



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

Distr.: General
28 February 2007

Original: English

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

Thirty-seventh session

Summary record of the 769th meeting (Chamber B)

Held at Headquarters, New York, on Thursday, 25 January 2007, at 10 a.m.

Chairperson: Ms. Gaspard

Contents

Consideration of reports submitted by States parties under article 18 of the
Convention (*continued*)

Combined fifth and sixth periodic reports of Colombia

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.



The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined fifth and sixth periodic reports of Colombia (CEDAW/C/COL/6; CEDAW/C/COL/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Colombia took places at the Committee table.*

2. **Ms. Blum** (Colombia) said that respect for women's rights, equity, equal opportunity, women's participation and diversity were priority goals of the National Development Plan. The executive branch had designed policies and programmes specifically targeting women and was committed to mainstreaming the gender perspective in all sectoral activities. The National Congress had passed legislation to eliminate weaknesses in the system and strengthen the institutional, economic and social structure for the benefit of women. The courts had made progress in the development of case law so as to ensure compliance with international standards and guarantee the rights of women as individuals. The Office of the Procurator General and the Office of the Ombudsman provided follow-up to ensure that the State fulfilled its obligations to women. The civil society had made significant progress in the implementation of advocacy programmes on behalf of women.

3. Recognizing the important role played by internationally agreed norms, objectives and strategies in the promotion and protection of women's rights, the Government had signed the Convention in 1980 and ratified it in 1982. The National Congress had ratified the Optional Protocol in 2005, and the instrument of ratification had been deposited in January 2007. Her delegation looked forward to a constructive dialogue with the Committee on the situation of women in Colombia.

4. **Ms. Vázquez Zawadzky** (Colombia), introducing the combined fifth and sixth periodic reports of Colombia, said that in the face of serious threats to its democratic institutions, the Government was determined to strengthen the rule of law while protecting human rights and preserving democratic governance. Accordingly, it was implementing a democratic security policy that was designed to promote security, social equity and human development. To achieve gender equity, the

Government was implementing affirmative action programmes, a social recovery policy and gender mainstreaming. The Office of the Ombudsman and the Office of the Procurator General provided oversight to ensure compliance with policies designed to protect women, especially in cases where violence was involved. The Office of the Attorney General and the Colombian Family Welfare Institute (ICBF) provided assistance to victims of violence through comprehensive care centres. The National Peacebuilding and Family Harmony Policy (*Haz Paz*) had been designed specifically to address the problem of domestic violence. Other policies designed to promote gender mainstreaming were the National Plan of Action for human rights and international humanitarian law and the National Agreement on Equity between Women and Men, which promoted the participation of women on an equal footing with men in all spheres of society.

5. The Government had strengthened the Presidential Advisory Office on Gender Equity (CPEM), the national mechanism for the advancement of women, so as to enable it to carry out its responsibilities in formulating and implementing affirmative policies on behalf of women and coordinating the process of gender mainstreaming with the entities concerned at the central, departmental and local levels.

6. In connection with the implementation of article 5 of the Convention, she said that the Government was working to eliminate sexist stereotypes. The Ministry of National Education, the Ministry of Communications and CPEM had drafted a sectoral policy on radio broadcasting in Colombia which addressed the issue of stereotyping. The Colombian Family Welfare Institute was using the media to raise awareness regarding the problem of domestic violence.

7. Turning to article 6, she said that the Government had ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and promoted the adoption of Act 985 of 2005, on measures to combat trafficking in persons and norms for the care and protection of its victims. In connection with articles 7 and 8, she said that more women than men had voted in recent elections. Thanks to the Quota Act, the share of women holding high-level posts in government had increased at both the central and the local levels. Programmes had also been implemented to ensure the participation of women in

policymaking and in NGOs. At the international level, women were representing their country on an equal footing with men in 131 diplomatic posts; 35 women were heads of diplomatic missions. Women also represented Colombia in a number of international organizations, including the Inter-American Commission of Women.

