



**Convention on the
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**WRITTEN REPLIES BY THE GOVERNMENT OF COLOMBIA CONCERNING
THE LIST OF ISSUES (CRC/C/COL/Q/3) FORMULATED BY THE COMMITTEE ON
THE RIGHTS OF THE CHILD IN CONNECTION WITH ITS CONSIDERATION
OF THE THIRD PERIODIC REPORT OF COLUMBIA (CRC/C/129/Add.6)***

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* This document has not been edited.

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

Issues taken up with regard to the third periodic report of Colombia (CRC/C/129/Add.6)

INTRODUCTION

The Government of Colombia has the honour to submit to the Committee on the Rights of the Child replies to the questionnaire sent last February, in which the Committee requested additional and updated information in connection with the third national report submitted by the country in mid-2004.

It should be noted that, as in the preparation of the third report, an effort has been made to include inputs from the different national institutions involved in promoting and protecting children's rights and in improving their living conditions, and we are accordingly confident that the replies contained in this document reflect both a government position and the views of the country at large.

It also needs to be pointed out that the meeting to substantiate the third report is taking place at a crucial time when the country is in the process of carrying out major reforms and projects, principally aimed at framing a public policy for children and adolescents that is focused on rights and takes into account the special needs and characteristics of the different population groups.

Special mention should be made in this connection of the **projected reform of the law relating to children and adolescents**, designed to adapt Columbian legislation to the principles embodied in the Convention on the Rights of the Child; the formulation of a **National Plan for Children and Adolescents** to guide actions by Colombia over the next ten years for the protection of children's rights; the framing of a **National Early Childhood Policy** providing for comprehensive care by the State, the family and society for children at this key stage of their development; and, finally, the **process of monitoring and evaluating departmental and local government management** of programmes for children and adolescents, aimed at ensuring effective nationwide action by the Colombian State to address the special problems of children and adolescents.

We hope that this effort will help to improve understanding of the situation of Colombian children and adolescents and will contribute to an objective analysis and to a frank and constructive dialogue conducive to the increasingly relevant orientation of actions by the Colombian State to safeguard the rights of children and adolescents.

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PART I

A. DATA AND STATISTICS, IF AVAILABLE

1. Please provide disaggregated statistical data (by sex, age groups, ethnic and indigenous groups, urban and rural areas) covering the years 2003, 2004 and 2005 on the number and percentage of children under 18 living in Colombia.

The total population of Colombia in 2006 is estimated at 46,772,286, of whom 16,945,679 (36.67%) are under 18¹. Women represent 51% of the total population².

In 2003, 90% (39,327,075) of the population were of mixed race, 7.8% (3,415,851) black or half-cast, 2.1% (931,523) indigenous, 0.0006% (27,539) native islanders (*raizales*), 0.0002% (10,592) Gypsies and 0.0001% (5180) Palenqueros³.

Indigenous peoples in Colombia have recognized territorial rights over 30,845,231 hectares, occupying 27.02% of the national territory, and are present in 32 departments, 200 municipalities and, to a lesser extent, in Bogotá. The departments with the largest number of ethnic groups are Amazonas, Vaupés, Putumayo and Guaviare. The 10 territorial entities with the largest number of indigenous people are, in order, Cauca, Guajira, Nariño, Caldas, Chocó, Tolima, Putumayo, Córdoba, Vaupés and Vichada, but the largest populations in relative terms are to be found in Vaupés (74.6%), Guanía (41%), Guajira (32.7%), Amazonas (28.36%), Vichada (22.96%), Cauca (14.89%), Chocó (8.99%), Putumayo (7.15%), Nariño (5.27%) and Caldas (4.37%). A total of 93 indigenous peoples have currently been identified⁴.

TABLE 1
Demographic data

<i>Indicators</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Total population	43 834 117	44.583.575	45.325.260	46 045 111
Total men	21 666 432	22.043.893	23.115.883	22.562.104
Total women	22 167 685	22.539.682	22.209.377	23.483.007
Urban population	31 346 069	32.017.189	32.700.477	33.375.462
Rural population	12 429 770	12.514.245	12.594.476	12.669.647
Under 5	4 790 163	4.791.042	4.787.252	4 787.710
Under 15	14 059 095	14.121.712	14.191.783	14.231.966
Under 18	16 610 523	16.716.529	16'818.259	16'888.819

National projection.

Source: National Department of Statistics (DANE). Departmental population projections by age and sex, 1995-2005.

¹ National Department of Statistics (DANE). 2005 Projections

² DANE. 2006 Projections

³ DANE 2003b

⁴ ARANGO, Raul and SANCHEZ, Enrique. Los pueblos indígenas de Colombia. En el umbral del nuevo milenio. National Planning Department (DDTS), Colombia 2004, p.41.

TABLE 2

Colombia: population projections for children under 18 - 2005

<i>Departments</i>	<i>0 - 4</i>	<i>'5 - 9</i>	<i>'10 - 14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>Total Dept.</i>
Amazonas	11 952	11 549	11 074	1 953	1 842	1 741	40 111
Antioquia	571 510	572 748	569 334	110 115	108 373	106 674	2 038 754
Arauca	34 709	35 226	33 505	5 642	5 186	4 857	119 125
Atlántico	249 067	239 748	245 427	46 104	44 566	43 438	868 350
Bogotá, D.C.	673 101	645 857	621 555	123 791	123 927	124 428	2 312 659
Bolívar	257 316	251 763	241 002	44 787	43 389	42 250	880 507
Boyacá	152 202	154 654	155 294	28 676	27 569	26 609	545 004
Caldas	107 939	110 023	115 487	22 017	21 417	20 944	397 827
Caquetá	62 547	59 922	55 788	9 741	9 144	8 718	205 860
Casanare	40 286	39 502	38 017	6 467	5 960	5 626	135 858
Cauca	159 239	155 739	151 338	28 277	27 401	26 715	548 709
Cesar	126 733	125 556	125 361	22 691	21 579	20 682	442 602
Chocó	43 468	49 330	59 298	10 411	9 546	8 869	180 922
Córdoba	145 345	150 769	161 260	30 044	28 741	27 818	543 977
Cundinamarca	208 904	216 699	236 366	46 913	46 353	45 280	800 515
Guainía	6 242	6 243	5 916	928	813	736	20 878
Guaviare	17 569	16 729	15 863	2 748	2 566	2 425	57 900
Huila	108 012	110 167	110 597	21 119	20 616	20 173	390 684
La Guajira	62 302	61 246	62 175	11 899	11 614	11 327	220 563
Magdalena	159 196	158 885	156 009	28 952	27 954	27 151	558 147
Meta	90 813	88 538	85 518	15 684	15 077	14 597	310 227
Nariño	197 591	197 693	191 828	34 652	32 998	31 903	686 665
Norte de Santander	177 144	172 886	165 074	30 275	29 142	28 242	602 763
Putumayo	52 491	50 489	47 361	7 738	6 986	6 464	171 529
Quindío	55 922	57 517	60 245	11 890	11 757	11 587	208 918
Risaralda	96 560	96 512	97 110	18 916	18 661	18 435	346 194
San Andrés y Providencia	7 845	8 091	8 126	1 509	1 457	1 411	28 439
Santander	220 184	220 227	217 461	41 616	40 794	39 940	780 222
Sucre	100 299	98 920	97 280	18 511	18 045	17 616	350 671
Tolima	126 181	130 919	143 646	27 977	27 409	26 677	482 809
Valle del Cauca	414 604	424 021	435 882	83 286	81 267	79 725	1 518 785
Vaupés	4 585	4 546	4 925	747	626	545	15 974
Vichada	14 572	14 761	12 939	1 914	1 626	1 449	47 261

The departmental total differs slightly from the national projection due to the methodology used in each case.

Source: DANE, Colombia. Departmental population projections, by age and sex

2. ***Given the internal armed conflict, as acknowledged in the State party report (paragraph 80), please clarify the number of children victims of human rights violations and humanitarian law breaches i.e. massacres, disappearances, extrajudicial executions, torture, kidnappings, forced recruitment, displacement, rape, sexual exploitation and land mines. Please also indicate the responsibility, whether attributed to state forces or irregular armed groups (guerrilla or paramilitaries).***

The available information for 2002-2005, processed and reported initially in overall terms and subsequently disaggregated by age, sex and presumed author⁵, is provided below.

With regard to the data in the following table, it needs to be emphasized that, while the figures for the violation of fundamental rights remain high, and while increased efforts are necessary to ensure the full exercise of those rights in Colombia, the most important indicators unquestionably reveal a downward trend.

TABLE 3

Available information on homicides, massacres, kidnappings and deaths from anti-personnel mines among the general population, 2002–2005

	2002	2003	2004	2005	Variation in the period
Homicides	28 837	23 523	20 210	18 111	-37.20%
Homicides of children under 18*	2 212	1 535	1 067	858	-60.76%
Victims of massacres	680	504	263	252	-62.94%
Cases of massacre	115	94	46	48	-58.26%
Homicides of trade unionists	99	47	42	14	-85.86%
Homicides of mayors and ex-mayors	12	9	15	7	-41.67%
Homicides of councillors	80	75	18	26	-67.50%
Homicides of indigenous people	196	163	85	49	-75.00%
Homicides of unionized teachers	97	54	47	27	-72.16%
Homicides of non-unionized teachers	N D	N D	20	16	
Homicides of journalists	11	7	3	2	-81.82%
Kidnappings	2 885	2 122	1 440	800	-72.27%
Forced displacement	424 153	220 189	162 109	141 266	-66.69%
Incidents involving anti-personnel mines and AUO	948	1 391	1 855	1 422	50.00%
Persons wounded by anti-personnel mines and AUO	487	556	668	738	51.54%
Deaths involving anti-personnel mines and AUO	142	170	206	280	97.18%

AUO: Abandoned unexploded ordnance.

Source: Information processed by the Monitoring Centre for Human Rights and International Humanitarian Law – (*) National Institute of Legal Medicine and Forensic Sciences

⁵ Monitoring Centre for Human Rights and International Humanitarian Law.

The data for this period show a reduction in homicides, massacres and kidnappings. Homicides fell by 37.2% from 28,837 in 2002 to 18,111 in 2005; victims of massacres fell from 680 to 252, representing a reduction of 62.9%, and kidnappings dropped by 72.16% from 2885 to 800 in the same period. (See Annex 1)

Between 2002 and 2005, the homicide rate per 100,000 children under 18 declined by 65.5% from 13.3% (2212) to 4.6% (858). In 2005, the departments with the highest child homicide rates were Valle, Risaralda y Casanare, according to the data of the National Institute of Legal Medicine. Trends in relation to homicide victims under 18 are described below.

TABLE 4

Violent death rates for children by gender, 2003–2005⁶
Violent deaths of children and adolescents

	2003		2005	
	Boys	Girls	Boys	Girls
NATIONAL TOTAL	29.19	21.78	27.53	20.42
Antioquia	24.02	17.59	22.63	16.52
Amazonas	47.57	37.16	45.58	35.39
Arauca	60.78	47.86	59.97	47
Atlántico	25.45	19.07	25.05	18.75
Bogotá	30.7	22.25	30.02	21.62
Bolívar	49.83	38.33	49.72	38.13
Boyacá	38.54	28.98	38.24	28.58
Caldas	27.1	20.37	25.67	19.18
Caquetá	70.73	56.38	70.42	55.98
Casanare	43.3	33.69	42.88	33.29
Cauca	63.62	50.09	62.51	48.99
Cesar	49.52	38.99	48.84	38.34
Chocó	98.63	80.85	98.25	80.01
Córdoba	41.56	31.85	40.83	31.21
Cundinamarca	32.93	24.21	32.55	23.87
La Guajira	45	35.16	43.75	34.08
Guanía	60.78	47.86	59.97	47
Guaviare	47.57	37.16	45.58	35.39
Huila	36.81	27.99	35.22	26.6

⁶ Measures the probability of death among live newborn children during the first year of life (per thousand live births)

	2003		2005	
	Boys	Girls	Boys	Girls
Magdalena	39.04	30.03	38.04	29.22
Meta	44.79	34.99	43.77	34.14
Nariño	59.51	46.67	58.96	46.06
Norte de Santander	29.8	22.32	28.47	21.25
Putumayo	47.57	37.16	45.58	35.39
Quindío	34.31	25.99	33.01	24.82
Risaralda	34.76	26.14	33.54	25.06
San Andrés y Providencia	23.28	17.25	21.73	16.03
Santander	25.69	18.82	24.42	17.88
Sucre	30.99	23.22	29.68	22.18
Tolima	28.74	21.85	26.71	20.17
Valle	21.27	15.81	19.8	14.69
Vaupés	47.57	37.16	45.58	35.39
Vichada	60.78	47.86	60	47

DANE. Census and Demography Directorate. Vital Statistics. National Archive of Live Births and Deaths, 2000. Departmental population projections by sex and age, Census Studies series no. 2. Ministry of Social Protection. National Health Institute. PAHO. Basic Indicators 2003, 2005.

The data reported by the National Police concerning homicide victims by presumed author, for 2003-2005:

TABLE 5

Homicide victims by presumed author

<i>Author</i>	2003	2004	2005
Self-defence	294	319	190
Common criminality	688	4 754	3 986
ELN	147	64	42
FARC	782	661	761
Non-identified	21 602	14 407	13 127
Other guerrilla	10	5	5
OVERALL TOTAL	23 523	20 210	18 111

Source: National Police. Calculations: Monitoring Centre of the President's Programme for Human Rights and International Humanitarian Law, Office of the Vice-President of the Republic.

With regard to victims of massacres under 18, the reported data show a reduction by four percentage points, from 14% (58 victims) to 10% (26 victims) between 2003 and 2005.

TABLE 6

Victims of massacres by age and sex

<i>Age range</i>	<i>Sex</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Over 18	Female	49	23	26
	Male	354	195	194
	Not reported			1
Total		403	218	221
Under 18	Female	15	4	7
	Male	43	18	19
Total		58	22	26
Age not reported	Female	5	1	1
	Male	34	22	4
	Not reported	4		
Total		43	23	5
Overall total		504	263	252

Source: National Police. Calculations: Monitoring Centre of the President's Programme for Human Rights and International Humanitarian Law

The following table sets out the reported data concerning the presumed authors of the massacres:

TABLE 7

Number of massacres by presumed author

<i>Author</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Self-defence	18	18	8
Common criminality	4	13	
ELN	36		
FARC	79	119	47
Non-identified	367	113	197
Overall total	504	263	252

Source: National Police. Calculations: Monitoring Centre of the President's Programme for Human Rights and International Humanitarian Law. Office of the Vice-President of the Republic.

With regard to kidnapping and attacks on personal liberty, the National Fund for the Defence of Personal Liberty (FONDELIBERTAD), in accordance with Act No. 282 de 1996, assigns operational responsibility for combating these offences to the Unified Action Groups for Personal Liberty ("Gaula" groups), which consist of members of the national police and the military and are coordinated by the Department of National Security (DAS) and the Technical Investigation Unit of the Public Prosecutor's Office.

The official data show a significant drop in the number of persons kidnapped in 2003-2005, falling from 2122 in 2003 to 800 in 2005, compared with 3114 in 2002.

According to information provided by the GAULA group for the period 2003–2005, there was a 52% reduction in the kidnapping of children and adolescents, 103 cases being recorded in 2005.

TABLE 8
Trends in the kidnapping of minors, 2003-2005

	2003	2004	2005	Ene-06
Kidnappings	2 122	1 440	800	22
Girls	178	137	49	2
Boys	148	92	54	
Under 18	326	229	103	2
Women	298	275	130	3
Men	1 498	936	567	17
Over 18	1 796	1 211	697	20

Source: FONDELIBERTAD.

TABLE 9
Victims of accidents involving anti-personnel mines under the age of 18, 2003-march 2006

With regard to the victims of anti-personnel mines, the reported data show an increase in the number of wounded and dead, which rose from 730 in 2003 to 1070 in 2005, and 161 for the period up to March 2006. 7.7% of the total number of victims in the period 2003-2006 were under 18.

Condition	Age	Year				Total
		2003	2004	2005	2006	
Wounded	Over 18	515	616	720	121	1972
	Under 18	45	57	64	12	178
	Unknown		2	3	1	6
Total wounded		560	675	787	134	2156
Dead	Over 18	159	196	261	24	640
	Under 18	11	7	21	3	42
	Unknown			1		1
Total dead		170	203	283	27	683
Overall total		730	878	1070	161	2839

Source: Monitoring Centre for Anti-personnel Mines. **Processed:** Monitoring Centre of the President's Programme for Human Rights and International Humanitarian Law

In 2005, a captain and three sub-officers were dismissed from the Armed Forces by the Office of the Public Prosecutor of the Nation, a punishment duly confirmed by the Force Commanders through the corresponding administrative decisions. Table 10 sets out the available data on army personnel investigated for offences such as: disappearances, executions, torture and displacements, as a result of which members of the armed forces were suspended from their duties without pay by decision of the Human Rights Unit of the Office of the Public Prosecutor of the Nation.

TABLE 10

Army personnel dismissed from the service by the human rights unit of the office of the public prosecutor, 2002 - 2005

<i>Year</i>	<i>Officers</i>	<i>Ncos</i>	<i>Soldiers</i>
2002	2 lieutenants	1 first corporal	2
2003	1 lieutenant colonel	1 first sergeant	
	1 major	3 staff sergeants	
	2 captains	1 second sergeant	
	2 lieutenants	1 first corporal	
2004	1 major	1 second sergeant	
2005	4 majors	1 staff sergeant	2
	3 captains	3 second sergeants ⁷	
	1 lieutenant	2 first corporals	
		2 second corporals	
		1 third corporal	

With regard to child victims of forced recruitment by illegal armed groups, as well as by displacement, the different organizations and sources are agreed on the difficulty of calculating the precise scale of the problem. What can be reported with certainty is the assistance given to children extricated from irregular armed groups and the humanitarian assistance provided to the displaced population.

Between November 1999 and March 2006, the Colombian Family Welfare Institute assisted 2838 children and adolescents extricated from illegal armed groups. In 2005, the programme catered for 526 minors, 73.89% of them male.

According to the Unified Registry of the population displaced by violence (SUR), 402,944 households and 1,784,626 persons were registered as being in a state of displacement (accumulated total of persons registered up to 31 March 2006^{**})⁷, of whom 35.9% (641.010) were under 18.

⁷ Presidential Social Action Programme. Unified Registry System (SUR). Date of report 1 April 2006. Consolidated by date of declaration. ^{**} Data entered into the information system..

3. ***In the light of article 4 of the Convention, please provide disaggregated data on budget allocations and trends (in absolute figures and percentages of the national and regional budgets) for the years 2004, 2005 and 2006 regarding the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:***
- (a) ***Education (different types of education, i.e. pre-primary, primary and secondary education);***
 - (b) ***Health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care, HIV/AIDS and other health-care services for children, including social insurance);***
 - (c) ***Programmes and services for children with disabilities;***

In 2004, the overall expenditure on children and young people amounted to 11.08% of GDP, to 10.93% in 2003, and 11.49% in 2002. Relative to total government expenditure, the proportion was 26.69% in 2004, 26.28% in 2003 and 26.62% in 2002.⁸

Per capita expenditure on children and young people (at constant prices) exceeds the per capita social expenditure on the population at large. From 2001, the trend has been towards moderate growth. In 2002 and 2004, the per capita growth rate of expenditure on children and young people exceeded the per capita GDP growth rate (4.06 and 4.64 respectively, as compared with 0.16 and 2.31). Expenditure on children has picked up since the crisis of 1999.

See Annex 2 – Budgetary allocations for health and education.

- (d) ***Support programmes for families;***

In the context of state measures to strengthen the family as the basic unit for the care and development of children, the Colombian Government has developed programmes for socially and economically vulnerable groups, centred on the family but intended to benefit children in living impoverished circumstances.

⁸ Economy and Children Group: Public Expenditure by the Government on Children and Young People. 2006. Includes expenditure on education, health, security and social assistance, urban and rural housing planning, sundry social services (recreation, sport), drinking water and other items (disasters and other calamities).

