



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-seventh session

15 January-2 February 2007

List of issues and questions for the consideration of periodic reports*

Colombia

The pre-session working group considered the combined fifth and sixth periodic reports of Colombia (CEDAW/C/COL/5-6).

Legislation, national mechanism and plans for the advancement of women

1. Please provide information on the process of preparing this periodic report, specifying whether it was submitted to Parliament and adopted by the Government, and whether there was any interaction with non-governmental organizations and women's groups.
2. In considering the fourth periodic report, the Committee recommended that the State party should strengthen the role of the national mechanism for the advancement of women by means of a national law raising its status to that of an autonomous body with all the requisite powers and resources (A/54/38, para. 366). Please explain whether the status of "Presidential Advisory Office" guarantees that the national mechanism for the advancement of women will have these powers and resources. If not, please indicate the measures planned to ensure them.
3. According to the report, the Observatory for Gender Issues is the mechanism for monitoring progress on gender issues in the legislative, administrative, judicial and statistical spheres. Please provide detailed information on its structure and operation, detailing the human and financial resources available to it. In addition, please include information on the functioning, achievements and results of the Observatory for Gender Issues in the regulatory sphere.

* The page references included in this document are based on the English version of the combined fifth and sixth periodic reports (CEDAW/C/COL/5-6).

Violence against women

4. According to the report, some agents of the justice system “have not used the concept of conciliation adequately, misunderstanding it to mean ‘reconciliation’, which gives priority to preserving an ill-conceived ‘family unity’ and disregards the protection of the victim” (p. 96). Please indicate what measures are envisaged to ensure that the agents of the national justice system correctly interpret the legal framework of conciliation, the cases in which it should be applied, and the issues that lend themselves to conciliation in cases of crimes involving domestic violence.

5. The report also indicates that Act 575 (2000) transfers competence in cases of domestic violence from family judges to family commissioners or, in the absence of the latter, to police inspectors (p. 93). It also states that “one of the main problems in implementing Act 575 is the fact that the Family Commissions have not been set up nationwide” as well as the lack of “an interdisciplinary team (... which) is essential in order to deal with family problems appropriately” (p. 96). Please describe the measures that have been adopted or that will be adopted to overcome these difficulties.

6. The Special Rapporteur on violence against women, its causes and consequences called on the State party to increase funding for the Human Rights Unit of the Office of the Prosecutor-General and to appoint a high-ranking legal adviser on sexual and gender-based violence (E/CN.4/2002/83/Add.3, paras. 113 and 114). Please indicate what measures have been taken in that regard.

7. Please provide information on the measures that have been taken to implement the recommendation of the Special Rapporteur on violence against women to train officials in all branches of the criminal justice system and the military in regard to gender-based violence and women’s human rights, and whether relevant courses have been incorporated into the human rights training programme (E/CN.4/2002/83/Add.3, para. 104). Page 113 of the report describes training courses for family procurators. Please indicate whether such courses have been offered to other officials of the criminal justice system and the military.

8. The Special Rapporteur on violence against women recommended that the State should develop systems for the compilation of statistics to record what happened to female victims prior to death in massacres, in order to reflect truly the widespread nature of gender-based violence in the conflict (E/CN.4/2002/83/Add.3, para. 115). Please indicate what measures have been taken in that regard.

9. The Human Rights Committee recommended that the State should revise its legislation on investigations into cases of rape with respect to the role of consent of the victim in the process (CCPR/CO/80/COL, para. 14). Please indicate what measures have been taken in that regard.

Stereotypes and education

10. According to the report, the Ministry of Education proposed “incorporat[ing] gender education from the first to the eleventh year (p. 33). Please indicate whether this proposal has been implemented and, if so, the extent of such implementation in national public and private educational establishments.

11. Please indicate whether an impact assessment has been carried out to identify the main achievements and difficulties of the Ten Year Education Plan 1996-2005

(p. 52), and whether any remedial action has been taken. In particular, please indicate the specific measures that have been implemented to eliminate stereotypes from school textbooks, which was one of the aims of this Plan, and the results achieved in that regard.

12. In examining the fourth periodic report, the Committee expressed concern about sexist stereotypes in the media (CEDAW/C/COL/4, paras. 169 and 170). The report gives the results of the communications strategy, which consists of publications, interviews and programmes that highlight women's rights (CEDAW/C/COL/5-6, p. 36). Please discuss existing plans or measures to eliminate stereotypical images of women in the media by means of sanctions or incentives.

