



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

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**Responses to the list of issues and questions with regard  
to the consideration of the combined fifth and sixth  
periodic reports**

**Colombia**

## **Responses to the list of issues and questions for consideration of the combined fifth and sixth periodic reports**

### **Colombia**

#### **Legislation, national mechanism and plans for the advancement of women**

1. *Please provide information on the process of preparing this periodic report, specifying whether it was submitted to Parliament and adopted by the Government, and whether there was any interaction with non-governmental organizations and women's groups.*

The process of preparing the periodic report was as follows:

- The Committee's guidelines for the preparation of country reports were reviewed.
- A table was compiled containing the questions to be answered on the basis of the Committee's recommendations, the provisions of international instruments, the texts of the declarations and principal documents of the most relevant international conferences, and guidelines for the preparation of shadow reports.
- The information was compiled through consultative and participatory methods, in conjunction with government entities, institutions and organizations. Many reports were drawn upon for this purpose, including reports from women's organizations.
- Experts in the field were consulted. Other consultations took place with academicians, law students, Government officials, governmental and non-governmental organizations supporting particular issues and initiatives.
- The information gathered in this manner was organized by examining each of the topics in the light of advances in legislation, jurisprudence, Government practice and statistics. Points of comparison were identified between the various topics and provision was made for separate chapters to deal with certain recommendations.
- Special topics were introduced to take account of the spread of violence and to reflect situations which chiefly affect women on a national level (displacement, demobilization, gender violence).
- The report was edited by external consultants from the academic community.

In addition to reviewing the information contained in various documents and reports by the women's organizations, the Presidential Advisory Office on Gender Equality (CPEM) submitted the periodic report to them before sending it to the Committee. Additionally, between 2003 and 2006 CPEM was working to strengthen the women's organizations. This has proved to be a cornerstone in building networks to empower women through meetings of women as builders of peace and development and the Women's Community Councils. These meetings have brought together women social and community leaders from over 2,000 social organizations in the country, been a source of information about their current situation, including their weaknesses and strengths, trained them in political participation, informed

them of their civil, social, economic, political and cultural rights, and helped them to benefit from government policies and with CPEM programmes, projects and strategies for the advancement of women. Work with women's social organizations has made it possible to identify and prioritize key issues that formed the basis for preparation of the periodic report.

The Government prepared and approved the report in consultation with the various bodies mentioned above and with their participation. As already explained, civil society organizations had an opportunity to read it before it was sent to the Ministry of Foreign Affairs for submission to the Committee through the Permanent Mission of Colombia to the United Nations in New York. No procedure has as yet been developed for interaction with Parliament in the process of preparing international reports and substantiating the information contained in them.

***2. In considering the fourth periodic report, the Committee recommended that the State party should strengthen the role of the national mechanism for the advancement of women by means of a national law raising its status to that of an autonomous body with all the requisite powers and resources (A/54/38, para. 366). Please explain whether the status of "Presidential Advisory Office" guarantees that the national mechanism for the advancement of women will have these powers and resources. If not, please indicate the measures planned to ensure them.***

The Government is preparing for submission to Congress a draft Act to strengthen CPEM. The fact that CPEM is attached to the Administrative Department of the Presidency of the Republic (DAPR) is an advantage, because this has enabled it to interact quite significantly with the President, the Government and other public authorities and agencies. In 2003, the functions of CPEM were redefined by Decree No. 519 to bring them into conformity with the civil, legal and international mandates of the mechanisms established for the advancement of women. Similarly, Act 812 of 2003, by which the National Development Plan was adopted, legitimized and strengthened the coordinating role of the Presidential Advisory Office in its interaction with the other parts of the State apparatus.

CPEM is currently able to draw upon the entire DAPR structure, including its administrative and financial services, its human resources, its contracting and procurement office and other specialized units. Its work is funded by an operating and investment budget established and administered entirely by CPEM itself. During the period 2003-2006 it received financial and technical funding from a number of sources. The public sector provided 60 per cent of its total funds in the period 2003-2005; international donors, 20 per cent; and the private sector, 20 per cent. These resources were used to fund the work of the various parts of the Advisory Office and its programmes, projects and strategies, in line with its overall mission. In addition, since 2000 the Advisory Office has been able to draw upon a special fund which was established to develop a programme it coordinates to support female heads of household who are microentrepreneurs. DAPR has given this programme 3 billion pesos, enabling it to offer loans of up to 12,500 million pesos through a funding agreement with the Agrarian Bank. The agreement is renewed every year in a revolving fund arrangement.

International cooperation agencies provide financial and technical assistance for projects by engaging consultants, donating equipment and providing outright grants. Managing resources provided by international cooperation is among the

functions of the Advisory Office, in accordance with Decree 519 of 2003. The chief international agencies providing support have been the United Nations Development Programme (UNDP), the Canadian International Development Agency (CIDA), the German Agency for Technical Cooperation (GTZ), the International Labour Organization (ILO), the United Nations Development Fund for Women (UNIFEM) and the Spanish Agency for International Cooperation (AECI).

Expenditure from these resources has amounted to 18,724,000,000 pesos, including 12,117,000,000 pesos in loans from the Agrarian Bank (see annex 1, CPEM: Sources of Funding).

**3. *According to the report, the Observatory for Gender Issues is the mechanism for monitoring progress on gender issues in the legislative, administrative, judicial and statistical spheres. Please provide detailed information on its structure and operation, detailing the human and financial resources available to it. In addition, please include information on the functioning, achievements and results of the Observatory for Gender Issues in the regulatory sphere.***

*Observatory for Gender Issues/Presidential Advisory Office on Gender Equality*

*Functions:* Under Act 1009 of 23 January 2006, the Observatory for Gender Issues (OGI), which is accountable to CPEM, was established as a permanent entity and has the following broad functions: (i) to investigate and document, and to organize, analyse and generate information about the situation of women and gender equality in Colombia; (ii) to disseminate this information at the international, national and local levels; (iii) to help strengthen gender equality institutions in Colombia and to support the main gender equality policymaking body; (iv) to formulate recommendations for policies, plans, programmes, projects and standards which will help to close the gaps in gender equality in Colombia. Act 1009 also established an Inter-institutional Committee of the Observatory to coordinate its work. The Observatory came into being in May 2004, before the adoption of Act 1009, with the support of international cooperation agencies and the Government. The Observatory works in five thematic areas to which CPEM gave priority: employment and entrepreneurial development, violence against women, political participation, education and culture, health and sexual and reproductive health. These thematic areas are analysed in the light of public policies and according to regulatory, jurisprudential, statistical and administrative criteria, and are subdivided into four categories to that end: gender, ethnicity, age and geographical location. The Observatory gathers additional information from the other State entities, obtained from a variety of sources.

The Observatory is continually looking for the best tools for compiling reliable statistics and has drawn up a document entitled “Information Strategy” for this purpose. This document contains an overview of the international instruments on the protection of women and national policies, with a view to identifying the topics in each thematic area which are of greatest interest and warrant special attention. These are called “core issues”. Within these core issues, certain public trends have been identified for monitoring, and a number of indicators were formulated for the priority areas decided upon. These indicators are distributed into three follow-up categories: equality tools, Advisory Office actions and population indicators.

For regulatory follow-up, in particular, the Advisory Office relies on continuing support from the Legal Secretariat of the office of the President, which

informs it from time to time of progress in the debate on draft legislation relating to women. In addition, the Advisory Office has a direct link with Congress and is represented on the Commission of Women Parliamentarians, recently established by Congress to discuss draft laws from a gender perspective.

*Human and financial resources:* The Observatory's Inter-institutional Committee consists of: the Presidential Adviser on Women's Equality, who presides over its meetings; the Minister for Social Protection, the Ministers of the Interior and Justice, the Minister of Agriculture and Rural Development, the Director of the National Planning Department (DNP), the Director of the National Statistics Department (DANE), the Director of the Colombian Institute for Family Welfare (ICBF), the Ombudsman for Minors and the Family, the Ombudsman for the Rights of Children, Youth and Women; one representative of the academic community and a director or deputy from any organization or association representing women which has wide coverage and enjoys national and international recognition.

The Observatory works in the CPEM offices and has five work stations, equipped with computers and with access to the Internet. In accordance with the plan of work and the topics given priority ranking, CPEM regularly arranges for research and consultancy, both internal and external, in connection with specific topics and the preparation of the Bulletins. For information on its financial resources, reference should be made to annex I, which contains an itemized budget for the Observatory, in response to question 2. The Observatory is the only institution of its kind in the Latin American region, and Colombia has even been invited to turn it into a regional observatory. However, it would not have the power to require entities in other countries to supply information as it does in Colombia under Act 1009 of 2006. There are some other observatories in the region, but each of them deals with only one topic relating to women. None is working in several thematic areas at once.

*Results:* The findings of the Observatory's follow-up exercises are shown below:

#### **OBSERVATORY FOR GENDER ISSUES PROGRESS AND MANAGEMENT REPORT**

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7 Publications	Bulletin 1: Political Participation
	Bulletin 2: Family issues, Domestic and Gender Violence
	Bulletin 3: 10 years since Beijing: Progress achieved and challenges for Colombia
	Bulletin 4: Colombian women in the workforce
	Special Bulletin: Progress and management report, December 2005
	Special Bulletin: The Constitutional Court and the rights of women: a review of its judgements

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	Bulletin 7: Human Trafficking in Colombia (to be published shortly). Handbook of legal advice on the prevention of domestic violence
	Bulletin 8: Situation of indigenous women in Colombia: a case study of three areas (in preparation)
	Special Bulletin: The Supreme Court of Justice and women's rights (in preparation). <i>*Dissemination country-wide of these publications over the past three years has provided instruction for over 100,000 women, public officials, academics and sectors of civil society.</i>
5 Research	Update on the situation of indigenous women's rights in Colombia
	Gender and ethnic groups
	Quality of employment among women in Colombia
	Participation of women in the private sector workforce by comparison with men
	A gender analysis of the decisions of the Constitutional Court in matters relating to women, 1998-2004
Follow-up to the Policy for Social Re-integration	Periodic compilation of information for 2003-2005 relating to 17 indicators for the four Equality Tools
Inter-institutional Committee for the Observatory	15 August 2006: adoption of the Rules of Procedure of the Inter-institutional Committee of the Observatory

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*Observatory for Human Rights and International Humanitarian Law/President's Programme for Human Rights and International Humanitarian Law*

The Observatory for the President's Programme for Human Rights and International Humanitarian Law was set up in 1999 with a view to following up the human rights situation in the country through a public information system which would act as a tool for the formulation or adaptation of public policies in this area. The gender perspective was included from 2004, and gender-disaggregated indicators on the victims of massacres, kidnappings, victims of anti-personnel mines, and homicides, categorized according to homicides of journalists, trade unionists, mayors, members of local councils, teachers (union and non-union), appear on the webpage of the President's Programme for Human Rights and International Humanitarian Law.

**Violence against women**

4. *According to the report, some agents of the justice system "have not used the concept of conciliation adequately, misunderstanding it to mean 'reconciliation', which gives priority to preserving an ill-conceived 'family unity' and disregards*

***the protection of the victim” (p. 96). Please indicate what measures are envisaged to ensure that the agents of the national justice system correctly interpret the legal framework of conciliation, the cases in which it should be applied, and the issues that lend themselves to conciliation in cases of crimes involving domestic violence.***

The Department of Social Welfare (Capital District) has taken steps to minimize the effects of conciliation pursued without regard to the risk factors for the victims. The following measures have been taken to protect domestic violence victims and to modify the conciliation clause in the procedures for protecting the victims:

- Compilation of a list of situations defined as “intolerable” because of the grave risk for victims, who in such cases will always qualify for protective measures: victims of serious physical injury, violence in connection with the consumption of alcohol or psychoactive substances, severe psychological abuse, recurring violence, highly vulnerable victims such as children and adolescents, or adults with disabilities.
- As the law requires the Family Commissions to encourage conciliation in situations of domestic violence, a variety of approaches have been recommended. In cases where conciliation is used, the protective measures include giving a warning that if the conciliation agreement is not complied with, a fine will be imposed, and non-payment of the fine will result in arrest.

As a consequence of these agreements, Family Commissions in Bogotá increased their use of protective measures by 153 per cent between 2002 and 2005. They no longer use written agreements (*actas de compromiso*), as was done in the first few years that Act 575 of 2000 was in force.

With regard to conciliation hearings in criminal cases, it is important to distinguish between group awareness hearings (*audiencias de sensibilización grupal*) and actual conciliation hearings, two different procedures which are approached from two different perspectives in the Centres for Investigation of Domestic Violence and Treatment of its Victims (CAVIF).

The group awareness hearings are voluntary, and are designed to define the crime of domestic violence for the parties to criminal proceedings, and to give them an idea of the penalties for it and of their options from a legal point of view in order to enable them to go into the conciliation process fully informed and make their own decisions. Both victim and aggressor are given an explanation of the legislation, the rights of the victims and of the alleged perpetrators, the conduct of the criminal proceedings and the legal mechanisms involved. The victims are also told which authorities they can turn to for help.

The conciliation hearings, which are conducted by a public prosecutor, are a compulsory procedure under Article 522 of Act 906 of 2004 (the new Code of Criminal Procedure). Each case is considered on its individual merits. The parties are heard, their settlement offers are considered and the particular problems of the victim and the alleged perpetrator are discussed. If agreement is reached, a document to that effect is signed, and the case is kept on file for a specified period while compliance with the agreement is monitored.

Monitoring compliance with conciliation agreements:

- In most cases, when the period specified by law has elapsed, the complainant and/or the victim are summoned by means of a telegram to ascertain whether the accused person has complied with the agreement signed under the conciliation procedure. If it is found that the agreement has been breached, the procedure is reopened and the criminal investigation is continued. If, on the other hand, the perpetrator has complied with the agreement, the investigation is closed.
- In some police districts, the Attorney-General's Office has worked with the Family Commissions to arrange psychological treatment for domestic violence victims.
- Some local offices of the Attorney-General meet with their unit coordinators to help ensure that the conciliation hearings serve as an effective and credible means of settling disputes, and not merely a mechanism for reducing the caseload of the courts.
- The Attorney-General's Office informs victims that they have the option of applying to other bodies such as the police, the Colombian Family Welfare Institute (ICBF) and the Family Commissions for a protective measure.
- When incidents of violence recur, the police can order protective measures to help the victims.
- In some cases, when the situation warrants it, personnel trained in psychology from the Expedited Processing Services (SAU) make home visits, accompanied by a representative of the Attorney-General's Office, to ensure that the conciliation arrangement is being complied with.
- In police districts that have Investigation and Treatment Centres, conciliation agreements are followed up and monitored, especially when they contain provisions on, inter alia, special therapies, family members, alcoholism or drug addiction.

The National Justice Centres (*casas de justicia*), which are coordinated by the Ministry of the Interior and Justice, have also played an essential role in enabling the public to gain access to formal and informal justice services for the peaceful settlement of disputes.

There is also a "Strategic Plan for the Defence of Women's Rights in the Colombian Justice System". Published by CPEM in August 2006, the Plan derives from the Framework Protocol which was signed in June 2005 by the Colombian Government with the Madrid Autonomous Community, and from the Cooperation Agreement reached with the Madrid Bar Association in December 2005. The Framework Protocol was drawn up by a team of Colombian and Spanish experts who made a thoroughgoing and realistic study of women's lives in Colombia. The Plan consists mainly of 116 measures, devised by the experts as a result of their study and falling into three categories: (i) the rights of women in situations of domestic violence; (ii) a woman's rights when her marriage has broken down; (iii) protecting women from employment discrimination.

The following medium-term measures, to be implemented under the strategic plan, are directly aimed at solving the problem referred to in this question:



- Concluding inter-institutional agreements for the incorporation of teams of professionals in the various disciplines to provide appropriate ongoing support for judicial and administrative officials dealing with family matters in their efforts to ensure adequate treatment for victims of domestic disputes, especially women and minor children.
- Equipping family courts and other public agencies handling family problems with adequate premises for hearings and other procedures, in order to guarantee the right of the parties to personal and family privacy.

Lastly, draft Act 23 (2006), tabled on the initiative of the Government, acting through the Ministry of the Interior and Justice and the Office of the Attorney-General, would remove the complaint requirement with respect to the crime of domestic violence, meaning that the charges could not be withdrawn and that it would be possible to bypass conciliation. While the discussion of the draft Act continues, CPEM has been highlighting, in its various training and literacy activities, women's right to decline conciliation.