TABLE 11

Support programmes for families, 2003 – 2005

<i>Programmes</i>	<i>Beneficiaries</i>	<i>Expenditure</i> ⁹
Families in action	494 480	519 040 369 500
Forest ranger families	33 598	195 006 734 000
Productive projects	12 510	76 200 574 189
Food security network (RESA)	319 039	41 818 287 812
Strengthening of the family through the family educator and parents' school programmes – colombian family welfare institute (ICBF)	642 283*	14 288 908 867
Support to the dispersed rural population (family assistance) – ICBF	122 702*	16 222 433 473
Total	859 627	832 065 965 501

The Families in Action programme includes families belonging to level 1 of the System for Selecting the Beneficiaries of Social Programmes (SISBEN) as well as displaced families. Families at SISBEN level 1 totalled 143,954 (\$ 509,747,381.500) and the total for displaced families was 62,526 (\$ 9,292,988.000).

The beneficiaries under the Families in Action programme represent the maximum number of families that have received an allowance during this period.

The beneficiaries under the Forest Ranger Families programme correspond to the families that have signed an individual contract, and the expenditure represents the value of disbursements and commitments.

The beneficiaries under the Productive Projects programme correspond to the families that have benefited directly from the projects concluded since 2003, and the expenditure is the value of the contracts concluded.

The beneficiaries under the RESA programme correspond to the families associated with the Food Security projects (1,620,723 persons), and the expenditure is the contribution by the Presidential Agency for Social Action and International Cooperation - ACCION SOCIAL.

* Average provisions, effective date 2005.

Families in Action: This is a central government initiative for improving the living conditions of poor families classified at SISBEN level 1. The programme seeks to reduce vulnerability by raising family income with a view to increasing and sustaining family investment in the human capital of their children through a nutrition allowance granted to children under 7 and a school allowance granted to children from 7 to 18, subject to the families fulfilling their obligations. The results of the **impact evaluation** of this programme show a significant reduction in child morbidity and mortality linked to respiratory illnesses and acute diarrhoea, effective vaccination cover for their age among children participating in the programme, balanced food consumption, increased intake of proteins, fruit and vegetables, reduction of acute malnutrition, increased school attendance and lower school dropout rates. The Government invested over six hundred thousand million pesos in this programme in the period between 2001 and 2005.

Forest Ranger Families: This is aimed at supporting peasant, indigenous and Afro-Colombian families, living in environmentally strategic ecosystems, who find themselves trapped or threatened by illicit crops and wish to eradicate them and pursue “legal productive

⁹ Figures in Colombian pesos

alternatives". The programmes offer these families, who derive their livelihood from working the land, a monetary income and technical support (social, productive and environmental) for a specified time to enable them to undertake productive projects that make legal and sustainable alternative use of the land and natural resources, while strengthening their organizations and enhancing their democratic participation. The Colombian Government invested over two hundred thousand million pesos in this programme in 2005.

Food Security Network (RESA): Its main aim is to support productive projects conducive to food autonomy and to improve living conditions with the aim of encouraging the population at risk of displacement to remain in the countryside and/or enable the displaced population to return to their lands.

Strengthening of the family: This programme promotes the training and development of families to enable them to fulfil their socializing role and that of bringing up their children. It operates in two ways – through family education and family schools. Under this programme, community leaders assume the function of mediators in family conflicts and offer families support. In 2005, it provided assistance to 642,283 users, while between 2002 and 2004 the number rose from 464,955 to 765,513.

Rural families: This programme aims to encourage children, adolescents and peasant families to develop a life project to serve as a nucleus for building wider social and communal cohesion and the effective exercise of their rights. This programme seeks to strengthen the quality of family relationships and to improve the situation of children in aspects such as pursuing their education, avoiding repetition, developing their sense of belonging and attachment to their locality, and fostering rural practices, habits and customs. Under this programme, assistance was provided to 122,702 users in 2005, compared with 91,956 in 2004 (16,375 more than in 2002).

(e) Support for children living below the poverty line;

Support for children living below the poverty line is provided by the Colombian Government through the family support programmes described above and through bodies such as the Colombian Family Welfare Institute and the Presidential Agency for Social Action. Services and support programmes are also provided by the education sector through public education and subsidized health-care services. The regional authorities (governments and municipalities) implement social programmes for poor sections of the population.

- (f) Protection of children who are in need of alternative care including the support of care institutions;***
- (g) Programmes and activities for the prevention of and protection from child abuse, trafficking in children, child sexual exploitation and child labour;***
- (h) Programmes and services for children belonging to minorities and indigenous peoples;***
- (i) Programmes and services for children in armed conflict;***
- (j) Programmes and services for abandoned children, including street children;***

- (k) *The administration of juvenile justice and the recovery and social reintegration of juvenile offenders;***
- (l) *The overall budget expenditure for the Instituto Colombiano de Bienestar Familiar (ICBF);***

With regard to these subparagraphs, it must be said first of all that disaggregated national data on each of these topics is not available, although detailed information of this kind does exist in the case of the Colombian Family Welfare Institute (ICBF) budget. Given that the current structure of the General Budget of the Nation is sectoral, the budget lines administered by the different sectors are themselves general and concern the population as a whole, or are distributed in terms of main lines of action and do not involve allocations by population group.

The specific allocation for children, particularly those in the most vulnerable situations, is administered by the Colombian Family Welfare Institute, the body that coordinates the National Family Welfare System (SNBF), which is financed through a 3% monthly payroll contribution that all public and private employers must make to ICBF (pursuant to Act No. 27 of 1974, Act No. 7 of 1979 and Act No. 89 of 1988), calculated on the basis of total monthly wage payments, including all types of emoluments.

ICBF carries out its work in the framework of the current national development plan entitled “Towards a community-based State” under its Indicative Institutional Plan 2003–2006, focusing on three strategic areas: making optimum use of services, coordinating the SNBF and enhancing the quality of institutional management. Within this framework, it allocates and implements the budget, with the managerial support of 33 regional and 202 area centres, in over 140,000 service units in each of the country’s municipalities (1098), catering to 9,785,768 children in 2005.

Specific expenditure on children, assistance to children and support for the family to enable them to exercise their rights and to restore violated rights is the work of the Colombian Family Welfare Institute (ICBF). In the last three years, 98% of the approved budget has been implemented with revenue amounting to \$1,495,935 million pesos in 2005, or 115% of its proposed target for this period. (See Annex 3).

The budget for expenditure on children over the last three years through the main IBCF projects and programmes relating to preventive assistance to children, support for the family and the protection and restitution of rights rose from \$908,238 million pesos in 2003 to \$1,397,774 million pesos in 2005. In this context, the number of users of all ICBF programmes and services increased from 5,929,768 in 2003 to 9,785,768 in 2005

- (m) *Amendments to budget allocations following the Constitutional Court Ruling T-025 of 2004*¹⁰**

As regards compliance with Constitutional Court Ruling T-025, the main actions by the State to provide comprehensive care to the displaced population are outlined below.

The National Government has given priority to assisting the victims of displacement and has for this reason included the topic in the National Development Plan.

¹⁰ Report by Social Action, 3 April 2006

The budget allocated by the present Government to cater for the displaced population is significantly greater than previous commitments. In the period 1995-2002, expenditure at the national level rose to \$566,647 million pesos. Between 2003 and 2004, the resources allocated totalled \$439,649 million, 72.5% (\$318,949 million) of this sum being made available in 2004.

The order issued by the Constitutionals Court to the National Council on Comprehensive Care for the Displaced Population to “*determine the scale of the budgetary allocations needed to comply with public policy for protection of the fundamental rights of displaced persons*” led to an increase in the budgets of the component bodies of the National System of Comprehensive Care for the Displaced Population, aimed at catering for the population included in the Unified Registry of Displaced Population.

On 3 December 2004, the National Government issued Act No. 917, increasing the relevant budget by \$136,000 million pesos. Article 58 of the same Act also issued directives to the bodies concerned to give priority in their budgets to caring for displaced persons. “The bodies responsible for the provision of comprehensive care to the displaced population at the national, departmental, municipal and district levels will give priority in the implementation of their respective budgets to caring for the population displaced by violence, in accordance with the plan drawn up by the National Government in compliance with Ruling T-025 of 2004. This provision will be renewed in 2006 and beyond.

At the same time, the National Planning Department calculated the budgetary resources needed to cater for the displaced population. In addition, the National Economic and Social Policy Council (CONPES) was called upon to examine the document assessing the budget allocations and targets necessary for components of the National System of Comprehensive Care for the Displaced Population (SNAIPD) to meet the requirements of persons displaced in the period 1995-2005, including the launching in 2006 of the National Plan of Comprehensive Care for the Displaced Population, together with the budget timetable indicating the distribution of resources for assistance to the displaced population over the period 2007-2010 with a view to providing such assistance from 31 December 2004 through 2005. This document was approved on 28 November 2005.

The programme budget for 2005, as contained in CONPES document 3400, for the provision of care to the displaced population by components of the National System of Comprehensive Care for the Displaced Population (SNAIPD) is set out below.

TABLE 12

Programme budget for the provision of care to the displaced population by components of the national system of comprehensive care for the displaced population (SNAIPD) - 2005

<i>Component</i>	<i>Expenditure</i> ¹¹	<i>Functioning</i>	<i>International Cooperation</i>	<i>Total</i>
Social Action	216 400		500	216 900
Ministry of Social Protection*	99 967			99 967
Ministry of National Education**	88 848		11 656	100 504
Colombian Family Welfare Institute	27 044		16 169	43 213
Ministry of the Environment, Housing and Spatial Development (urban housing)	20 000			20 000
Office of the People's Advocate			4 069	4 069
National Apprenticeship Service – SENA	9 850			9 850
Ministry of Agriculture and Rural Development - INCODER (rural housing)	2 281			2 281
Colombian Institute of Rural Development(land)	5 760			5 760
National Civil Registry Office		2 047	778	2 825
Ministry of Trade, Industry and Tourism - FOMIPYME	2 000			2 000
Ministry of the Interior and Justice	290	46	698	1 034
Ministry of National Defence		232		232
National Royalties Fund	10 436			10 436
Total	482 876	2 325	33 870	519 071

* Includes provision for the sustainability of the displaced population affiliated to the subsidized regime in 2004, plus its enlargement in 2005. The poor non-affiliated population has access to health services through supply-side subsidies, for which the General Revenue Sharing System (SGP) allocated \$1.3 billion in 2005. In per capita terms, the average departmental allocation in this same period was \$55,552, in which connection it may be said that non-affiliated persons have access to health care in two ways: (i) through subsidized services (ii) through the allocation of resources to regional and local bodies amounting to approximately \$41,586 million for this population group.

** In the case of education services for the displaced population, it is estimated that in 2005, in addition to the resources allocated by the Ministry of National Education, resources amounting to \$119, 268 million will have been allocated to regional and local bodies through the General Revenue Sharing System.

Source: SNAIPD components. DNP-DJS-GEGAI calculations

¹¹ Millions of pesos at 2005 values.

In 2006, the budget for the components of the National System of Comprehensive Care for the Displaced Population is distributed as follows:

TABLE 13

Programme budget for the provision of care for the displaced population SNAIPD components - 2006

<i>Component</i>	<i>Expenditure</i> ¹²	<i>Functioning</i>	<i>International Cooperation</i>	<i>Total</i>
Social Action	309 264		500	309 764
Ministry of National Education*	170 000		6 000	176 000
Ministry of Social Protection**	152 000			152 000
Colombian Family Welfare Institute o	38 262		16 897	55 159
Office of the People's Advocate	720		828	1 548
Ministry of the Environment, Housing and Spatial Development (urban housing)	20 800			20 800
National Apprenticeship Service - SENA	56 139			56 139
Ministry of Agriculture and Rural Development - INCODER (rural housing)	43 150			43 150
Ministry of Agriculture and Rural Development - INCODER (rural housing)	14 400			14 400
National Civil Registry Office	1 500	1.629	705	3 834
Ministry of Trade, Industry and Tourism - FOMIPYME	5 000			5 000
Ministry of the Interior and Justice	308	49		357
Ministry of National Defence		335		335
Artesanías de Colombia S.A.	475			475
National Planning Department (DNP) – General Management	208			208
Office of the President – General Management	240			240
National Royalties Fund	11 062			11 062
Total	823 528	2.013	24 930	850 471

* In the case of education services for the displaced population, it is estimated that in 2005, in addition to the resources allocated by the Ministry of National Education, resources amounting to \$120,472 million will be allocated to regional and local bodies through the General Revenue Sharing System.

** Includes provision for the sustainability of the displaced population affiliated to the subsidized regime in 2004, plus its enlargement in 2005 and planned enlargement in 2006. The poor non-affiliated population has access to health services through supply-side subsidies, for which the SGP will allocate a minimum of \$1,3 billion in 2006.

Source: SNAIPD components. DNP-DJS-GEGAI calculations

¹² Millions of pesos at 2005 values

Having regard to the budgets to be allocated to the displaced population in 2005 and 2006 by the SNAIPD components, it is calculated that it will be necessary in the coming years to invest resources of the order of \$356 thousand million pesos at 2005 values.

- 4 *With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by sex, age groups, ethnic groups, urban and rural areas) for the years 2003, 2004 and 2005 on the number of children:*

Abandoned children (abandoned and at risk)

(a) Separated from their parents

The situation of children deprived of their family environment needs to be placed in the context of the dynamics of the Colombian family, some features of which emerge from population studies such as the results of the 2005 National Demographic and Health Survey (a five-yearly population survey), which reports data such as the following:

In 2005, the proportion of women heads of household continued to increase. 70% of household had men at their head, a percentage lower than in 2000 when it was at 72%. The number of children living with both parents fell from 61% to 58%. This means that 42% of children are separated from one or both of their parents, a situation that by itself denotes deprivation of the nuclear family and gives rise to factors of psychosocial vulnerability.

The proportion of incomplete families, nuclear or extended, rose over the last decade. As to the size of the family, the ideal number of children in 2005 for married women or those living in partnership was 2.4. The ideal number of children for women in urban areas was 2.1 and in rural areas 2.5. The average ideal number of children was highest in the Atlantic region: 2.5 for all women, 3 for women with a low educational level; and 2.1 for women with secondary or higher education. The departments of Quindío, Risaralda and Caldas had the lowest average for the ideal number of children (1.9), followed by and Nariño (2.0).

It should be added that, while this type of population data is available, the Colombian State is aware that understanding and characterizing the family is more complex and implies taking into account the coexistence of different family typologies and the contingencies of historical and social change, diversity, multiculturalism and the processes of adaptation and continual adjustment to which families are subject throughout their development.

These multiple factors impinge on of the situation of abandoned children, since the family is the point of convergence of different social, political, economic and cultural tensions.

From this standpoint, situations involving deprivation of the family environment are attended to by of the Colombian Family Welfare Institute, a body that is regulated by the Code of Minors and provides comprehensive protection for children in this situation.

(b) Placed in institutions

Children at risk or abandoned receive assistance and psychosocial care in accordance with the principle of comprehensive protection, which implies recognizing children as the subject of rights, studying and evaluating their situation and circumstances in terms of their state and stage of development, their family ties, their social and community networks and their future chances of development and fulfilment.

TABLE 14

Care in a family environment, 2002-2005

<i>Protection in a family environment</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Foster homes, support homes, friends, and protection homes	15 801	14 292	16 157	16 395
Therapeutic care	21 519	28 345	40 388	74 674
Semi-residential, non-residential and supportive intervention	32 408	23 853	28 512	23 542
Support subsidies			1 057	3 225

Source: ICBF. Planning Directorate. Programming Subdirectorato. Implementation of social targets 2002-2005.

In the first instance, psychosocial and legal involvement is directed towards strengthening, re-establishing and activating family ties and dynamics, by way of approaching children in their family environment and offering them alternative programmes and measures to placement in an institution. However, in those cases where it is considered that the psychosocial and physical integrity of children is at serious risk, when no responsible carer has been found within the setting of their nuclear or extended family, separation from the family becomes necessary.

In these cases, children are placed under protective measures in nongovernmental institutions, which provide a service to the State under contract, the aim of which it is to restore the children's rights, ensuring the necessary care, upkeep and links to basic networks and services. Equally, comprehensive care is provided through permanent specialized psychosocial and therapeutic support, with the emphasis on work within the family to identify strategies for re-establishing ties, for family reintegration and for social reinsertion.

Trends in institutional care provided through ICBF in recent years are indicated below.

TABLE 15

Care in an institutional environment, 2002- 2005

<i>Care in institutions</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
For children and adolescents at risk, abandoned or otherwise in need of care	27 374	33 945	32 182	28 125
For children and adolescents extricated from illegal armed groups**	561	1 159	2 871	1 981
For child and adolescent offenders	15 475	14 934	54 875*	15 663

Source: ICBF. Planning Directorate. Programming Subdirectorato. Implementation of social targets 2002-2005.

* Figure under review

** Includes turnover of occupants – the intake and departures over the year.

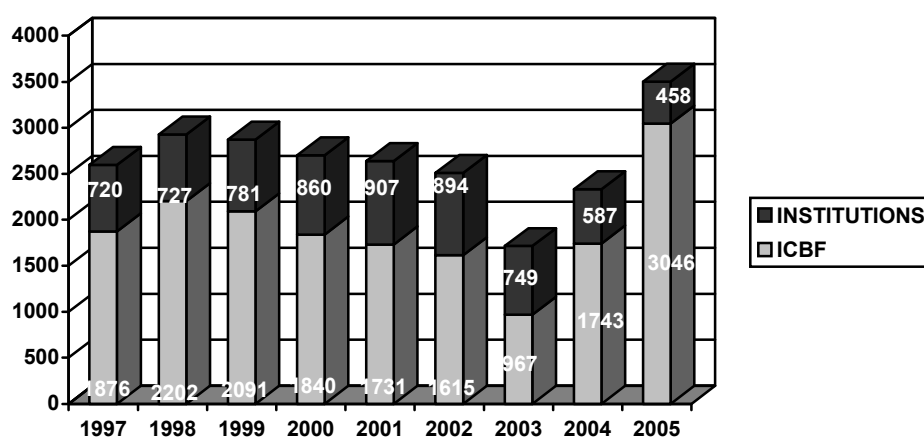
(c), (d) and (e) Adoptions. Placed with foster families; and adopted domestically or through inter-country adoptions. Adopted through ICBF or Casas de Adopción (institutions authorized to operate the adoptions programme), with clear reference to the percentage of domestic and inter-country adoptions.

In 2005, the number of adoptions was 3504, compared with 2330 in 2004. In 2003, 1716 children were adopted, and in 2002 the total was 2509. Over 80% of the adoptions were directly managed by ICBF and the rest by authorized institutions. 43% of the adoptions in 2005 were carried out by Colombian families. There was an increase of 13 percentage points compared with 2002 in the number of national adoptions, which came to 30%. By age, 44% of the adopted children were in the under-2 age group, followed by 26% of children aged between 3 and 5, compared with 56% and 21% respectively in 2002.

To complete the picture, there were difficulties in adopting 4213 children, 59% of these having some disability or posing an age problem. Diagram 1 shows adoption trends from 1997 to November 2005 by authorized adoption homes and by ICBF directly.

DIAGRAM 1

Adopted children and adolescents ICBF and authorized institutions, 1997- 2005



Source: ICBF. Adoptions Group. 2005.

5. **Please specify the number of children with disabilities, up to the age of 18, disaggregated by sex, age groups and, if possible, ethnic groups, urban and rural areas, covering the years 2003, 2004 and 2005: (a) living with their families; (b) living in institutions; (c) placed with foster care; (d) attending regular schools; (e) attending special schools; (f) not attending schools.**

Population with disabilities: The following figures were obtained through the updated database of the System for Selecting the Beneficiaries of Social Programmes (SISBEN), data derived from the 1098 municipalities throughout the country. The results refer to all persons recorded in the system, i.e. levels 1 to 4 in municipalities of under 20,000 inhabitants where a census was carried out, and socio-economic levels 1, 2 and 3 of the population in medium-sized and capital cities.

TABLE 16

Population with disabilities, 2005

Age groups	
0–4	17 415
5 to 9	29 202
10 to 14	34 587
15 to 17	20 765
Gender	
Men	58 611
Women	43 358
National total	101 969
Area	
Rural	33 427
Urban	68 542

With regard to the provision of care to persons with disabilities, the relevant ICBF data shows the following trends relating to children with disabilities living with their families, living in institutions or placed in homes.

ICBF caters for children with disabilities - or with what are known as different or special capacities – not because they are disabled but because of their state or circumstance of being abandoned or at risk.

