing legal abortions is considered a personal decision, not a legal one, but added that public health services are legally bound to provide the service in these cases. The delegation remained non-responsive on the issue of de-criminalisation and provided no information on the social and legal ramifications of the criminalisation of abortion on women.

Violence against Women

Regarding domestic violence, the Committee inquired into the effectiveness of protective measures, mechanisms for early detection and plans for institutional change. They were curious to learn of the obstacles faced in implementing these measures and asked about mechanisms in place to ensure compliance with the law. The delegation referred to several reactionary mechanisms in place that deal directly with the treatment of victims, such as trained psychosocial teams, social workers and specialised doctors, but were hard-pressed to provide information on prevention and early detection. They additionally cited programmes designed specifically to educate and train families on matters of domestic violence, which again, had more of a therapeutic focus than a preventive one.

⁸ Abortion is legal in Colombia only in three cases: if the pregnancy is life-threatening to the mother, if the fetus is severely malformed or if the pregnancy results from rape.

The Committee was also concerned about the occurrence of gender-specific attacks and cases of intimidation of human rights defenders and women's rights defenders and inquired about the measures taken by the Government to ensure the protection of these groups. The delegation explained that there were many initiatives in place, including education on women's rights, gender equality programmes for judges and training for members of the armed forces, the police and the judiciary.

Conclusions and Next Steps

In its opening statement,⁹ the delegation was pleased to announce several areas where clear advances have been made. These include the overall strengthening of the national mechanisms for the advancement of women; the incorporation of a gender perspective in health, education and public policy; substantial improvements in employment with greater representation of women in public office; virtual equality in education; and substantial developments in the promotion of sexual and reproductive health. The Government's plans are geared toward achieving economic progress for all, improved management of rural areas and social services and improving the quality of urban life and all share the express objective of advancing the status of women, particularly poor, rural and minority women. Other future initiatives include strengthening the Presidential Advisory Office of Gender Equality and the Observatory for Gender Issues, which promote and monitor progress with regards to gender issues.

Violence against women remains at the forefront of the obstacles Colombia faces in conforming to the Convention. In regards to the recommendations of other human rights treaty-body committees on this issue, at its 18th Session in 2004, the Human Rights Committee raised concerns about the high levels of violence to which women are subjected. It was particularly disturbed about the limited number of investigations into cases of domestic and sexual violence during the armed conflict.

In its Concluding Comments,¹⁰ the CEDAW Committee voiced similar concerns with regard to the armed conflict in the country, suggesting that in this insecure climate, women and girls are at constant risk of becoming victims of violence. The Committee also highlighted the continued lack of access to education, health, social services and employment for internally displaced women and children and the insufficient capacity and resources for effective gender-mainstreaming across all sectors of Government. While the Committee was pleased to note the many laws, strategic plans and programmes that have been initiated since the previous periodic report, it offered recommendations in several areas. These included intensifying efforts to combat trafficking of women and girls; systematically compiling and analysing data on trafficking and prostitution; strengthening sex education programmes; analysing the impact of prevailing gender-role stereotyping; and developing a comprehensive strategy to eliminate stereotyping in all sectors.

Although the discussion exceeded the allotted time, preventing the Committee Chairperson from providing conclusive comments, it was abundantly clear that the Committee was pleased with the overall flow of the discussion.

⁹ <http://www.un.org/womenwatch/daw/cedaw/cedaw37/delegations/Colombia.pdf>.

¹⁰ <http://www.un.org/womenwatch/daw/cedaw/cedaw37/concludingcommentsAU/Colombia%20English.pdf>.