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

The Colombian Family Welfare Institute (ICBF) provides services in the National Citizens' Services Centre, which receives reports in person, by telephone and by e-mail concerning cases of domestic violence involving women and children; the reports are transmitted to the corresponding district units, where services are provided by interdisciplinary groups that receive continual training and retraining. Citizens may communicate with ICBF free of charge and from any part of the country; in addition to receiving reports, ICBF provides emergency treatment and information on the other services available. In addition, in 2003 it created the website [simelastiman@icbf.gov.co](mailto:simelastiman@icbf.gov.co), to which children, adolescents and adults may write for guidance or to report cases of domestic violence. It also prepared a proposal on specific technical policies for the treatment of victims of sexual violence.

With a view to protecting child and adolescent victims of sexual abuse and protecting their rights, two *Gesell* rooms were set up in the offices of the specialized sexual offences unit of the Attorney-General's Office in Bogotá as part of the new accusatorial penal system. In these rooms the Office's psychologists conduct the initial judicial interviews with child victims of sexual violence, which are recorded in order to prevent any subsequent abuse of the victims and to incorporate the interviews in the body of evidence to be presented at the oral hearings. ICBF also produced training manuals on the prevention, detection and handling of domestic violence, which will be tested in three pilot municipalities.

Bogotá has 27 Family Commissions with fully staffed interdisciplinary teams. There are also four doctors, who issue reports to support the decisions on domestic violence taken in all the Commissions, as well as lawyers, social workers and

psychologists, who provide back-up for the Commissioners and the basic teams. Since some of the country's municipalities are experiencing difficulties in staffing the interdisciplinary teams in the form prescribed by the regulations, draft Act 215, which promulgates the Children's and Adolescents' Code and is awaiting the President's approval, stipulates that an interdisciplinary team is mandatory in municipalities of medium and heavy population density and that in other municipalities which cannot provide the basic team, the Family Commissions are to be supported by professionals specializing in work with children and families, such as teachers, school psychologists, hospital doctors and nurses, and ICBF personnel. It also provides that municipalities may combine to establish a Family Commission.

In the Strategic Plan for the Protection of Women's Rights in the Colombian Justice System, in particular, in the chapter on the rights of women in situations of domestic violence, CPEM recommends the following measures for dealing with this problem:

- Creation of multidisciplinary teams to provide counselling for victims, which will take action in situations of domestic violence by attending to the needs of the victims themselves and members of their families; implementation of this measure is a priority for the 2006-2007 period;
- Promotion of an amendment to Act 294 (1996) to establish clearly in which cases, and on what grounds, Family Commissioners must report instances of domestic violence coming to their notice to the competent prosecution unit and to specify the civil actions that the Family Commissioners are authorized to institute.

These measures will be implemented under the Strategic Plan during the Government's four-year term of office, which began in August 2006.

The Justice Centres (coordinated by the Ministry of the Interior and Justice) have also played a fundamental role in facilitating public access to formal and informal judicial services concerned with the peaceful settlement of disputes.

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

It is important to mention that the problem of impunity in Colombia is more attributable to the structure of the judicial system than to discrimination against women. Document 3411 of the Council for Economic and Social Policy (CONPES) entitled "*Policy for combating impunity in cases of violation of human rights and international humanitarian law by strengthening the capacity of the Colombian State to investigate, prosecute and punish*" was approved in March 2006 with a view to correcting this situation. This policy had been adopted on 22 November 2005 by the Special Committee responsible for addressing and monitoring human rights violations<sup>1</sup> and is aimed at combating impunity<sup>2</sup> by overcoming the obstacles and difficulties impeding the prosecution of violations of human rights and international humanitarian law, punishment of the perpetrators and compensation of the victims.

The policy links the existing legislative framework to the existing array of organizations, practices and procedures for dealing with instances of such

violations. Furthermore, in order to ensure that the measures included in the policy are coordinated with the related strategies and action plans, prevent overlapping and duplication of effort, and encourage joint work by the bodies concerned, the policy is being coordinated with the following government plans, projects, policies and regulations: (a) the National Development Plan 2002-2006, in particular, its human rights strategy; (b) document CONPES 3172 of 15 July 2002, which sets out measures for strengthening government policy on human rights and violations of international humanitarian law; (c) the National Plan of Action for human rights and international humanitarian law; (d) the project entitled “Strengthening the justice sector in order to reduce impunity in Colombia” financed by the European Union’s office for Colombia and Ecuador; and (e) Act 975 (2005) and its regulations.

Implementation of this policy is important because of the need for the State to have an explicit proposal for strengthening the capacity to investigate, prosecute and punish violations of human rights and international humanitarian law to complement the efforts of the public authorities and the officials of the justice system, for example, the Council of State, which, pursuant to constitutional and legal mandates, is responsible for determining the State’s liability for these violations.

The policy presents an analysis of the factors associated with the problem of impunity in cases of this kind and spells out the measures needed to remedy the situation. Such measures are proposed for each of the following strategic areas: (i) institutional and organizational development; (ii) resource management, especially human resources development; (iii) protection of victims and witnesses; and (iv) specific operating conditions for investigation and prosecution.

It is also important to point out, in the light of the Special Rapporteur’s recommendation, that both the special unit on offences against sexual liberty and integrity and on training in sexual matters, located in Bogotá, and its local branches in various parts of the country (Sincelejo, Montería, Santander de Quilichao, Popayán, Villavicencio, Armenia and Pereira) are working on the issue of sexual violence.

Despite the scarcity of budgetary resources for recruiting more staff to work in this area, the special sexual offences unit of the Attorney-General’s Office has been provided with support in the shape of a sub-unit to process the backlog of cases. In Bogotá, a special domestic violence unit was created in the Office as the focal point for dealing comprehensively with this type of offence. The Office’s personnel also attend awareness-raising courses on gender issues.

In September and October 2006, a diagram was produced showing cases before the human rights and international humanitarian law unit requiring a specific gender approach, and it is hoped that a document containing this diagram and a strategic action paper will be made available.

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

Pursuant to the memorandum of understanding signed with the United Nations Population Fund (UNFPA), the Office of the Procurator-General has been carrying out measures to encourage gender mainstreaming and respect for women's rights and to promote compliance with the relevant international legislation. To this end, it published the paper entitled "Increased attention to the protection of women's rights".

**The Office also issued Directive 0009 dated 15 August 2006, which urges national, departmental and municipal authorities to act together to ensure the effective application of the principle of equality and non-discrimination, to review their knowledge of the national and international legislation, to disseminate this legislation and to take the necessary steps to secure its comprehensive application.**

With regard to the training of the military in matters of gender-based violence and the human rights of women, the Ministry of Defence, with assistance from UNFPA and on the basis of the theoretical framework formulated in conjunction with the Procurator-General's Office, has been carrying out a project dealing with the main problems and needs identified in the military and the police in the areas of gender equity and sexual and reproductive health. One of the strategies is to offer training courses to leaders and programme providers and directors in the military and the police in the design and management of programmes on sexual and reproductive rights and sexual and reproductive health.

The General Command of the Military Forces is carrying out through the Directorate-General for Military Health a programme on sexual and reproductive health, sexual and reproductive law, and equality of rights for men and women (gender equity) in the State security bodies. With a view to the implementation of this programme, the Ministry of Defence, the Commander-in-Chief of the Military Forces, the Director-General of the National Police, the Director-General for Military Health, the Director-General for Police Health, the Rector of the Military University and the representative of UNFPA signed a memorandum of intent on 31 May 2005. The purpose of this programme is to implement the sexual and reproductive health policy, with gender equity, in the military and the police in order to enhance respect for rights and fulfilment of the duty to promote a culture of peace.

The strategy for implementation of the project is based on training in sexual and reproductive health and gender equity and other approaches, programme content and subject matter through courses run by the military and police training and health services. The target population consists of uniformed military and police personnel, their beneficiaries and the civilian employees of these institutions. The budget allocated to the project by UNFPA totals US\$ 239,350 and the national counterpart contribution from the budget of the Ministry of Defence is US\$ 863,530.

The Ministry of Defence has a human rights system, headed by its human rights group, with counterparts in the military and the police in the shape of human rights offices, most of them staffed and headed by women.

In April 2006 the National Directorate for Prosecution Affairs in conjunction with its training school and in collaboration with the International Office for Migration (IOM) conducted a training seminar for 30 prosecutors and police officers (Technical Investigation Unit of the National Police) from the prosecution offices in

Cali, Bucamaranga and Medellín. This seminar was entitled “Strengthening of the investigation work of the Office of the Attorney-General with respect to offences of domestic and sexual violence” and included a programme giving special emphasis to the Convention of Belém do Pará.

The Rodrigo Lara Bonilla School for the Judiciary, in conjunction with the Higher Council of the Judiciary, has also been providing gender training for various officials (a seminar entitled “Judiciary thinking on violence against women and girls” was held on 2 and 3 November 2006 in Medellín).

Among those attending the meetings of “Women: builders of peace and development” organized in the regions by CPEM from 2003 to 2006 were Family Commissioners, judges and procurators from the Justice Centres. The training focused on domestic violence and also addressed the questions of statistics, legislation, international reports and jurisprudence. As a means of tackling the problem and involving the regions in the activities, programmes were presented on income-generation, implementation of productive projects, and education in political and civic participation. Work was also done with the Family Democracy Programme on the training of trainers in matters of domestic violence.

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

The National Institute of Legal Medicine and Forensic Sciences keeps murder statistics disaggregated by sex and age. Although no statistics on what happens to female victims prior to death in massacres have yet been compiled, the Institute has stated its readiness to furnish the necessary support for the implementation of a research project in the shape of a specific methodology so that some of the data can be obtained from the records and other documents which accompany a corpse once they have been gathered for purposes of the autopsy. The Observatory on Human Rights and International Humanitarian Law also keeps statistics on murders in general, massacres, kidnappings, accidents caused by anti-personnel mines, and murders of trade unionists and/or teachers, all disaggregated by sex.

The Colombian Government acknowledges that the compilation of statistics in this type of specific investigation is inadequate and has been carrying out measures to strengthen its observatories in this regard. It should be pointed out in this connection that in October 2006, the National Statistics Department (DANE) and CPEM held a course on gender statistics. In November 2006, the Economic Commission for Latin America and the Caribbean (ECLAC) is to furnish technical advice on gender statistics to the Observatory on Gender Matters. These measures will help to improve the research and the statistics, which are of capital importance for the purposes of specific actions tailored to the violations in question.

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

The Supreme Court of Justice has made it clear that offences against sexual freedom and integrity shall be subject to formal investigation, in which the consent of the victim in cases of rape cannot constitute a legal argument. This position was clearly stated by the Court in its rulings of 18 October 2000,<sup>3</sup> 29 September 2000<sup>4</sup> and 31 March 2004.<sup>5</sup> The Court has also stated categorically that a person who has committed a sexual offence against a child under 14 years of age may never use the argument that the victim gave his or her consent to the act. The Court handed down its *landmark* decision in this matter on 26 September 2000<sup>6</sup> and reiterated its position in several other rulings (4 February 2003,<sup>7</sup> 26 November 2003<sup>8</sup> and 7 September 2005<sup>9</sup>). The incapacity to give consent in these cases is an *irrebuttable presumption*, which may not be overruled during the proceedings.

The Observatory on Gender Matters is currently researching and preparing the publication of a bulletin on decisions of the Supreme Court in the period 1994-2006 relating to women's rights. This bulletin, which is intended for widespread circulation, will make it possible for concepts such as the ones described above to be used by officials responsible for such matters.

ICBF is currently operating a model of comprehensive treatment of victims of sexual violence which was designed and tested in five pilot municipalities; this model is also being introduced in 19 districts of Bogotá and initial preparations are being made for its introduction in more than 60 of the country's municipalities. Under the policy on prevention of domestic violence and treatment of the victims, ICBF has provided training for 322 officials in the concept of sexual violence and operation of the model of comprehensive treatment for victims.

### **Stereotypes and education**

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

In 2003 the Ministry of Education and the Office of the Ombudsman signed a memorandum of intent on the formulation and implementation of the National Education Plan for Human Rights and International Humanitarian Law, which proposes educational activities in three areas: (1) formal education; (2) non-formal education; and (3) informal education. In the first area, the Ministry designed and is now implementing — over three years — a pilot project on the exercise of human rights. This project will later be extended to the whole country. It is designed to be in schools from preschool to year 11, and to involve the whole education community — parents, teachers, administrative staff, head teachers, and pupils.

The Ministry has also published and disseminated quality standards of civilian competencies and has held workshops on this topic; these standards supplement the curriculum components on the Constitution and democracy, ethics and human values, and the social sciences. It is also carrying out a pilot project on sex education and promotion of good citizenship in seven administrative subdivisions of the country, as part of the nation's efforts to improve the people's quality of life, encourage social inclusion, find peaceful solutions to conflicts, and enhance the exercise of human, sexual and reproductive rights, especially by children and young people. It is seeking to achieve these goals by strengthening the role of the education sector in securing the introduction and sustainability of the Sex Education

Programme on the basis of a comprehensive approach to the promotion of good citizenship and the exercise of human, sexual and reproductive rights.

11. *Please indicate whether an impact assessment has been carried out to identify the main achievements and difficulties of the Ten-Year Education Plan 1996-2005 (p. 52), and whether any remedial action has been taken. In particular, please indicate the specific measures that have been implemented to eliminate stereotypes from school textbooks, which was one of the aims of this Plan, and the results achieved in that regard.*

Preschool, basic and secondary education coverage

As part of the policy of expanding the coverage of the Education Plan 2002-2006 the “Education revolution” set the target of creating 1.5 million new places in primary and secondary schools in order to increase the gross coverage from 82 to 92 per cent. The success of the strategies for expanding the coverage during the term of office of President Alvaro Uribe Vélez is reflected in the new places created in preschool, basic and secondary education. A total of 1,419,427 new places have been created (95 per cent of the four-year target): 717,462 by recruiting more staff and 701,965 by formulating and introducing flexible models of education and investing in school infrastructure. As a result, the total official enrolment increased by 27.4 per cent, from 7.8 to 9.2 million, and the gross coverage for preschool, basic and lower secondary levels from 82 to 90 per cent.

Between 2003 and 2006 a total of 559,500 new places were created for the educationally vulnerable population. In addition, in 2006 a total of 234,018 child victims of displacement (97.5 per cent of the target) were brought into the education system. The total enrolment figures for 2005 showed a slight bias in favour of boys (5,403,809) over girls (5,348,921).

The preschool, basic and lower secondary enrolment figures for the period 2002-2005 show a slight bias in favour of boys over girls. This small difference is due to the population distribution by sex and not to any restriction on access to education services, which is usually equal for boys and girls.<sup>10</sup>

The increase in the enrolment rate was slightly higher among girls than boys between 2002 and 2005 (7.7 and 7.5 per cent respectively). The enrolment of girls also increased at a higher rate than the national average, while the boys’ rate was below that average.<sup>11</sup> The tables attached as endnotes show the percentage participation by sex in preschool, basic and lower secondary education for the 2002-2005 period and analyses are made for those years of the tendency for more girls to enrol at the lower secondary and secondary levels and for more boys to do so at the preschool and basic primary levels.<sup>12</sup>

Guarantees of equality and equity at all levels and in all types and modes of education

Two main strategies for achieving a gross coverage of 90 per cent were pursued in the period 2002-2005: (i) reorganization; and (ii) allocation of additional resources to meet the needs of the vulnerable population. The purpose of the reorganization was to improve the distribution and use of the resources of the general system of participation (SGP) with a view to ensuring greater balance and

equity in the distribution of the physical, human and financial resources and optimum utilization of the installed capacity.

The local authorities have been supported by the Ministry through the education secretariats in promoting the processes of reorganization, teacher allocation, and coordination of the numerous activities.

Steps have also been taken to develop, adapt, introduce and evaluate flexible models of education,<sup>13</sup> which provide workable options for access to education services since they are tailored to the specific needs of the population in question.

The student-for-student data reported by local authorities have been used to establish the enrolment figures for each population group. It was found that, in the total enrolment of ethnic groups, the enrolment was higher among girls than boys of Afro-Colombian and Rom origins.<sup>14</sup> More boys than girls were enrolled in special education programmes. However, more girls enrolled at the lower secondary and secondary levels.<sup>15</sup> It was also found that the enrolment levels among child victims of violence generated by illegal armed groups followed the same trend as normal enrolment, i.e. more girls than boys were enrolled at the lower secondary and secondary levels.

#### Combating illiteracy, and programmes designed for this purpose

Under the literacy programme, literacy training was given to a total of 392,560 young persons and adults, both male and female, between 2003 and 2006. The Government thus achieved 98 per cent of the target of 400,000 set for this population group for the period 2002-2006.