8. Referring to article 10 of the Convention, she said that women and men had equal access to education, and the illiteracy rate among women had been reduced. As a result of the educational reform, which incorporated the gender perspective, the percentage of women in basic, secondary and higher education had risen. Concerning article 11, she said that the employment situation had improved significantly in 2002, as unemployment and underemployment had dropped. Nevertheless, between 2001 and 2004, the average gap between women's and men's earnings had been about 31 per cent in the informal sector and 17 per cent in the formal sector. Through CPEM, affirmative action initiatives had been undertaken to promote women's employment and entrepreneurial development and enable women to gain access to the financial sector.

9. In the field of health, which was addressed in article 12 of the Convention, significant progress had been made in the promotion of sexual and reproductive health. The percentage of pregnant women who did not receive prenatal care in a health institution had dropped, and the percentage of deliveries in a health institution had increased. With regard to article 14, she said that the National Association of Rural and Indigenous Women of Colombia (ANMUCIC) was represented on the boards of the Agricultural Financing Fund (FINAGRO) and of the Colombian Institute for Rural Development (INCODER). The National Statistics Department (DANE) had applied the gender perspective in compiling data on different aspects of rural life such as income-generating activities and living conditions. The policy on social management of rural areas carried out by the Ministry of Agriculture and Rural Development encouraged women to become involved in project design and implementation. With regard to articles 15 and 16, she said that women had the same legal capacity as men, including the right to conclude contracts and administer property, to move about freely, choose their place of residence, and enter into marriage.

10. On other issues, she pointed out that in May 2006, the Constitutional Court had decriminalized abortion in three circumstances: when the life or health of the woman was in danger, when the pregnancy was the result of rape and/or when the foetus was so severely deformed that extra-uterine life would not be feasible.

11. The mechanisms that were in place for following up and monitoring existing legislation and implementation of judicial decisions were the national system for evaluation of the results of public management (SINERGIA), the system for programming and monitoring presidential targets (SIGOB) in the area of social policy, and the Observatory for Gender Issues (OAG). The Observatory promoted gender mainstreaming and provided input for the drafting of reports. One of the Government's goals for the period 2006-2010 was to include the gender perspective in its foreign policy agenda and its international cooperation programmes, with special emphasis on social development. The challenges currently facing Colombia included those of ensuring the continuity of existing policies, improving the quality of education and its relevance to the labour market, promoting the sharing of responsibility for domestic tasks, implementing affirmative action for women at the local level, further strengthening the national mechanism for women, reducing all forms of violence against women, consolidating the gender mainstreaming strategy, and increasing the participation of women in elective posts.

Articles 1 to 6

12. **Ms. Šimonović** asked what measures had been taken to ensure that the Convention prevailed over national legislation and that it was used to protect women's rights. Was there any mechanism for monitoring the harmonization of national laws with the Convention? She would also like to know if a specific programme was in place to educate members of the judiciary concerning the Convention and the Optional Protocol.

13. **Ms. Tavares da Silva**, referring to Special Recommendation No. 7, on programmes for protection of human rights defenders and promoters, noted that the report outlined the assistance given by the Government to two women's organizations. She had heard from other sources that women belonging to one of those organizations had been the object of gender-

specific attacks, and that their children had been targeted as well. They claimed that the Government's response was inadequate. She would like to know whether the Government was planning further action to prevent such situations and provide protection when they occurred. She would appreciate information on the outcome of the investigation conducted by the Attorney General in the second case mentioned in the report.

14. She was concerned about the use of the terms "equality" and "equity" in the report. Although she realized that the word *equidad* was widely used in Spanish, she wished to point out that the two words had different meanings. Equality was a more precise and objective concept, while equity was subjective and flexible; the Convention spoke of equality. She would like to have more information on the content of decision T-610, on the concept of equality between men and women and equality before the law.

15. **Ms. Chutikul** said there were some inconsistencies in the report between the description of the national machinery for women's issues, in the section on Special Recommendation No. 4, and the description of follow-up mechanisms in the section on Special Recommendation No. 2. In the former, it appeared that everything was working very well, yet in the latter, it looked as if things were not so satisfactory after all. She would appreciate information on the content of the National Agreement on Equality between Women and Men, specifically, on whether it dealt mainly with procedural matters or with substantive issues. She would also be interested in hearing why, as acknowledged in the report, the Agreement and the work of CPEM had not had any meaningful impact on government structure and processes.