To this end, it provides comprehensive care and assistance through programmes aimed at strengthening the family group and linking them to child-care services and protection networks, and through institutional facilities for abandoned children or those whose integrity is risk. The following table shows trends in the provision of care in recent years:

TABLE 17

Care for children with disabilities

Family social environment			
	2003	2004	2005
Foster homes for abandoned or at risk children with disabilities	1.792	1.834	1.881
Care for children with disabilities or mental disorders	2.864	3.319	2.737
Residential child-protection institutions			
	2003	2004	2005
With disabilities	1.480	1.588	1.812
With mental disorders	289	384	463

Source: ICBF. Planning Directorate. Implementation of social targets 2003, 2004, 2005. * This programme supports families with children with disabilities to enable them to remain in the family home.

Regarding children with disabilities and the educational services they receive, distinguishing between **those who attend regular schools, those who attend special schools and those who do not attend school:**

According to information from the Ministry of National Education, integrated education for children with disabilities is provided, from pre-school through to secondary and higher education, in formal education institutions with the necessary technical, material and human support. It is based on the principles of social and educational integration, human development, opportunity, balance and targeted support, employing strategies, methodologies and tools adapted to the needs of those concerned. For that purpose, regional and local entities assess the existing demand and organize the supply of educational services, selecting the institutions in which they are provided and allocating the required resources (financial, human and material). Curricula and syllabuses in teacher-training colleges and institutions of higher education include the topic, with a view to ensuring that new teachers in Colombia have the basic training to enable them to cater adequately in their classes for children with disabilities.

National policy lays down that persons with disabilities should be cared for in official or private institutions that enable them to develop their educational and work skills through programmes or productive projects adapted to their needs. These activities are carried out under agreement, or through other agreed educational and alternatives, with the Ministry of Social Protection, the Colombian Family Welfare Institute and, above all, with the participation of local governments and the families of those concerned.

The table below gives figures for of the population taught in formal education institutions in 2004 and 2005, firstly by educational level and subsequently by type of disability.

TABLE 18

Number of students with disabilities by educational level

	<i>Year</i>	
	<i>2004</i>	<i>2005</i>
Preschool	8 248	15 237
Primary	42 108	58 650
Lower secondary	13 445	26 932
Upper secondary	3 860	7 747
Total	67 661	108 566

Source: Preschool, Basic and Secondary School Information System (SINEB) – Ministry of National Education (MEN).

TABLE 19
Number of students by type of disability

	<i>Year</i>	
	<i>2004</i>	<i>2005</i>
Cognitive	20.489	64.767
Motor	5.261	3.496
Visual	23.297	15.851
Auditory	11.687	8.570
Autism	1.361	1.340
Multiple	5.567	4.900
Other	0	9.640
Total	67.661	108.566

Source: Preschool, Basic and Secondary School Information System (SINEB) – MEN

Currently, the National Statistics Department in coordination with the Ministry of Social Protection is engaged in gathering and consolidating information concerning the disabled population, drawing on a sample of 300 municipalities in the country. This information contains data on children with disabilities living in institutions (without indicating which), data from children said to be receiving care from ICBF and under which programmes, and those children and young people of school age who are not studying. The results of this enquiry will be made known during the second quarter of 2006, and it is planned to include new municipalities in the current year.

6. *Regarding health services, please provide disaggregated statistical data (by sex, age groups, ethnic groups, urban and rural areas) covering the years 2003, 2004 and 2005:*

(a) *Maternal and infant mortality rates*

The rate of infant mortality forecast for 2005 is 25.6 per thousand live births¹³, the rate being higher for boys (27.53) than for girls (20.42). Figures above the national rate for both sexes are found in the departments of Amazonas, Arauca, Bogotá, Bolívar, Boyacá, Caquetá, Casanare, Cauca, Cesar, Chocó, Córdoba, Cundinamarca, Guainía, Guaviare, Huila, La Guajira, Magdalena, Meta, Nariño, Norte de Santander, Quindío, Putumayo, Sucre, Vaupés and Vichada¹⁴.

The rate of maternal mortality per 100,000 live births was 83.3 in 2002, compared with 98.6 in 2001 and 104.9 in 2000. Figures above the national rate are found in the departments of: Amazonas, Arauca, Caquetá, Cauca, Chocó, Córdoba, Guainía, Magdalena, Meta, Nariño, Quindío, Putumayo, San Andrés and Providencia, Tolima, Vaupés and Vichada¹⁵. The situation regarding maternal and infant mortality is critical, despite the improvements reported over the last three years

¹³ DANE. Census and Demography Directorate. Vital Statistics. National Register of Live Births and Deaths, 2001. The mortality data are crude - validated but not adjusted by subregister. 2004 estimates.

¹⁴ DANE. Census studies series No. 1-2 and 5

¹⁵ DANE. Census studies series No. 1-2 and 5

(b) Immunization rates

In 2004, vaccination coverage for children under 1 year of age was as follows: 89.34% for DPT vaccine, 89.35% against polio, 93.07% for BCG vaccine, 89.35% against hepatitis B, 89.06% against haemophilus influenza type b, and 92.31% against triple virus infections.¹⁶

According to the 2005 National Demographic and Health Survey, the proportion of unvaccinated children in the under-5 age group diminishes the lower the age, which would suggest an improvement in vaccination coverage. Whereas 5% of children over three are unvaccinated, the figure for children under two is 2% and less than 2% for those aged one.¹⁷

(c) Malnutrition rates

According to the 2005 National Demographic and Health Survey, 6% of newborn babies were underweight at birth. In 2005¹⁸, twelve out of every hundred children under five years of age showed growth retardation, in contrast with 13.5% in 2000; 7% were underweight for their age, 0.5 percentage points above the rate for 2000. In the 5 to 9 age group, the growth retardation rate was 12.6% and in the 10 to 17 age group 16.2%. Growth retardation was higher in rural areas and at levels 1 and 2 of the System for Selecting the Beneficiaries of Social Programmes (SISBEN), the departments most affected being La Guajira, Boyacá, Nariño and Magdalena.

As regards vitamin A deficiency, the rate for the 1 to 4 age group was 5.9%. The Atlantic region was most affected with a rate of 14%, the figure for rural areas being 9.4% and the population most affected being that classified at SISBEN level 1 with 9%.

TABLE 20

Malnutrition trends in the population under 5

<i>Type of malnutrition</i>	<i>1965</i> ¹⁹	<i>1977</i> ²⁰	<i>1986</i> ²¹	<i>1995</i>	<i>2000</i>	<i>2005</i> ²²
Chronic (Height for weight)	31.9	22.4	16.6	15.0	13.5	12
Slight	18.2	15.1	11.4	11.5	10.7	10
Moderate/Severe	13.7	7.3	5.2	3.5	2.8	2
Acute (Weight for height)	3.9	4.9	2.9	1.4	0.8	1
Slight	3.1	4.1	2.4	1.1	0.7	1
Moderate/Severe	0.8	0.8	0.5	0.3	0.1	1
Overall (Weight for age)	21.1	16.8	10.1	8.4	6.7	7
Slight	15.5	14.4	7.9	7.5	5.9	1
Moderate/Severe	5.6	2.4	2.2	0.9	0.8	6

¹⁶ National Health Institute SIVIGILA 2004.

¹⁷ Profamilia. ENDS/2005

¹⁸ National nutrition survey. Colombia, 2005

¹⁹ Ministry of Health, Colombian Association of Faculties of Medicine. Nacional Morbidity Research: Clinical Evidence. INS. Bogotá, 1967

²⁰ Mora, J.O., Situación nutricional de la población Colombiana 1967-1980. Resultados antropométricos y de laboratorio. INS, Bogotá, 1982

²¹ Castro de Navarro, L., Acosta, F. National survey of health knowledge, attitudes and practices, 1986-1990: Nutritional situation and feeding patterns in children under 5. INS, Bogotá 1990.

²² Profamilia, and other bodies, Sexual and reproductive health in Colombia, National Demography and Health Survey, 2005,

TABLE 21

Malnutrition in urban and rural areas and by gender

<i>Malnutrition</i>		<i>1 - 4</i>	<i>5 - 9</i>	<i>10 - 17</i>
Chronic (height for age)	Total	12	12.6	16.2
	Urban	9.5	9.7	12.9
	Rural	17.1	18.5	24
	Male	12.6	14.5	18.9
	Female	11.4	10.6	13.8
	Overall (weight for age)	Total	7.0	2.2
Overall (weight for age)	Urban	5.6	2.9	5.6
	Rural	9.7	0.7	8.9
	Male	7.2	2.6	9.6
	Female	6.7	1.7	4.0
	Acute (weight for height)	Total	1.3	1.1
Urban		1.2	1.1	
Rural		1.3	1.2	
Male		1.3	1.2	
Female		1.2	1.0	

Source: Ensin/2005.

(d) Children infected with and/or affected by HIV/AIDS

HIV/AIDS is regarded as a growing problem among children. A report²³ by the National Institute of Health estimates that the problem will double in terms of mother-child transmission, while the report of UNAIDS in 2005 estimated that 4000 persons under 15 are living with the disease, that the number of cases could exceed 800,000 by 2010, and that it may already affect around 16,000 children under 15. The report also suggests that the impact of HIV/AIDS is increasing the vulnerability of many children.

ICBF data shows that, in 2004 and 2005, the Institute provided assistance, in 84.8% of its regions, to 152 children and adolescents affected by HIV/AIDS.

With regard to the feminization of the epidemic and its implications for children, it is claimed that 58,000 Colombian women of reproductive age may be infected, which would have an impact on cases of AIDS among children. The number of children infected with HIV in Colombia in mid-2004 was estimated at between 4000 and 8000 (UNAIDS, 2005). Under the National Project for the Reduction of HIV Mother-to-Child Transmission, 314,190 pregnant women had taken the Elisa test in Colombia up to August 2005, 623 were diagnosed to be infected by HIV, and 14 newborn children were infected in consequence. In Colombia, the

²³ National Health Institute. "Veinte años del VIH/SIDA en Colombia. 1983-2003" (Twenty years of HIV/AIDS in Colombia. 1983-2003).

feminization of the epidemic is occurring gradually. At the national level and in some regions this is clearly the case. The predominant pattern of homosexual transmission being overtaken by heterosexual transmission, mainly in the Caribbean region (the male-female ratio has fallen from 20:1 in 1987 to 3:1 between 1999 and 2003).

The National Institute of Health relies on two sources for its monitoring system: the weekly collective notifications included in the National Public Health Supervisory System (SIVIGILA) and the record cards notifying the Institute of cases as they occur. It is on these sources that the following data are based²⁴.

TABLE 22

Cases of hiv/aids in children under 1, from 1 to 5 and from 5-14 reported to sivigila

	<i>2003</i>	<i>2004</i>	<i>2005</i>
Under 1	38	35	35
1 to 5	26	35	42
5 to 14	46	73	84

Source: National Health Institute. February 2006.

It is hoped this year, with the implementation of the new record card system, to have more complete data on the subject, as well as on children orphaned by AIDS - information that the country does not yet possess.

With regard to international agreements, it is proposed that the United Nations Millennium Declaration should serve as the framework for developing in 2003 and implementing in 2005 national policies and strategies aimed at building and strengthening government capacities so as to provide an environment that supports children affected by HIV/AIDS.

At the national level the Ministry of Social Protection and UNAIDS have implemented the Third Colombian Intersectoral Plan of Response to HIV-AIDS, 2004-2007. Under that plan, ICBF is called upon to undertake a national diagnosis of children under 15 orphaned by AIDS and to design and implement a policy of protection and comprehensive care for such children, through the provision of training and technical assistance to ICBF's regional teams.

(e) *Adolescent health, including early pregnancy and sexually transmitted infections (STIs), mental health and suicide, drug, alcohol and tobacco abuse*

²⁴ Extracted from the document "Diseño de investigación: Análisis de situación de niñez y la adolescencia afectada por VIH-AIDS in Colombia" (Research model: Analysis of the situation concerning children and adolescents affected by HIV/AIDS in Colombia). Final report by Bibiana Castro Franco, contracted and supervised by the Research Subdirectorate.

Despite the decline in the overall fertility rate in the country²⁵, differences in the reduction of fertility are observable not only between regions but also, which is interesting, between population groups. Besides the poorest members of society and those with a low educational level, living in rural areas or displaced by public-order problems, one of the most vulnerable groups is the adolescent population, since the problems associated with pregnancy and fertility have increased progressively from 15% in 1990, to 17% in 1995, to 19% in 2000 and to 21% in 2005²⁶. One in every five adolescent women aged 15 to 19 is already a mother or is carrying her first child; half the adolescent women in the country are ignorant on the subject of STI and its symptoms; and 10% of adolescents do not know how to avoid AIDS.

The picture regarding fertility among the adolescent population is borne out by the high percentage of this group who start their sexual life early; the majority does not have the information and tools to take the decisions necessary for a healthy and responsible sexual life and does not have access to effective family planning methods.

Analysis of the prevalence of the use of contraceptives shows that cohabiting adolescents from 15 to 19 have a lower percentage use of contraceptive methods (57.2%, a figure much below that of women in other age groups). Many of young expectant mothers do not receive prenatal care or make use of prenatal services at an advanced stage, especially when the pregnancy occurs outside a stable partnership. Since 2003, the country has been developing a National Sexual and Reproductive Health Policy, with the aim of furthering the exercise of rights and improving the sexual and reproductive health of the population as a whole, with special emphasis on reducing factors of vulnerability and risk behaviour and encouraging protective factors and provision for groups with special needs, through the implementation of strategies conducive to informed decision-making and the pursuit of a healthy and responsible sexual life and to the provision of timely and adequate care with regard to sexual and reproductive health. One of the main thrusts of this policy is health promotion and the reduction of unwanted pregnancies among adolescents.

Sexually transmitted infections (STIs)

Sexually Transmitted Infections (STIs) are one of the main sexual and reproductive health problems facing the country, together with the related challenge of identifying and tracking the infections, epidemiological monitoring, awareness raising and transmission prevention, the implementation of a syndromic approach and ensuring the availability of quality services to provide adequate treatment in priority areas.

The main causes of the increasing prevalence of this problem are: lack of knowledge among service providers about programmes based on a syndromic approach to sexually transmitted infections; non-application by institutional service providers (IPS) of the guidelines for treating STI adopted by the Pan American Health Organization (PAHO) in Resolution 412 of

²⁵ Estimates for 2005 by the Ministry of Social Protection indicate an overall rate of fertility of 2.62 per woman. The rate for women aged between 15 and 49 in the period 2002-2005 is estimated by Profamilia at 2.4 children per woman; the general fertility rate is 83 births per 1000 women of childbearing age (Demographic and Health Survey – Profamilia, 2005). According to these latest data, the historical series reveals a constant reduction in the overall rate of fertility, which has fallen from 5 children per woman in 1970 to 2.6 in 2000, with a further drop of two percentage points in 2005.

²⁶ Fertility by age group – National Demographic and Health Survey, Profamilia 1990, 1995, 2000, 2005.

2000; implementation difficulties; the absence of an adequate health information system among health service institutions and the regional and local authorities, making it impossible to obtain reliable data or assess the scale of the problem nationally; a failure to evaluate risk behaviour among the population. In Bogotá, for example, 70% of those suffering from sexually transmitted infections have recourse to pharmacies, and 85% of the pharmacies adopt an incorrect approach to the cases.

According to the 2005 National Demographic and Health Survey (ENDS), analysis of the behaviour of women with sexually transmitted infections and where they seek treatment shows that 79% of women who reported having been infected went to a doctor or nurse to be treated, 8% went to a pharmacy, 10% practised self-medication, 8% went to a friend or parent, and 2% went to a folk healer. 75% of women informed their partner, and 56% of these took steps to avoid transmission. 73% of the latter group stopped having sexual relations and 31% used a condom.

Mental health and suicide²⁷

The number of suicides among children under 18 has fallen over the last four years: 274 in 2002, 226 in 2003, 207 in 2004 and 195 in 2005. The highest rates are found in Amazonas, Casanare and Huila

While the difference is not statistically significant, there has been an observable trend since 1998 towards a reduction of cases of suicide in Colombia.

With regard to suicidal behaviour, the 2003 National Study of Mental Health reports that the highest rate of suicide attempts among the Colombian populations studied was 4.9%. Disaggregating the figures for suicidal behaviour by age group, one finds that the greatest prevalence both of suicidal thoughts and suicide plans and attempts is in the 30-44 age group and that the greatest prevalence last year was among young people between the ages of 18 and 29.

Drug, alcohol and tobacco abuse

According to the 2003 Mental Health Study headed by the Ministry of Social Protection: "Alcohol consumption has a prevalence of 74.86%, which means that 75 out of every 100 young people attending school have consumed alcohol at some time, followed by cigarette smoking with a prevalence of 46.05% - a proportion that is considered very high and constitutes a serious public health problem given the harmful effects of cigarettes on adolescent health and the risk of addiction. It emerges that the highest consumption of psychoactive substances involves legal drugs.

In third place comes the use of tranquillisers, with a prevalence of 10 in every hundred schoolchildren, and in fourth place marijuana with 7.6%. There follows in order the consumption of amphetamines, inhalants, cocaine and crack cocaine, all of them addictive and accordingly regarded as being at a high level, particularly since schoolchildren are involved.

Heroin consumption, it emerges, has a prevalence 1.32%, compared with the figure of 0.5% reported in the First National Study on Mental Health and the Consumption of Psychoactive

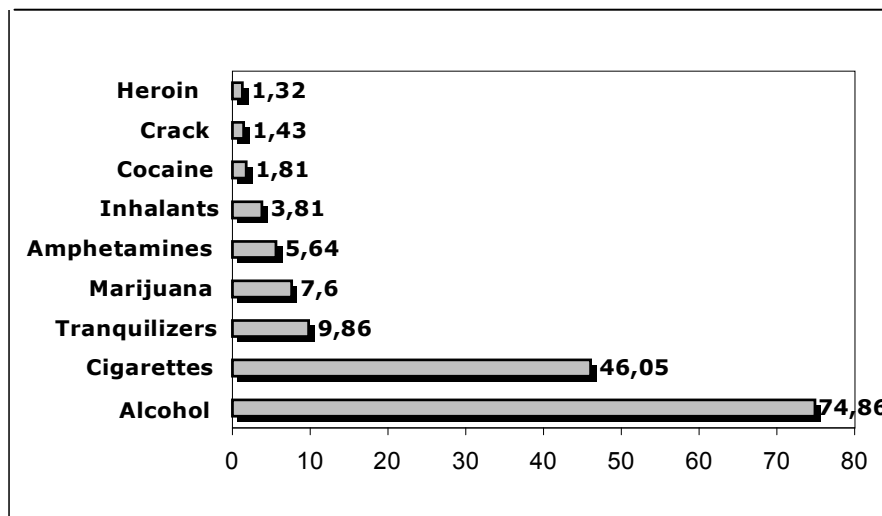
²⁷ Ministry of Social Protection. Public Health. 2006.

Substances,²⁸ carried out on a population of 14,500 aged between 12 and 60. The use of heroin in schools is worrying because of the risk of exposure to hepatitis B and HIV, since the commonest form of use by injection methods, which often involves the sharing of syringes". (1/MPS)

²⁸ Ministry of Health , Hoy de la Protección Social (Social Protection Today), 1993.

DIAGRAM 2

Prevalence of drug consumption among schoolchildren aged 12 to 17, Colombia 2004



Source: Ministry of Social Protection, 2004.

(f) Number of health professionals working in the health-care services for children

No systematized data is currently available on the ratio of health professionals working in services for children. Partial information exists on paediatric services in general. See Annex 4.

(g) Coverage of rehabilitation services available for victims for human rights violations and breaches of humanitarian law

In this field, it should be noted that state provision for the victims of forced displacement covers health and psychosocial care in the phases of humanitarian assistance and socioeconomic rehabilitation. Thus, between 2004 and 2005, care was provided to 101,798 households in the phase of humanitarian assistance.

Programmes conducted through ICBF for the protection of children who have been victims of some form of violation of their rights include therapeutic and psychosocial care for the children and their families, together with health care. In 2005, the number of children benefiting from these programmes in institutional or family settings was approximately 95,000.

No detailed information is available on rehabilitation services for the victims of other kinds of violations of human rights and/or international humanitarian law.