The national programme to provide literacy and basic education to young persons and adults is a key component of the country's educational reform plan 2002-2006. The goal of the programme is to help eradicate the country's illiteracy problem which, according to the most recent census, affects 2,476,502 Colombians, male and female, over 15 years of age (which represents 8.6 per cent of this population group).

Within the public sector, three different methods are currently being used to combat illiteracy: the further education programme run by the Family Compensation Fund (CAFAM), the "A Crecer" programme and the "Transformemos" programme.

The method used by CAFAM is being implemented in 29 territorial bodies (departments or districts), as well as in 16 large towns with a registered population of 100,000. The departments of Arauca and Norte de Santander are using their own methods, which are called "A Crecer" and "Transformemos", respectively. Since its inception, the CAFAM programme has included the participation of international cooperation agencies, which have contributed technical and financial resources that have been used primarily to combat illiteracy among women.<sup>16</sup>

Between 2003 and 2005, the gross illiteracy rate and the illiteracy rate for women both fell. In 2002 and 2004 the rate was higher among women than among men, while in 2003 and 2005 the situation was reversed.<sup>17</sup>

#### Higher education

In the higher education sector, the student enrolment rate rose by 25.7 per cent, from 1,035,846 to 1,301,728, between 2003 and 2005. The enrolment rate for



women is higher than for men, remaining above 51 per cent.<sup>18</sup> Comparative enrolment rates for public and private universities during the period 2003 to 2005 show that women tend to enrol in private institutions while men prefer public institutions.<sup>19</sup> With respect to enrolments by level of education, the data indicate that more women than men choose universities and specialized courses.<sup>20</sup> Higher education enrolments broken down by subject choice for the period 2003 to 2006 show that most women choose to study in the areas of health, education, economics, administration, accounting and related subjects, social sciences, law and political science.<sup>21</sup>

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

The Ministry of Education is currently developing a draft project on sexuality and good citizenship, under an agreement with UNFPA. The pilot project includes an implicit, conscious gender focus in its overall approach to the concept of the human being.

The project aims to move beyond social policies that approach gender inequalities in terms of vulnerability or victimization and see the female population in terms of a set of problems and needs to be addressed through protection programmes, while ignoring the underlying historical and cultural causes. This "vulnerability-based" approach views women in terms of their weaknesses rather than their potential.<sup>22</sup> The project approaches the subject in the context of human rights, citizenship and cultural transformation, and regards women, young girls and adolescent girls as stakeholders responsible for shaping their own destinies.

Between 2000 and 2005, as part of its educational programming, the Colombian National Television Commission broadcast around 19 messages aimed at combating abuse of women and domestic violence and providing information about sexual and reproductive health. The messages were broadcast on stations and at times widely known to be designated for messages from the Commission. The Commission's 2007 operational plan includes provision for a research project designed to identify the image of women currently being portrayed by television, with a view to improving the quality of television and helping to eradicate sexist stereotypes.

In addition, the Ministry of Communications has drafted a sectoral policy on radio broadcasting in Colombia, which includes a component on strengthening civic responsibility that draws attention to a number of existing legal principles with which radio broadcasters, whether male or female, are required to comply with a view to affirming the social responsibilities of the medium. These principles notably include:

- The need to respect the dignity of boys, girls and young persons;
- The need to implement programmes to eradicate violence against women.

There are currently 462 community radio stations in Colombia, some of which are run either by or jointly with women's organizations. In 2004, a total of 224 civil society organizations with women members, in 224 towns, were authorized to provide this service. Also, on 14 September 2006, a national public conference was held in another 290 towns, and was widely publicized in order to encourage the participation of civil society organizations, including women's organizations, which are given an opportunity to apply to be franchisees and to serve on the programming boards established by Decree 1981 of 2003.

The Ministry of Communications is currently implementing a training plan entitled "Municipios al Dial" ("Towns on the Air") for civil society organizations that have been authorized to provide community radio services. Programme participants are given broad training on the social and cultural sustainability of community radio. The module on radio production includes a specific component on gender perspective in radio.

Under the policy on preventing and addressing domestic violence, the Colombian Family Welfare Institute (ICBF) has conducted awareness-raising programmes through the media on issues relating to domestic violence, child abuse and sexual abuse.

In 2005 CPEM conducted a radio campaign to sensitize various sectors of society to these issues and also collaborated with the national and local written media for the same purpose. Moreover, the strategic plan for the protection of women's legal rights in Colombia provides for the following measures:

- Establishing a joint programme of work for CPEM and the media aimed at fostering egalitarian values and promoting a balanced, non-stereotyped image of women which respects the country's ethnic and cultural diversity. (Priority will be given to the implementation of this programme of work during the 2006-2007 period.)
- Developing a joint national strategy with the media that would include the following activities, among others: establishing an annual prize to recognize those media that distinguish themselves for their commitment to non-violence and the drafting and implementation of national publicity campaigns on zero tolerance. (Priority will be given to the implementation of this strategy during the 2006-2007 period.)
- Encouraging research on the image of women in the Colombian media.
- Studying the possibility of preparing a best practices guide for the media that would include recommendations for preventing the sexist processing of information.

#### **Trafficking in women and exploitation of prostitution of women**

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

As a result of the agreement between the Office of the Procurator-General and IOM, training was provided to male and female officials of the Office of the Procurator-General and to staff of the institutions responsible for preventing, addressing and prosecuting trafficking in persons. Also, with IOM support and within the scope of its prevention and administrative oversight functions, the Office has introduced the following strategies for prevention and prosecution and for the treatment of victims:

- Monitoring compliance with international treaties ratified by Colombia and with domestic legislation on the matter;
- Sensitization on the issue, involving private enterprise and the financial sector;
- Collaboration with the Information and Financial Analysis Unit (UIAF) to define typologies for the prosecution of money-laundering relating to the crime of trafficking in persons, focusing on mechanisms for communicating with and alerting the banking sector.

Colombia has also been implementing a system for monitoring all State entities that are required by law to intervene in cases of trafficking in persons, under the auspices of the Office of the Procurator-General. Under this monitoring system it is possible to perform the surveillance necessary to ensure that the minimum action provided in the law for the crime of trafficking is taken, to treat each case individually and effect the necessary follow-up, and to gather information for the purposes of coordination, institutional strengthening, a better understanding of the phenomenon, and the design and formulation of public policies on the issue.

This approach has been shared with the Office of the Procurator-General of the Dominican Republic and other public officials of that country, through training workshops given by male and female officials of the Ombudsman for Children and Women in the cities of Santo Domingo, Santiago, Barahona and Juan Dolio, within the framework of the Letter of Intent signed by the Office of the Procurator-General of the Republic of Colombia, the Office of the Procurator-General of the Dominican Republic and IOM with a view to pooling their efforts to combat trafficking in persons. Training has also been given to male and female public officials and to non-governmental organizations in four countries: Bolivia, Ecuador, Venezuela and Mexico, through workshops taught by male and female officials of the Office of the Procurator-General under the auspices of IOM, the Organization of American States (OAS) and the Embassy of France.

Furthermore, by adopting Act 985 of 2005, “on measures to combat trafficking in persons and norms for the care and protection of its victims”, Colombia made significant strides in the fight against trafficking in persons, and particularly against criminals belonging to transnational networks.

It is important to stress that the offence of trafficking in persons provided for in the Act is innovative in penalizing the entire cycle or operation of trafficking in persons, eliminating consent as grounds for exemption from responsibility, and covering a range of trafficking methods such as sexual and labour exploitation, slavery or similar practices, living off the proceeds of others’ begging, and trafficking in organs, among others.

The Act created the Inter-institutional Committee to Combat Trafficking in Women and Children, which comprises 14 State entities responsible for combating

this problem. The Committee, which is headed by the Ministry of the Interior and Justice, has the status of a consultative organ of the National Government. It fulfils important functions such as the formulation of the national strategy against trafficking in persons and has been allocated certain resources which are administered by the Ministry of the Interior and Justice in its capacity as a technical secretariat, in accordance with the guidelines and programmes set out in the national strategy.

With regard to protecting and assisting the victims of trafficking in persons, article 7 of the Act stipulates that the national strategy must include assistance programmes for the physical, psychological and social recuperation of victims, which must, at the very least, provide direct and indirect assistance.

The entities that make up the Committee, especially those that have direct contact with the victims, such as the National Police, the Attorney-General's Office and the Administrative Department of Security (DAS), are thus responsible for receiving the victims, caring for them, and advising them about their rights and about the legal procedures that they must follow.

Moreover, in coordination with the full Committee, they carry out actions with various international and non-governmental organizations with a view to complementing State actions and providing victims with more comprehensive assistance services, including suitable accommodation, medical and psychological care and material support. Thus, IOM helps find emergency reception centres to provide the victims with timely assistance and assists the national authorities of other countries to arrange for the repatriation of victims from abroad.

It should also be noted that article 8 of Act 985 of 2005 provides that victims are to be associated with the victim and witness protection and assistance programme of the Attorney-General's Office. Through this programme, comprehensive protection is provided, in accordance with the procedures of the Office, to witnesses and victims of trafficking in persons and their family members to the first degree of consanguinity, the first degree of affinity and the first civil degree, and to the spouse or male or female partner, throughout the criminal proceedings, or as long as it remains justified by the risks involved.

With respect to the protection of victims of minor age, article 9 of the Act provides that ICBF shall be the agency responsible for providing the requisite care and assistance and in doing so shall take into account their degree of vulnerability, their rights and their special needs.

ICBF thus provides assistance in cases where a boy or girl is the victim of a dangerous situation. It takes over the case and takes protective action in accordance with procedures set out in the Minors' Code, always giving priority to the right of the boy or the girl to be with his or her family, provided that this is in the child's best interests. This is an administrative protection process which is headed by a family procurator and an interdisciplinary team that provides legal, social, psychological and nutritional assistance to the boy or girl and his or her family and ensures that all their rights are restored, involving actors from the national family welfare system which are constitutionally required to take part in the process.

Similarly, when ICBF assumes the protection of a male or female minor it coordinates its actions with the health sector with regard to care of boys or girls,

assuming the costs arising from that care where necessary, provided that it falls within the purview of the social security system.

In September 2006, within the framework of the comprehensive national strategy against trafficking in persons, the Inter-institutional Committee reached an inter-institutional agreement on public policy with respect to trafficking in persons in the Republic of Colombia. Key components of the strategy include prevention and training, criminal prosecution, international cooperation, protection of and assistance to victims and witnesses and the information, legislation and regulation system.

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

According to data showing arrests made by the National Police, the number of women involved in drug trafficking has been falling since 2004, when 6,867 women were involved. The total fell by 7 per cent in 2005 and, based on the 4,015 arrests made so far this year, it is expected that the total for 2006 will be about 5,353 women, which would represent a decline of 16 per cent from the 2005 level, and 22 per cent from the 2004 level.<sup>23</sup>

According to data provided by the Criminal Investigation Service, the departments in which the highest number of women were arrested between 2003 and October 2006 were Antioquia, Cundinamarca and Valle, with 5,101, 4,635 and 3,233 arrests, respectively. It should also be noted that the cities with the highest number of arrests were Medellín, Bogotá and Cali, which play a large role in drug trafficking and also include the country's main air and sea terminals. However, in these regions the number of arrests made in 2006 up to the month of October has fallen from the level for the same period in 2005: in Antioquia the number of arrests fell from 1,791 to 708, in Cundinamarca from 760 to 551, and in Valle from 867 to 525, with significant declines occurring in Medellín, Bogotá and Cali.

Causes and factors

Firstly, it is important to state that the drug trade is multinational and transnational in nature, and worth billions of pesos. All involved States share the responsibility for this trade, so it cannot be said that the problem is exclusively internal to Colombia. Women are in a vulnerable and disadvantaged situation, which makes them easy prey for the criminal networks that are involved in the trade. The lone efforts made by Colombia have received little recognition at the international level, notably from those countries that are responsible for the consumption of these substances.

There are many different causes and factors influencing women's participation in drug trafficking and associated crimes, and they may be seen within the context of the relationship between women and violence in Colombia. They include the following:

*Employment and poverty:* Women see that they are unemployed, and identify an opportunity to make a living in organized crime, in many cases starting with less serious crimes before moving on to criminal activities of a greater magnitude, such as drug trafficking.

*The violent situation:* Criminal organizations have involved thousands of Colombian families in the production, distribution and sale of drugs, involving women as minor dealers, then as drug associates abroad and then, according to the most recent extradition requests, as overseers of large quantities of illegal drugs, acting as the visible heads of these criminal organizations. Forced displacement in the context of the current violent situation is another reason why women take part in this type of crime.

### **Political and public life**

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

#### *Women's Community Councils*

The Women's Community Councils have made it possible to engage in dialogue with social and community leaders from more than 2,000 Colombian women's social organizations; to determine the women's current situation (weaknesses and strengths); and to train them in job skills and entrepreneurship, domestic violence, and political participation, through meetings organized under the heading "Women: builders of peace and development".

During the period from January 2003 to 31 August 2006, 323 Women's Community Councils were established in 323 towns located in 30 departments, and many meetings were held under the heading "Women: builders of peace and development" in order to teach women about political processes (including the threshold, the "quotient" system (*cifra repartidora*), single lists and Congressional campaigns). Since 2003, a total of 255 such meetings have been held, in more than 25 departments, attended by 22,033 women.

#### *Agreement for the effective inclusion of women in politics*

CPEM promoted the signing of an agreement for the effective inclusion of women in politics, which seeks to initiate a process of integration into the political debate which will enable Colombia to benefit from the enriching perspective of women.

The political agreement was signed on 5 October 2005 by the representatives of 16 political parties and movements at an academic forum, held at the seat of the Congress of the Republic, which included statements by the directors or representatives of the country's various political forces and the academic sector and was attended by political leaders and women's organizations. Statistical information was provided on women's political participation, the draft law creating the Observatory for Gender Issues, the international commitments entered into by the Colombian State and the need for political organizations to promote gender equity.

Under the political agreement, the political parties and movements undertook to develop five types of strategy for moving towards gender equity: political, economic and communications strategies; strategic alliances; and educational and participatory strategies. The Office of the Procurator-General recently agreed to

follow up on the political agreement within the framework of its preventive functions.

The agenda being prepared by CPEM and the Congress of the Republic includes the dissemination of the political agreement and collaboration with local women leaders at the regional level.

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

Despite the difficulties that continue to exist in Colombia with respect to achieving the adequate participation of women in decision-making, the introduction of the Quota Act (Act 581 of 2000), combined with other government initiatives, brought a notable increase in women's participation in all public offices during 2005.

*Executive branch:* In the executive branch, women's participation rose by 3.57 per cent, within agencies by 5.53 per cent, and in the National Registry of Civil Status there was a significant jump of 10.91 per cent.<sup>24</sup> Similarly, at the department level, more than 33 per cent of director-level positions in public administration are held by women.<sup>25</sup> Of the country's 13 ministries, 8 are held by men and 4 by women.<sup>26</sup> At the local level, there are fewer female governors and mayors than male; men hold about 90 per cent of all such positions.<sup>27</sup> However, the current mayor of Bogotá appointed 20 women as local mayors (for a total of 20 local mayoralties), thereby giving full recognition to women's right to govern the capital city. He also issued a compliance order to force the local councils of the towns of Rafael Uribe Uribe and Antonio Nariño to apply the provisions of the Quota Act.

The effect of the Quota Act and the significant participation of women in the executive branch are contrasted by the low participation of women in the legislative and judicial branches, as described below:

*Legislative branch:* A total of 26 women (12 senators and 14 representatives) were elected to Congress in the March elections.<sup>28</sup>

*Judicial branch:* In the judicial branch, women hold one out of nine magistrate positions on the Constitutional Court, 3 out of 23 magistrate positions on the Supreme Court of Justice, 6 out of 27 magistrate positions in the Council of State and 2 out of 13 magistrate positions in the High Council of the Judiciary.<sup>29</sup>

*Participation in elections:* Women account for 51.9 per cent of the total vote and men 48.06 per cent. In the most recent elections, held on 28 May 2006, a total of 6,161,817 women and 5,700,547 men voted. The total number of validated votes was 11,864,470.

*Participation by rural women at the decision-making level*

As far as the participation of rural women in decision-making bodies is concerned, the National Association of Rural and Indigenous Women of Colombia (ANMUCIC) currently sits on the Management Boards of the Agricultural Financing Fund (FINAGRO) and the Colombian Institute for Rural Development (INCODER). They also participate as observers in the Development Fund for Rural Women (FOMMUR).