16. She would welcome additional information on the work and achievements of the Inter-institutional Gender Liaison Bureau. It was not clear whether that was the same body as the inter-institutional committee mentioned in the responses to the list of issues and questions. Finally, she would like to know where individuals could file complaints relating to violations of the principle of equality between women and men. Did women use the service widely, and was it widely known?

17. **Ms. Arocha**, referring to the Government's plan to submit to Congress a draft law to strengthen CPEM, asked for information on the main structural and functional changes that would be proposed. Although

the Government stated, in its responses to the list of issues and questions, that CPEM was able to interact quite significantly with the President, the Government and other public authorities and agencies, the report did not provide enough information to justify that statement. It referred only to the coordination of specific activities for which a permanent body was not necessary. What was the mandate of CPEM in terms of providing coordination with other State entities, and what strategic activities had it undertaken and coordinated? She would like to know how it managed to provide coordination with the numerous departmental and local administrative bodies, how it performed its duties at those levels, and what structures were in place to ensure that the central government's policies were implemented at the grass-roots level.

18. Finally, she would like to know whether the affirmative actions envisaged in the chapter of the National Development Plan devoted to gender equity constituted temporary special measures under article 4, paragraph 1, of the Convention and general recommendation 25. She would appreciate information on how those special measures or affirmative actions were carried out so as to have an idea to what extent article 4 was being implemented.

19. **Ms. Gumede Shelton**, referring to the implementation of article 5, said it would be useful to have some kind of holistic analysis showing in what ways the activities designed to deal with stereotypes had helped reduce violence against women, how the mindset of men regarding roles in the home had changed, and to what extent trafficking and exploitation of prostitutes had been reduced. She would like to know whether any studies had been conducted to assess the impact of the initiatives implemented by CPEM to promote changes in sexist practices and stereotypes. With regard to the proposal by the Ministry of National Education to incorporate gender education, "as an option", from the first to the eleventh year, she asked why such education would be optional rather than compulsory. She would like to know how many schools and sectors of education had actually exercised that option.

20. The Government was to be commended for its implementation of the Education Plan. However, the response to the Committee's request for information on measures to eliminate stereotypes from school textbooks did not include information on specific measures that had been taken in that regard. She would

appreciate further clarification. She would also welcome more information on the National Education Plan for Human Rights and International Humanitarian Law and the degree to which it was tailored to the issue of gender and women's rights and the elimination of stereotypes. She would like to have an indication of the impact of the pilot project on the exercise of human rights.

21. **Ms. Vázquez Zawadzky** (Colombia) said that in its decisions, the Constitutional Court had repeatedly referred to international treaties, as had the Supreme Court of Justice. A study was being made of the decisions handed down by the Supreme Court of Justice over the past five years, from the standpoint of gender, to determine whether reference had been made to the Convention. The Court had established the constitutionality of the Convention with respect to the law by which it had been ratified. CPEM had been carrying out educational activities on the Convention for women's organizations all around the country, as well as for government officials, especially in the judiciary and the military.

22. **Ms. Ruiz** (Colombia) said that CPEM was carrying out a programme on the promotion of rights and peacebuilding networks in the context of the national policy on sexual and reproductive health. Training on issues relating to sexual and reproductive health was provided to members of the military with a view, inter alia, to reducing maternal mortality, preventing teenage pregnancies and sexually transmitted diseases, promoting family planning, and preventing sexual abuse and domestic and gender-related violence. Law enforcement personnel had received training through the project on sexual and reproductive health, gender equity and sexual and reproductive rights. Similar programmes were in place for the national police and the air force and would soon be started for the army.

23. **Ms. Vázquez Zawadzky** (Colombia), replying to the question on mechanisms for monitoring compliance with the Convention, said that a number of remedies were available to protect the fundamental rights of women, including the right to appeal for constitutional review, to request direct reparations for damage caused by acts of the State, to request protection and to bring criminal complaints for offences involving gender-related violence. Legal action could also be requested by grass-roots organizations and groups. Any individual could initiate a request for constitutional

review, including for the elimination of any norm in domestic legislation that was contrary to an international treaty.