Trafficking in women and exploitation of prostitution of women

13. With regard to the reintegration of the victims of trafficking, the report mentions that the Office of the Procurator and the International Organization for Migration (IOM) signed a technical cooperation agreement to strengthen prevention, assistance, protection, training and reintegration measures for trafficking victims (p. 39). Please provide details of the specific measures taken in that regard and, if applicable, of other programmes for reintegrating victims and their results.

14. Please provide detailed information on the situation of women involved in drug trafficking and the factors that led to it, the extent of the problem and its causes and consequences.

Political and public life

15. Please indicate whether there are any initiatives to offer leadership courses for women to ensure that those in public office as a result of the implementation of Act 581 (2000) have access to training courses to help them perform their duties effectively; if so, please provide detailed information.

16. Please provide updated statistical information on women, including indigenous women and Afro-Colombian women, in the civil service, and on their participation in political life, for example, as local authorities in rural and urban areas, and in Parliament. Please describe this trend since the last periodic report.

Employment

17. The Committee recommended that measures should be taken to achieve equal pay for work of equal value (A/54/38, para. 388). Please indicate any specific measures taken to ensure compliance with article 13 of the National Constitution (p. 60), which establishes this principle, and any mechanisms to ensure its effective application in both the public and the private sector.

18. Pages 61 and 62 describe the measures taken with regard to the protection of women's rights in relation to employment. Please provide information on the impact of these measures and the respective results.

19. The fourth periodic report contained an analysis of the situation of women in the informal sector (CEDAW/C/COL/4, p. 100), while the most recent report indicates only that "the proportion of female heads of household in the informal sector rose from 56 per cent in 1992 to 60 per cent in 2001" (p. 65). Please provide

updated and more detailed statistical information on the working conditions of women in the informal sector, and on programmes to ensure their human rights.

20. There is no information about the presence of women in the private sector in this report. Please include this information, describing the presence of women in senior administrative and decision-making positions. Please describe the trend in recent years and changes in administrative and decision-making spheres.

Health

21. According to the report, abortion is “considered a criminal offence” and “the judge may set aside a penalty” when certain requirements are met (p. 70). The latest developments concerning the decriminalization of abortion in Colombia indicate that, in May 2006, the Constitutional Court of Colombia ruled in favour of an application requesting the decriminalization of abortion in three circumstances: when the life or health of the woman is in danger; when the pregnancy is the result of rape and/or when the foetus is so severely deformed that extra-uterine life would not be feasible. Please indicate what measures have been taken or are planned to ensure that judges in lower courts take into account the ruling of the Constitutional Court in their decisions. Also, please indicate whether the Constitutional Court’s ruling could have an impact on the possible reform of abortion laws.

22. Please describe the coverage of the activities carried out to implement the National Sexual and Reproductive Health Policy (p. 73), indicating the number of beneficiaries; also, please indicate whether an impact assessment has been conducted in rural and urban areas.

23. The report identifies the following problems: inequality in access to prenatal services for mothers in rural areas and with low levels of education (p. 78); the high rate of fertility among displaced adolescents which is 10 percentage points higher than the national average; and a 60 per cent unmet demand for contraceptives (p. 79). Please indicate what measures are planned to deal with this situation; if measures have been implemented, please describe the results.

24. According to the report, the incidence of HIV/AIDS has increased in population sectors other than those traditionally considered at risk or vulnerable, for example, children, owing to mother-to-child transmission, and women of childbearing age. It also indicates that the Sexual and Reproductive Health Policy includes HIV/AIDS prevention programmes. Please indicate whether pregnant women and women of childbearing age have access to antiretroviral treatment against HIV/AIDS. In addition, please describe prevention and treatment measures targeting this population group and indicate whether the Policy covers rural and urban areas and other vulnerable groups, such as displaced and indigenous women.

Vulnerable groups of women and rural women

25. The report states that “the Office of Ethnic Affairs of the Ministry of the Interior and Justice discharges its functions (...) to ensure that black women are recognized in conditions of de facto equality” (p. 29). Please describe any specific measures that have been taken to ensure respect for the human rights of this group of women, apart from educational programmes (p. 31), and the results.

26. Please provide detailed information on the impact of the armed conflict on women, such as the scale and consequences of the displacements, and changes in

family life. Please indicate existing or planned measures to help women who have been affected.

27. Please describe the results of the 2003 Improvement Plan, “Female heads of household” (p. 81).

Optional Protocol

28. Please indicate the status of the ratification of the Optional Protocol since the relevant bill was submitted to the secretariat of the Congress on 25 March 2005 (p. 16).