***Local authorities in rural and urban areas having indigenous women and Afro-Colombian women members***

With the adoption of Act 581 (2000), the Administrative Department of the Civil Service (DAFP) assumed the responsibility of collecting statistics on women's participation at the decision-making level within various public bodies. The information obtained by the Department relates to women's participation in executive posts at the national level. Detailed information concerning territorial bodies is not currently available and the Department has therefore set up a pilot scheme to collate information from departmental and municipal bodies. That scheme has not yet been completed.

The Office of Ethnic Affairs of the Ministry of the Interior and Justice is also working with the Peace Laboratories, with support from the European Union, to develop and launch the Observatory for Ethnic Groups, Territories and Autonomy, which will be helpful in implementing Colombian laws, programmes and policies in support of ethnic groups, including, of course, indigenous women. The Ministry is, moreover, developing, jointly with the National Planning Department and representatives of the Afro-Colombian and *raizal* communities, the Comprehensive Long-Term Plan for the Afro-Colombian Population, one aim of which is to establish indicators relating to this group.

The Office of Political and Electoral Affairs of the Ministry of the Interior and Justice has also provided the following statistics on political participation by indigenous and Afro-Colombian women in the Congress of the Republic:

- 2002 Congress: one Afro-Colombian woman member out of a total of 28 women members;
- 2006 Congress: one indigenous woman and one Afro-Colombian woman out of a total of 26 women members.

**Employment**

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

First of all, it should be noted that all the principles enshrined in Colombia's constitutional structure may be invoked in the courts in the event of non-compliance with the established parameters.

The General Directorate of Labour Protection, headed by the Deputy Minister of Labour Relations of the Ministry of Social Protection, has conducted 29 workshops at departmental level and 2 at national level to increase understanding of the right to equal pay and non-discrimination in respect of employment or occupation. The Directorate has also produced a video and 5,000 leaflets on basic rights in the workplace, and the international agreements enshrining those rights, have been printed and distributed.

The Colombian State has also taken action to promote additional studies and research on the topic of equal pay for men and women with a view to encouraging greater efforts and activity in that regard.



In preparing the fourth report of the Observatory for Gender Issues, entitled “Colombian women in the labour force”, and formulating the Strategic Plan for the Protection of Women’s Rights in the Colombian Justice System, the situation of Colombian women in the labour force was analysed. Two research projects were commissioned and recommendations were made on action that the Colombian Government should take in order to bring about change in the situations identified by the research.

A recent study found that, between 2001 and 2004, women earned, on average, 75 per cent of the income earned by men, representing a gap of 25 per cent. The gap was higher in the informal (31 per cent) than in the formal sector (17 per cent),<sup>30</sup> as a result of which “many women consider it preferable for themselves and their families to engage in their own businesses, which allow them to create their own working conditions”.<sup>31</sup>

For the situation of women in the private sector, see the reply to question 20.

The Strategic Plan for the Protection of Women’s Rights in the Colombian Justice System provides for the following measures in the medium term:

- Possibility of publishing a guide to good practice, complete with examples and practical measures taken by Colombian and foreign businesses committed to equality and mediation;
- Incentives to negotiate collective labour agreements that are conducive to the promotion of equal opportunities for women and men;
- Instructions on how to lodge a complaint about sexual discrimination in the workplace, provided free of charge to women workers by the universities and local advisory bodies;
- Preparation and distribution of a practical guide setting out the rights of women workers and the action that should be taken if those rights are violated;
- Measures to speed up the procedure for dealing with complaints lodged by women concerning sexual discrimination in the workplace.

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

First of all, it should be noted that CPEM formulated and launched the “Women: builders of peace and development” affirmative action policy, which is linked with the seven tools of social equity that make up the Social Recovery Plan, namely educational reform, social protection, “a country of stakeholders”, social management of rural areas, social management of public services, improvement of the quality of urban life and economic progress for the benefit of all.

In his report to the Congress of the Republic on 20 July 2006, President Álvaro Uribe gave an account of the progress made and the results achieved by these measures in commenting on sustainable economic growth and job creation. Excerpts from the report appear below:

“Over the period 2002-2006, improved security, lower levels of violence, fiscal and macroeconomic stability and the implementation of short-, medium- and long-term policies constituted the pillars of economic recovery and job creation.

“The Colombian economy grew by an average of 4.6 per cent a year between 2003 and 2005, a level that has not been attained during any single government’s term of office since the 1974-1978 period. Moreover, in 2005, growth levels climbed to 5.2 per cent, the highest for the past decade, higher than average growth in Latin America and higher than in countries like Argentina and Mexico. This trend held steady during the first quarter of 2006, with growth at 5.23 per cent; and, what with growth exceeding 4 per cent for the past three years, the country has regained its highest average levels since mid-1970.

#### *Job creation*

“An assessment of the effect of the key variables on the level and quality of employment indicates that conditions are significantly more favourable than in 2002. The dynamism of the labour market over the past four years has led to a dramatic reduction in unemployment, due to the creation of 1.9 million new jobs in strategic sectors and better working conditions owing to a 2.8 per cent reduction in levels of underemployment attributable to shorter working hours. The average annual unemployment rate at the national level fell by 3.9 per cent between December 2002, when it reached 15.7 per cent, and December 2005, when it was 11.8 per cent. In May 2006, unemployment stood at 11.5 per cent, down from 15.1 per cent during the same period in 2002.”<sup>32</sup>

The “Women: builders of peace and development” policy launched by CPEM sets out five categories of activity. In each activity, CPEM carries out programmes, projects and strategies focusing on impoverished women, especially women heads of household, female entrepreneurs and microentrepreneurs and social and community leaders, and encouraging their participation in public policy and the programmes, projects and strategies of the National Government.

In the area of employment and entrepreneurial development, action to promote the generation of income, jobs and entrepreneurial development for women includes the following:

- Programme for female heads of household who are microentrepreneurs (see question 27);
- National Business Training Programme for Women (see question 27);
- Expo-entrepreneurship: National Businesswomen’s Fair (see question 27);
- Strategic Plan for the Protection of Women’s Rights in the Colombian Justice System (see question 27).

**19. *The fourth periodic report contained an analysis of the situation of women in the informal sector (CEDAW/C/COL/4, p. 100), while the most recent report indicates only that “the proportion of female heads of household in the informal sector rose from 56 per cent in 1992 to 60 per cent in 2001” (p. 65). Please provide updated and more detailed statistical information on the working conditions of women in the informal sector, and on programmes to ensure their human rights.***

Detailed statistics on women in the informal sector are presented in an Excel table in annex II to this document. The statistics cover the whole employed population, both informal and formal, disaggregated by sex according to: (a) educational level, (b) occupational status and (c) industry.

The Ministry of Social Protection is in the process of conducting more detailed studies and analyses of the behaviour of the labour market, highlighting women's contribution to the economy and social protection, especially in unremunerated work. The Ministry is also involved in the gender mainstreaming process launched by CPEM.

The Ministry has also given its support to the establishment and consolidation of Employment Observatories in various parts of the country, with a view to understanding and monitoring the labour market situation so that an unemployment policy for women can be formulated. Work is also being done on identifying and disseminating institutional offers of employment and sources of funding for work, and on following up employment programmes.

The Ministry of Trade, Industry and Tourism has set up a number of different programmes to develop instruments to facilitate the formation or consolidation of microenterprises and small or medium-sized enterprises, which contribute to the country's economic development and to job creation. These instruments are aimed in particular at vulnerable groups, such as female heads of household, displaced persons or victims of violence. The Ministry's task in this regard is to provide opportunities for female heads of household to develop sustainable income-generating schemes to help them provide for their families.

The Ministry uses some of the resources of the Fund for Modernization and Technological Development for Micro-, Small and Medium-Sized Enterprises (FOMIPYME) to co-finance, on the basis of targeted national competitions, programmes and projects aimed at creating and strengthening business units in urban areas in the trade, industrial, agroindustrial, craft, tourism and service sectors, which will benefit people who are displaced or vulnerable as a result of violence.

Taking into account the needs of this target group, the terms of reference of such competitions involve specific but more flexible criteria, directed broadly at supporting the design and execution of business plans or the consolidation, strengthening and support of production projects. Competitions are also being held jointly by FOMIPYME and the National Training Service (SENA) with a view to helping women heads of household, the aims of which include skills enhancement and the development of entrepreneurial capacities.

SENA, for its part, has implemented the following programmes:

#### *Vulnerable groups*

SENA runs a programme to support displaced or disabled women, indigenous women, female heads of household, elderly women and black women through training programmes that give them the tools required to gain better access to the labour market or to start their own businesses. The number of training places for women rose from 29,780 in 2002 to 311,174 in 2005, which represents an increase of 1,045 per cent. In July 2006, there were 255,890 training places. Over the period 2002-2006, training was given to 787,577 women with particular vulnerability, a significant proportion of them — 316,762 — being female heads of household.

#### *Promotion and entrepreneurship*

Programmes on business and entrepreneurship, which encourage the creation of enterprises, generated 2,147 jobs for women in 2003. That figure rose to 7,560 in

2005, an increase of 68 per cent. In July 2006, 1,956 jobs for women were generated.

*Government Employment Service*

Thanks to the work of the Government Employment Service, jobs were found for 20,306 women in 2002, out of a total of 125,195 that were registered. In 2005, 33,121 women out of the 198,669 registered found employment, which represents a 61 per cent increase in the job placement rate.

*Contacts between SENA and the financial system, governors' offices and municipalities and equalization funds, among others, in order to gain access to microcredit*

Over the period 2006-2010, SENA will assist mothers who are heads of household selected from the Families in Action programme to establish or improve businesses through self-employment, helping them with strategies for training, follow-up and obtaining financial grants. Launched as a pilot project in Bogotá DC in 2006, this scheme provided 300 loans; as from 2007, its coverage will be extended to Barranquilla, Cali and Bucaramanga. Eventually another six Colombian cities will be selected.

Lastly, the Strategic Plan for the Protection of Women's Rights in the Colombian Justice System recommends various medium-term measures that will help to improve the situation of women. These include action to (i) identify specific activities and pilot programmes aimed at rural women or women who have been forcibly displaced; (ii) set up programmes to promote the reintegration into the labour market of female professionals and technical staff who have been forced to give up their jobs; (iii) extend training programmes and employment programmes to rural areas and marginal sectors, tailored to women's needs; (iv) take into account gender-disaggregated data on the employment situation, including precise indicators of wages, social security and working hours, in analysing the chains of production, with a view to developing equal opportunity and other policies and programmes.

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

Although Colombia does not possess official information relating to the number of women or men in decision-making positions in the private sector (the Administrative Department of the Civil Service does not deal with data relating to the private sector of the economy), we hereby attach information compiled by the Observatory for Gender Issues from the media concerning women's participation in trade associations and a study of women's situation in the private sector. The study, which was conducted by the Hay Group and commissioned by CPEM with the backing of UNDP, obtained information from 50 national and multinational businesses and surveyed a total of 19,411 individuals, 58 per cent of whom were men and 42 per cent women. On the basis of its profile method of job evaluation, the Hay Group determined that, of five organizational levels, women were most heavily concentrated in the lower three levels — professionals (43 per cent), technical or technological staff (40 per cent) and support staff (46 per cent) — and,

in every case, they were less well represented than men. The study showed that 76 per cent of all managerial posts were held by men.

Table 1  
**Distribution by organizational level (%)**

<i>Organizational level</i>	<i>Number of staff members</i>	<i>Percentage</i>	
		<i>Male</i>	<i>Female</i>
Senior management	263	84	16
Middle management	1 641	68	32
Professional staff	4 986	57	43
Technical/technology staff	4 478	60	40
Support staff	8 043	54	46

*Source:* Research on the employment situation of women in the private sector conducted by the Hay Group.

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With regard to wage gaps, the study confirms that women's wages are lower than those of men within a range of 6 to 9 per cent, depending on the organizational level — at every level, especially in managerial posts, in which the wage gap is higher than at other levels (10 per cent).

The Observatory for Gender Issues has drawn up the following table showing the leadership of some of the country's major trade associations. For five years, Patricia Cárdenas was the only woman on the National Trade Associations Council, which is made up of the presidents of 15 associations, but Beatriz Uribe, President of the Colombian Chamber of Builders (CAMACOL), has also belonged to the Council since 2005. Other major bodies are also headed by women.

<i>Trade or business association</i>	<i>President/Chairman</i>
Association of Colombian Bankers and Financial Institutions	Patricia Cárdenas Santamaría
Colombian Chamber of Builders	Beatriz Uribe
National Association of Entrepreneurs of Colombia	Luis Carlos Villegas
Colombian Confederation of Chambers of Commerce	Eugenio Marulanda Gómez
Colombian Hotels Association	Alberto Cabal Sanclemente
Colombian Farmers' Association	Rafael Mejía López
Rice Federation	Rafael Hernández
Colombian Flower Growers Association	Augusto Solano

<i>Trade or business association</i>	<i>President/Chairman</i>
National Federation of Merchants	Guillermo Botero
Family Equalization Fund	María Claudia García
Colombian Association for the Graphic Communications Industry	María Isabel Laserna
National Newspaper Association	Nora Sanín
Leasing Federation	Maristella Sanín
Colombian Pig Breeders' Association	Claudia Velasco
Colombian Milk Federation	María Isabel Hidalgo
Colombian Savings and Housing Institute	María Mercedes Cuellar

### **Health**

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

Under the Colombian legal system, judgements of the Constitutional Court, such as C-355 (2006), have an *erga omnes* effect; they are of a universally binding nature and thus apply both to individuals and to public authorities. That was the understanding of the High Constitutional Court, when it stated: “A ruling by the Constitutional Court on the enforceability or unenforceability, in whole or in part, of provisions submitted for its consideration has the force of a final judgement, *with erga omnes effects and a universally binding nature, applying to all individuals and public authorities, without exception* [our italics]”.<sup>33</sup> The Supreme Court of Justice<sup>34</sup> confirmed the binding nature of Constitutional Court decisions, when it stated that compliance with such decisions was obligatory, that the operative part of such a decision had *erga omnes* effects and that the operative part must include the basic ruling, namely whether the provision under consideration was constitutional or not.

It follows that judges in lower courts are obliged to take into account rulings by the Constitutional Court and the Supreme Court of Justice such as those given above and to implement rulings issued by the Courts with regard to constitutionality. Moreover, if a judge does not comply with legal precedents, a person who is disadvantaged by his ruling may, by virtue of the second hearing principle, appeal to a higher court.

Lastly, with regard to the question of whether the Constitutional Court's ruling could have an impact on the possible reform of abortion laws, it should be noted that the following draft legislation is currently before the Congress of the Republic:

<i>Draft Act No.</i>	<i>Chamber</i>	<i>Content</i>
104/06	Chamber of Representatives	Establishes protection for women who are pregnant as a result of rape or artificial insemination without their consent or whose embryo or foetus may be affected by some form of disability or disease.
129 (2006)	Chamber of Representatives	Measures against the sexual exploitation of boys, girls and adolescents under 18
101/06	Senate	Contains provisions on the treatment of victims of sexual abuse or sexual assault

*NB. Colombia cannot guarantee a specific outcome for this draft legislation.*

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

#### *General Social Security System for Health*

A significant achievement was the inclusion of 7.8 million new users in the subsidized health scheme, up from the 5.9 million figure for the 1998-2002 period. During the period 2002-2006, the total number of users rose by 72.9 per cent, from 10.7 million to 18.6 million. At present, 62.7 per cent of the population is covered by the Beneficiary Identification System (SISBEN ) 1 and 2.

A total of 15.7 million users were covered under the contributory scheme; this represents an increase of 19.4 per cent over 2002. Consequently, the General Social Security System for Health covered 34.3 million beneficiaries in 2006, or 74.6 per cent of the total population, compared with 54.6 per cent in 2002.

#### *Social Welfare Programmes*

Thanks to its role in promoting equity and strengthening human capital, the social welfare programme is a very important component of the Government's social protection policy. The aforementioned four-year period witnessed the expansion of programmes aimed at providing assistance and support for girls and boys, adolescents, adults and the elderly and protecting their rights.