24. **Mr. Concha** (Colombia), referring to the impact of the armed conflict on the enjoyment of human rights, said that the Government's policy of negotiation and peace with armed groups operating outside the law was aimed at creating conditions that would lead to an end of the hostilities. In practical terms, the Government had achieved the demobilization of the United Self-Defence Forces of Colombia (AUC), a group which had violated the human rights of large numbers of citizens. Talks were currently under way with the National Liberation Army (ELN). The Government was also holding discussions with the Revolutionary Armed Forces of Colombia (FARC) with the aim of obtaining the liberation of kidnapping victims being held by that organization.

25. **Ms. Nieto Jaramillo** (Colombia), replying to the question on programmes for the protection of human rights defenders and promoters, said that the Human Rights Directorate of the Ministry of the Interior and Justice was responsible for providing special protection to leaders of NGOs involved in promoting human rights, as well as to journalists, trade union leaders, former and current mayors, and parliamentarians, among other groups that were in situations of risk. A risk assessment committee had been set up to evaluate the risk level and the degree of threat to the persons under protection and to recommend appropriate protection measures. To date, nearly US\$ 35 million had been invested in the Ministry's programme, which had benefited over 23,000 persons; in 2006, 30 per cent of the beneficiaries had been women.

26. Special measures had been taken in the case of the two NGOs mentioned in the report; they had been provided with cell phones, relocation support, ground transport, airline tickets and mobilization expenses. The Ministry also offered self-defence courses for anyone who felt threatened, whether or not a human rights defender. The case of Nelly Velandia and her children, who had been targeted by opponents of human rights defenders, was under investigation. In the meantime, measures were being taken to provide individual protection, as well as support from the police and military forces. The national police were working with the Ministry of the Interior and Justice, civilian authorities and civil society to improve security at the departmental and local levels.

27. **Ms. Vázquez Zawadzky** (Colombia), replying to the question on decision T-610, said that that particular decision actually referred to protection for men; however, there were many other decisions that referred to equality for women. On the question concerning the concepts of equity, equality and affirmative action, she said that in the Government's affirmative-action, equal-opportunity and gender-mainstreaming strategies, the concept of equity had to do with offering different treatment to disadvantaged individuals or groups. It entailed implementing special measures such as affirmative-action or positive-discrimination programmes to counteract the negative effect of the disadvantages faced by those groups. The concept of equality involved recognizing all groups as equal without taking steps to neutralize existing differences. The concept of equality had been developed by the Constitutional Court, which had also authorized affirmative actions as being essential to the achievement of true equality.

28. Referring to the concern that had been expressed about the role of CPEM, she said that in the context of the restructuring of the State apparatus that had been set in motion by President Uribe at the start of his first term, the decision had been made to maintain the Presidential Advisory Office on Gender Equity (CPEM) as the mechanism for women's issues. The Office had been given additional duties as a result of the enactment of new legislation, and a review had been undertaken of its duties, mission and long-term goals. Its main mandates at present were to formulate and implement policy on women's issues and to coordinate the process of building consensus on gender mainstreaming among entities at the central, departmental and local levels. That twofold mandate was included in the National Development Plan for 2003. The National Agreement on Equity between Women and Men enabled CPEM to enter into inter-institutional partnerships and to sign agreements with different universities, especially those that had special programmes on gender issues. It played an important role in raising awareness of gender issues throughout society and paving the way for gender mainstreaming in different entities. The results of the activities carried out by CPEM, both directly and in partnership with public- and private-sector entities, were described in its annual report to Congress.

29. Regarding the question on the Government's plan to submit to Congress a draft law to strengthen CPEM,

she said that although the periodic report to the Committee did indeed refer to a draft law, subsequent meetings between CPEM and different government bodies and authorities had led to the conclusion that the goal of strengthening CPEM could be accomplished through an administrative decision. As a result, the duties and scope of CPEM would be determined on the basis of its current activities and an assessment of the adjustments that were needed. It had been decided that CPEM should be maintained as the mechanism for women's issues, and that it should remain as an office within the administrative department of the Presidency of the Republic. Its status as part of the Presidency was an important feature that enabled it to interact with all the government ministries and territorial bodies.

