



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the ninth periodic report of Colombia, at the Committee's seventy-second session, held in February and March 2019. At the end of that session, the Committee's concluding observations ([CEDAW/C/COL/CO/9](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 57 on follow-up to the concluding observations, the Committee requested Colombia to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 16 (a) and (c) and 26 (c) and (d) of the concluding observations.

The Committee welcomes the follow-up report received in March 2021 ([CEDAW/C/COL/FCO/9](#)) under the CEDAW follow-up procedure. At its seventy-ninth session, held remotely due to the ongoing COVID-19 pandemic in June 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 16 (a)** of the concluding observations, urging the State party to **“accelerate the implementation of the gender-related provisions of the peace agreement, including those related to security guarantees for women leaders and human rights defenders and the reintegration of women who are former combatants of the Revolutionary Armed Forces of Colombia – People's Army, and ensure that sufficient human and financial resources are allocated for its effective implementation”**:

The Committee takes note of the information provided by the State party in the field of protection and security. It notes the adoption, under the leadership of the Ministry of Interior, of the comprehensive programme of guarantees for women leaders and human rights defenders and its related action plan, developed in 2020, which ensures its continuation until 2022. The Committee notes the 51 gender indicators of the framework plan for the implementation of the peace agreement. It also takes note of the support provided to technical working groups in Putumayo and Montes de María, two regions that were heavily affected by the armed conflict. Furthermore, the Committee takes note of the promotion of activities that target women who are former combatants of the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP) within the reintegration policy.

However, the Committee is concerned about the lack of detailed information on the measures to accelerate all the gender-related provisions within the framework plan for the implementation of the peace agreement. It reiterates its concern that the implementation of the provisions of the peace agreement concerning gender equality is progressing at a slower pace compared with other parts of the agreement. It notes with concern the lack of information on

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implementation milestones, the allocation of human and financial resources, or the effectiveness of the 51 gender indicators to ensure gender equality mainstreaming of the framework plan. Moreover, it notes with concern the lack of information regarding measures to ensure coordination between offices and between the local and national levels, and about the regions that have been prioritized. Taking into account information received and official data, the Committee is deeply concerned that cases of harassment and violence against women leaders and human rights defenders and their children have increased from 2019 to 2021, especially for indigenous, Afro-Colombian and lesbian, bisexual and transgender women. It is also concerned about the slow pace of implementation of the comprehensive programme of guarantees for women leaders and human rights defenders and corresponding action plan. It notes with concern the lack of information regarding allocation of resources and notes that, according to information received by the Committee, the action plan has only been implemented in some regions, that it lacks a regular monitoring mechanism, and clarity at the regional level regarding the roles and responsibilities of the multiple public entities involved. The Committee regrets the lack of information on measures taken by the State party to guarantee the participation of women, particularly women leaders and human rights defenders, in relevant consultation processes, such as those carried out by the National Protection Unit. It also notes with concern the lack of detailed information about the reintegration processes for women who are former combatants of the FARC – EP, and about any measures taken to implement and follow-up on a specific protection strategy to address their specific security risks. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

In relation to the recommendation made in **paragraph 16 (c)** of the concluding observations, urging the State party to “**increase the presence of State institutions and access to basic services in previous conflict zones, taking into consideration the specific needs of Colombian women of African descent, indigenous women and women with disabilities, and ensure the protection of the affected population in former conflict zones and the prevention of the recruitment of children by armed groups**”:

The Committee welcomes the information provided by the State party pertaining to the application of development plans with a territorial focus. It notes the development of 16 regional transformation action plans, which took into account the inputs of over 65,000 women. The Committee also takes note that 11 per cent of all initiatives in regional transformation action plans contain gender and rural women components in their implementation roadmaps. It notes measures in the area of comprehensive rural development, such as land registration and allocation to women, who make up 42.9 per cent of the total number of beneficiaries. The Committee further notes legal and policy measures to empower Afro-Colombian and indigenous women, including through participatory planning models in Afro-Colombian, Raizal, and Palanquero communities and also through Decree No. 1158 of 21 August 2020 establishing the functions of the National Commission of Indigenous Women. The Committee also welcomes the comprehensive reparation programmes implemented by the Victims Assistance and Comprehensive Reparation Unit, including for women victims of sexual violence, women with disabilities, older women and women with diverse sexual orientation and gender identities. It also notes the differentiated gender approach strategy developed in 2019 to guide forensic medical services. Furthermore, the Committee also notes the various activities carried out with a view to prevent the recruitment of children by armed groups.