The coverage of programmes such as School Restaurants and Families in Action was extended, the coverage of Welfare Homes was maintained, and the Children's Breakfast programme and a new modality for elderly care were launched. As a result, more than 6 million boys and girls and around 595,400 adults and older

adults benefited from social welfare programmes. In total, between 2002 and 2005, the Colombian Family Welfare Institute (ICBF) expanded its services by 60.7 per cent (3.7 million additional beneficiaries) in its various programmes and services, for a coverage of 9.9 million persons in 2005. In 2006 thus far, the Institute has provided assistance to 6.3 million beneficiaries.<sup>35</sup>

*Programmes implemented jointly with the Office of the Adviser for Special Programmes*

Under the National Sexual and Reproductive Health Policy of the Ministry of Social Protection, the Presidential Advisory Office for Special Programmes (CPPE) has developed a programme on the promotion of rights and peacebuilding networks. The overall objective of the programme is to help prevent child and teen pregnancy and promote their right to sexual and reproductive health at the departmental and municipal levels, through social mobilization, institutional strengthening and improvement of living conditions. The specific objectives of the programme are:

- To promote, at the departmental and municipal levels, the design and implementation of municipal intervention plans to counteract the risks associated with high fertility rates among girls and adolescents and to promote their right to sexual and reproductive health;
- To improve civil and vital statistics registry systems in the departments and municipalities targeted by the programme;
- To create and build social support networks comprised of institutions, community workers and family members, who would be responsible for implementing the various components and strategies of the National Sexual and Reproductive Health Policy relating to the prevention of child and teen pregnancy;
- To train local and departmental multipliers to manage the basic conceptual frameworks for sexuality and sexual and reproductive health;
- To help local microenterprises generate income for families and young people through the social support networks, as a poverty reduction strategy.

This programme has several components, including social mobilization, institutional strengthening and improvement of living conditions. Nine projects are currently under way, as follows:

- Project on follow-up to 102 municipal intervention plans, through strengthening of local decision-making capacity and use of the programme's follow-up tool in municipal social support networks;
- Project Antioquia, currently covering 78 municipalities, co-financed with departmental resources;
- Project Bolívar, in 25 municipalities, co-financed with departmental resources;
- Project César, in 15 municipalities, co-financed with departmental resources;
- Project Santander, with 18 municipalities, co-financed with departmental resources;



- Project Choco, in 6 municipalities, co-financed by the Sexual and Reproductive Health Fund for Choco and by the United States Agency for International Development (USAID);
- Project on services for displaced young people and strengthening of social support networks in 10 municipalities, financed with resources from the general national budget;
- Pilot project on trafficking in persons in the municipality of Palmira, Valle, financed with IOM resources; and
- Project on a comprehensive response to the sexual and reproductive health needs of displaced adolescents and young people, financed with USAID resources and operated by IOM.

The programme also provides technical coordination support for the project on gender equity and sexual and reproductive health in the Colombian military and police forces, a project that is co-financed by UNFPA. The project is designed as a response to the main risk factor identified during the pilot project conducted in 26 municipalities in 2004, namely, the presence of legal and illegal armed actors in the municipalities.

*Some of the qualitative results of programme components are:*

*a. Institutional strengthening*

- Establishment of a cultural centre and offices to offer young people guidance on sexual and reproductive health;
- Establishment of vital statistics committees in departments and municipalities;
- Establishment of technical teams in the departments, with a view to broadening their view of the overall issues and enhancing their planning capacity;
- Streamlining the supply of departmental services to support project components: SENA, ICBF, Secretariats of Health, Education, Agriculture and Social Development;
- Use of programme methodology in applying the social policies of the department;
- Implementation, between May 2004 and July 2006, of 102 municipal intervention plans set up by the social support networks;
- Formulation of 41 new municipal intervention plans, beginning in March 2006.

*b. Social mobilization*

- Placing the issue on municipal public agendas;
- Social mobilization of young people and parents to deal with the risks associated with high fertility rates among adolescents;
- Adoption of the IEC strategy as a tool for developing values through responsible transmission of information and communication on specific aspects of the issue;

- Changing myths and taboos and measuring the effect on the reduction of domestic and family violence;
- Managing resources and building strategic partnerships between municipalities;
- Involving law enforcement authorities in developing a response to the situations encountered;
- Involving representatives of neighbourhood stores (*tiendas de barrio*) and community action boards in information and educational activities of the project;
- Organizing security teams (*frentes de seguridad*) with adolescents;
- Setting up a complaints box, to guarantee the safety of persons bringing complaints;
- Involving certain rural municipalities in the project;
- Developing partnerships with national sexual and reproductive health programmes, in certain municipalities, such as the Global Fund Programme, the Peace Programme for the Middle Magdalena region, Families in Action and Youth in Action and the Red Cross;
- Lighting campaigns in high-risk areas, to be promoted by adolescents and their families.

c. *Improvement of living conditions*

- Opening up opportunities for dialogue at the local level;
- New services in the areas of health, education, culture, recreation and safety, tailored to the risks identified;
- Expansion of ICBF youth and teen clubs; subsidies for eleventh grade students to start higher education; primary and basic secondary schools, coverage of adolescents and their families by the General Social Security System for Health (SGSSS), projects aimed at restoring the rights of girls in vulnerable situations;
- Joint design and financing of the municipal intervention plan by municipal administrations;
- Opening up and proper use of spaces for cultural activities and gatherings;
- Training to develop entrepreneurial skills, through the experimental laboratory on socio-entrepreneurial organization (LEOS), under the guidance of SENA;
- 857 business plans to support income-generating microenterprises operated by the social support networks, for 2,745 beneficiary families;
- Technical and financial support to be provided by the Agrarian Bank to microenterprises and individual and collective micro-undertakings.

**23. *The report identifies the following problems: inequality in access to prenatal services for mothers in rural areas and with low levels of education (p. 78); the high rate of fertility among displaced adolescents which is 10 percentage points higher than the national average; and a 60 per cent unmet demand for***

***contraceptives (p. 79). Please indicate what measures are planned to deal with this situation; if measures have been implemented, please describe the results.***

Please refer to question 22, concerning the results of the sexual and reproductive health programme relating to the issue of high fertility rates among displaced adolescents and inequities in the provision of prenatal services for mothers in rural areas. The following actions have also been carried out to address the unmet demand for contraceptives:

**Institutional mass media campaign entitled “Do you have it? Do you use it?”** (2005), which provides specific content on HIV/AIDS and information on the safe blood strategy. The campaign focuses on the routine use of condoms as an effective tool for birth control and for safe and responsible sex, with a view to breaking down the social perception that AIDS is something that happens to other people. There are four TV spots, four radio spots, three posters and four brochures on HIV/AIDS prevention, and one TV spot, one radio spot, one poster and one brochure promoting blood donation for charitable purposes.

In the context of the project entitled “Social mobilization for safe sex in Bogotá”, a mass marketing campaign was designed and implemented to promote the use of condoms, provide information on sexual and reproductive rights and ensure free distribution of condoms, through counterparts in the sexual and reproductive health programmes of government social institutions.

During the period 2000-2005, progress was made in specific regions, including through educational campaigns and projects, specific prevention projects among high-risk populations and condom distribution. The office of the governor of the department of Valle signed an agreement with the international non-governmental organization Aid for AIDS to carry out educational programmes for children, adolescents and the community at large, in coordination with existing health agencies and through strategic partnerships with regional NGOs. In the context of actions aimed at preventing HIV/AIDS in Bogotá, an HIV/AIDS prevention and control plan was drawn up which included four lines of work (promotion, prevention, health services, and surveillance and research); free distribution of 2.2 million condoms in conjunction with communications and teaching activities, the supply of 100 anatomical models for use in teaching proper use of condoms, and participation, advice and intersectoral coordination for the planning and organization of the second youth fair entitled “*Jóvenes Con-sentidos*”, focusing on sexuality as the main theme.

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

Some of the best practices in regard to HIV/AIDS in Colombia are listed below; these have to do with access to antiretroviral treatment, special care for pregnant women and care for displaced and indigent persons.

(A) The initiative entitled “Por una Guajira libre de SIDA” (“For an AIDS-free Guajira”) developed by the Carbones del Cerrejón company with the support of Universidad del Norte, the François-Xavier Bagnoud Foundation and the Departmental Secretariat of Health, has for three years carried out a comprehensive programme aimed at reducing the rate of HIV infection in the Department of Guajira. This has been done through promotion and prevention activities carried out within the organization and in different Guajira municipalities. In the context of the internal programme, an interdisciplinary team was set up and trained, a zero-prevalence study was conducted among the working population, a communications strategy was designed and implemented, and the tradition of observing of World AIDS Day was established. The programme was carried out within the framework of the project entitled “Promotion of a healthy lifestyle”. A comprehensive programme was implemented that allowed for significant progress to be made in the dissemination of information on HIV/AIDS prevention among local communities. Training was offered to 102 health professionals and 148 community leaders/trainers, who in turn organized similar workshops for their peers. A communications strategy was developed and implemented, follow-up visits were carried out in 15 municipalities, and 200 surveys were conducted at the beginning and the end of the programme. The programme’s activities included 730 prevention workshops in 15 municipalities of the Department of La Guajira which impacted 23,287 direct beneficiaries and 116,435 indirect beneficiaries. The second phase of the programme is currently under way; this entails following up the work already done, broadening the dissemination of information in the region and raising awareness among pregnant women of the importance of being tested for HIV/AIDS.

(B) The National Initiative on the reduction of vertical transmission of HIV in Colombia, which received financial support from the European Commission, was carried out between April 2003 and February 2006 by a partnership made up of the Joint United Nations Programme on HIV/AIDS (UNAIDS), the National Health Institute and the Federation of Hospital Cooperatives (FEREDSALUD). The project was based on the experience gained from seven regional initiatives supported by UNAIDS from 1999 to the present, during which 16,000 diagnostic tests were carried out among pregnant women. The project was implemented in 912 municipalities in 33 departments; the activities are carried out in 1,246 health institutions. Fifty-four training workshops were held, and they were attended by approximately 3,500 health-sector professionals. Twenty cooperation agreements were signed between the project and departmental governments. As of December 2005, the acceptance rate of the diagnostic test was reported at 85 per cent. Up to February 2006, 371,425 Elisa tests for HIV had been conducted for pregnant women; 854 women, or 0.2 per cent, were diagnosed HIV positive. Eighteen per cent of the pregnant women diagnosed were under 20 years old at the time they were tested, and 89 per cent were housewives. The national and departmental governments are committed to pursuing the strategy nationwide on a priority basis. It has gradually been adopted by private insurance companies.

(C) Case study and educational intervention among indigenous communities in the department of Amazonas, carried out in 2001, involved conducting research on four key cases reported in the municipalities of Leticia, Tarapacá and La

Chorrera, and implementing an educational strategy that benefited 320 people, including community leaders and health and education workers. Between November 2003 and July 2004, an exploratory study and a preventive programme were carried out among indigenous communities in the Cauca region. The work was initially coordinated with public health officials, health officials of the regional indigenous council of the Cauca region (CRIC), and community leaders of selected towns (*cabildos*). Six two-day workshops were first held with promoters, both men and women, who subsequently facilitated the dissemination of the information, both formally, through workshops, and informally, through visits to families in the *cabildos*. In the first workshops, queries were made regarding sexuality in the indigenous communities, in an effort to develop a baseline for identifying key issues. Subsequently, nine additional workshops were held which were attended by participants from various ethnic communities. The activities covered a total population of 597 participants, 389 women and 268 men, with the women participating actively in all the different groups.

(D) A “Sexuality Fair” was carried out among young people in three municipalities along the border of the Colombian Amazon region, which is a remote and extremely poor region. This activity was designed to change attitudes and develop skills for the prevention of HIV and other sexually transmitted infections (STIs), as well as to promote sexual and reproductive health among 1,600 young people in these municipalities through entertainment and artistic activities, featured at four fairs, each lasting two or three days. This innovative and creative methodology encouraged young people to participate actively and brought to light the differences in the approaches, vision and participation of settlers and indigenous youth. Games, carnivals, drama, plastic arts and education by peers are alternative educational strategies that work well in prevention efforts with young settlers and indigenous youth. Including young leaders in the training, planning and implementation of the programme helped them develop key leadership skills for peer education. Taking innovative prevention strategies to remote and hard-to-reach regions has a positive impact in terms of the risk factors to which the youth living in these regions are exposed.

(E) Pilot project on sexual and reproductive health, STIs and HIV/AIDS among youth between 10 and 24 years of age (Montería) Córdoba. IOM carried out a pilot project on construction of a multisectoral response in sexual and reproductive health, with emphasis on prevention of and services relating to STIs/HIV/AIDS among adolescents and internally displaced young adults living in Montería. The project was financed through IOM fund 1035 and was implemented by the School of Gender Studies at the National University of Colombia and Profamilia, with support from the Country Coordinating Mechanism, which develops and submits grant proposals to the Global Fund To Fight AIDS, Tuberculosis and Malaria. The project entailed carrying out sensitization and training activities for formal and informal authorities at the local level, for local health and education teams, and for displaced youth living in the municipality of Montería. The overall goal of this project is to reduce the vulnerability of these young people to STIs, HIV and AIDS through a comprehensive approach focusing on human rights and with special emphasis on sexual and reproductive rights and gender equity. This pilot project was carried out in the context of the framework project known as the Colombia Global Fund project, under the sponsorship of the Global Fund To Fight AIDS, Tuberculosis and Malaria.

(F) Project Colombia: The project seeks to consolidate a multisectoral response in the area of sexual and reproductive health, with emphasis on STI/HIV/AIDS prevention and treatment among internally displaced adolescents and young adults in Colombia, financed by the Global Fund To Fight AIDS, Tuberculosis and Malaria, began activities in May 2004. The project is directed and coordinated by the Country Coordinating Mechanism (CCM), which is presided over by the Ministry of Social Protection; it involves the participation of government agencies, cooperating agencies of the United Nations System, and representatives of civil society, including persons affected by HIV. The objectives of the project are to strengthen the social response and intersectoral coordination at the municipal level, improve access to and quality of sex education services, provide sexual and reproductive health services to young people and adolescents, and train and empower adolescents and young people who have been internally displaced. The implementation phase began in January 2005 in 16 municipalities, and in January 2006, it was extended to the remaining 32 municipalities of the 48 targeted by the project.

#### **Vulnerable groups of women and rural women**

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

One of the duties of the Office of Ethnic Affairs of the Ministry of the Interior and Justice is to help the national Government draw up policies for the recognition and protection of ethnic and cultural diversity. In this regard, it has carried out several activities, including a project on the drafting of policy guidelines for indigenous peoples through consultations with indigenous communities and organizations. Also, in conjunction with the National Planning Department and delegates of African descent, it is drawing up the comprehensive long-term plan for the Afro-Colombian population. The plan incorporates gender mainstreaming and, in particular, focuses on human rights and international humanitarian law. This comprehensive plan is currently under discussion with different national entities and will subsequently be discussed with civil society.

The project on the design of policy guidelines for indigenous peoples is aimed, inter alia, at implementing guidelines that take into account the special needs, expectations and rights of indigenous peoples while at the same time addressing issues relating to gender, region and age differences.

The development plan for the Afro-Colombian population is directed at all persons of African descent who live in Colombia, and it covers all the issues and areas of interest that are key to the development of this population. It is a long-term plan, as it is projected to run until 2019.

One of the objectives of this project is to improve conditions for Afro-Colombian women, so that they can become self-reliant and participate in decision-making, and thus contribute to the development of their communities, promoting gender equity and women’s empowerment and eliminating disparities in primary and secondary education.

In addition, the Ministry of the Interior and Justice, through the Office of Ethnic Affairs, is participating actively in consensus-building efforts currently under way with a view to drawing up the national plan of action on human rights and international humanitarian law, which includes a track focusing on the fight against discrimination and for the promotion of identity. In particular, this track targets the population of African descent, the raizales and the Rom (Gypsies) peoples.

**26. Please provide detailed information on the impact of the armed conflict on women, such as the scale and consequences of the displacements, and changes in family life. Please indicate existing or planned measures to help women who have been affected.**

Forced displacement

Of the households included in the National Register of Displaced Persons between 2003 and June 2006, a total of 62,184 are female-headed and 58,669 are male-headed. The Social Solidarity Network estimates that out of the total of households included in the Register, approximately 25,032 have returned to their areas of origin, with the largest number returning (8,463) in 2005. To combat the phenomenon of forced displacement, the National Government has initiated the Democratic Security Policy, Economic Recovery Policy, and Social Recovery Plan, as well as the Affirmative Action Policy for women. The 2006 General Report submitted to Congress by President Álvaro Uribe Vélez had this to say on the question:

“The worsening of the violence that broke out in mid-1980 in a culture of lack of respect for fundamental rights, put the country, by 2002 in an extremely complex situation as regards violation of human rights by illegal armed groups and criminal organizations of various kinds. In response to this situation, the National Government included in the National Development Plan 2002-2006 a strategy designed to prevent, reverse and mitigate the effects of the violence on the civilian population, in particular with regard to forced displacement, terrorism against civilians, the use of anti-personnel mines and the selective harassment of leaders. Additionally, as a part of this strategy, steps have been taken to disseminate information on and promote human rights and international humanitarian law, and to comply with international commitments in this field.