(h) Coverage of rehabilitation services available for victims of land mines

Currently no systematized information is available on the coverage of specific programmes to meet needs in this area

(i) Coverage of rehabilitation and recovery services available for demobilized child soldiers

In the framework of the assistance provided by the National Government to children extricated from irregular armed groups and who seek restitution of their rights with a view to social and work reintegration, the Colombian Family Welfare Institute promotes coordination with other bodies under the different programme initiatives. For example, with regard to health care, an agreement has been reached with the Social Security Council guaranteeing the integration of these young people in the health system on a priority basis.

7. With reference to child abuse and sexual exploitation, please provide disaggregated data (by sex, ethnic groups and types of child abuse reported) covering the years 2003, 2004 and 2005 on the:

(a) Number of reported child abuse cases. Sexual abuse and exploitation

In 2005, 13,848 cases of sexual offences against minors under 18 were reported, equivalent to 74.5 per hundred thousand inhabitants. This was a lower figure than in 2004, when the rate was 77.8 (14,334)²⁹. In 2002, 12,202 reports were filed, which is evidence of the impact on the country of the campaigns to encourage people to complain in cases of child sex abuse. These offences involving minors under 18 represent 84% of the total reports on this subject, a figure that has increased every year. 14% of all these cases are offences against children under five years old, 78.5% of them girls³⁰. It should be pointed out that in recent years people have been urged to lodge complaints in such cases and efforts have been made by the State to improve its response to such cases through local and national networks.

Complaints of sexual abuse lodged through ICBF rose by 127%, from 1451 to 3301, between 2003 in 2005.

Complaints to the Public Prosecutor's Office relating to abuse, exploitation or sexual assault involving victims under 18 rose from 3821 in 2003 to 3939 in 2005, 61% of the victims being under 14 and 87% being female.

According to the National Police, the number of cases of offences against the integrity and sexual development of minors reported in 2003 was 3148; of which 141 involved procurement offences; whereas in 2004 the number of cases was 3313, of which 145 were related to procurement offences.

(b) Number and percentage of reports which have resulted in either a court decision or other types of follow-up

At present, no systematized information is available on which to base a reply to this subparagraph. The Public Prosecutor's Office is currently developing an appropriate information system that will make it possible to reflect historical trends in the corresponding data.

²⁹ National Institute of Legal Medicine. Forensis, 2004

³⁰ Ibid.

(c) Number and proportion of child victims that have received counselling and assistance in recovery

The trends for 2003, 2004 and 2005 in the provision of care in this context are shown below.

TABLE 23

Implementation of social goals

<i>ICBF Implementation of social goals</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Assistance for child victims of sexual offences	2.215	1.554	465
Exploited sexually	307	270	295

Source: ICBF Directorate of Planning. Programming Subdirectorate. Implementation of social and financial goals 2003, 2004, 2005

(d) The coverage of the programmes referred to in the State party report

The Colombian Government, through ICBF, is carrying out a comprehensive programme of care for sexually abused and exploited children and young people³¹, which is designed to provide protection for children and young people who are victims of sexual offences, who are at risk or in danger, or who are sexually abused. The programme includes diagnosis and specialized individual and family care as well as educational and family support activities.

Mention should be made of the enactment in 2001 of Act No. 679, outlawing the commercial sexual exploitation of children and prescribing measures to protect minors against exploitation, pornography, sexual tourism and other forms of sexual abuse by means of preventive and punitive benchmarks.

The main outcomes of intersectoral and inter-institutional action in the field of information, training and communication are the following:

- Development of the project entitled "Creation of social networks to prevent and detect child sexual exploitation by means of a training programme in five Colombian cities";
- Public outreach and awareness campaign to combat child sexual exploitation by updating the web pages of government institutions;
- Introduction of complaint lines;
- Promotion of self-regulation procedures and codes of conduct for the management of global information networks, drawn up by the legal representatives of Internet service providers and administrators with the aim of preventing access to and display of pornographic material involving minors;

³¹ ICBF. Evaluation Directorate. October 2004

- Publication of inter-institutionally defined criteria for classifying child pornography on the Internet;
- Devising and implementing a procedure for the submission of digital evidence in cases of Internet child pornography; and the organization of communication campaigns, such as the "Healthy Internet" initiative, to prevent the sexual utilization of children through global information networks;
- Publications on the phenomenon of child sexual exploitation through the internal communication media of various institutions;
- Training activities (financed by the Tourist Promotion Fund and COTELCO) on the phenomenon of child sexual exploitation, conducted in 2004 with tourist service providers in 14 regions of the country, with the participation, among others, of local government bodies such as ICBF, the Office of the Attorney-General, the National Police, the Ministry of Social Protection and the health and education sectors.

Lines of research

- In 2004, the University of Cartagena, with technical support from the Renacer Foundation and technical and financial backing from ICBF, carried out a study in Cartagena to investigate, from the social, individual and environmental standpoints, the phenomenon of sexual exploitation as it concerns children, their families and exploitative clients.
- In 2004, with funding and technical support from ILO, a baseline study was carried out on child sexual exploitation in a number of regions in the country (Eje cafetero, Cundinamarca and Valle del Cauca).
- Promotion and implementation of various national and regional research projects, and work on a study concerning the viability and reliability of information systems on the subject.

Public policy lines

- Promoting the principles of co-responsibility and participation in keeping with the responsibility for activating the National Family Welfare System, pursuing the task of setting up the committee for the implementation of Act 679 of 2001, headed and convened nationally by ICBF.
- Provision of direct assistance to children and their families through programmes and services concerned with psychological, medical, social and educational recovery.
- Adoption of legal and administrative measures to restore rights through concerted and coordinated interventions by authorities and institutions in the justice, health, education and protection sectors. This work is undertaken in coordination with the local authorities (mayors and governors) for the purpose of allocating resources for the prevention of the sexual abuse and exploitation of children and for ensuring the restitution of their rights.

Standard setting activities

- Mention should be made of the work of the Committee to Combat Trafficking in Women and Children, established by Decree 1974 in 1996.
- The Congress of the Republic and public and private organizations submitted a bill prescribing measures to combat trafficking in persons and standards for assisting the victims of such activities. This law proposes to modify the penal category for trafficking in persons, aligning it with the provisions of the International Protocol, which constitutes progress in this field

8. Please specify the criteria for ‘poverty’ and indicate the number of children living below the poverty line. Please also specify the support for children living below the poverty line.

The measure of “poverty”, which is income-based, is derived from the Mission for Framing a Strategy for the Reduction of Poverty and Inequality (MERPD). It involves measuring the percentage of persons whose income, on the basis of household or quality-of-life surveys, is below the poverty line. The latter is calculated with reference to the “extreme poverty” or “indigence” line, which is based on the income necessary to meet the minimum nutritional requirements laid down by ICBF. The poverty line therefore includes other basic needs such as education, housing, transport, health and recreation.

The programmes of support that the Government of Colombia provides to persons living in poverty are described in subparagraphs e, d, f, g, h, i, j, k y l of the response to question 3).

TABLE 24

Poverty index by age and sex

<i>Age</i>	<i>Urban</i>			<i>Rural</i>			<i>National</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
0 – 6	64.2%	61.0%	62.6%	78.7%	78.6%	78.6%	68.8%	66.8%	67.9%
7 – 11	60.2%	62.0%	61.1%	79.2%	82.9%	81.0%	66.3%	68.4%	67.4%
12 – 17	59.4%	59.7%	59.5%	76.6%	76.4%	76.5%	64.6%	64.2%	64.4%
18 – 24	48.3%	50.7%	49.6%	63.6%	68.0%	65.8%	52.3%	54.5%	53.5%
25 – 34	43.0%	46.7%	45.0%	64.5%	73.1%	68.7%	48.6%	52.5%	50.6%
35 – 49	41.4%	45.5%	43.7%	66.1%	66.0%	66.1%	47.8%	49.8%	48.9%
50 – 64	36.1%	36.5%	36.3%	53.2%	60.6%	56.8%	40.9%	41.9%	41.4%
65 and over	39.4%	38.8%	39.1%	61.8%	68.1%	64.8%	45.6%	44.9%	45.3%
Total	49.4%	49.9%	49.7%	69.4%	72.5%	70.9%	55.1%	55.5%	55.3%

Source: MERPD calculations based on the 2003 Quality-of-Life Survey

9. *With reference to the right to education, please provide disaggregated statistical data (by sex, age groups, if possible ethnic and religious groups, urban and rural areas, immigrant children) covering the years 2003, 2004 and 2005 in percentage of the relevant age group on the:*

The tables below set out the main educational indicators, which show among other things a reduction in illiteracy and an increase in enrolments by level, with the exception of grade 0. The latter trend continues, despite the institutional efforts made, to give rise to concern.

(a) *Literacy rates, under and over 18 years*³²

TABLE 25

Between 7 and 18 by sex

	2003			2004		
	<i>Illiterate</i>	<i>Total pop.</i>	<i>%</i>	<i>Illiterate</i>	<i>Total pop.</i>	<i>%</i>
Male	376 109	5 531 663	6,8	324 222	5 550 222	5,8
Female	243 820	5 328 101	4,6	200 429	5 364 788	3,7
Total	619 929	10 859 764	5,7	524 651	10 915 010	4,8

Source: Ministry of Education.

TABLE 26

Between 7 and 18 by zone

	2003			2004		
	<i>Illiterate</i>	<i>Total pop.</i>	<i>%</i>	<i>Illiterate</i>	<i>Total pop.</i>	<i>%</i>
Administrative capital	269 698	7 628 887	3.5	245 178	7 705 035	3.2
Rest	350 231	3 230 877	10.8	279 473	3 209 975	8.7
Total	619 929	10 859 764	5.7	524 651	10 915 010	4.8

Administrative capital: Usually the largest city, community or village in the municipality.

Rest: Designates the rural population not belonging to the municipal administrative capital

Source: Ministry of Education

³² Source: Continuous Household Survey

TABLE 27
19 years and over by sex

	2003			2004		
	<i>Illiterate</i>	<i>Total pop.</i>	<i>%</i>	<i>Illiterate</i>	<i>Total pop.</i>	<i>Illiterate</i>
Male	1 024 074	12 181 306	8.4	969 647	12 527 562	7.7
Female	1 143 057	14 006 755	8.2	1 146 489	14 325 995	8.0
Total	2 167 131	26 188 061	8.3	2 116 137	26 853 557	7.9

Source: Ministry of Education.

TABLE 28
19 years and over by zone

	2003			2004		
	<i>Illiterate</i>	<i>Total pop.</i>	<i>%</i>	<i>Illiterate</i>	<i>Total pop.</i>	<i>Illiterate</i>
Administrative capital	1 075 580	19 716 416	5.5	1 033 467	20 286 800	5.1
Rest	1 091 551	6 471 645	16.9	1 082 669	6 566 756	16.5
Total	2 167 131	26 188 061	8.3	2 116 137	26 853 557	7.9

Source: Ministry of Education.

(b) Rate of enrolment in pre-primary, primary and secondary schools and in vocational training

TABLE 29
Total enrolments

	<i>Preschool and nursery</i>	<i>Pre-primary</i>	<i>Primary</i>	<i>Lower secondary</i>	<i>Upper secondary</i>	<i>Total</i>
2003	313 184	788 708	5 293 838	2 918 214	1 009 639	10 323 582
2004	294 675	780 562	5 277 224	3 077 727	1 071 771	10 501 959
2005	270 783	844 663	5 333 590	3 216 337	1 120 096	10 785 469

Source: Preschool, Basic and Secondary School Information System (SINEB) – MEN.

TABLE 30
Enrolment by sector

		<i>Preschool and nursery</i>	<i>Pre-primary</i>	<i>Primary</i>	<i>Lower secondary</i>	<i>Upper secondary</i>	<i>Total</i>
2003	Official	113 614	579 817	4 300 935	2 240 520	697 884	7 932 771
	Unofficial	199 570	208 891	992 903	677 694	311 755	2 390 811
2004	Official	73 428	593 683	4 329 068	2 389 324	774 661	8 160 164
	Unofficial	221 247	186 879	948 156	688 403	297 110	2 341 795
2005	Official	48 621	641 561	4 323 989	2 479 655	816 339	8 310 165
	Unofficial	222 162	203 102	1 009 601	736 682	303 757	2 475 304

Source: Preschool, Basic and Upper-Secondary School Information System (SINEB) – Ministry of National Education – MEN.

TABLE 31
Enrolment by zone

		<i>Preschool and nursery</i>	<i>Pre-primary</i>	<i>Primary</i>	<i>Lower secondary</i>	<i>Upper secondary</i>	<i>Total</i>
2003	Urban	278 999	597 446	3 634 188	2 544 149	927 269	7 982 050
	Rural	34 185	191 262	1 659 650	374 065	82 370	2 341 532
2004	Urban	265 185	578 890	3 632 120	2 680 440	984 226	8 140 861
	Rural	29 490	201 672	1 645 104	397 287	87 545	2 361 098
2005	Urban	248 211	596 084	3 585 845	2 714 852	1 013 254	8 158 246
	Rural	22 572	248 579	1 747 745	501 485	106 842	2 627 223

Source: Preschool, Basic and Secondary School Information System (SINEB) – Ministry of National Education – MEN

(c) Percentage of children completing primary and secondary education;

TABLE 32
Highest educational level achieved by the population of 15 and over – total population

	<i>2003</i>		<i>2004</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Population of 15 and over	29 519 452	100%	30 270 167	100%
None	2 263 309	7.67%	2 207 375	7.29%
Preschool	3 319	0.01%	1 778	0.01%
Primary	10 055 776	34.06%	10 123 274	33.44%
Secondary	12 431 213	42.11%	12 867 845	42.51%
Higher	4 543 147	15.39%	4 873 825	16.10%
No information	222 687	0.75%	196 071	0.65%

Source: Ministry of Education.

TABLE 33

Highest educational level achieved by the population of 15 and over – by sex

	2003				2004			
	Male		Female		Male		Female	
	N	%	N	%	N	%	N	%
None	1 095 895	7.90	1 167 414	7.46	1 032 097	7.25	1 175 278	7.33
Preschool	2 464	0.02	855	0.01	919	0.01	859	0.01
Primary	4 789 750	34.54	5 266 026	33.64	4 839 905	33.98	5 283 369	32.96
Secondary	5 689 421	41.03	6 741 792	43.07	5 952 990	41.80	6 914 854	43.14
Higher	2 158 448	15.57	2 384 699	15.23	2 302 973	16.17	2 570 851	16.04
No information	129 565	0.93	93 122	0.59	112 438	0.79	83 633	0.52
Total	13 865 544	100.00	15 653 908	100.00	14 241 323	100.00	16 028 844	100.00

Source: Ministry of Education

TABLE 34

Highest educational level achieved by the population of 15 years and over – by zone

	2003				2004			
	Admin. capital		Rest		Admin. capital		Rest	
	N	%	N	%	N	%	N	%
None	1 143 896	5.17	1 119 414	15.13	1 092 948	4.81	1 114 428	14.80
Preschool	2 120	0.01	1 199	0.02	1 193	0.01	585	0.01
Primary	6 116 637	27.65	3 939 139	53.24	6 139 331	27.00	3 983 943	52.90
Secondary	10 386 041	46.95	2 045 172	27.64	10 689 278	47.01	2 178 567	28.93
Higher	4 300 526	19.44	242 621	3.28	4 658 314	20.49	215 510	2.86
No information	171 523	0.78	51 164	0.69	158 539	0.70	37 532	0.50
Total	22 120 743	100.00	7 398 708	100.00	22 739 603	100.00	7 530 564	100.00

Source: Ministry of Education

(d) Number and percentage of dropouts and repetitions.

According to the Ministry of Education, the internal efficiency indicators show the following trends between 2003 and 2005:

TABLE 35

Repetitions by grade and sector

<i>Grade</i>	<i>Total</i>			<i>Official</i>			<i>Unofficial</i>		
	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
0°	0.1%	1.2%	1.7%	0.1%	1.5%	2.0%	0.2%	0.5%	0.7%
1°	9.4%	7.5%	7.4%	10.7%	8.8%	8.3%	2.1%	1.4%	1.7%
2°	4.5%	3.7%	4.4%	5.2%	4.4%	4.9%	1.4%	0.9%	1.2%
3°	3.4%	2.8%	3.2%	3.9%	3.2%	3.6%	1.3%	0.9%	1.2%
4°	2.6%	2.1%	2.5%	2.9%	2.4%	2.7%	1.2%	0.9%	1.2%
5°	1.9%	1.7%	2.0%	2.1%	1.9%	2.2%	1.1%	0.9%	1.2%
6°	3.5%	2.9%	3.3%	3.8%	3.2%	3.6%	2.5%	1.8%	2.2%
7°	2.6%	2.7%	3.3%	2.7%	3.0%	3.5%	1.9%	1.7%	2.1%
8°	2.3%	2.2%	3.0%	2.4%	2.4%	3.2%	1.8%	1.5%	1.9%
9°	2.1%	1.8%	2.4%	2.3%	1.9%	2.6%	1.7%	1.4%	1.7%
10°	1.9%	1.8%	2.3%	2.0%	2.0%	2.5%	1.6%	1.5%	1.6%
11°	0.7%	0.8%	1.0%	0.7%	0.8%	1.2%	0.5%	0.6%	0.6%
Teacher-training	0.1%	0.4%	0.3%	0.2%	0.4%	0.3%	0.0%	0.3%	0.0%
Total	3.4%	2.8%	3.3%	3.9%	3.4%	3.7%	1.3%	1.1%	1.3%

Source: Preschool, Basic and Upper-Secondary School Information System (SINEB) – Ministry of National Education – MEN.

TABLE 36

Overall dropout by grade

	<i>2002</i> ¹	<i>2003</i> ²		<i>2002</i> ¹	<i>2003</i> ²
-2°	5.9	6.4	7°	5.9	5.5
-1°	6.0	6.1	8°	5.4	5.1
0°	7.0	7.4	9°	5.4	5.1
1°	10.5	8.4	10°	4.7	4.5
2°	7.3	6.1	11°	2.3	2.4
3°	6.7	5.6	Teacher-training	3.6	3.2
4°	6.1	5.2	Total	6.7	6.4
5°	5.6	6.3	Total excluding nursery	6.7	6.1
6°	7.4	7.0			

Source: Preschool, Basic and Secondary School – Information System (SINEB) –MEN

¹ Data reported in 2003

² Data reported in 2004

(e) *Ratio teacher per children and number of children per class*

TABLE 37

Pupil/teacher ratio in basic and upper-secondary school education

<i>Year</i>	<i>Ratio</i>	<i>Year</i>	<i>Ratio</i>
2002	26.7	2004	29.3
2003	28.6	2005	29.5

Source: Decentralization Directorate – MEN.

(f) *Number of available spaces (i.e. capacity) for primary and secondary education*

The Ministry of Education is currently in the process of developing school infrastructure inventory software for application by the regional and local authorities. It is hoped in the medium term to have an inventory of all the educational buildings in the country.

(f) *Number and percentage of children involved in child labour attending school.*

TABLE 38

Population between 5 and 11

	<i>N</i>	<i>%</i>
Population between 5 and 11	6 712 920	100%
Population between 5 and 11 attending school	6 274 722	93.5%
Population between 5 and 11 working	306 131	4.6%
Population between 5 and 11 working and attending school	282 943	4.2%
Population between 5 and 11 working and not attending school	23 188	0.35%

Source: National Quality-of-Life Survey (ECV) 2003.

TABLE 39

Population between 12 and 17

	<i>N</i>	<i>%</i>
Population between 12 and 17	5 420 059	100%
Population between 12 and 17 attending school	4 255 609	78,5%
Population between 12 and 17 working	501 568 ³³	9,3%
Population between 12 and 17 working and attending school	75 739	1,4%
Population between 5 and 11 working and not attending school	425 829	7,9%

Source: ECV 2003.

³³ 245,122 persons aged between 12 and 17 years do not work but are engaged in some kind of paid activity for one hour or more.

10. Please provide disaggregated statistical data (including by sex, age and type of crime) covering the years 2003, 2004 and 2005, in particular on the number of:

(a) Persons below 18, who have allegedly committed a crime, reported to the police;

In Colombia, the relevant statutory instrument - the Children's Code (Decree No. 2737 of 1989) – provides:

“Article 167. Juvenile judges or family comprehensive judges shall try, in a tribunal of sole instance, criminal offences involving as perpetrators or participators children over twelve (12) and under eighteen (18) years, with the principal aim of ensuring their comprehensive training and normal integration in the families concerned.”