However, the Committee is deeply concerned that, according to information received and official data, socioeconomic indicators have worsened in 2020 and 2021, including increasing poverty and extreme poverty rates, higher unemployment rates, and growing income inequality. The Committee notes with concern that these indicators are worse for rural areas and among

women belonging to Afro-Colombian or indigenous communities. The Committee regrets the lack of detailed information on measures to ensure that all regional transformation action plans develop and apply implementation roadmaps, with sufficient allocation of resources. It also notes with concern the lack of information about measures to ensure the effective participation of women and their communities in consultations related to development plans with a territorial focus, particularly in former conflict zones. The Committee is also concerned by the slow implementation of these development plans in several sub regions, which results in lack of access by rural women to the comprehensive rural development programmes and provision of basic services, including sexual and reproductive health services. While welcoming the land redistribution efforts, the Committee is concerned about the lack of detailed information about monitoring measures concerning how the comprehensive rural development mechanism has benefited women, including Afro-Colombian and indigenous women, including through access to credit with differential investment rates. It also notes the lack of information on the linkages within the comprehensive rural development programme to address other vital areas, such as employment in non-traditional productive areas or guaranteed access to sexual and reproductive health. It is particularly concerned about the lack of detailed information about the national coverage and quality of the comprehensive reparation programmes for women, particularly for victims of sexual violence. The Committee also notes with concern that the presence of State institutions remains marginal in regions that were most affected by the armed conflict. This continues to negatively impact children's access to education and continued school attendance. Ongoing conflict dynamics, in conjunction with the Covid-19 pandemic, have increased the risk of exposure to situations of violence and recruitment by organized criminal groups for children, particularly indigenous and Afro-Colombian children. The Committee regrets the lack of detailed information provided regarding the situation of women and girls with disabilities.

The Committee considers that the State party took steps towards the implementation of the recommendation, but that it needs to take further action to implement all measures recommended by the Committee. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 16 (a) and (c)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. **Ensure the sufficient allocation of human and financial resources to accelerate the implementation of the gender-related provisions of the peace agreement, including those related to security guarantees for women leaders and human rights defenders and the reintegration of women who are former combatants of the Revolutionary Armed Forces of Colombia – People's Army; and**
2. **Increase the presence of State institutions and access to basic services in previous conflict zones, taking into consideration the specific needs of Afro-Colombian women, indigenous women and women with disabilities, and ensure the protection of the affected population in former conflict zones and the prevention of the recruitment of children by armed groups.**

In relation to the recommendation made in **paragraph 26 (c)** of the concluding observations, urging the State party to **"consider restructuring the family commissioners under the Ministry of Justice, streamline their mandates and allocate sufficient human, technical and financial resources to strengthen them in their work"**:



The Committee takes note of the measures taken to implement its recommendation and to consider the restructuring of family commissioners. It notes, in particular, the standing inter-institutional committee at the highest level and the introduction of Bill No. 122/2020, currently going through the legislative process. The Committee takes note that Bill No. 122/2020 would seek to streamline the mandates of family commissioners and adopt stricter minimum standards than those contained in Law 1089/2006.

The Committee regrets, however, that the State party did not provide detailed information on the human, technical and financial resources allocated to family commissioners to carry out their mandate under the current law, No. 1089/2006, pending the legislative process for Bill No. 122/2020. The Committee also notes the lack of information provided by the State party on measures taken regarding the restructuring of family commissioners under the Ministry of Justice. The Committee is concerned that according to information received by the Committee, there has not yet been an assessment at the national level that would guide the restructuring of family commissioners according to the specific needs of different municipalities, and notes several delays in the provision of assistance to victims.

The Committee considers that the State party took steps towards the implementation of the recommendation, but that it needs to take further action to implement all measures recommended by the Committee. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

With regard to the recommendation made in **paragraph 26 (d)** of the concluding observations, urging the State party to “**ensure that the Attorney General’s directives on due diligence in the investigation of cases of violence against women are effectively implemented by all actors in the judiciary**”:

The Committee welcomes the information on the various activities carried out by the Public Policy Subdirector Office of the Attorney General and the Ministry of Justice and Law. In particular, it notes with appreciation the various relevant capacity building initiatives for public servants and tools for the investigation or prosecution of cases of gender-based violence against women, as well as tools for providing services to women in domestic violence cases.

The Committee is concerned, however, about the lack of an assessment of the impact that the implementation of such activities has had to prevent and address cases of gender-based violence against women. Furthermore, it regrets the lack of detailed information on measures to ensure that actors in the judiciary, particularly prosecutors, investigators and forensic medical services, are available throughout the country and implement the Attorney General’s directives on due diligence in the investigation of cases of violence against women. The Committee is concerned that according to information received by the Committee, the directives on due diligence have not been consistently applied to investigate cases of gender-based violence against women, including in cases against women with diverse sexual orientation or gender identity.

The Committee considers that the State party has provided evidence that it has taken action towards the implementation of the recommendation, but that it needs to take further action to implement all measures recommended by the Committee. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but that it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.



The Committee recommends that, in relation to **paragraph 26 (c) and (d)** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

1. **Consider restructuring the family commissioners under the Ministry of Justice, streamline their mandates and allocate sufficient human, technical and financial resources to strengthen them in their work; and**
2. **Ensure that the Attorney General's directives on due diligence in the investigation of cases of violence against women are effectively implemented by all actors in the judiciary.**

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

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Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women