30. On the question of coordination between CPEM and the territorial bodies, she said that although only a few offices dealt specifically with women's issues, all the offices of the governors of departments had a secretariat for social development or social integration that was responsible for dealing with women's issues. Those offices interacted with CPEM, which provided coordination for the implementation of national programmes and strategies.

31. Regarding the question as to whether affirmative-action programmes constituted temporary special measures, she said that the women's policy assigned priority to certain areas of intervention in which affirmative action was deemed necessary. The Constitutional Court had established that affirmative-action measures must be of a temporary nature. The problem was to establish a time frame for those measures, which could only be done over time and on the basis of an impact assessment.

32. **Ms. Ortiz Karam** (Colombia), replying to the question on elimination of stereotypes in education, said that in 2003, the Ministry of National Education had drawn up citizen competency standards with a view to reforming the educational system in such a way that education would truly change people rather than merely transmit knowledge to them. The new standards, which would be applied in all educational institutions, included a track on pluralism and diversity and incorporated the gender approach. The plan had been broadly publicized throughout the country.

33. In addition, two pilot projects — on human rights and on sexual and reproductive rights — had been put

under way which would eventually be incorporated into the national education structure. The two projects were designed to change teaching methods and eventually transform the educational institutions themselves. The human rights project had been initiated in 2006, and the sexual and reproductive rights project had already been in place for a year. The results of the projects could not be determined in such a short time, since cultural patterns could only be changed over the medium and the long term. A proposal for implementing the sexual and reproductive rights programme throughout the country would be ready by mid-2007; the human rights pilot would conclude in 2008. Human rights and sexual and reproductive rights with a gender perspective had already been an integral part of the environmental education programme for 10 years. The Ministry was working in partnership with the institutes of education, which were participating in the pilot programmes.

34. **Mr. Concha** (Colombia) said that the National Plan of Action for human rights and international humanitarian law incorporated the gender perspective. It had been developed with the participation of women's and other organizations concerned with human rights issues. The basic document for the Plan, which would be finalized and adopted during the course of 2007, envisaged five major areas of action: actions and strategies in the field of culture; strategies for guaranteeing respect for life, liberty and personal integrity; strategies and actions to eliminate different types of discrimination; actions and strategies to guarantee economic, social and cultural rights; and strategies and actions to guarantee access to justice and to combat impunity. The Plan would be discussed with different sectors of civil society in 2007 and would be introduced in 2008.

35. **Ms. Chutikul** asked for information on where women could seek help when their rights had been violated. On the question of trafficking in persons, she asked whether internal trafficking was a problem and whether Colombia was a transit country and a country of destination. She would also like to know if there had been cases of trafficking victims being used in occupations other than prostitution. She would appreciate information on the implementation of the agreement with the United Nations Office on Drugs and Crime and whether the relevant agencies in Colombia, including NGOs, knew about the agreement. She would also be interested in hearing what kind of

recovery and reintegration services were offered to Colombian women who had been rescued and returned from countries such as the Netherlands, the United States, Spain and Japan. Finally, she would like to know what had been done to prevent and combat child sex tourism.

36. **Ms. Begum** asked what legal and institutional measures the Government had taken to address the issue of violence against women in cases of armed conflict, internal displacement and family violence. She would like to know if there was a specific law to fight violence against women, and what was the total budget for combating that crime. She would appreciate information on the nationwide coverage of care centres. Was there a uniform caregiving policy, what were the criteria for eligibility, and did victims of violence have easy access to care centres? She would like to know if training courses had been undertaken in respect of gender-based violence and women's human rights issues as prescribed by the Special Rapporteur on violence against women. Had a high-ranking legal adviser on sexual and gender-based violence been appointed? Did the Government have intervention programmes to provide legal and medical help and guarantee justice to displaced women, and were there any statistics in that respect?

37. She would appreciate information on any specific steps that had been taken to revise the legislation on the investigation of cases of rape with respect to consent of the victim. She would also welcome information on the prosecution of drug trafficking and the factors that led women to get involved in that crime. She wondered what was the extent of the problem and what remedial measures had been taken by the Government.