“Article 169. The Family Ombudsmen shall take cognizance of criminal offences involving as perpetrators or participators children under twelve (12), with the aim of offering them the special protection that their case demands and ensuring their comprehensive training. He will also take cognizance of lesser offences involving as perpetrators or participators minors under eighteen (18) years.”

In these cases, the Family Ombudsman will work, in accordance with the established legal procedure, to ensure special protection for the children concerned, taking into account their situation in terms of risk and abandonment.

According to information from the Juvenile Police concerning the arrest of minors under 18 in the period from 2003-2005, the main grounds for arrest were robbery followed by drug or weapon trafficking, manufacture and possession, and damage to third-party property.

(b) Persons below 18 who have been charged with a crime and of them those who are sentenced, and the type of punishment or sanctions related to offences including length of deprivation of liberty;

Between 2002 and 2003, the number of legal proceedings fell by 6%, from 35,799 to 33,774³⁴. In 2004, there were 22,251 proceedings³⁵ and in 2005 the figure was 35,067. Regarding the type of criminal offences by minors, the highest percentage involved some form of theft, followed by offences against the person and property, public health, freedom and sexual decency.

In 2005, 102,585 minors were suspected of an offence, 35,067 were prosecuted and 6325 of these were found not guilty.

Colombia's Children's Code (Decree 2737 de 1989) provides in Article 204:

“The offence being clearly demonstrated, the competent Judge may apply one or several of the following measures of a primarily educational or protectionary character and in keeping as far as possible with the family environment or within the jurisdiction relevant to the child: issue a warning to the child and those on whom the child depends; impose

³⁴ Higher Council of the Judicature, dated 2002. www.ramajudicial.gov.co, 2003 data. Review 25 June 2005.

³⁵ Higher Council of the Judicature. Report January-September 2004. Document sent to ICBF on 8 February 2005.

rules of conduct, make an “assisted freedom” order; order placement in an institution; and any other measure conducive to the rehabilitation of the child.

ICBF issues technical and administrative guidelines, whose goals and social and financial targets are determined in each financial year and provide the basis for specialized programmes and services for the care of child offenders.

The principles and framework governing the interventions place the emphasis on rehabilitation measures that are primarily educational and protective in nature (Article 204) and form part of an educational project. Care is usually provided in an open environment and, in the last resort, in semi-closed institutions involving deprivation of freedom for a limited period, not exceeding three years. Provision thus includes assisted freedom programmes and programmes involving an institutional setting, including reception and observation centres, institutions of confinement or semi-confinement and open residences. All this is carried out in compliance with international guidelines, including the United Nations Guidelines for the Prevention of Juvenile Delinquency, adopted by the General Assembly in resolution 45/112 of 14 December 1991, and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("Beijing Rules"), adopted by the General Assembly in resolution 40/33 of 28 November 1985. The following table sets out trends in the provision of care in the period between 2002 and 2005.

It should be pointed out that re-education programmes for child offenders include provision for comprehensive care. They also involve linkages with protection networks and all the basic social services, including health, education and nutrition.

TABLE 41

Care for child offenders, 2002 and 2005

<i>Service</i>	<i>2002</i>	<i>2005</i>
Reception	9 997	9 962
Observation	3 131	3 348
Confinement	1 149	1 215
Semi-confinement	1 012	1 111
Open residences	29	27
Assisted freedom	5 167	4 229
Total	20 485	19 892

Source: Planning Directorate. Implementation of social and financial targets, 2002-2005.

* Data under review.

(c) Detention facilities for persons below 18 in conflict with the law and their capacity

There are no institutions in Colombia for the detention of minors under 18 years. There are institutions of specialized care based on educational and re-educational projects. The responsibility for caring for adolescent offenders lies mainly with ICBF and therefore relies on the support of a large percentage of national bodies. According to 2004 data, 94 institutions are involved in providing education services. Their main characteristics are as follows:

53.8% of the institutions provide a reception service, 50% an observation service, 38.5% offer residential and 23% semi-residential cars and 15.3% provide an assisted freedom service. These services cater for nine men for every woman, the ratio varying according to the assistance provided. Institutional occupation rates vary from 85% to 90%. 7.6% of the institutions have individual rooms, 88.5% shared facilities and 11.5% mixed accommodation. The number of adolescents per dormitory averages 14. On average, there is one shower for every six adolescents and one toilet for every five.

91% of the institutions have library services, 31% of the libraries have adequate facilities and 4.3% have a large number of books of interest to the adolescents.

100% of the institutions have football, basketball, volleyball, six-a-side and athletics facilities. Some have a gymnasium, table-tennis tables and a swimming pool. Institutions lacking their own sporting facilities use community facilities such as parks or sports centres.

There are more than 22 kinds of training workshops - 73% concern bakery and breadmaking, 50% cabinet making and carpentry, 46.1% handicrafts and 34.5% metalworking. 54% of the institutions have an agreement with the National Apprenticeship Service (SENA) and 48.2% with various regional equalization funds and training centres, local fire services, the Recreation and Sport Institute and the "Casa del Menor Trabajador" (Working Minors House).

46% have an education service within the institution, 19.2% going up to school-leaving certificate level. 61.5% have concluded agreements with district colleges, private colleges, equalization funds, education secretariats, municipalities, governors offices and public and private universities. 61.5% cater for children with learning difficulties.

On joining the programme, the adolescent is comprehensively assessed from the medical, nutritional, dental and psychiatric standpoint.

All the institutions provide for activities involving the family, guidance on peaceful cohabitation, therapeutic and family encounters, psychosocial care, human rights, parents' workshops, walks and occupational training. Forty-eight per cent of institutions have a programme of visits by family and friends on a daily basis, 15.3% two days a week, 15.3% every weekend, 7.6% three days a week and 3.8% every 15 days. Some institutions allow special visits by children, meetings between couples and family celebrations.

(d) Persons below 18 detained in these facilities and persons below 18 detained in adult facilities

Columbian legislation provides for specialized facilities adapted to the re-education of offenders under 18, in keeping with the measures decided by the juvenile judges. No offender under 18 shall be placed in adult facilities (Article 170 of the Children's Code).

(e) Persons below 18 kept in pre-trial detention and the average length of their detention

Is important to clarify that, under Colombian law (Children's Code), the legal process in the case of adolescent offenders does not include trial proceedings. Prior to the decision on a re-educational measure, the adolescent may be held in a reception or observation centre. So that pending legal proceedings the offender under 18 is placed in a re-educational or protective environment in specialized care centres. (Articles 178 and 204 of the Children's Code)

(f) Reported cases of abuse and maltreatment of persons below 18 which occurred during their arrest and detention

The number of reported cases of abuse or maltreatment in institutions cannot be stated precisely since systematic data at the national level is not available. However, technical assistance and intervention are the immediate response to any irregularity in the functioning of a re-education facility.

Mention may however be made of a case that arose in 2005 in Antioquia. Complaints were received from adolescents and families about a number of educators who were encouraging and allowing aggression to take place among young people. In this instance, a joint investigation was carried out by ICBF Headquarters and the Institute's regional branch in Antioquia, leading to the decision that it would be inappropriate to continue working with the institution concerned. A new contracting process was therefore initiated, with the result that the problem has now been overcome.

(g) Persons under 18 tried and sentenced as adults

Currently, the Colombian legal system does not allow minors to be tried as adults. Domestic legislation establishes special norms and procedures (Articles 163 to 219 of the Children's Code). The only exception made under the Code of Penal Procedure relates to admissible evidence (Article 190 of the Children's Code).

(h) Demobilized child soldiers considered to have incurred criminal liability

First of all, it must be emphasized that, as stated in the declaration made by the Colombian State with reference to Article 138 of the Convention on the Rights of the Child when ratifying the instrument, the national security forces do not enlist in their ranks anyone under the age of 18.

Concerning children and adolescents having links with outlawed armed groups, it must be pointed out that, in compliance with article 162 of the Colombian Criminal Code, the recruitment of minors is an offence.

It is also important to note that the Constitutional Court, in Ruling C-2003 of 8 March 2005, concluded that "minors that disengage themselves from armed conflict can be subject to legal proceedings, despite the fact that they are victims of political violence and the crime of forced recruitment, as a result of culpable conduct that may have occurred during the conflict, always provided that the corresponding investigation and judgement are fully compliant with the minimum constitutional and international guarantees".

In this way, the penal responsibility of those concerned is subject to compliance with constitutional and international parameters that exclude the assimilation of minors to adults. "They can only be investigated, judged and punished, and subsequently pardoned, subject to observance of the principles relating to specificity, differentiation, the tutelary and resocializing goal of the penal process, promotion of the higher interests and fundamental rights of the minor involved and strict compliance with the minimum international guarantees concerning the indictment of minors".

The Court goes on to formulate the minimum conditions that, in any judgement involving a minor demobilized from illegal armed groups, must be met in order to determine his or her legal

responsibility and to adopt the aforementioned measures, subject to full compliance with the Political Charter and with Colombia's international commitments:

"Any proceedings by the authorities relating to minors demobilized from outlawed armed groups should tend, first and foremost, towards the furtherance and realization of (i) their best interests, (ii) their fundamental rights and (iii) their status as subjects of reinforced legal protection. The fact that these children and young people have formed part of one of these groups and have been involved in conduct that violates the criminal law not only does *not* deprive them of these rights but makes it that much more important that these three guiding principles should be fully observed during any proceedings arising from their situation".

"Any legal proceedings involving minors demobilized from illegal armed groups, in addition to being guided by the principles of differentiation and specificity, should respect in their entirety the substantial and procedural guarantees described in this Ruling, including those embodied in the Political Constitution, the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, the American Convention on Human Rights and, especially, the Beijing Rules and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The relevant protective provisions of International Humanitarian Law should also be applied".

"Any judgement of minors demobilized from illegal armed groups should be primarily directed towards re-socialization, rehabilitation, protection, legal guardianship and education. Purely punitive approaches are inadmissible when dealing with this type of young person as well as with young offenders in general. Juvenile judges or family comprehensive judges should work in proper coordination with ICBF so as to ensure that the measures adopted have regard to the best interests of each child and young person involved and realize the stated aims of re-socialization and rehabilitation".

"A prior consideration in any legal proceedings involving minors demobilized from illegal armed groups should be to analyze their status as victims of the crime of forced recruitment, as well as the various circumstances surrounding their conduct as members of such groups, in particular where those circumstances can have a bearing on the degree of responsibility in particular cases. Such circumstances include: their youth, their level of psychological development, the specific circumstances in which the act was committed, the personal and social circumstances of the child or young person involved, the degree of responsibility attributable to those involved in the forced recruitment as well as the intellectual authors of the crime of adult age, the impact of death threats or physical punishment in shaping the intention of the minor to commit the act, the circumstances characterizing it as a political crime despite the forced nature of the recruitment in each case, the scope of the pardons granted in particular cases, and various other considerations that have a practical impact on the concurrence, in individual cases, of each of the necessary elements for the attribution of penal responsibility".

In the draft legislation on children currently passing through Congress, aimed at reforming the Children's Code in force since 1989, reference is made to different questions relating to the evaluation and treatment of children under a system of penal responsibility.

The draft law approaches the question from the standpoint of rights and comprehensive protection, endorsing the principle of recognizing children and young offenders as the subject of rights and sanctioning the promulgation of measures involving programmes of an educational and re-educational character delivered by specialized services. However, discussions continue concerning certain articles, such as the one referring to the principle of appropriateness and that relating to the categorization of offences.

With respect to age, the draft law applies the term offenders to minors between 12 and 18, making deprivation of freedom possible from 15 upwards, depending on the decision of the Juvenile Judges. This represents a substantial change, inasmuch as it provides that deprivation of freedom may not be ordered for young people between the ages of 12 and 14.

11. *With reference to special protection measures, please provide statistical data (including by sex, age, if possible ethnic groups, urban and rural areas) for the years 2003, 2004 and 2005 on the number of children:*

(a) *Involved in trafficking for exploitative purposes, including prostitution and pornography, and the number of children provided with access to recovery and other assistance*

The situation and the comprehensive care provided to victims of abuse and sexual exploitation are described in broad terms in the reply to subparagraph 7 above. However, with regard to the question of trafficking and trading for exploitative purposes, reference is made once more to the stance and efforts of the Colombian State, designed to combat the sexual exploitation of children (prostitution), the production of pornography and pornographic performances involving children. To this end, it has made the conduct in question, which includes rape and acts of sexual abuse, a punishable offence. However this phenomenon remains complex and clandestine to some extent, which makes it difficult to clearly identify its scale in terms of victims, particularly minors, involving as it does violence within the privacy of the home and the involvement of aggressors, abusers, intermediaries and organized mafias pursuing commercial ends. This being said, there has been progress in the work of establishing criteria of content classification to combat child pornography on the global information networks.

Act No. 679 of 2001 and the Programme of Comprehensive Care, involving the preparation of a national plan in this regard, to be coordinated with the National Plan of Action for the Elimination of Child Labour, represent important advances in the country's efforts to eradicate this pernicious evil.

(b) *Involved in substance abuse and the number of children who received treatment and rehabilitative assistance*

With regard to the consumption of psychoactive substances, the starting age for the consumption of alcohol in 2001 was found to be 12.9 years, for cigarettes 13.7 years and for marijuana and cocaine 14.3 years. 15.2% of children under 10 had begun to consume alcohol, 6.8% cigarettes, and 2.5% marijuana and cocaine³⁶.

³⁶ National survey on the consumption of psychoactive substances among persons aged 10 to 24. 2001.

Concerning the mental health situation, the 2003 National Study of Mental Health³⁷ identified the age for the appearance of disorders as: 5 years for attention disorders, 7 for specific phobias and 8 for separation anxiety, these being the earliest disorders to appear. Behaviour disorders emerge at age 10, social phobias at 14 and agoraphobia at 17. Drug dependency is prevalent at 19 and alcohol consumption at 21. In general, anxiety disorders are those that manifest themselves earliest, followed by disorders involving drug use and, finally, affective disorders. The emergence of mental disorders at an early age, together with their chronic nature, suggests that many people suffer from them most of their lives.

Table 42 below presents data, supplied by the Colombian Family Welfare Institute, on the coverage of care, assistance and specialized intervention for children at risk and subject to addiction.

TABLE 42
Care for child drug users

<i>Care for child drug users</i>	2003	2004	2005
Family social environment: Care for child drug users	384	447	501
Institutional environment: Users of psychoactive substances	782	1 479	1 074

Source: Planning Directorate. Programming Subdirectorate. Implementation of targets, 2003, 2004, 2005.

Comprehensive care is provided through assistance in a family social setting through open institutions with an emphasis on integration in the world of work and on family ties, or in a closed environment in those cases requiring a more specialized process of rehabilitation and disintoxication.

(c) Involved in child labour

Between 2001 and 2003, the national child labour rate fell from 12.8 (1,383,000) to 10.4 (1,220,000) per 100,000 children aged five to 17³⁸, the rate in 2003 being 13 for boys and 7.8 for girls. The involvement of girls increased by 6.4% in comparison with 2001. In 2003, the rate by age group for children from five to nine was 3.1; from 10 to 11, 6.7; from 12 to 14, 12.6; and from 15 to 17, 25.7. In the same year, 86.9% of children attended an educational establishment, 1.5% more than the reported attendance in 2001, the Pacific zone having the highest rate with 16.9.

Thanks to a national intersectoral effort and with the participation and cooperation of ILO, progress has been made in tackling the elimination of child labour through the framing and implementation of national plans. This process is described below.

³⁷ Ministry of Social Protection. National Study of Mental Health in Colombia, 2003. Prevalence of mental disturbance according to the DS national survey on the consumption of psychoactive substances among persons aged 10 to 24 M-IV Classification in the population aged 18 to 65 (percentage).

³⁸ DANE. Child labour module 2001-2003.

National Plan for the Eradication of Child Labour and the Protection of Child Workers, 2003-2006

The Third National Plan, the product of a national and international alliance³⁹, is aimed at preventing, eradicating and addressing this abuse in all its forms, by furthering the integration of children in the education system and by ensuring their access to comprehensive complementary training so that they may live and derive adequate benefit from their development process.

Work is currently in progress on the regional and local adaptation and implementation of the National Plan in all departments of the country - a task that began in 2003 in 13 departments and continued in 2004 in the remainder. The establishment and operation of the committees for the eradication of child labour and the protection of child workers were likewise promoted in all departments, together with the constitution and consolidation of inter-institutional and intersectoral consultation and coordination facilities and the ratification of the key normative instruments of the International Labour Organization (ILO), such as Convention 138 concerning the minimum age for admission to employment, and Convention 182 concerning the elimination of the worst forms of child labour.

It should also be noted that the Plan corresponds to the new paradigm implicit in the concept of rights and the recognition of children as subjects of rights, together with the idea of the joint responsibility of the family, society and the State. In this context, child labour – an activity affecting almost one in five Colombian children – may be seen as an occupation that denies and negates their fundamental right to protection, education, health care and the creative use of free time. The effects of this premature employment on child development and security are highly discriminatory and perpetuate the disadvantaged condition of the poorest sectors of society.

It is also important to highlight the technical assistance and cooperation provided since 1996 under ILO's International Programme on the Elimination of Child Labour (IPEC), which helps to further and consolidate national policy in this regard. Its support has served to strengthen a tripartite experiment, in which government bodies, labour organizations, employers and representatives of civil society have come together to work towards the common goal of eliminating child labour. In response to the terms of Convention 182 and to the problems occurring in the country, priority has been given to the prevention and the elimination of the worst forms of child labour, particularly the commercial sexual exploitation of children, domestic child labour, street labour and informal mining and marketplace work, together with the involvement of children and young people in illegal armed groups.

All regions of the country have come together in pursuit of this objective, furthering its adoption by the relevant bodies in the departments and municipalities. This is the case with the Social Policy Councils (CPS) and the Committee for the Eradication of Child Labour (CETI), which are playing an important role in this process. 96.8% of the departments have a body responsible for leading the related local campaigns – 71% of these bodies having been created less than five years ago. The number of children in receipt of institutional care rose between 2002 and 2005 from 1,414 to 1,728.

³⁹ Institutions participating in the alliance for the eradication of child labour: ICBF, Ministry of Social Protection and ILO through its International Programme on the Elimination of Child Labour (IPEC).

In the framework of inter-institutional action, the General Directorate for Workers' Protection within the Ministry of Social Protection, under the Project for the Prevention of Child Labour and Protection of Young Workers, has begun including leaders and active members of displaced communities in departmental training activities with a view to empowering them as promoters of children's rights in relation to the problem of child labour.

12. Please provide disaggregated statistical data (including by sex, age, if possible ethnic group) for the years 2003, 2004 and 2005 on the number of children:

(a) Forced and voluntarily recruited into any irregular armed force or armed group;

(b) Demobilized and controlled discharge of child soldiers from any armed group;

It is difficult to calculate the total number of children and young people engaged in irregular armed groups. Mention may be made of the comprehensive care provided by ICBF, which from November 1999 to March 2006 assisted 2838 children and young people disengaged from illegal armed groups. In 2005, 526 minors were admitted to the programme, 73.89% of them men and 93% aged between 14 and 17. As regards the educational level of these minors, 66% had completed primary school and 24% had matriculated at the secondary level.

Most of the children and young people assisted in this way came from the armed group Revolutionary Armed Forces of Colombia (FARC) (49.5%), followed by the Colombian Self-Defence Units (AUC) (34.7%) and the National Liberation Army (ELN) (12.6%). The form of disengagement was in the main voluntary (76.54%), contrary to the manner of their capture.

The main improvements in this programme concern the designing of specialized models of psychosocial care for demobilized children and young people, the development of technical standards for the services responsible for this problem and the provision of care in a family-based social environment through the home mentoring system⁴⁰, with a positive response from civil society. Steps were also taken to promote and strengthen a recruitment prevention strategy in six regions of the country, with an increased focus on municipalities considered potential targets for the engagement of children and young people in illegal armed groups, together with the formulation of regional diagnoses on the situation concerning children and public order. Simultaneously, work was undertaken in 14 regions on the inter-institutional framing of guidelines for the implementation of a contingency plan aimed at proposing standards of care in the case of mass demobilization.

⁴⁰ Home mentoring. An assistance programme in which selected, trained and appropriately motivated families receive demobilized minors and adolescents for a fixed period to provide emotional and psychosocial support. The strategy, which is being implemented gradually, has been positively evaluated, as an alternative form of assistance to placement in an institution.