One of the Government’s most significant achievements overall, the result of a combination of steps taken with regard to security, social policy and economic recovery, is the reduction in cases of forced displacement, which peaked at more than 92,000 households in 2002, and then went down to fewer than 37,000 in 2005. The information reported up to June indicates that this reduction will continue in 2006. Of particular significance is the declining growth rate of this phenomenon over the four-year period — from an average increase of 274 per cent between 1999 and 2002 to a 24 per cent annual decline between 2002 and 2005. From this information it can be said that in total the displacement of 207,000 families was averted during the four-year period, since if the growth trend had remained the same, the total number of displaced families would have reached 330,000.

Together with this reduction, it is worth noting the results of the programmes to return displaced families and provide emergency assistance to

the victims of this scourge. From August 2002 to June 2006, 28,534 families (118,323 people) returned to their places of origin after having been driven out either as part of a mass expulsion or individually. This meant that the rate of attainment of the goal of returning 30,000 families over the four-year period was 95.1 per cent. With regard to emergency assistance, kits to meet basic food, health and lodging needs were provided to 172,418 families who had been victims of displacement (86.2 per cent of the commitment for the period).

Together with this reduction, in response to decision T-025 (2004) of the Constitutional Court, the National Government in 2005 issued document 3400 of the Council for Economic and Social Policy (CONPES 3400) which strengthened the policy of a comprehensive approach to the whole issue of displacement, through harmonization of government efforts on three fronts: prevention and protection, emergency humanitarian assistance and socio-economic stabilization. As a result, between 2003 and 2006 such significant results were reached as the affiliation of 259,110 people with the subsidized health scheme, the addition of 164,425 children and young people to the educational system, the incorporation of 63,416 families into the Families in Action programme, the provision of 27,458 subsidies for low-income housing and support amounting to 5,059,000,000 pesos in production loans to families who had suffered, among other measures. To fund these achievements, it was necessary to increase the fiscal effort between the fiscal years 2003 and 2006. Investment during this period amounted to 1.7 trillion pesos in 2005 terms, three times the resources allocated between 1995 and 2002 (566 billion pesos in 2005 terms).”

Further, the Observatory for Gender Issues has monitored, from a gender perspective, the Equality Tools that form part of the Social Recovery Plan and are used to assist the displaced population. According to data from the National Register of Displaced Persons held by the Social Solidarity Network, in the period from 2003 to June of 2006 a total of 261,046 women were helped by the assistance programme for the displaced population.

Also, as part of the functions of the Presidential Advisory Office on Gender Equality (CPEM), a cooperation agreement was signed in August 2006 between the Administrative Department of the Office of the President of the Republic (DAPR), represented by CPEM, and the Representative of the United Nations High Commissioner for Refugees (UNHCR) in Colombia. The objectives of the agreement are on the one hand to develop activities for gender mainstreaming in the public policies on prevention of displacement, and assistance to and protection of displaced persons, and, on the other, to promote active participation by displaced women and men in the programmes, projects and strategies driven by the National System of Care for the Population Displaced by Violence (SNAIPDV), CPEM and UNHCR. In the context of this agreement, a consultant was hired to design gender-sensitive guidelines for the displaced population, that will be adopted and subsequently validated by the SNAIPDV.

### Demobilizations

Presidential Decree 3043 of 7 September 2006 gave rise to the creation of the High Commission for the Social and Economic Reinstatement of Armed Insurgent Individuals and Groups. The Programme for Demobilization and Integration into Civil Society (which formerly held this responsibility) was able to guarantee



humanitarian assistance to more than 2,600 women, the partners of former combatants, who have received help in areas such as physical security, housing and food, as well as psychological and social counselling appropriate to their needs, with an emphasis on treatment and guidance in settling disputes arising out of domestic abuse and counselling to help them fulfil their role as the mothers of their family. In this context, workshops have been carried out to provide psychological and social assistance to women, and these have opened up opportunities for debate on respect for, and integrity of, women in a common-law relationship, together with their family group.

#### Protection measures

The Ministry of the Interior and Justice is running a programme of protection for union leaders, political groups, social organizations, human rights NGOs, leaders and members of the Patriotic Union and the Communist Party (UP-PCC), journalists and social communicators, mayors and mayoresses, councilmen, deputies, eminent personalities, medical missions and male and female leaders of organizations for displaced persons and ethnic groups. The protection measures that are offered include the installation of armour-plating, mobile protection systems, tickets for international travel and bullet-proof jackets. Other forms of support offered include temporary relocation, moving to a different home, tickets for domestic travel and communications equipment. Between January and the end of March 2006, a total of Col\$ 11,138,930,183 was allocated to protection measures. Although the information provided by the Ministry is not gender disaggregated, the measures are granted without discrimination against women or men in these risk situations.

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

##### *Programme for female heads of household who are microentrepreneurs*

In the implementation of the Programme for female heads of household who are microentrepreneurs, 5,973 microloans have been disbursed, totalling Col\$ 12,117,228,000 (approx. US\$ 5,236,485), through the Agrarian Bank.<sup>36</sup> These loans have benefited 5,973 women directly and, indirectly, 23,892 female heads of household from whose work an average of four people benefit. The programme has helped to encourage the payment culture, promote the use of the banking system by the less well-off population that traditionally takes recourse to moneylenders, generate income and jobs among female heads of household, lay the foundations for an entrepreneurial culture among women of limited resources, and reduce poverty. Microfinance instruments are equality and poverty reduction tools, according to Nobel Peace Prize winner, Muhammad Yunus of Bangladesh, whom CPEM invited to a forum attended by more than 470 female heads of household or other entities in October 2006. This programme supplements the microloans negotiated through the financial system during the four-year period, which have assisted both men and women.<sup>37</sup>

##### *National Business Training Programme for Women (PNC)*

**Female heads of household who are microentrepreneurs have received training in areas such as women’s labour situation, lines of microcredit, payment culture, entrepreneurial management, business plans, technical training and cooperativism, by means of the National Training Service (SENA),**

**the ILO-Colombia framework agreement, the inter-institutional timetable agreed with the National Administrative Department for Mutual Economic Support (DANSOCIAL) and the Javeriana, Externado, Inpahu, Military and Antonio Nariño universities. The training is given in the form of free business clinics that also assist in laying the groundwork for targeted business operations that will prevent women-owned microenterprises from failing and disappearing in their first years of operation, as has traditionally happened in the country. Under this plan, 21,477 female heads of household who are microentrepreneurs have received training, which has been of indirect benefit to 85,908 people between 2003 and 2006.**

*Expoempresaria — National Businesswomen's Fair programme*

The programme has been executed over three consecutive years, on the basis of annual agreements between the Administrative Department of the Presidency of the Republic, represented by CPEM, and the Colombian Confederation of Chambers of Commerce (CONFECAMARAS), with the support of various public bodies and private companies. The chart in the notes below provides indicators on the three Fairs held.<sup>38</sup> The programme supports selected exhibitors who are participating in the Fair for the first time, subsidizing 97 per cent of their participation expenses. The programme has given visibility to 7,661 women microentrepreneurs from 25 departments working in five different productive sectors; it has helped to strengthen their entrepreneurial activities and to generate income and jobs, primarily of benefit to other women: the exhibitors report that they have generated an average of four jobs each at the Fairs with 82 per cent of them going to women.

**Optional protocol**

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

By Act 984 (2005), the Congress of the Republic adopted the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women. In turn, the Constitutional Court, in its constitutional decision C-322 handed down on 24 April 2006, declared this law to be enforceable. The instrument of ratification is currently being prepared by the Ministry of Foreign Affairs and the Legal Secretariat of the Presidency of the Republic.

*Notes*

<sup>1</sup> Established by Decree 2429 of 1998. This Committee is presided over by the Vice-President of the Republic and comprises the Minister of the Interior and Justice, the Attorney-General, the Procurator-General, the Ombudsman, the President of the High Council of the Judiciary, the Director of the Presidential Programme for Human Rights and International Humanitarian Law, the Director of Justice and Security at the National Planning Department and a representative of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Colombia. The Committee has been charged with: (a) expediting the adjudication of matters relating to human rights violations; (b) coordinating investigations and monitoring their progress; and (c) reporting on the results of those actions.

<sup>2</sup> Impunity “means the impossibility, de jure or de facto, of bringing the perpetrators of human rights violations to account — whether in criminal, civil, administrative or disciplinary proceedings — since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty, sentenced to appropriate penalties, and to making reparations to their victims”. See: Joinet, Louis. Final Report of the Special Rapporteur on the question of the impunity of perpetrators of human rights violations (civil and political). E/CN.4/SUB.2/1997/20/Rev.1.

<sup>3</sup> Legal classification: Nullification. Date: 18 October 2000. Reporting judge: Jorge Aníbal Gómez Gallego. Record No. 178. Criminal Appellate Division.

<sup>4</sup> Supreme Court of Justice. Judgement of nullification. 29 September 2004. Reporting judge: Hermán Galán Castellanos. Trial No. 21939. Criminal Appellate Division.

<sup>5</sup> Legal classification: Nullification. Date: 31 March 2004. Reporting judge: Jorge Luis Quintero Milanés. Trial No. 17398. Criminal Appellate Division.

<sup>6</sup> Supreme Court of Justice. Judgement of 26 September 2000, finding No. 13466. Reporting judge: Dr. Fernando Arboleda Ripoll.

<sup>7</sup> Supreme Court of Justice. Judgement of nullification. 4 February 2003. Reporting judge: Jorge Aníbal Gómez Gallego. Trial No. 17168. Criminal Appellate Division.

<sup>8</sup> Supreme Court of Justice. Judgement of nullification. 26 November 2003. Reporting judge: Hermán Galán Castellanos. Trial No. 17068. Criminal Appellate Division.

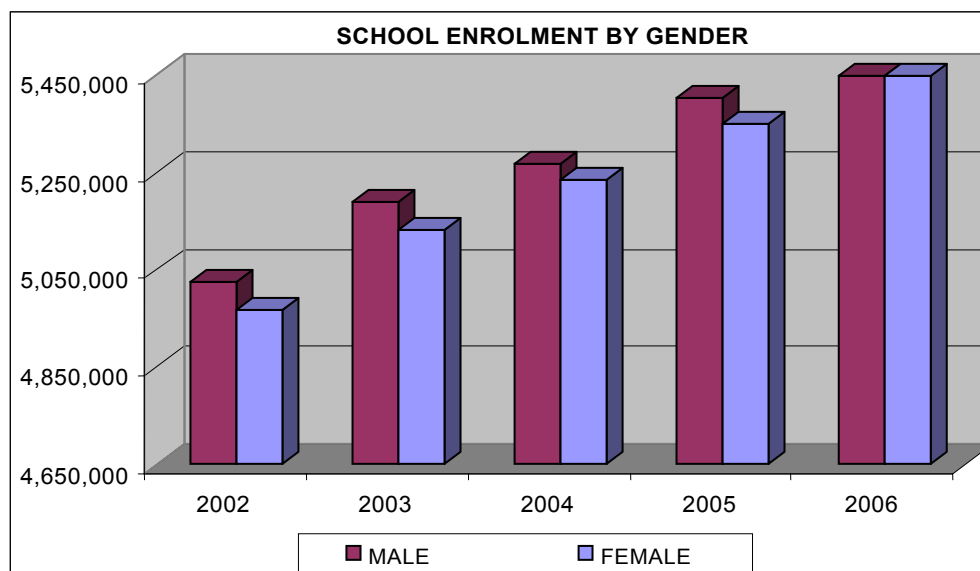
<sup>9</sup> Supreme Court of Justice. Judgement of nullification. 7 September 2005. Reporting judge: Jorge Luis Quintero Milanés. Trial No. 18455. Criminal Appellate Division.

<sup>10</sup> TOTAL SCHOOL ENROLMENT BY GENDER 2002-2005

<i>Year</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
2002	5 025 888	4 968 516	9 994 404
2003	5 191 298	5 132 284	10 323 582
2004	5 267 125	5 234 834	10 501 959
2005	5 403 809	5 348 921	10 752 730
2006 (*)	5 615 457	5 558 419	11 173 876

*Source:* Ministry of National Education, Planning and Finance Office.

(\*) Projection based on enrolment reported as at 30 August 2006. Information under review.



2006 — Projection based on enrolment reported as at 30 August 2006. Information under review.

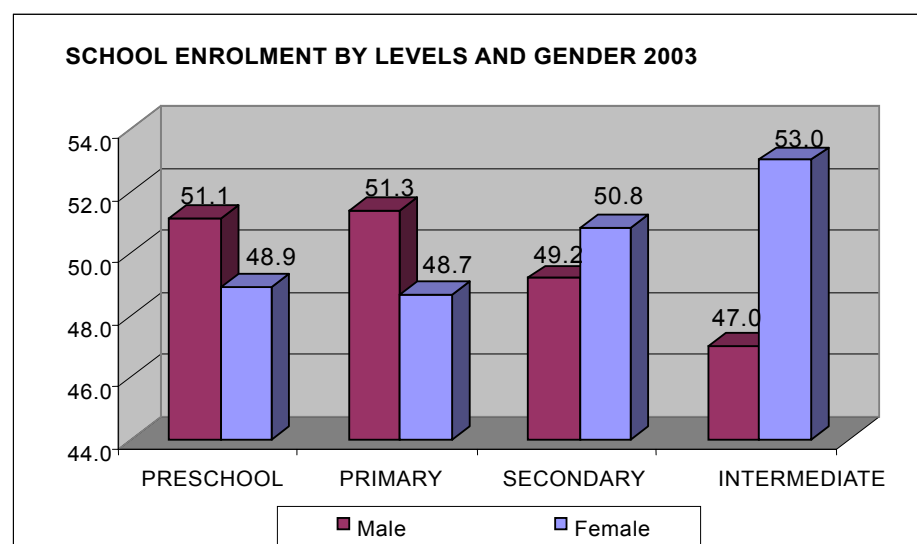
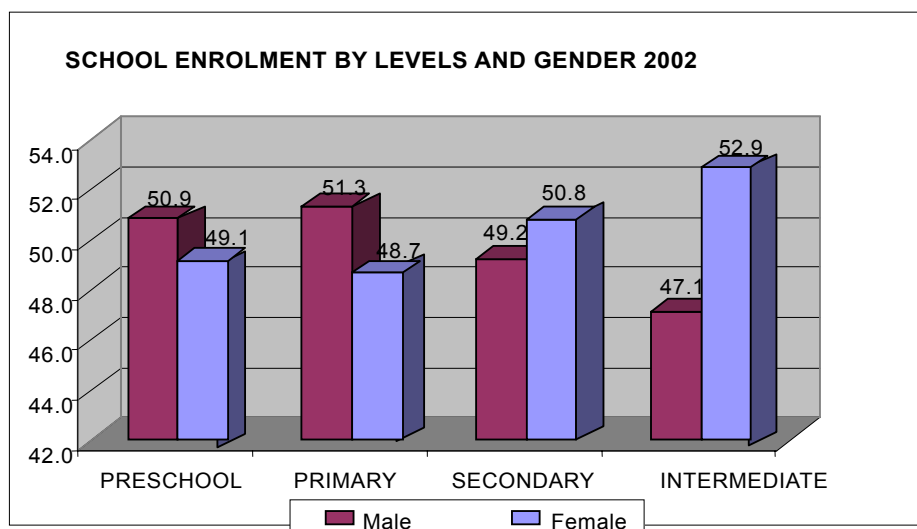
<sup>11</sup> PERCENTAGE INCREASE IN SCHOOL ENROLMENT BY GENDER 2002-2006