38. **Ms. Gumedé Shelton** asked whether any studies had been conducted on the situation of prostitutes in Colombia and whether the law itself had been effective in terms of providing help for prostitutes. She would like to hear about the views of NGOs and women regarding the effectiveness of the law itself and the extent to which the non-criminalization of prostitution had made it easier to provide practical assistance to prostitutes, including through health services and exit strategies for women who wanted to leave prostitution. She would appreciate statistics in that regard, as well as information on studies regarding the implementation of the law. She would also welcome information on

any studies that might have been made of CPEM initiatives relating to stereotypes and the media.

39. With regard to trafficking, she asked for specific information on direct collaboration between Colombia and other Latin American countries in combating that crime. She would like to see statistics developed in Colombia, not those published by Interpol, on the extent to which trafficking had been reduced, and the impact of trafficking on ethnic groups and migrant women. She would also welcome statistics on NGOs, especially women's organizations. Referring to the reply to question 13 in the responses to the list of issues and questions, she said she would like to know if statistics were available on the number of women that had been helped by reintegration and similar programmes.

40. **Ms. Vázquez Zawadzky** (Colombia), replying to a question on assistance to women victims of violence, said that they could seek help from the Office of the Procurator-General and the Office of the Ombudsman. Women could submit a request for protection, seek direct reparations for acts of the State, or file a citizen petition. All State bodies were required to respond to such petitions; if they failed to do so, the person could file a request for protection. The courts were required to give priority to requests for protection above any other judicial action.

41. **Ms. Nieto Jaramillo** (Colombia), referring to questions on the issue of trafficking, said that by Act 800 of 2003, the Government had approved the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. By adopting Act 985 of 2005, on measures to combat trafficking in persons and norms for the care and protection of its victims, Colombia had made significant strides in the fight against trafficking in persons, at both the domestic and the international levels.

42. Act 985 defined trafficking in persons as an offence, eliminated consent as grounds for exemption from responsibility and covered the entire cycle of trafficking. It laid out the national strategy on trafficking and created the Inter-institutional Committee to Combat Trafficking in Women and Children, which comprised 14 State entities responsible for combating the problem. The Committee had its own budget, which in 2006 had amounted to

nearly US\$ 500,000 and would be similar in 2007. The strategy, which incorporated the agreement with the United Nations Office on Drugs and Crime, had been launched in August 2006. One of the key projects undertaken by the Inter-institutional Committee was the anti-trafficking centre for operations and observation, which was just being set up. The centre, which would serve as a model that could be replicated in other cities, would make it possible to study every angle of the process of trafficking with a view to developing programmes on prevention and prosecution, together with care for and reintegration of victims. It should be operational by the second half of 2007 and would have an initial budget of US\$ 235,000, to be provided by international agencies and the Government.

43. Turning to the question on statistics, she said that a national anti-trafficking information system would be set up within the new anti-trafficking centre. The available statistics showed that in 2005 12 cases involving women and three cases involving men had been prosecuted, and in 2006 eight cases involving women had been taken to court. The ages of the victims ranged from 9 to 36. The figures on country of destination showed the highest number of victims being sent to Venezuela, including an underage girl and an underage boy. Unfortunately, the statistics on trafficking were still inadequate, owing to the lack of data-collection tools and to the fact that prosecutors often brought charges for other types of offences, such as kidnapping or sexual crimes, instead of trafficking. Another source of information, the 1-800 (toll-free) line, had been operated by the International Organization for Migration (IOM) but might be turned over to the Government in the near future.

44. Internal trafficking was also a problem. External trafficking was a highly complex operation, since human traffickers used the same networks as drug traffickers. The "mules", women who carried drugs in their bodies, were often sold once they had completed their assignment. Men, women and children were also trafficked for purposes of slavery, with women often being forced into domestic service. In addition to sexual slavery, trafficking was also carried out in connection with servile marriages and illegal adoptions. The anti-trafficking project carried out with the support of the United Nations Office on Drugs and Crime had been recognized as the best United Nations project in the world, thanks to its impact in terms of

building solidarity in civil society and raising awareness of the importance of denouncing the offence.

