



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the ninth periodic report of Colombia\*

1. The Committee considered the ninth periodic report of Colombia (CEDAW/C/COL/9) at its 1661st and 1662nd meetings (see CEDAW/C/SR.1661 and CEDAW/C/SR.1662), held on 19 February 2019. The Committee's list of issues and questions is contained in CEDAW/C/COL/Q/9, and the responses of the State party are contained in CEDAW/C/COL/Q/9/Add.1.

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#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2013 of the State party's combined seventh and eight periodic reports (CEDAW/C/COL/7-8) in undertaking legislative reforms, in particular the adoption of the following:

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(g) Act No. 1761/2015, which recognizes femicide as a separate offence;

(h) Decree 2733/2012, which regulates article 23 of Act No. 1257/2008 and establishes a tax rebate for those who employ women victims of violence.

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#### E. Principal areas of concern and recommendations

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##### Access to justice

13. The Committee welcomes measures taken to improve and increase access for women to justice and notes in particular the equity criteria for the administration of justice and the evaluation of judges and the capacity-building programmes on gender-related issues for competitive exams. The Committee also welcomes initiatives to extend the presence of the Attorney General's Office to rural areas. The Committee remains concerned, however, about the limited institutional capacity of the judiciary, in particular in rural areas, and the high level of impunity, in particular in cases related to femicide, sexual violence and violence against women human rights defenders, which disproportionately affect women from vulnerable groups,

\* Adopted by the Committee at its seventy-second session (18 February–8 March 2019).



such as indigenous women, Colombian women of African descent, rural women, women with disabilities and lesbian, bisexual and transgender women.

**14. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

(a) **Strengthen the judicial system, including through additional financial, technical and specialized human resources, with a view to handling cases in a timely, gender-sensitive, non-discriminatory and competent manner in all of its territory, in particular in rural areas;**

(b) **Strengthen the Attorney General's Office and expand its presence to rural areas;**

(c) **Facilitate access to justice for indigenous and migrant women, Colombian women of African descent and women with disabilities, by ensuring that information, including in native languages, sign language and through other forms of communication, concerning the institutional presence of the judiciary and due process rights is widely available, and that procedural and age-appropriate accommodations are provided;**

(d) **Strengthen capacity-building programmes on the Convention for judges, prosecutors, lawyers and the police;**

(e) **Increase the number of judges and prosecutors specialized in sexual violence matters, as recommended in the Committee's previous concluding observations (CEDAW/C/COL/CO/7-8, para. 18);**

(f) **Ensure access to legal aid services for women and girls and undertake awareness-raising campaigns to inform women and girls about their rights under the Convention.**

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#### **Gender-based violence against women**

25. The Committee welcomes the directives developed by the Attorney General's Office on parameters for ensuring due diligence in the investigation of cases of violence against women and the mechanisms established to implement agreement 10554/2016 regarding the obligation to consider gender in cases related to violence against women. The Committee is concerned, however, about the increasing and persistently high number of cases of gender-based violence against women and girls, including femicide and violence in institutions, and about the level of impunity for such acts. It is also concerned about the limited implementation of Act No. 1257/2008 concerning health services for victims and about the low capacity for integrated services, such as shelters, for victims in rural areas. The Committee notes the State party's efforts to strengthen the role of the family commissioners and of model procedures developed for protective measures. It is concerned, however, that the family commissioners are not sufficiently funded or staffed, that they report to the local municipalities and that they are tasked with too many responsibilities.

**26. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:**

(a) **Strengthen its efforts, as a matter of priority and within a specific time frame, to implement the national plan for the prevention of gender-based violence against women and girls, including violence in institutions, in particular targeting indigenous women, Colombian women of African descent,**

rural women, women with disabilities and lesbian, bisexual and transgender women;

(b) **Ensure the adequate and sustainable allocation of resources for the implementation of Act No. 1257/2008 concerning integrated and accessible services for victims in rural areas, in particular health services, and the provision of shelters for victims in rural areas;**

(c) **Consider restructuring the family commissioners under the Ministry of Justice, streamline their mandates and allocate sufficient human, technical and financial resources to strengthen them in their work;**

(d) **Ensure that the Attorney General's directives on due diligence in the investigation of cases of violence against women are effectively implemented by all actors in the judiciary.**

#### **Trafficking and sexual exploitation**

27. The Committee welcomes judicial efforts to prosecute and prevent trafficking in women and girls. It notes that the State party adopted a national strategy for the fight against trafficking in persons for the period from 2014 to 2018, in compliance with international standards. The Committee is concerned, however, that migrant women and girls from the Bolivarian Republic of Venezuela are frequently victimized and exploited. The Committee is also concerned that the data provided by the State party emanate from various sources and that they are not disaggregated by relevant factors, which makes it difficult to analyse and use them as a basis for policy design. It is further concerned that only one victim of trafficking received protection from the Attorney General's Office in 2016 and that, despite the adoption of Presidential Decree 1069/2014, which stipulates that a range of support services should be granted to victims of trafficking, no government-operated shelters dedicated to victims of trafficking exist in the State party.

28. **The Committee recommends that the State party:**

(a) **Unify data on the investigation, prosecution and conviction of trafficking crimes from other gender-based violence offences and disaggregate them by sex, age, ethnicity, race, geographical location and disability so that they can be used as a basis for analysis and policy recommendations and design;**

(b) **Disseminate information widely among all relevant stakeholders about the existence of a protection programme within the Attorney General's Office, taking into account the massive migratory inflow of Venezuelan women and girls;**

(c) **Ensure that all support services provided for in Decree 1066/2015 of the Ministry of the Interior are granted to victims of trafficking, in particular women and girls, and that they are inclusive and accessible;**

(d) **Establish sufficiently funded and equipped shelters and crisis centres for women and girls who are victims of trafficking and provide reintegration programmes for them.**

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#### **Follow-up to the concluding observations**

57. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 16 (a) and (c) and 26 (c) and (d) above.**