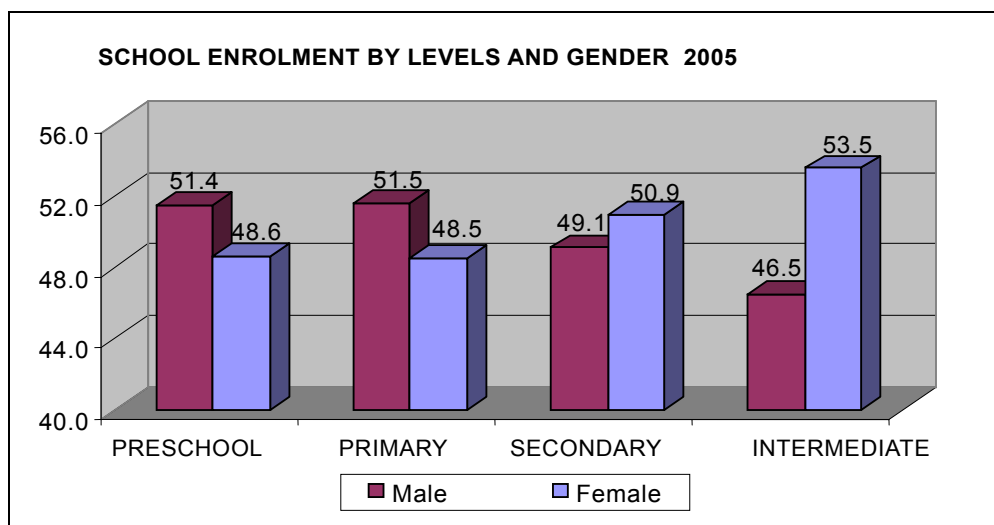
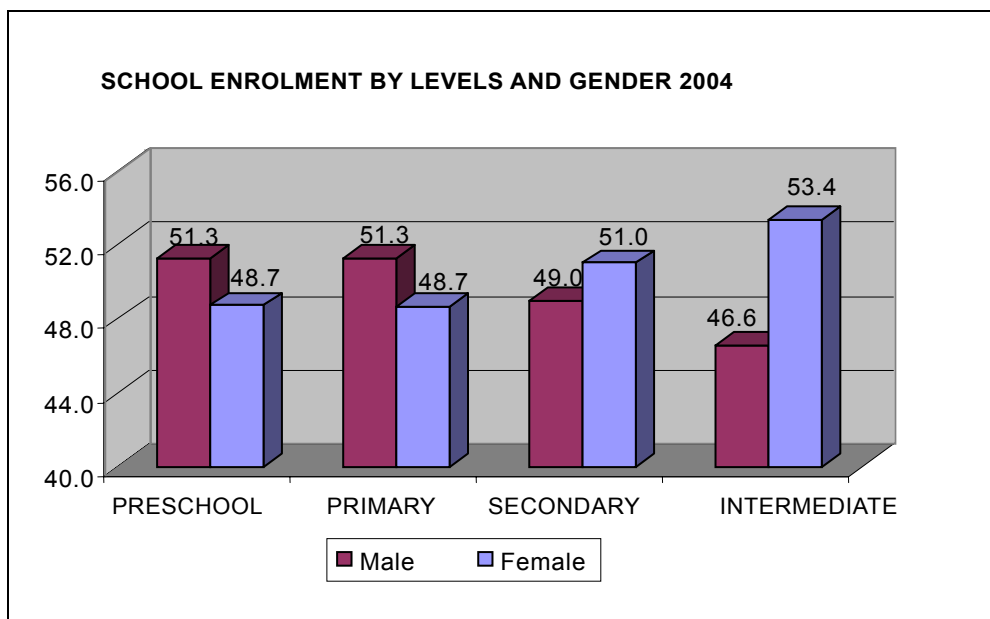
Gender	2002	2006 (*)	Increase
Male	5 025 888	5 615 457	11.7
Female	4 968 516	5 558 419	11.9
<b>Total</b>	<b>9 994 404</b>	<b>11 173 876</b>	<b>11.8</b>

Source: Ministry of National Education, Planning and Finance Office.

(\*) Projection based on enrolment reported as at 30 August 2006. Information under review.

12





<sup>13</sup> EDUCATIONAL MODELS PROMOTED BY THE NATIONAL MINISTRY OF EDUCATION

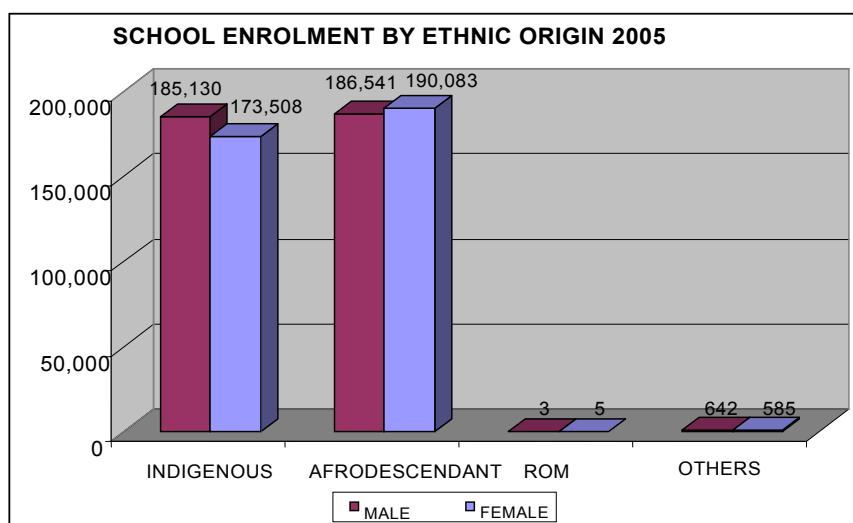
<i>Level</i>	<i>Model</i>	<i>Grades</i>	<i>Description</i>
Basic secondary	Remote secondary	Grades 6 to 9	The model uses television with pre-recorded videos as a teaching tool. One or two teachers are in charge of teaching all grades.

<i>Level</i>	<i>Model</i>	<i>Grades</i>	<i>Description</i>
	Post-primary	Grade 6 to 9	The model allows a number of neighbouring or related schools to form a network so that just one of them can offer the basic secondary curriculum. One or two teachers are in charge of teaching all grades.
Basic and lower secondary (young people and adults)	Rural Education Service	Cycle 1: Up to 3; Cycle 2: 4 to 5; Cycle 3: 6 to 7; Cycle 4: 8 to 9; Cycle 5 and 6: 10 and 11	Structures the curriculum based on special integrated teaching cycles of one fixed year's duration. Implemented based on the use of educational mediators, implementation of community development projects, the Institutional Education Project (PEI) framework and ongoing supervision processes.
	Tutorial learning system (SAT)	Cycle 1: 6 to 7 Cycle 2: 8 to 9 Cycle 3: 10 to 11	Methodology that allows education to be integrated with work and allows for fixed processes of social and community organization. Operates through groups with flexible timetables and schedules, within the Institutional Education Project (PEI) of an educational institution.
	Family Compensation Fund (CAFAM)	5 stages: initial, fundamental, complementary, basic areas of interest and advanced areas of interest.	This is a flexible educational model that is relevant to the needs of young people and adults. It is based on processes of self-teaching and collaborative learning. The model includes an initial diagnostic examination, the results of which indicate the stage at which each particular student should start. It lays stress on academic subjects and it takes place within the Institutional Education Project (PEI) of an educational institution.

## 14 SCHOOL ENROLMENT BY ETHNIC ORIGIN 2005

Level	Male				Female			
	Indigenous	Afro-Colombian	ROM	Other	Indigenous	Afro-Colombian	ROM	Other
Preschool	20 469	18 840	0	83	19 441	17 649	0	73
Primary	123 253	115 063	2	371	114 028	110 992	4	352
Lower Secondary	32 981	41 175	1	182	31 493	46 553	1	155
Secondary	8 427	11 463	0	6	8 546	14 889	0	5
<b>Total</b>	<b>185 130</b>	<b>186 541</b>	<b>3</b>	<b>642</b>	<b>173 508</b>	<b>190 083</b>	<b>5</b>	<b>585</b>

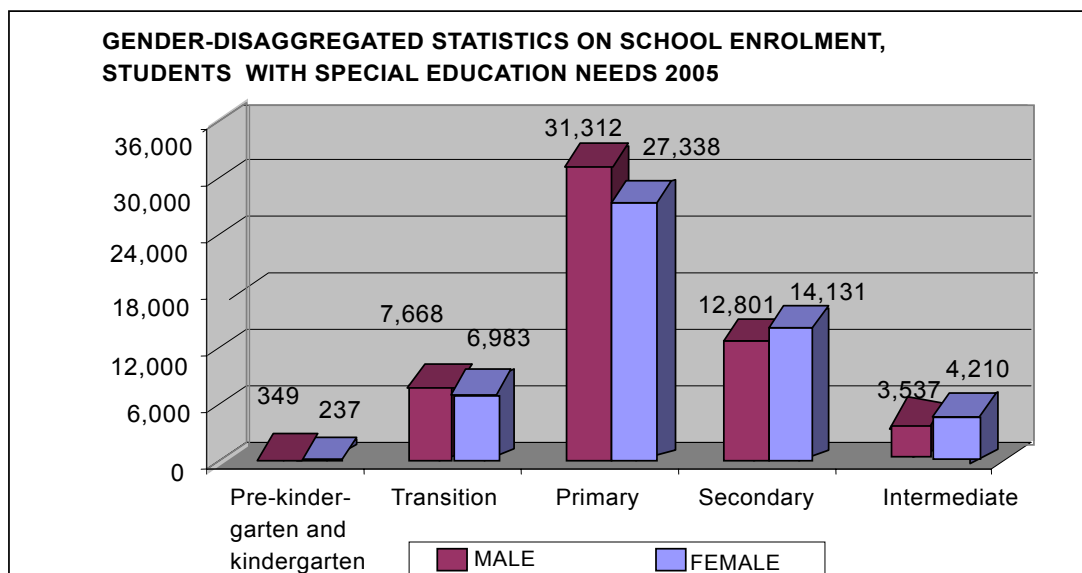
Source: Ministry of National Education, Planning and Finance Office.



## 15 GENDER-DISAGGREGATED STATISTICS ON SCHOOL ENROLMENT, STUDENTS WITH SPECIAL EDUCATION NEEDS 2005

Level	Male	Female
Pre-kindergarten and kindergarten	349	237
Transition	7 668	6 983
Primary	31 312	27 338
Lower Secondary	12 801	14 131
Secondary	3 537	4 210
<b>Total</b>	<b>55 667</b>	<b>52 899</b>

Source: Ministry of National Education, Planning and Finance Office.



16

<i>Name of the Project</i>	<i>Cooperating Bodies</i>	<i>Number of Women Assisted</i>	<i>Number of Men Assisted</i>	<i>Total</i>
Literacy training, Basic Primary and job training for displaced female heads of household in Cartagena, Magangue and 4 municipalities in Bolívar	Madrid Autonomous Community, in conjunction with the Ministry of National Education, the District Education Authorities (SED), National Training Service (SENA and the Ibero-American Bureau of Education	5 235	768	6 000
Literacy training, Basic Primary and reconciliation training for demobilized persons in Chocó and Sucre	UNESCO — Ministry of National Education	6 300	2 700	9 000
Literacy training and Primary Education for Tolima, Cesar and Sucre	Andrés Bello Agreement — Ministry of National Education	5 740	2 460	8 200
Literacy training for prisoners	Agreement between Ministry of National Education and National Prison and Penitentiary Institute (INPEC)	4 000	8 000	12 000

(1) A total of 392,560 persons have been assisted by these projects.

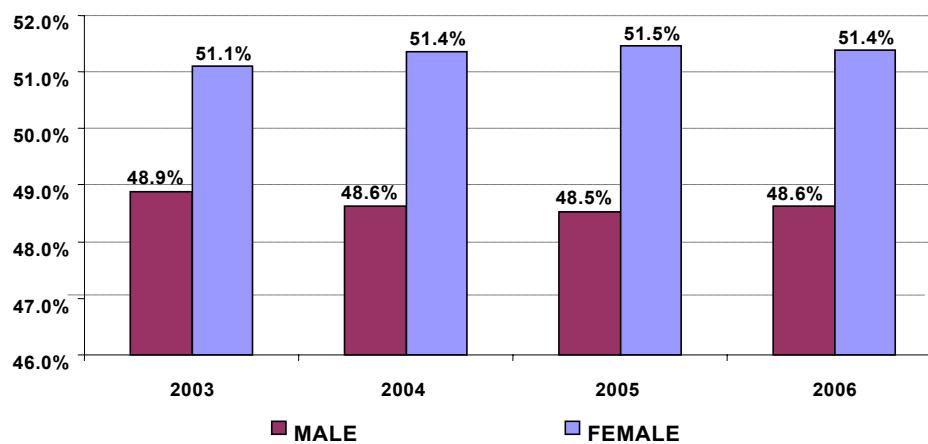


<sup>17</sup> RATE OF ILLITERACY BY GENDER 2005

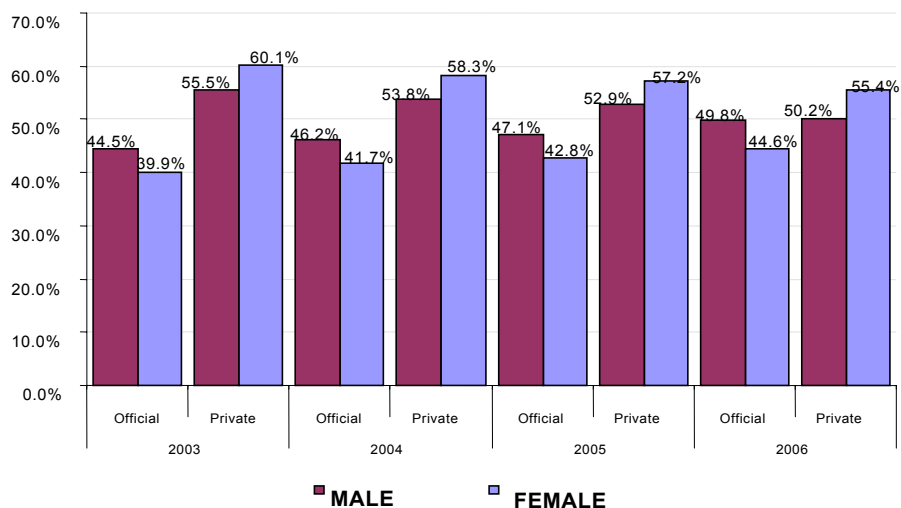
Year	Gender	Literacy	Illiteracy	Total		
2002	Male	12 593 713	92.31	1 049 314	7.69	13 643 027
	Female	14 098 896	92.18	1 195 842	7.82	15 294 738
	Total	26 692 609	92.24	2 245 156	7.76	28 937 765
2003	Male	12 789 421	92.24	1 076 123	7.76	13 865 544
	Female	14 490 734	92.57	1 163 174	7.43	15 653 908
	Total	27 280 155	92.41	2 239 297	7.59	29 519 452
2004	Male	13 230 776	92.90	1 010 547	7.10	14 241 323
	Female	14 861 083	92.71	1 167 762	7.29	16 028 844
	Total	28 091 859	92.80	2 178 308	7.20	30 270 167
2005	Male	13 469 268	92.78	1 048 478	7.22	14 517 746
	Female	15 240 309	92.91	1 162 775	7.09	16 403 084
	Total	28 709 577	92.85	2 211 253	7.15	30 920 830

Source: National Statistics Department (DANE) — Household Survey.