- (c) *For the year 2005, information about the number of demobilized children under Law 975-2005 (collective demobilizations), including the number of children handed over by the illegal armed groups to ICBF. Additionally, please indicate the number of individually demobilized children.*

TABLE 43

Young people disengaged individually in 2005, by age of engagement

<i>Age</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18</i>	<i>Total young people 2005</i>
No. young people	2	5	13	30	93	144	231	8	526

TABLE 44

Young people disengaged individually and their distribution by gender - 2005

<i>Total young people</i>	<i>Male</i>	<i>Female</i>
526	417	109

13. *With reference to internally displaced children, please provide information, for the years 2003, 2004 and 2005 on:*

According to the National Government's Unified Registry (SUR) of the population displaced by violence, 402,944 households and 1,784,626 persons were reported as being displaced (accumulated total up to 31 March 2006**) ⁴¹, of whom 35.9% (641,010) were minors under 18 years of age.

By age group, the registered displaced population was as follows:

Unified Register of displaced population, by age

<i>Age range</i>	<i>No. Persons</i>
0 - 4	208.347
5 - 9	185.881
10 - 14	164.358
15 - 17	82.424
18 - 59	527.511
>= 60	55.732
No information	560.373
Overall total	1 784 626

Accumulated total of persons included up to 31 March 2006**.
Source: Unified Registry System (SUR)
Social Action Agency

⁴¹ Presidential Social Action Programme. Unified Registry System (SUR). Date of report: 1 April 2006 Consolidated by date of declaration. ** data loaded in the Information System.

It should be clarified that, in accordance with Article 19 of Act No. 387 of 1997, with Decree 2569 of 2000 and Decree 250 of 2005, the Ministry of National Education and the departmental, municipal and district education secretariats should adopt special education programmes for the victims of displacement by violence and that, in accordance with the provisions of Act No. 100 of 1993, the General Health Insurance Scheme should introduce mechanisms enabling the population affected by displacement to have ready access to the services offering comprehensive medical, surgical, dental, psychological, hospital and rehabilitation care.

For its part, the Colombian Family Welfare Institute should promote the routine inclusion of displaced minors and nursing and expectant mothers in programmes established for that purpose; provide special care to displaced children abandoned, orphaned and/or at risk through protection centres or other programmes; and promote the inclusion of displaced adults, where required, in programmes created for them.

Equally, the Technical Information Systems Committee of the National System of Comprehensive Care for the Displaced Population (SNAIPD), created by Resolution 5139 of 30 January 2005 and consisting of the component bodies of SNAIPD – including the Ministry of Social Protection, the Ministry of National Education and the Colombian Family Welfare Institute - is coordinating data building, exchange and consolidation activities relating to definition of the areas and population concerned by each stage of the policy as well as to the benefits granted by the Law to address the phenomenon of displacement.

Health care for the displaced population

- Health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent care, HIV/AIDS and other health-care services for children);
- Number of health professionals working in the health-care services for displaced children
- Rates of infant and child mortality; rates of immunization; rates of malnutrition;
- Displaced children infected with and/or affected by HIV/AIDS;
- Adolescent health, including early pregnancy and sexually transmitted infections (STIs), mental health and suicide, drug, alcohol and tobacco abuse; and
- Support programmes for displaced families;
- Prevention and protection from child abuse and child sexual exploitation.

The Ministry of Social Protection drew up and disseminated throughout the country guidelines for psychosocial intervention targeted on the population in a condition⁴² or situation⁴³ of displacement as a result of violence or problems of public order in Colombia – 2004. These

⁴² *Condition* refers to the material state in which individuals find themselves – the fact of being uprooted, poverty, lack of education and training, deficient work skills.

⁴³ *Situation* refers to the abrupt changes in the individual's social and economic location, role in the family and cultural group and in relation to new and distant social groups.

guidelines are aimed at generating, promoting and furthering coordinated processes of interaction with the displaced population for the joint shaping of projects and programmes, thereby fostering social development processes consonant with the principles of sustainability and enabling the community to generate its own development by strengthening social resources and community skills and capacities for the restitution of the rights of individuals and peoples. Investment in the actions aimed at this population has totalled 10,847 million pesos over the last five years. See Annex 2.

In this context, the Ministry of Social Protection cites the following achievements, in the first place with reference to assistance programmes and secondly to the design and application of information support systems for monitoring and evaluation:

Subsidized regime: With regard to improved coverage and the coordination of efforts with the regional and local health authorities, the number of affiliations to the subsidized regime increased to two hundred thousand, 142,569 contracts being concluded in 2005, making a total of 259,613 displaced persons insured.

Differential health care: Steps have been taken to strengthen the mental and physical health-care capacity of the service provider network, with the emphasis on children, women victims of family or sexual violence and intervention in cases of aggression by either sex. A Ministry of Social Protection agreement (OIM) was signed to this effect, and a pilot study, scheduled to continue up to May 2006, was launched in four departmental capitals – Bucaramanga, Cali, Pasto y Quibdó. This input is vital for the extension of the programme to the national level for a minimum period of two years.

Organization and participation: Agreement No. 047 of 2005 between the Ministry of Social Protection and the National University is centred on community training for community leaders and actors nationwide.

Assistance to the displaced population not affiliated to any health-care regime: December 2004 saw the signing of the inter-administrative agreements between the 36 territorial authorities - including 32 departments and 4 special districts – and the Ministry of Social Protection in the amount of 21,300 million pesos. New agreements were also signed with 31 departments and four districts, with the exception of Sucre because of internal difficulties, in the amount of 23,000 million pesos (Resolution 1388 de May 2005 and agreement 228/2005)

Technical assistance: A technical assistance programme was devised, aimed at health-care providers, state supervisory bodies, displaced population associations, local authorities, NGOs involved in psychosocial intervention, ICBF, the National Registry Office, Social Action and the branch directorates of the Ministry of Social Protection and Health nationwide, providing information and knowledge to over 2000 people, in application of Decree 2131 of 2003, on processes including assistance, billing, rights and duties and psychosocial intervention.

Regarding the identification and monitoring of the displaced population:

Coordination of the Information System: Steps have been taken through the National System of Comprehensive Care for the Displaced Population (SNAIPD) to strengthen the institutional information system so as to unify the two-way flow of information required. This is necessary to ascertain the location of the displaced population, its characteristics and the extent to

which a responsive scheme easily consultable in the nationwide component bodies is appreciated by members of the system.

Information System of the Ministry of Social Protection: A circular was sent to all the departmental and municipal health secretariats so as to include the category of displaced person in the individual registry of service providers (RIPS). Software was also designed for nationwide use linking the RIPS application for the displaced population with support by the Pan American Health Organization (PAHO).

Protection of the physical, psychological and moral integrity of the family and the family unit: Measures were taken to strengthen inter-institutional coordination through the SNAIPD National Coordination Bureau for the provision of comprehensive psychosocial assistance to the displaced population, with the involvement of the Ministry of Social Protection, the Colombian Family Welfare Institute (ICBF) the Presidential Agency for Social Action and International Cooperation, the Cooperative House Foundation, the Ministry of National Education and the National Training Service (SENA).

In relation to evaluation: Agreement No. 306 of 2005 was signed with the National University to evaluate the management record of eight component bodies from 2000 to 2005 with the aim of measuring the impact of their interventions.

From January 2004 to December 2005, through the Presidential Agency for Social Action and International Cooperation, emergency humanitarian assistance was provided to 101,798 displaced households, in accordance with their particular needs, through various strategies formulated to that end.

Within ICBF, specific strategies were devised to assist the displaced population, their families and children, which were applied through regular institutional programmes and inter-institutional agreements and coordination measures. The following are the main achievements in the management sphere (January 2006 report):

Emergency food rations: Food rations were provided for pregnant and nursing mothers and for children from six months to five years, at a cost of 23,189,852 pesos.

Mobile Units to support the victims of violence: These Mobile Units consist of interdisciplinary teams that move around the zones most critically affected by violence. The country currently has 53 such mobile units staffed by 200 professionals, which in 2005 made 370,740 psychosocial interventions, providing assistance to 130,446 persons in 300 municipalities situated in 28 departments.

Protracted Relief and Recovery Operation (OPRS): This operation, carried out jointly with the World Food Programme (WFP), the Presidential Agency for Social Action and International Cooperation and the Colombian Family Welfare Institute (IBFC), distributed 2,105,900 rations at a cost of 1069 million pesos to assist children under five at nutritional risk, children of preschool age and pregnant and nursing mothers in 189 municipalities in the departments of: Antioquia, Atlántico, Bolívar, Guajira, Cesar, Sucre, Córdoba, Santander, Norte de Santander, Tolima, Meta, Chocó, Cundinamarca and in Bogotá.

With regard to protection and prevention programmes⁴⁴, early childhood care is provided through: FAMI Community Homes, Community Welfare Homes (0 to 7 years), Residential Children's Homes, Multiple and Company-based Homes, Mother and Infant Homes, Nursing Mother and Preschool Homes, Nutritional Rehabilitation Homes, catering for 29,870 beneficiaries. Support for schoolchildren is provided through the Nutritional Assistance Programme, youth clubs and nursery clubs, which benefits 37.268 young people.

It should also be noted that assistance to the displaced population was made a priority in the ICBF 2006 programming guidelines and that all State bodies have included in the information system disaggregated data on the displaced population.

Mention should be made of the Programme of Support for Families in Emergency Situations, an institutional programme that provides assistance in case of natural disasters and to the displaced population, particularly to family groups including pregnant or nursing mothers and children under 14, in the form of psychosocial care services and food and nutritional support. In 2005, assistance was given to 284,550 persons, compared with 41,110 in 2002. Among them, 1901 received assistance in consequence of a disaster situation.

As part of the care process, ICBF participated in the State Action Coordination Centre (CCAI), a government strategy to support the reestablishment of state authority in the name of legitimacy, legality and governability and with the aim of fostering trust between citizens and the authorities. To develop this programme, the help of all state bodies⁴⁵ was sought, in particular those that help to stimulate local development with a high social impact.

Education for the displaced population

- Education (different types of education, i.e. pre primary, primary and secondary education)
- Percentage of displaced children completing primary and secondary education;
- Number and percentage of dropouts and repetitions;
- Ratio teacher per displaced children and number of children per class.

By way of educational assistance to children who find themselves in situations of forced displacement as a result of violence, the Ministry of National Education, in coordination with the Education Secretariats, ICBF and other government ministries and bodies, acts to ensure that they are incorporated in the school system. In this way, children are provided with a traditional-style education or instruction based on flexible educational models offering relevant alternative solutions in keeping with the dispersed and mobile nature of the population.

⁴⁴ Data valid up to December 2005

⁴⁵ Participating government bodies: Office of the President of the Republic (Colombia Plan and Social Action), Armed Forces, National Police, Ministry of the Interior and Justice, Ministry of Social Protection, Ministry of National Education, Colombian Family Welfare Institute and COLDEPORTES. Permanent delegates were also designated by the National Civil Registry Office and the Office of the Attorney General. Links are maintained with state bodies that contribute in some way, by their functions, to meeting the Centre's objectives.

These models are based on flexible teaching approaches, management approaches, strategies for rationalizing human resources and appropriate learning environments. The main models used to cater for this population are (i) the Accelerated Learning programme – for children lagging behind who have not completed primary school – and (ii) CAFAM for young people between the ages of 14 and 22.

The pupil teacher ratio for the Accelerated Learning model is 25 students per teacher, and for the CAFAM model 30 students per teacher. Reports by educational establishments catering for displaced students estimate that, on average, every trained teacher is able to benefit 15 students; however, this ratio varies according to the size of the displaced population intake in each department (from five students per teacher to 25 per teachers in departments with a high intake).

Based on the reports of the regional authorities, the number of displaced children receiving help from 2003 onwards is as follows:

TABLE 45

<i>2003</i>	<i>2004</i>	<i>2005</i>
29 707*	138 192	164 425

* Care was provided on the basis of the needs reported by the regional authorities and the Social Solidarity Network.

As previously noted, these figures correspond to reports received directly from the regional authorities, which do not coincide with reports managed by the Ministry through the Basic and Middle Education Information System. In that connection, it should be mentioned that measures are being taken at the national and regional level to improve the quality of the data received:

- At the regional level: Workshops to assist the regional authorities in identifying and characterizing the target population for the purpose of organizing the supply and demand of educational services, improving data analysis, developing teamwork for information management, spreading knowledge of legislation to protect this population and making known different strategies for improving coverage in association with competent organizations.
- At the national level: on the basis of Ruling T-025 of 2004, the Technical Information Systems Committee of the National System of Comprehensive Care for the Population Displaced by Violence (SNAIPD), is being aligned with other national organizations to create a single information system with mechanisms and procedures for the management and interchange of information on the displaced population and for following up and monitoring that information.

B. GENERAL MEASURES OF IMPLEMENTATION

1. *Please inform the Committee on the advances made to reform the Children's Code of 1989*

In accordance with the information submitted to the Committee on the Rights of the Child in the third report for the period 1998-2003, and following the recommendations made by the Committee when examining the second report submitted by Columbia for the period 1994-1998, in which it stated the need to align domestic legislation with the Convention on the Rights of the Child, Colombia has taken a number of initiatives aimed at modifying the Children's Code of 1989. Noteworthy in that connection were the efforts made in 1997, 2000 and 2004⁴⁶, which unfortunately were not in the end successful given the complex discussions on content and the time limitations imposed by the duration of the sessions of the Congress of the Republic.

Given that the draft text could not be adopted by the relevant legislative body, various public institutions, civil society organizations, international cooperation and parliamentary bodies representing different political movements have continued to campaign for a new legal framework for children and adolescents.

In this connection, a new proposal for legislative reform took shape and was agreed with the participation of various stakeholders. Consultative forums and thematic roundtables were organized for the purpose at the national, regional and local levels, and an inter-institutional technical team was set up to collect all the inputs and opinions and carry out an exhaustive review of the different topics.

The draft text, which adopted the principles of the Convention, abandoning the "irregular situation" doctrine, was deposited in the Congress of the Republic of Colombia on 17 August 2005 and has to date been adopted by the Chamber of Representatives, is currently under consideration by the Senate of the Republic.

The draft text has been drawn up with the help of the Attorney General's Office, the Office of the People's Advocate and a group of some 40 parliamentarians.

2. *Please indicate whether the Convention on the Rights of the Child has been invoked directly in domestic courts, and if so, please provide examples of such cases.*

Given that the Constitutional Court has the function of safeguarding the integrity and supremacy of the Colombian Constitution, this reply will focus on the rulings handed down by the Court.

The functions of the Constitutional Court include the following:

⁴⁶ The proposal was framed with the participation of various stakeholders at the regional and departmental levels through the organization of consultative and participatory forums and the establishment of thematic committees to make known, develop and discuss the proposal with the different stakeholders and strategic groups.

⁴⁷ The Constitutional Court was created with the promulgation of the Constitution in 1991. Pending its inauguration, the Supreme Court of Justice in plenary session temporarily continued to oversee the constitutionality of legislation and produced a substantial body of jurisprudence from 1991 to 1992, invoking in particular the Convention on the Rights of the Child.

- To rule on petitions of unconstitutionality brought by citizens against acts amending the Constitution, no matter what their origin, exclusively for errors of procedure in their form;
- To rule on petitions of unconstitutionality brought by citizens against the laws, both for their substantive content as well as for errors of procedure in their form;
- To rule on petitions of unconstitutionality brought by citizens against decrees with the force of law issued by the government, for their substantive content or for errors of procedure in their form;
- To rule in definitive manner on the constitutionality of legislative decrees issued by the government;
- To rule in definitive manner on the constitutionality of bills objected to by the government on the grounds of unconstitutionality, and on the constitutionality of proposed statutory bills, both on account of their substantive content as well as for errors of procedure in their form.;
- To review, in the form determined by law, judicial decisions concerning petitions for the protection of constitutional rights;
- To rule in definitive manner on the enforceability of international treaties and the laws approving them.

Since its creation (1992 to 2006)⁴⁷, the Court has produced a huge body of doctrine related to the rights of the child, in the form of constitutional case law, reviews of petitions for the protection of constitutional rights, and rulings on the unification of national legislation. Prominent in this regard is the "constitutional block", notably the Convention on the Rights of the Child (Act 12 of 1991), as the principal international human rights instrument concerning children and adolescents. The table below, showing the official statistics of the Constitutional Court from 1992 to 2001, reveals the scope of its work as a whole.

Annual statistics of the decisions handed down by the Constitutional Court

<i>Years</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>	<i>1995</i>	<i>1996</i>	<i>1997</i>	<i>1998</i>	<i>1999</i>	<i>2000</i>	<i>2001</i>	<i>Total</i>
Constitutionality rulings (with joinders)	69	238	253	257	381	341	271	330	436	390	2.966
Reviews of <i>tutela</i> (protection of constitutional rights) decisions (with joinders)	590	450	400	542	903	107 3	1373	1413	10997	1118	18.859
Interlocutory decrees issued	24	16	33	63	72	25	90	94	168	280	865
Constitutionality rulings (without joinders)	53	204	222	227	348	304	240	288	394	368	2.648
<i>Tutela</i> rulings (without joinders)	182	394	360	403	370	376	565	705	1340	976	5.671

A *tutela* review ruling relating to the Convention on the Rights of the Child is summarized briefly below.

Ruling C-170-04

The complainants seek a partial non-enforceability order with respect to Article 238 of Decree Law 2737 of 1989, on the grounds that the said provision, by permitting child labour, violates the fundamental rights of children and, in particular, the right to education (Articles 44 and 67 of the Political Constitution).

The relevant provisions of the Convention on the Rights of the Child are as follows: Articles 19 and 20 provide that the States Parties are responsible for taking not only legislative but also administrative, economic and social measures to protect children. This is due to the fact that their obviously vulnerable circumstances (Article 13 of the Political Constitution), given their state of education and development, do not allow them to discern the consequences of their acts, particularly with reference to the effects that their behaviour may entail for themselves and for society. Furthermore, Article 32 of the Convention on the Rights of the Child lays down that States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

“The Political Constitution prescribes a protection measure consistent with that stipulated in international treaties forming part the so-called constitutional block *strictu sensu* (Convention on the Rights of the Child and ILO Conventions Nos.138 y 182), whereby the age of admission to employment is, as a general rule, that at which the obligation to ensure minimum schooling, i.e. 15 years, ceases. However, under the terms of ILO Convention 138, it is possible to enter the world of work at 14 - the age opted for by Colombia as a country whose education was insufficiently developed. It is likewise in accord with the said Convention that, exceptionally and under strict conditions, the authorities concerned may authorize children over twelve (12) and under fourteen (14) to perform light work so long as it does not harm their health or overall development and does not prejudice their attendance at school”.

3. *Have there been steps taken to adopt a comprehensive National Plan of Action for Children?*

On the 22 April 2003, a year after the United Nations General Assembly Special Session on Children in 2002, Colombia initiated the process of drawing up a National Plan for Children and Adolescents with the participation of State organizations at the national, departmental and local levels, civil society organizations and international cooperation bodies.

The Technical Secretariat, consisting of the National Planning Department, the Ministry of Social Protection, the Ministry of Education and the Colombian Family Welfare Institute, were in charge of the process.

Analysis, discussion and formulation of the objectives, targets and strategies of the Plan were undertaken through the establishment of five working groups on: (i) the context of the country and its effects on children (ii) promotion of a healthy lifestyle (iii) quality education (iv) protection and (v) participation.

Their conclusions, supplemented by the outcome of 15 thematic forums and three regional workshops, were systematized in a draft document. Subsequently, in a speech by the President of the Republic at the opening of the new session of the Congress of the Republic, the general public was invited to examine and give its opinion on the proposals, the relevant document being made available to the public on the web pages of the participating bodies.

It is hoped to have the final version of the document in May 2006 so as to initiate the publication phase and to begin in the second half of 2006 the process of disseminating the Plan and assisting departmental, regional and municipal governments in drawing up their respective plans. It is hoped that the published document will be illustrated by the winning drawings in the "Colombia: a country for children" competition, organized by the Office of the President of the Public, the Ministry of Culture, the Ministry of Education, the Ministry of Social Protection and ICBF, the intention being that children should express in drawings their vision of the country and of the ideal place where they would wish to live.