<sup>18</sup> GENDER-DISAGGREGATED STATISTICS ON HIGHER EDUCATION ENROLMENT — 2003-2006



<sup>19</sup> GENDER-DISAGGREGATED STATISTICS ON ENROLMENT BY SECTOR



<sup>20</sup> GENDER-DISAGGREGATED STATISTICS ON EDUCATIONAL ENROLMENT BY LEVEL OF QUALIFICATION

Level	2003		2004		2005		2006	
	Female	Male	Female	Male	Female	Male	Female	Male
Technical vocational	47.9%	52.1%	47.4%	52.6%	47.5%	52.5%	44.8%	55.2%
Technological	44.2%	55.8%	44.6%	55.4%	46.7%	53.3%	45.1%	54.9%
University	52.4%	47.6%	52.7%	47.3%	52.6%	47.4%	52.9%	47.1%
Specialized studies	51.7%	48.3%	52.6%	47.4%	52.1%	47.9%	52.4%	47.6%
Master's degree	44.0%	56.0%	42.6%	57.4%	41.9%	58.1%	45.0%	55.0%
Doctorate	33.8%	66.2%	36.9%	63.1%	37.9%	62.1%	37.2%	62.8%
<b>Total</b>	<b>51.1%</b>	<b>48.9%</b>	<b>51.4%</b>	<b>48.6%</b>	<b>51.5%</b>	<b>48.5%</b>	<b>51.4%</b>	<b>48.6%</b>

Level	2003		2004		2005		2006	
	Female	Male	Female	Male	Female	Male	Female	Male
Technical vocational	22 837	24 885	24 151	26 790	25 659	28 338	29 289	36 143
Technological	55 316	69 922	59 396	73 918	71 928	82 255	74 209	90 223
University	423 094	383 863	455 917	409 208	495 140	446 013	534 859	476 636
Specialized studies	23 386	21 829	22 699	20 452	25 242	23 169	23 879	21 733
Master's degree	4 076	5 196	4 600	6 189	5 554	7 706	6 149	7 508
Doctorate	203	399	269	461	391	641	410	692
<b>Total</b>	<b>528 912</b>	<b>506 094</b>	<b>567 033</b>	<b>537 018</b>	<b>623 914</b>	<b>588 123</b>	<b>668 794</b>	<b>632 934</b>

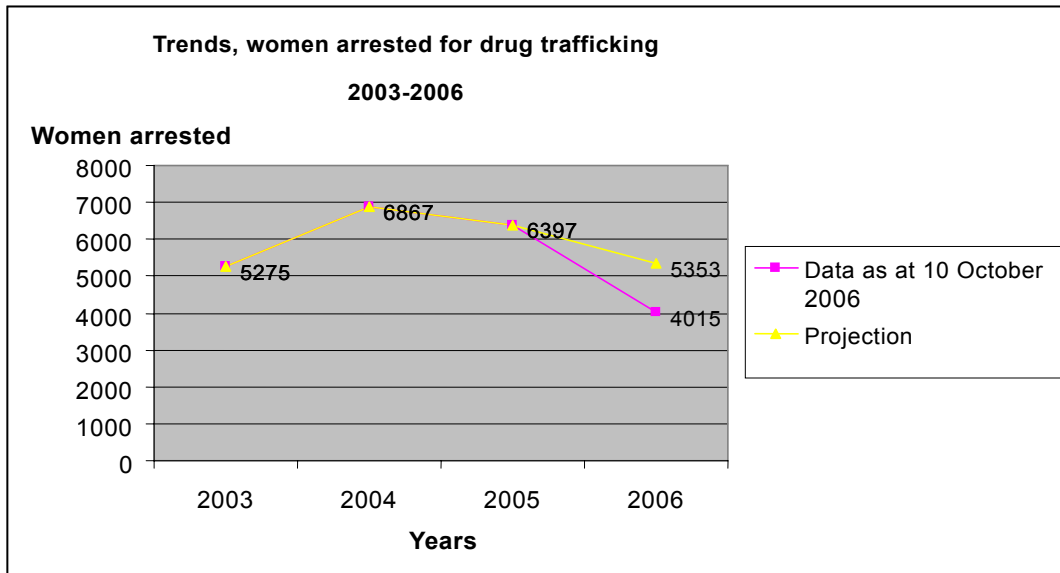
<sup>21</sup> GENDER-DISAGGREGATED STATISTICS ON EDUCATIONAL ENROLMENT BY SUBJECT AREAS

<i>Subject area</i>	2003		2004		2005		2006	
	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>
Agronomy, veterinary and related subjects	37.4%	62.6%	37.3%	62.7%	41.3%	58.7%	39.0%	61.0%
Fine arts	45.3%	54.7%	46.0%	54.0%	46.7%	53.3%	48.6%	51.4%
Educational sciences	62.1%	37.9%	62.7%	37.3%	63.3%	36.7%	62.1%	37.9%
Health sciences	70.6%	29.4%	71.3%	28.7%	71.0%	29.0%	70.8%	29.2%
Social sciences, law, political science	58.3%	41.7%	59.6%	40.4%	57.0%	43.0%	56.6%	43.4%
Economics, administration, accountancy, etc.	58.1%	41.9%	58.0%	42.0%	58.6%	41.4%	58.6%	41.4%
Humanities and religious studies	46.2%	53.8%	46.1%	53.9%	46.2%	53.8%	45.9%	54.1%
Engineering, architecture, town planning, etc.	32.2%	67.8%	32.0%	68.0%	33.1%	66.9%	33.4%	66.6%
Mathematics and natural sciences	51.3%	48.7%	52.0%	48.0%	51.5%	48.5%	51.4%	48.6%
<b>Total</b>	<b>51.1%</b>	<b>48.9%</b>	<b>51.4%</b>	<b>48.6%</b>	<b>51.5%</b>	<b>48.5%</b>	<b>51.4%</b>	<b>48.6%</b>

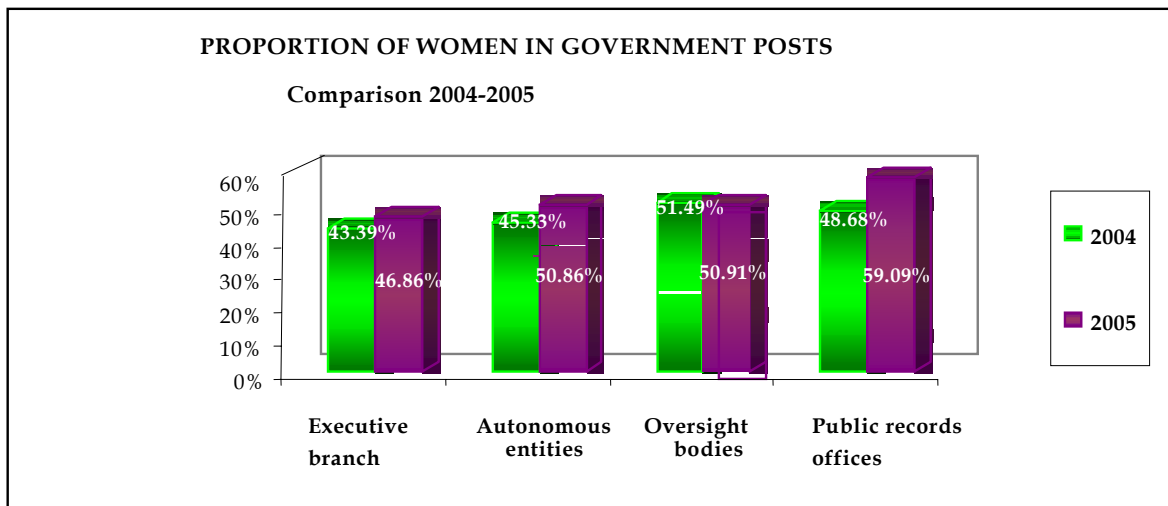
<i>Subject area</i>	2003		2004		2005		2006	
	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>
Agronomy, veterinary and related subjects	8 146	13 644	8 707	14 646	11 303	16 079	12 248	19 152
Fine arts	15 137	18 289	17 582	20 654	20 185	23 046	23 807	25 208
Educational sciences	60 717	37 085	61 644	36 668	69 428	40 292	74 302	45 314
Health sciences	71 852	29 938	78 800	31 723	82 000	33 437	86 835	35 831
Social sciences, law, political science	96 139	68 883	105 816	71 668	116 185	87 514	129 310	99 175
Economics, administration, accountancy, etc.	160 860	115 957	170 304	123 115	186 602	131 917	194 075	137 340
Humanities and religious studies	3 714	4 326	4 173	4 873	4 330	5 042	4 969	5 865
Engineering, architecture, town planning, etc.	96 652	203 064	102 327	217 322	115 602	233 579	123 250	246 149
Mathematics and natural sciences	15 695	14 907	17 679	16 329	18 279	17 217	19 997	18 900
<b>Total</b>	<b>528 912</b>	<b>506 094</b>	<b>567 033</b>	<b>537 018</b>	<b>623 914</b>	<b>588 123</b>	<b>668 794</b>	<b>632 934</b>

<sup>22</sup> The distinction is critical: A need not fulfilled leads to dissatisfaction. In contrast, a right that is not respected leads to a violation, and its redress or reparation can be legitimately (and legally) claimed. See UNFPA: Human Rights-Based Approach, <http://www.unfpa.org/rights/approaches.htm>.

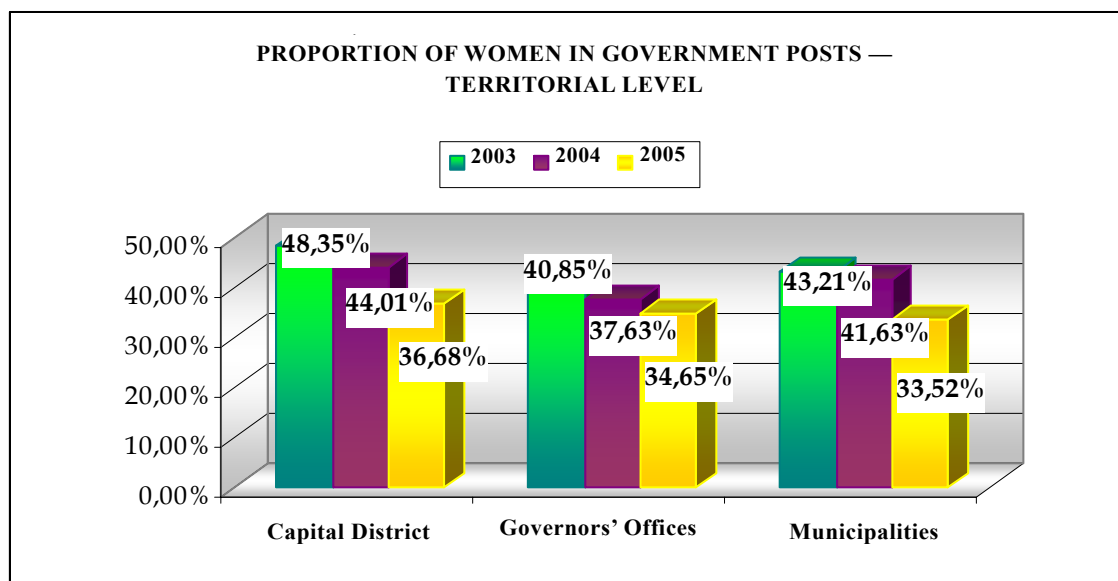
<sup>23</sup> This analysis included a projection of the figures for 2006 in order to allow for comparisons.



<sup>24</sup> The following table shows the percentages:

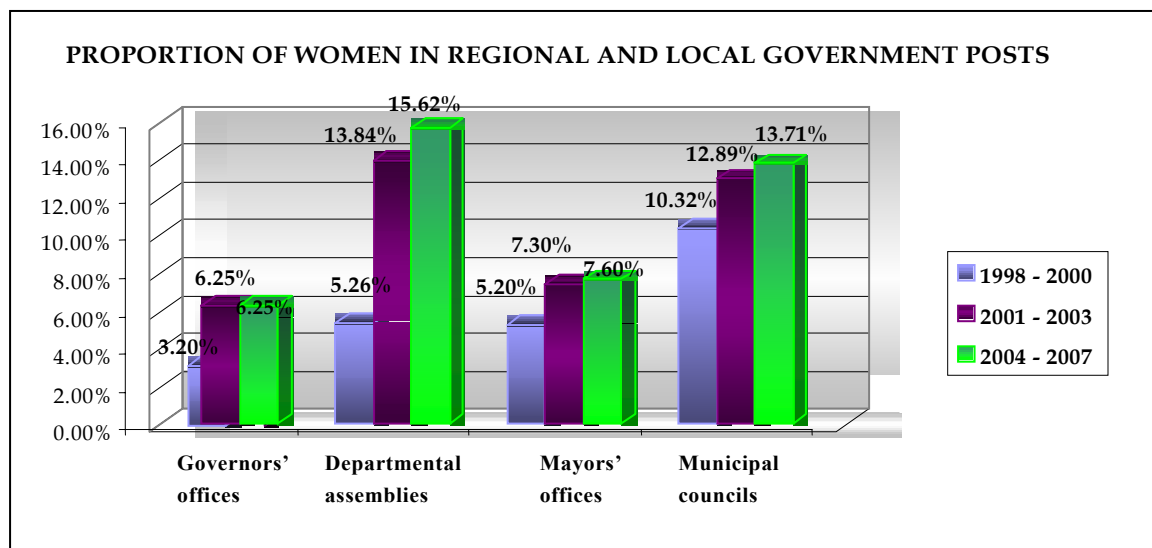


Source: Administrative Department of the Civil Service. Public Employment Office.



Entity	Distribution of posts	2003		2004		2005	
Capital district	Total director-level posts	397	100%	456	100%	461	100%
	Posts filled	395	99.50%	434	95.18%	458	99.34%
	Posts occupied by women	191	48.35%	191	44.01%	168	36.68%
	Number of entities reporting information	33		54		24	
Governors' offices	Total director-level posts	166	100%	584	100%	607	100%
	Posts filled	164	98.80%	558	95.55%	583	96.04%
	Posts occupied by women	67	40.85%	210	37.63%	202	34.65%
	Number of entities reporting information	10		25		27	
Municipalities	Total director-level posts	289	100%	1 623	100%	2 607	100%
	Posts filled	287	99.31%	1 559	96.06%	2 542	97.50%
	Posts occupied by women	124	43.21%	649	41.63%	852	33.52%
	Number of entities reporting information	48		263		598	

*Source:* Public Employment Office, Administrative Department of the Civil Service (DAPF). The DAPF has no data for 2002 on the impact of Act 581 of 2000.



<sup>26</sup> Source: High Council of the Judiciary.

<sup>27</sup> Source: National Registry of Civil Status.

<sup>28</sup> Source: National Registry of Civil Status.

<sup>29</sup> Source: High Council of the Judiciary.

<sup>30</sup> Presidential Advisory Office on Gender Equality (2005), Bulletin No. 4, p. 20.

<sup>31</sup> Presidential Advisory Office on Gender Equality, Madrid Autonomous Community and the Madrid Bar Association (2006). Strategic Plan for the Defence of Women's Rights within the Justice System in Colombia.

<sup>32</sup> Information drawn from the 2006 Report of President Álvaro Uribe to Congress, 20 July 2006. Pp. 69-72.

<sup>33</sup> Decision C-600 (1998). Reporting judge: José Gregorio Hernández Galindo.

<sup>34</sup> Legal classification: Nullification. Date: 12 February 2002. Reporting judge: Luis Gonzalo Toro Correa. Issue 16523. Labourer Appellate Division.

<sup>35</sup> Report of the President of the Republic of Colombia to Congress, 2006, Pp. 125-129.

<sup>36</sup> PROGRAMME FOR FEMALE HEADS OF HOUSEHOLD WHO ARE MICROENTREPRENEURS MANAGEMENT INDICATORS JANUARY 2002-JULY 2006

	<i>Sector</i>	<i>Number</i>	<i>%</i>	<i>Value</i>	<i>%</i>	<i>Women trained</i>	<i>Number of departments</i>
Phase 1	Urban	1 533	57.7%	2 027 234 989	43.9%	2 057	22
	Rural	1 123	42.3%	2 591 869 971	56.1%		
	<b>Subtotal 1</b>	<b>2 656</b>	<b>100.0%</b>	<b>4 619 104 960</b>	<b>100.0%</b>		

	<i>Sector</i>	<i>Number</i>	<i>%</i>	<i>Value</i>	<i>%</i>	<i>Women trained</i>	<i>Number of departments</i>
Phase 2	Urban	1 566	53.9%	1 998 397 001	32.6%	19 420	23 + Bogotá
	Rural	1 341	46.1%	4 130 809 829	67.4%		
	<b>Subtotal 2</b>	<b>2 907</b>	<b>100.0%</b>	<b>6 129 206 830</b>	<b>100.0%</b>		
<b>Total</b>	Urban	3 099	55.7%	3 926 334 990	36.5%	21 477	
	Rural	2 464	44.3%	6 112 910 471	56.9%		
	<b>Grand total</b>	<b>5 563</b>	<b>100.0%</b>	<b>10 748 311 790</b>	<b>93.4%</b>		

<sup>37</sup> Information from the Ministry of Trade, Industry and Tourism  
DISBURSEMENTS FOR MICROENTERPRISES, AUGUST 2002-JUNE 2006

<i>Entity</i>	<i>Amount (pesos)</i>	<i>Transactions (millions of pesos)</i>
Banca Comercial	2 796 887	889 458
Bancoldex	888 345	220 269
FINAGRO	1 712 345	360 528
Foundations	2 130 872	1 634 914
International Financial Institutions (IFIs)	76 278	1 748
<b>Total</b>	<b>7 604 726</b>	<b>3 106 916</b>

<sup>38</sup> NATIONAL BUSINESSWOMEN'S FAIR PROGRAMME — EXPOEMPRESARIA  
MANAGEMENT INDICATORS CUMULATIVE 2004-2005-2006

<i>Indicator</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>Cumulative</i>
Coverage	16 departments and Bogotá	23 departments and Bogotá	24 departments and Bogotá	
Workshops held on promoting the entrepreneurial spirit	15	18	24	57
Women participating in workshops on promoting the entrepreneurial spirit	2 169	2 768	2 724	7 661
Exhibit selection days	15	18	21	54
Women applying on exhibit selection days	1 587	1 610	1 613	4 810
Female microentrepreneurs exhibiting	303	397	469	1 169
<b>Total number of visitors</b>	<b>7 615</b>	<b>8 121</b>	<b>14 650</b>	<b>30 386</b>
Sales to the general public (pesos)	400 000 000	480 007 607	669 759 636	1 549 767 243