4. *Considering the growing inequality and regional disparities in Colombia, what measures have been taken to reduce the negative impact upon children of vulnerable groups regarding the enjoyment of their basic rights? In particular, please provide information on the measures taken to implement child rights at the departmental and municipal levels.*

The Colombian State has taken a number of inter-institutional initiatives aimed at identifying and addressing regional differences and the main phenomena affecting the child population. In that connection, progress has been made in recent years in the important task of devising and implementing a national strategy entitled "Municipalities and Departments for Children and Adolescents". This strategy is the outcome of a national effort that has successfully combined institutional, sectoral and regional proposals and activities on behalf of children and adolescents.

Its main aim is to promote living conditions for children that take account of regional characteristics and diversity. The two initial targets it sets itself are: monitoring the living conditions of children, and incorporating children's issues in national development plans.

In this context, an ongoing process involving public assessment of the management of children and adolescents has been promoted. This takes account of advances and setbacks in the living conditions of children as part of a process of monitoring the exercise of children's rights through a set of indicators by area of rights, with the focus on population and an emphasis on each life cycle in each of the departments and municipalities. In 2005, 41 municipal and 3 departmental public hearings were held.

Cooperation between ICBF, the Office of the Attorney-General and UNICEF resulted in the organization of 25 departmental forums, which were aimed at making the strategy known and which were attended by 1047 mayors and 28 governors. Two Summits for Children were also held at which all the governors in the country were present. The first, on 9 March 2005, placed the emphasis on identifying children's issues and incorporating them in development plans⁴⁸, as well as diagnosing in general terms the situation of children in the country. This was the point of departure for a process that involved all departmental and municipal officials, reinforced by a joint undertaking signed by each of the regional forums. One year later the second Summit for Children took place on 6 April 2006, at which each departmental representative described the progress made under the strategy, in terms of management and improvements in children's living conditions.

⁴⁸ Procurator General of the Nation. UNICEF. Study of the inclusion of children in development plans. 2004.

With the aim of monitoring the living conditions of children, eight priority areas were defined together with their respective main indicators, regarded as the key to each area of rights. The priority thematic areas concerned maternal health, child health, nutrition, sexual and reproductive health, drinking water and basic sanitation, civil registry, education and the restitution of violated rights.

The indicators were selected taking into account criteria relating to information on situations particularly prejudicial to children, events foreseeable with the introduction of known technologies, the priorities identified by the Summit "A more just world for boys and girls", the Millennium Development Goals, fundamental rights and adolescents in the country, and inadequate incorporation of the theme in departmental and municipal development plans for 2004-2007.

5. *Please provide updated information on the implementation and results of the programmes relating to economic and sexual exploitation referred to in the State party report.*

See subparagraphs 7 and 11 of the questionnaire, Part I.

Main achievements in the implementation of programmes to combat sexual and economic exploitation

In the area of public policy:

- Formulation and implementation of the following national and departmental plans to address issues related to:
 - Building Peace and Family Cohabitation in 11 departments, Eradication of the Commercial Sexual Exploitation of Children in 15 departments, and work on the promotion and framing of plans in the other departments.
 - Implementation of the National Plan for the Elimination of Child Labour and the Protection of Child Workers
 - Work in progress on a ten-year plan for children and adolescents (targets and indicators under construction with the education sector)
- Work in progress on a comprehensive early childhood development policy, with the National Planning Department, the Ministries of Social Protection and Education, 17 universities, NGOs, some regional bodies and United Nations agencies, including UNICEF, ILO and UNFPA.
- Support for strengthening the departmental, district and municipal Social Policy Councils, as the bodies responsible for defining and prioritizing social policy, with the emphasis on children and the family.
- Strategic alliances **with other actors:**
 - Agreement between the Ministry of the Interior and Justice, the Ministry of Social Protection, the Ministry of Commerce, Industry and Tourism, the Office

of the Public Prosecutor of the Nation, ICBF and the **tourism sector** to prevent the tourism-linked sexual abuse of children.

- The signing of an undertaking by 32 governors and 1034 mayors for the inclusion of the themes of children, adolescents and a healthy environment in regional development plans and budgets (Municipal and Departmental Strategy for children and adolescents of the Office of the Attorney General of the Nation, ICBF and UNICEF)
- Framework agreement between the Office of the Public Prosecutor of the Nation, the Office of the People's Advocate, the National Institute of Legal Medicine and Forensic Sciences, the National Police, the Ministry of Social Protection, the Mayor of Bogotá D.C., the Attorney-General of the Nation and Higher Council of the Judicature, and the Colombian Family Welfare Institute to combine forces and resources for the provision of comprehensive and coordinated care to the victims of sexual violence
- Early Childhood Agreement with the Pastoral Social focused on children under 16 and their families and aimed at promoting a humanized, rights-based upbringing and the harmonious development of children and their families, in 18 departments.
- Development of a set of educational childrearing guidelines, containing important hints on caring for and protecting very young children.
- The Ministry of Communications has since 2004 been running a campaign entitled HEALTHY INTERNET, aimed mainly at preventing and countering sexual exploitation and tourism involving the exploitation of children and adolescents on the Internet by encouraging the Colombian general public to report cases of abuse.

Regarding the promotion of peaceful coexistence (the family and its environment):

- Some examples of communication and information strategies developed:
 - Classification of child pornography contents on the Internet
 - National *Healthy Internet* campaign in coordination with the Ministry of Communication to prevent the sexual abuse of children through the Internet
 - Special edition of the institutional newsletter "Dialogues" on the theme of sexual violence (120,000 copies distributed nationwide)
 - Network of community radio stations for children and the family to promote family harmony and prevent violence in the home and the mistreatment of children
 - Production of television information clips on the rights of the child, in cooperation with the Inter-American Children's Institute, broadcast in 2005,

- Radio programmes "Family welfare comes to your home"
- Dissemination of human rights compilations: "So that children may live in dignity". ICBF-UNICEF
- Joint declaration on the prevention and eradication of tourism-linked child sexual exploitation in Colombia, signed by national bodies, international organizations, tourist associations and tourist service providers on 8 August 2005 in Bogotá D.C.
- Public undertaking on the prevention and eradication of tourism-linked child sexual exploitation, signed in the city of Cartagena by tourist service providers and trade guilds, with the support of local and national public bodies, on 31 March 2006
- Development of information and communication strategies concerning the new accusatory penal system and the role of the new special units of the Office of the Procurator General in assisting minors who are victims of offences
- Preparation of 140 childrearing guides for the protection of children's rights and family harmony, with the support of the Colombian Paediatric Society
- Organization of 43 public hearings on the living conditions of children and 170 on the results of ICBF management with regard to children and adolescents
- Training of various social actors in prevention, promotion, defence and protection activities in relation to children's rights and, in particular, to counter the evils of abuse and sexual, work and economic exploitation
- The Carlos Lleras Restrepo Prize awarded by ICBF with the support of UNICEF to encourage and reward social work in favour of early childhood and peaceful family development.

Regarding care and assistance, the main achievements are:

- Virtual assistance: Introduction of a 24-hour citizen-help system through **telephone line 018000918080**. **Web page** simelastiman@icbf.gov.co and www.icbf.gov.co
- **2227 ICBF family educators** working on prevention and assistance in cases of home violence in 32 departments
- **2520 family schools** working on family harmony, factors protecting children and childrearing guidelines
- Participation of family advocates in 23 chambers of justice
- 53 ICBF **mobile units** operating in 28 departments and 300 municipalities – working on prevention, detection and guidance on caring for victims of child mistreatment and sexual violence

- Creation of a specialized National Sexual Offences Unit within the Office of the Procurator General of the Nation to ensure comprehensive care while protecting the privacy of victims of violence and making interventions more effective within the new accusatory penal system
- Development and application of a scheme (protocol, guidelines) for the prevention, detection and treatment of violence in the home through education and health-care services with the support of IDB
- Design and implementation of the project "Structuring of Social Networks for Prevention and Care in Cases of Child Exploitation" in 17 cities
 - Implementation of the quality guarantee system for the administrative processing of protection and adoption cases in 16 regions with the support of the Colombian Technical Standards Institute (ICONTEC)
 - Priority assistance to the displaced population in identifying, reporting and securing support in cases of violence in the home, child mistreatment or sexual abuse
 - Extrajudicial assistance for members of families with violent conduct..

With regard to research:

- Baseline definition of child sexual exploitation in Cartagena, the coffee-producing zone, Cundinamarca and Valle del Cauca
- Implementation with Profamilia and other bodies of the National Demographic and Health Survey providing a description of violence against women and the mistreatment of children
- Study on children's rights, which investigated the perception children have of their rights (Derechómetro), carried out by ICBF
- Creation of an information system on the situation and prospects of children and young people www.siju.gov.co, providing official updated information in coordination with Colombia Joven, UNICEF and GTZ
- Research project on children's rights (Nacho derecho), with the participation of 45,000 children and young people in schools in 20 departments with COLCIENCIAS.

With regard to training processes:

- Updating of family ombudsmen, social workers and psychologists in the application of international treaties and conventions concerning children and the family
- Training of community mothers in the strategy of Care in the Area of the Most Frequent Diseases Affecting Children (Community AIEPI)

- Training for educational agents (community mothers, family educators) in basic methodologies for evaluating and promoting young child development and family values and democratic coexistence – 156,700 families benefited in 187 municipalities, including high-risk and vulnerable zones
- Organization of three international congresses and one national congress on early childhood, the family and mistreatment of children, which explored the theme of family harmony and the practical tools for preventing violence in the home
- Training of public servants in human rights and establishment of a network of trainers with support from the United Nations
- Application of the "Peace Observatory" educational model and its components: "Meterse al Rancho", "Cartografías de Convivencia" and "La Piel del Otro"
- Publication of the newsletter Carta de Derecho de Familia (Family Law Bulletin), which is aimed mainly at guiding legal operators in case analysis and decision-making
- Training of judges and technical staff of other bodies at the national and regional level in the recognition and care of victims.

6. *Please provide updated information on efforts to disseminate the Convention and the State party report*

Given the importance of disseminating the Convention on the Rights of the Child and the commitments Colombia has assumed under the covenants and treaties it has signed, the Colombian State has taken measures to disseminate the text to the public at large, including: the distribution of copies to the 1098 municipalities and the 32 departments of the country, in cooperation with UNICEF, in the framework of the Early Childhood Form organized in June 2003 and the "Municipalities and Departments for Children and Adolescents" strategy. It has also been distributed through the community radio stations (150), located in different areas of the country, and a start will shortly be made on disseminating it through a communications strategy developed jointly with the Inter-American Children's Institute, involving the production and showing of videos on children's rights.

Equally, ICBF has taken various steps to disseminate the Convention, including distributing it among public servants through its regional and area offices throughout the country, and organizing an academic event to commemorate the fifteenth anniversary of the Convention, with the participation of international experts on the question, such as Charles Gardou, Martine Delphos and Boris Cyrulnik.

Finally, ICBF, the Ministry of Social Protection and the Ministry of Education have made the text of the Convention on the Rights of the Child available to all the visitors to their respective web pages with the aim of making it known and easily consultable.

Furthermore, in fulfilment of its obligations as a State party to the Convention on the Rights of the Child and in compliance with the National Constitution of 1991, the Government officially presented the third report of Colombia to the Committee on the Rights of the Child - a task headed by ICBF and the Ministry of Foreign Affairs. The report was published and distributed at

the national and international levels and promoted as a discussion tool in different academic and institutional contexts throughout the country, serving as an analytical survey of the situation of children from a countrywide perspective.

7. ***Please provide updated information on efforts made to provide training, awareness on the Convention and on human rights in general, to children, parents, teachers, social workers and other professionals working with and for children.***

In line with the National Development Plan for 2002-2006, the National Government has prescribed that "in coordination with the Office of the People's Advocate, educational establishments shall promote the development of citizenship skills, to include human rights training, observance and practice".

The Ministry of National Education and the Office of the People's Advocate are accordingly developing a 15-year National Plan for Human Rights Training, Observance and Practice through the education sector (PLANEDH) with the support of the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights (UNHCHR).

Under this Plan, the Ministry of Education is currently developing a pilot education project in citizenship for the exercise of human rights, designed to be implemented and evaluated after three years in five departments of the country (Bolívar, Boyacá, Córdoba, Guaviare y Huila) for subsequent application nationally. The project is structured around three basic action strategies: an educational strategy involving the training of trainers, international support, and the creation of support networks.

It should be pointed out that, with the aim of ensuring that children's rights are specifically incorporated in the Plan, ICBF is participating in its framing and formulation.

In addition, the National Government is engaged in formulating a **National Plan of Action on Human Rights and International Humanitarian Law** to take account of the whole corpus of human rights, with a focus on gender and in close coordination with civil society. This plan will determine priority areas for action by the State in the short, medium and long term.

In 2004, inter-institutional coordination for the preparation of this Plan was initiated within the Inter-sectoral Commission on Human Rights and International Humanitarian Law⁴⁹ and its Technical Group⁵⁰, consisting of representatives of various state institutions.

The Plan covers five main thematic areas, defined in keeping with its overall thrust, namely:

⁴⁹ The Intersectoral Commission on Human Rights and International Humanitarian Law, set up under Decree 321 of 2000, is made up of the Vice-President of the Republic, who chairs it, the Ministers of the Interior and Justice, Foreign Affairs, Defence and Social Protection together with the High Commissioner for Peace. The Commission's functions include "guiding, promoting and coordinating the formulation of the National Plan of Action on Human Rights and International Humanitarian Law, adopting the necessary measures for its implementation through consultation mechanisms and based on the principles of decentralization, self-management and participation".

⁵⁰ Under decree 321 of 2000, the Intersectoral Commission has the support of a Technical Group.

- Emphasis on generating the cultural changes necessary for the exercise of human rights
- Emphasis on safeguarding the right to life and personal integrity, taking into account risk factors, vulnerable sectors and the dynamics and logic of violation
- Emphasis on combating discrimination and promoting recognition of the identity of population groups - ethnic groups, women, children and adolescents, and the disabled.
- Emphasis on promoting a human rights focus in public policies in the areas of education, health, housing and work
- Emphasis on the administration of justice and combating impunity

Since 2004, various civil society organizations have been convened to contribute to the discussion on consultation and coordination mechanisms better adapted to the process as a whole and on the thematic content to be put out for consultation, as well as to strengthen the legitimacy of the agreements reached.

Likewise, to supplement the Plan with contributions from the regions, coordination forums are currently being organized to ensure that the Plan is essentially geared to regional and local realities.

In addition, it should be noted that one of the six main thematic clusters of the **Government's international cooperation strategy** is concerned with strengthening the rule of law and human rights.

This cluster sets out a number of lines of action within the framework of international cooperation, namely: National Plan of Action on Human Rights and International Human Law; human rights culture; strengthening of civil society institutions and organizations; combating impunity with regard to violations of human rights and international humanitarian law (IHL); protection of individuals, sectors and groups; IHL activities and care for victims; rights of ethnic groups; and economic social and cultural rights

With the aim of incorporating children's rights as a line of activity under this strategy, ICBF participated in defining this thematic cluster and included a proposal for seeking international cooperation for the promotion of children's rights and for monitoring the situation of children under the National Plan for Children.

At the institutional level, ICBF has taken steps to train its public servants with regard to Human Rights at the National Level, the Convention on the Rights of the Child, and several international instruments for the protection of those rights. In this connection, it has trained 375 family ombudsmen (80% of the national total), who have direct responsibility for children subject to protection measures. This training also involves public and civil servants in other sectors, including procurators and family judges. It is hoped to extend this training to family ombudsmen.

In addition, the Colombian Family Welfare Institute (ICBF) and the Colombian Office of the United Nations High Commissioner for Human Rights are carrying out a cooperation project involving the creation of an ICBF National Network of Human Rights Trainers.

This project is aimed at providing the Institute's public servants with training in human rights topics, their significance in policies for children and their international dimension, with a view to spreading the knowledge acquired in their respective regions.

To date, there are trainers in 27 of the country's 33 regions, and 164 civil servants have been trained directly. It is hoped to have trainers in all regions in the first half 2006.

It is also hoped that, in this phase of the project, those trained will incorporate in their daily work educational tools to promote human rights between public servants and the beneficiaries of the Institute's different programmes.

For its part, the Ministry of the Interior and Justice is carrying out a number of projects with the aim of providing human rights training for public servants. Prominent among these is the project entitled "Decentralization of the implementation of public human rights policy", aimed mainly at fostering an institutional and participatory culture that safeguards human rights in the implementation of public policy. This project is led by the regional or local authorities, with the participation of civil society organizations. It is undertaken jointly with the President's Programme for Human Rights and International Humanitarian Law, and each entity works in 16 departments to achieve overall coverage in the country's 32 departments.

The results to date include: 32 departmental development plans with a human rights component; 21 workshops to raise awareness of public policy concerning human rights; methodological workshops for drawing up local human rights action plans with the designated focal points in each department; and 166 municipal human rights action plans in the process of validation.

In addition, some state bodies have been working jointly with the Office of the United Nations High Commissioner for Human Rights (UNHCHR). In this respect, networks for human rights training have been set up with the Office of the Public Prosecutor of the Nation and with the Rodrigo Lara Bonilla Judicial School.

Finally, it should be noted that ICBF, with the aim of training its public servants and the community at large on topics relevant to the Convention, such as early childhood, food security and protection of the family, has organized various international forums and seminars, involving exchanges of experience that help to consolidate technical understanding of these different themes.

8. *Please indicate the role of non-governmental organizations in the implementation of the Convention.*

The Political Constitution of the Republic of Colombia, dating from 1991, stipulates in Article 38: "The right of free association for the promotion of various activities that individuals pursue in society is guaranteed".

Article 103 likewise provides that "The state will contribute to the organization, promotion, and guidance of professional, civic, trade union, community, youth and charitable or

nongovernmental public-purpose associations, without prejudicing their authority so that they may constitute democratic means of representation in the various functions of participation, agreement, control, and supervision of the public activities that they undertake”.

Article 355 stipulates that “At the national, departmental, district, and municipal levels, the government may, with the resources of the respective budgets, sign contracts with nonprofit private entities and with the recognized capacity to promote programs and activities of public interest, in accordance with the National Plan and the sectional development plans”.

Article 44 of the National Constitution, establishing the fundamental rights of children, specifies that “The family, society and the state have the obligation to assist and protect children in order to guarantee their harmonious and complete development and the full exercise of their rights” and that “Any person may request the Competent authority to enforce these rights and to sanction those who violate them”.

Finally, it is stipulated in Article 45 that “The adolescent is entitled to protection and integral development. The state and society guarantee the active participation of adolescents in public and private organizations that are responsible for the protection, education, and progress of youth”.

In this context, non-profit institutions or associations making up the so-called third sector have for a number of years been carrying out important work in terms of the development of the country and promotion and protection of the rights of children and adolescents.

These institutions, in keeping with their various missions and projects, are working through various social programmes to improve the quality of life of the most vulnerable population in the country, and also to contribute in areas of great importance such as public policy-making, research, the promotion of human rights, monitoring the actions of the State, and the provision of state services for children and their families.

The Colombian State, through the Colombian Family Welfare Institute and various national and regional institutions, works jointly with a large number of non-governmental organization that assist it in the provision of care services for children and families, as well as in processes as complex and important as the framing of social policy, including the national policy for children and adolescents.

In this connection, it is important to note the creation, under Decree 1137 of 1999, of the National Family Welfare System, which delivers the public family welfare service on behalf of the State and has its main aim: to strengthen family ties, to help ensure that its members fulfil their duties and obligations, to safeguard rights and to protect children and adolescents in keeping with the principle that the rights of children take precedence over the rights of others.

The National Family Welfare System comprises national governmental bodies, departmental, district and municipal governments, community organizations and public or private bodies or institutions that contribute or are called upon to contribute, in accordance with their constitutional objectives, legal mandate or regulations, to ensuring, directly or indirectly, the provision of family welfare services.

The departmental and municipal social policy councils were set up under this same Decree as an instrument for coordinating the agents of the National Family Welfare System in all the

departments and municipalities of the country. These councils operate with the participation of non-governmental organizations, and their main functions include recommending for adoption plans and programmes relating to children and families and carrying out periodic evaluations and making recommendations on the implementation of those plans.

Finally it should be emphasized that non-governmental organizations have a great potential for mobilizing society with regard to the social problems confronting Colombia, which require the participation of all social stakeholders. For this reason, it is important that the State and the organizations concerned continue to strengthen their cooperation and joint action to enable an increasing number of Colombians to participate in a variety of ways, according to their interests, knowledge and potential, in improving the living conditions of children and their families.

9. *Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.*

The issues - identified with reference to the situation of children nationally - that the country regards as calling for special attention in the years to come so as to continue moving towards the fulfilment and application of the country's obligations under the Convention on the Rights of the Child can be classified under two main headings, namely: the development of public policy and strategies for the provision of care to the population in general, and assistance for specific population groups, as detailed below.

(a) Development of public policy and strategies for the provision of care to the population in general:

Poverty reduction: According to the calculations of the Mission for the Reduction of Poverty and Inequality in Colombia, poverty has fallen by 7.9 percentage points since 2002, from 57% to 49.2%, while 14.7% of the population live in extreme poverty. This means that some 22 million people in the country live in conditions of poverty, 7.4 million of them in extreme poverty. Despite the progress made, these figures reveal a very complex social picture, which is more acute in rural areas where 68.2% of the population is poor and 27.5% live in conditions of extreme poverty, which mainly affect children.

With the aim of reducing extreme poverty, the Colombian State has decided to develop a long-term plan aimed at improving income distribution, combating extreme poverty in early childhood and improving basic infrastructures in the poorest areas, giving priority to the rural sector and to disadvantaged urban areas.

The aim of this plan is to ensure that by 2019 all Colombians enjoy equal opportunities in terms of access to and quality of a set of basic services such as education, health care and social security, which obviously involves reducing the level of poverty, particularly extreme poverty. Consistent with the Millennium Goals, Colombia Vision 2019 is a document that seeks to reduce the poverty index - measured with subsidies - to 15% (in 2005 it stood at 45.1%) and extreme poverty to 6% (17% in 2005). The achievement of these targets calls for new forms of intervention that respond more comprehensively to the needs of the most vulnerable groups.

Recognizing that poverty has multiple causes, the Programme focuses on nine areas covering issues that are central to overcoming poverty: identification, education, income and work, health care, housing, nutrition, family dynamics, insurance, banking and legal support. Each area has its part to play in breaking out of the "poverty traps" and defines specific policy

objectives concerning the minimum conditions that have to be met for families to overcome poverty.

Finally, another of the issues that has been identified with a view to improving the quality of life of those living in poverty is mitigation of the impact of natural disasters, which have a disproportionate effect on the poor.

National Policy for Children, with the emphasis on early childhood: There is a need to continue to strengthen the national policy for children and adolescents in areas such as the incorporation and application of a human rights focus and a family and community perspective. This policy should translate into the provision of public services designed to ensure the comprehensive protection of children and adolescents.

Equally, it is considered of the greatest importance that the national policy for children and adolescents should place special emphasis on comprehensive early childhood development. Various studies and research findings show that the earliest years of life are vital for constructing a happy childhood and for laying the foundations of a productive life for each citizen.

These studies likewise indicate that appropriate care in early childhood contributes to an important extent to the training of human resources, to the promotion of greater economic development, to the reduction of social costs, and to the creation of greater social equity.

For the reasons stated, it is important to continue to advance in the process of framing an early childhood policy (from birth to age 6), with the emphasis on childrearing models and preschool education.

It is also essential that this policy should be assimilated and applied at the regional and local levels; that the financial resources and legal tools required for its application should be available; and that there should be adequate monitoring and evaluation mechanisms. It is hoped that the National Economic and Social Policy Council (CONPES) document will be ready by July of this year.

Sexual and reproductive rights: The National Sexual and Reproductive Health Policy for the period 2002-2006, overseen by the Ministry of Social Protection, is based on a conception of sexual and reproductive health consistent with the approach of the Fourth World Conference on Women (1985) and the International Conference on Population and Development (1994). It has various legal and political sources, both national and international, including: the Conference on Population and Development (Cairo, 1994) and the Fourth World Conference on Women (Beijing, 1995) as well as the National Constitution and its developments. The basic proposition is that sexual and reproductive rights are part of human rights and should therefore be approached from that standpoint, which recognizes that health care constitutes a public service. The policy sets out to improve sexual health and promote the exercise of the sexual and reproductive rights of the population as a whole, with particular emphasis on reducing vulnerability and risk behaviour, encouraging protective factors and assisting groups with special needs. The targets are to reduce adolescent pregnancy, cut the rates of unavoidable maternal mortality, meet the unsatisfied demand for family planning, ensure the early detection of cancer of the uterus, prevent and care for STDs and HIV/AIDS, and detect and address the problem of domestic and sexual violence.

The agencies charged with implementing the social protection policy are responsible for ensuring that sexual and reproductive rights are made effective through promotion, prevention and treatment activities that help to ensure that these rights become a reality in the everyday life of children, adolescents and families. In the case of ICBF, its interventions are focused on various population groups: nursing mothers, children from 0 to 18 years, and families. The Institute's work among these population groups should be aimed at: preventing and reducing adolescent pregnancy; supporting children and young people in understanding and properly managing their sexuality; preventing and intervening in cases of sexual violence, sexual abuse and sexual exploitation; preventing transmissible diseases; helping families to modify their patterns of child-rearing and cooperate with the State in safeguarding that right, which is intimately bound up with human dignity, equity, freedom, and equality, which should be promoted with a gender focus that ensures differential treatment in different cases and is therefore responsive to recognition of those differences.

Food and nutritional security: This is defined as ready and permanent access for everyone to the food they require, which should be adequate in quantity and quality, and the opportunity to benefit from good nutrition in healthy and basically hygienic conditions and in a sustainable and culturally acceptable form, respecting habits and customs, with regard both to the type of food and the way it is prepared, thereby contributing to comprehensive human development.

In this respect, it is important to mention that ICBF is currently coordinating, together with other national, regional and local bodies, a participatory process of framing the National Food and Nutritional Security Policy, which takes account of the international commitments entered into by Colombia in the context of the World Food Summit, the World Summit for Children and the Millennium Summit.

In this connection, special importance is attached to support by cooperation agencies for the adaptation of the National Food and Nutrition Plan for 2005-2015 to international standards; to technical assistance for fortifying mass consumption foodstuffs so as to reduce micro-nutritional deficiencies in the population; and to support for regional and local bodies in formulating and implementing food and nutritional security plans.

Family violence prevention and care: Given the scale of the problem of family violence in Colombia, its effect on the family unit and particularly on children and adolescents, and the need to promote peace and family harmony in the country, it is of key importance to strengthen and expand at the national level the efforts being made by the Colombian State, including the particularly noteworthy activities being pursued through the Colombian Family Welfare Institute, to prevent, detect and care for cases of family violence. Work is currently taking place on devising a policy to support families in their task of transmitting the principles and values of democracy and harmonious coexistence; to providing the basic units of the community with suitable tools to solve conflicts in a peaceful manner; and to increase the provision of qualified services to families in conflict and to the victims of family violence. There is a need to devise concrete and effective tools for the appropriate application of this policy at the local level.

System for monitoring and evaluating programmes and services: It would be particularly relevant and useful if the country had an information system that enabled it to assess the care provided to family units and the results of the actions taken in terms of their contribution to the constitution of human and social capital and the reduction of social divisions. Such a tool

would make for more relevant social policies and programmes and would optimize the investment of public and private funds, including those from nonprofit foundations.

Monitoring and evaluation of the results of the public management of departmental and local governments in terms of the conditions and quality of life of children and adolescents. The strategy *Municipalities and Departments in support of Children and Adolescents*, sponsored by the Office of the Procurator General, ICBF and UNICEF and aimed at safeguarding rights through monitoring and evaluation of 1) inclusion of the topics of children, adolescents and a healthy environment in regional and local planning, and 2) improvements in the living conditions of children, has made important progress in the first stage of its development. These include in particular: public outreach activities; securing commitments on the part of all the departmental and local officials; and forming and strengthening inter-institutional working teams at all regional and local levels to put into effect the twice-yearly monitoring of the two evaluation targets chosen, centred on the eight priority themes identified (maternal health, child health, nutrition, sexual and reproductive health, water and basic sanitation, civil registry, education and restitution of violated rights).

This strategy represents a priority in the framework of public policy for children and adolescents, as well as a priority for regional management of the country over the coming years, in which functional units for the framing of social policy for children, such as the social policy councils, will play a fundamental role.

In this sense, the development of the strategy in its second phase of implementation implies the adaptation of plans, programmes and projects in favour of children, addressing political, budgetary, administrative, technical and operational topics that involve all actors and state and non-governmental organizations and civil society. This process is being taken forward in the areas of national planning, the adaptation and strengthening of the institutional capacity of organizations and regional bodies, and the formulation of a permanent technical assistance plan.

(b) Provision of care for specific population groups:

Family: It is considered that social policy should increasingly be directed towards the provision of care for families, rather than concentrating on individuals. In this sense, is important that, in addition to strengthening the conceptual bases for the effective incorporation of a family focus, as mentioned above, that steps be taken to identify, develop and apply instruments and tools that will enable this focus on services providing care to children and adolescents to be put into practice.

Similarly, in the context of the focus on the family, it is important that progress continues to be made in our country in the framing and application of a National Policy for Building Peace and Family Cohabitation, which was conceived with the aim of preventing and addressing family violence through a strategy designed to support families in their mission of transmitting the principles and values of democracy and peaceful cohabitation; provide the basic units of the community with appropriate instruments to resolve conflicts in a peaceful manner; and increase the provision of qualified services to families in conflict and to the victims of family violence.

Adolescents: One of the main gaps in social policy in Colombia at the present time is the absence of a public policy for the adolescent population that transcends sectoral divisions. Given the special characteristics of this age group, and the importance of providing adolescents with comprehensive care, and with according them the opportunities necessary put for their proper

development, it is of the greatest importance to formulate a specialized policy that takes into account the characteristics and special requirements of this population group.

Children and young people in exceptional circumstances: Given the violence affecting the country, and in particular children and adolescents that have traditionally been the population groups most affected by the situation, it is necessary to continue to progress in the task of strengthening and devising care services for children and adolescents who are victims of such complex problems as being linked to irregular armed groups, forced displacement, and accidents involving antipersonnel mines and abandoned explosives devices.

Particular attention should be given to devising and applying effective strategies for preventing children and young people from becoming linked to irregular armed groups, as well as forced displacement.

Children and adolescents affected/infected by HIV/AIDS: HIV/AIDS is one of the problems affecting Colombian children and needs to be addressed in a comprehensive manner since it is believed that the incidence of the disease is set to increase considerably through parent-child transmission. Indeed, the number of cases in Colombia is tending to grow, with worrying signs of an extension to other sectors of the population and with a change in the pattern of transmission, which is in the process of ceasing to be predominantly homosexual and is becoming heterosexual, with an increase in the numbers of young women infected, making the Colombian woman the vulnerable point of this epidemic in the country.

HIV/AIDS is impacting more seriously on the lives of children, particularly those who find themselves in particularly vulnerable circumstances. Many children live with HIV/AIDS and others have lost one or both parents as a result of this problem, a situation that is of particular concern to ICBF since it means an increase in the number of children partially or wholly abandoned. Equally, a considerable number of women of reproductive age are also infected, which has implications for cases of AIDS in children.

ICBF is making clear its resolve to undertake a national diagnosis of the population under 15 orphaned by HIV/AIDS, to devise a policy to provide protection and comprehensive care for children and adolescents orphaned for this reason, and to train and provide technical assistance to its regional teams. The country already has advanced legislation for dealing with this problem, but it is necessary to underline the importance that needs to be given to education and to the protection of children and adolescents affected by HIV/AIDS with the aim of safeguarding their rights.

The country must therefore take steps to minimize cases of cross transmission and reduce contagion between adolescents. ICBF, in coordination with the health sector, and with the help of national and regional public bodies and of society as a whole, must therefore promote the effective implementation of the Sexual and Reproductive Health Policy, with particular regard to programmes for the prevention of high-risk sexual behaviour among adolescents.

PART II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

PART III

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

NEW BILLS OR ENACTED LEGISLATION

Since the submission of the report, a series of bills relating to children and the family have been passed. A brief review of this legislation follows, together with the bills currently under consideration.

Legislation enacted since the submission of the report

Act No. 765 of 2002, adopting the “Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography”, adopted in New York on 25 May 2000. This Act was approved for entry into force by the Constitutional Court in Ruling C-318-03 of 8 April 2003.

Act No. 800 of 2003, adopting the “United Nations Convention against Transnational Organized Crime” and the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”, adopted by the United Nations General Assembly on 15 November 2000. This legislation is aimed at promoting cooperation to prevent and combat transnational organized crime more effectively.

Act No. 812 of 2003, approving the National Development Plan 2003-2006, towards a community-based State, contains a number of provisions relating to children and the family

Act No. 828 of 2003, laying down standards for Monitoring Evasion of the Social Security System. This Act establishes that State bodies are obliged to include in contracts they conclude, by way of contractual obligation, fulfilment by the contracting parties of their parafiscal obligations with regard to the Comprehensive Social Security System (Family Allowance Fund, SENA and ICBF).

Act No. 833 of 2003, approving the “Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict”, adopted in New York, on 25 May 2000. The Protocol and its enabling legislation were approved for entry into force by the Constitutional Court in Ruling C-172-04 of 2 March 2004.

Act No. 854 of 2003 (25 November), amending Article 1 and paragraph 2 of Article 4 of Act No. 258 of 1996 to give comprehensive protection to the family and establishing rules for the allocation of family housing.

Act No. 861 of 2003, laying down provisions concerning the sole urban or rural property belonging to a female head of household. Article 1 of the Act provides that “ the sole urban or rural property belonging to the female head of household ... is deemed a nonseizable asset held in the name of her existing underage children or those about to be born”. It likewise establishes the necessary requirements for giving effect to the law and, finally, the cases in which dispossession of the family assets is possible.

Act No. 872 of 2003, establishing the system for quality management of the executive arm of government and of other service-providing entities.

Act No. 880 of 2004, approving the Inter-American Convention on the International Return of Children, signed in Montevideo, Uruguay, on 15 July 8, 1989, at the fourth Inter-American Specialized Conference on Private International Law. This bill was submitted on 2 August 2002 by the Ministry of the Interior and Justice and the Ministry of External Relations and was approved on 3 December 2003.

Act No. 906 of 31 August 2004, issuing the Code of Penal Procedure in which it is established, among other provisions, that preventive detention in a penal establishment can be substituted by the place of residence where the accused person (before or after committal for trial) is a woman head of household who is the mother of a child under 12 years of age, always provided that the child is in her charge.

Act No. 962 of 8 July 2005, issuing provisions on the rationalization of the administrative processes and procedures of state bodies and entities and of individuals exercising public functions or providing public services. It establishes that cessation of the civil effects of any religious marriage and divorce in the case of civil marriage can be agreed in the presence of a notary. Further, with regard to the departure abroad of minors, it establishes that minors, if accompanied by their parents, do not require any document other than a passport. It likewise establishes the requirements for the acquisition of Colombian nationality by adoption.

Act No. 979 of 26 July 2005, partially amending Act 54 of 1990 and establishing a number of flexible mechanisms for demonstrating a *de facto* marital union and its effects on property succession between permanent companions.

Act No. 985 of 2005, adopting measures to combat the trafficking in persons and standards for care and protection of the victims of trafficking. This act includes assistance to minors among the measures for care and protection of victims of the trafficking in persons.

Act No. 986 of 26 August 2005, adopting measures for the protection of victims of kidnapping and their families, and stipulating other provisions. Part 1 of the instrument establishes the system for protection of the victims of kidnapping, specifying the mechanisms of access to the protection system and monitoring measures.

Act No. 1008 of 2006, stipulating a number of responsibilities and procedures for the application of international conventions relating to children and the family. This Act establishes responsibilities, legislative precedence and procedures in this regard. It also establishes responsibilities for those in charge of matters relating to current international treaties and the principle that must prevail with regard to their expeditious dispatch, as well as the power to adjust specific domestic legislation in each field in compliance with the said treaties and conventions.

Bills before the Senate and Chamber of Representatives

With the aim of ensuring continued progress in the legislative field with regard to children and family, the Chamber and the Senate are currently examining the following bills, which are reviewed in Annex 6

Chamber of Representatives

- Additions to Act No. 769 of 2002 "Spaces and parking lots for people with disabilities and pregnant women with a baby on board
- Addition to the Criminal Justice Code of a number of articles relating to alcohol consumption by minors, and other provisions
- Prison sentences for irresponsible marriage partners in breach of alimony payments
- Reform of the Penal Code for the sexual protection of minors in connection with the imposition of heavier sentences in cases of violence and sexual abuse involving minors, and other provisions
- Permission to carry out an abortion in Colombia when the pregnancy is the result of behaviour constituting rape or an abusive sexual act without consent, or artificial insemination or transfer of a fertilized ovum without consent
- Promotion by the State and society of the exercise of children's rights and the active integration of senior citizens
- Establishment of standards for the eradication of offences against the freedom, integrity and sexual development of minors.

Senate of the Republic

- Amendment of the rules governing the contesting of paternity and maternity
- Provisions to prevent damage to the health of minors and the non-smoking population and establishing public policies for the prevention of tobacco consumption and its derivatives among the Colombian population
- Addition of a paragraph to Article 229 of the Penal Code concerning the offence of family violence
- Recognition and protection of certain rights of the male head of household, amending Act No. 790 of 2002 and adding a subparagraph to Article No. 239 to the Substantive Labour Code.
- Granting of an allowance to primary and secondary pupils belonging to levels I and II, university students in general and senior citizens belonging to levels I and II for travel in all integrated mass transport systems deriving over 50% of their financing from the national and/or regional budgets

- Establishment of rules for the prevention of sexual violence and provision of comprehensive care for child and adolescent victims of sexual abuse
- Withdrawal of prison and temporary benefits for sexual offences involving minors
- Enactment of the law for children and adolescents
- Reform of the Penal Code for the sexual protection of minors in connection with the imposition of heavier sentences in cases of violence and sexual abuse of minors, and other provisions

NEW INSTITUTIONS

By Decree 2467 of 2005, the Colombian Agency for International Cooperation (ACCI) was fused with the Social Solidarity Network, to be called in future the Presidential Agency for Social Action and International Cooperation (ACCION SOCIAL). The agency has the function of coordinating, administering and implementing social action programmes for the poor and vulnerable population and development projects, coordinating and promoting technical and non-reimbursable financial cooperation at the national and international level.

Attached to this new body is the Peace Investment Fund, which finances programmes such as Families in Action, Forest Ranger Families, Productive Projects, Social Infrastructure and Social and Work Reintegration.

Social Action also takes over the programmes of the former Social Solidarity Network, including care for victims of violence, comprehensive support for the displaced population and the Food Security Network and is responsible for coordinating the national system of Comprehensive Care of the Displaced Population.

RECENTLY IMPLEMENTED POLICIES

With regard to the policy framing process, mention should be made of the work carried out on early childhood and food and nutritional security. The first involves an inter-institutional effort headed by ICBF. In 2003, a group of Colombian institutions organized the first international forum "Early Childhood and Development: the Challenge of the Decade", with the aim of situating the topic of early childhood in Colombia and framing a national policy for this population group with the support of various government sectors and civil society.

In 2004 a program was drawn up to support the formulation of an early childhood policy, the product of an agreement between 19 institutions coordinated by ICBF. The aim of this programme is to help shape and redefine early childhood policy in Colombia through a joint process involving government, civil society and the international community, designed to improve the living conditions of very young children in Colombia. While the policy is intended to benefit all children under the age of six, it will be primarily focused on the most vulnerable groups. The early childhood policy in the process of being promoted draws on previous experience with regard to the framing and viability of such policies and is aimed at prioritising the specific needs of this age group.

In the second case, the formulation of the food and nutritional security policy is based on the recommendations deriving from the evaluation of the National Food and Nutrition Plan for

1996-2002. Devised by ICBF, with the support of various government bodies, this policy will be mainly aimed at ensuring that Colombian citizens in all regions have access to food in sufficient quantity and of adequate quality and is directed for the most part to people in the most vulnerable zones. The Institute is developing this policy along eight main lines: food security; consumer protection through the monitoring of food quality; prevention and monitoring of micronutrient deficiencies; prevention and treatment of infectious and parasitic diseases; promotion, protection and support of nursing mothers; promotion of health, food and healthy lifestyles; evaluation and monitoring of nutritional and food issues: and the training of human resources in nutrition and food policies.