45. **Ms. Vázquez Zawadzky** (Colombia), referring to the question of stereotypes, said that a CPEM study of decisions handed down over the past few years by the Supreme Court of Justice had confirmed that stereotypes were gradually being eliminated. CPEM had carried out legal literacy programmes for women at the local level with the aim of empowering them to exercise their rights and lodge complaints when they were victimized. A recently formulated strategic plan on the protection of women's rights in the court system focused on protecting women in cases of domestic violence, marriage break-up and discrimination in the workplace. A plan for working with the media to eliminate stereotypes was being developed. A pamphlet on domestic violence had been published and distributed widely to raise awareness among women and among officials responsible for dealing with violence.

46. **Ms. Borrero** (Colombia) said that the Presidential Programme for Social Action was in charge of programmes for the displaced population. Act 387 of 1997 established the responsibilities of the State in terms of providing comprehensive care for persons displaced by violence, formulating public policy and implementing prevention and stabilization measures. The National Council for the Displaced Population was responsible for policymaking, and local committees provided care to the displaced population. The National System of Care for the Population Displaced by Violence (SNAIPDV) had been established by Decree 250 of 2005, which focused specifically on gender and age groups. The problem of displacement was a daunting one, given the inadequacy of the institutional structure and the lack of funding. Between 1995 and 2002, the Government had had only 500,000 pesos to deal with the problem, which had become overwhelming in 2002. Between 2002 and 2006, approximately 1.4 billion pesos had been allocated, and between 2006 and 2010, a budget of over 4 billion pesos was projected, thus allowing for improvements in the programme.

47. In 2004, the Constitutional Court had handed down decision 3025, declaring the situation unconstitutional. The Court had also issued orders to several agencies concerning requirements they had not been able to meet, owing to the lack of funds. The

programme for displaced persons embodied a holistic approach rather than merely providing assistance as it had in the past. At present, the single registry of displaced persons listed approximately 450,000 families, and women accounted for 47 per cent of the displaced population. Mothers with children under 18 were provided with subsidies to cover their children's health care and education.

48. **Ms. Vázquez Zawadzky** (Colombia), noting that there were different categories of violence which were dealt with by different bodies, said that the problem of violence caused by armed groups operating outside the law was addressed under the democratic security policy, which was described in the report. Additional information on the issue of trafficking could be found on the website of the Presidency of the Republic. The legislation on sexual violence and domestic violence had been changing to adjust to the new circumstances. Women members of Congress had recently introduced a bill amending the existing law. The Ministry of the Interior and Justice had also submitted a bill, which was aimed, among other things, at changing the system of conciliation, given that under the present system, when personal injury or sexual abuse occurred, the case was not prosecuted as a case of sexual or domestic violence but as some other type of offence. If the abuse had been committed by a family member, that would be an aggravating factor. The idea was to eliminate the conciliation requirement in cases of domestic violence.

49. A number of different institutions provided care for women who were victims of violence. The challenge was to improve coordination between all those different agencies. She was not alarmed by the increase in the number of complaints because she viewed that as a positive indication that women were being empowered to exercise their rights.

50. **Ms. Navarro Ordóñez** (Colombia) said that the National Peacebuilding and Family Harmony Policy (*Haz Paz*) of the Council for Economic and Social Policy (CONPES), which had been set up to address the problem of violence, focused on prevention of violence and care of victims. Methodologies for preventing domestic violence had been developed and would be applied at the national, departmental and local levels. There was no eligibility policy for victims, but rather there was a policy for offering care to victims. All victims received equal treatment. The Colombian Family Welfare Institute (ICBF) was implementing a well-designed plan for providing care

and protection to women and children throughout the country.

51. **Ms. Gutiérrez Méndez** (Colombia) pointed out that the displaced population included some of the most vulnerable age groups, including adolescents. The teenage pregnancy rate had increased over the last few years, and a Profamilia survey had shown that it was higher among the displaced population than among the population at large. Nevertheless, the sexual and reproductive health policy, which was relatively new, was beginning to reach all areas of the country and its impact was already evident in the falling fertility rates and the increased use of birth control and of prenatal and maternal care services.

52. **The Chairperson** invited members to ask follow-up questions on the articles discussed.

53. **Ms. Šimonović**, referring to the explanation given by the representative of Colombia concerning the use of the terms “equity” and “equality”, pointed out that all the substantive articles of the Convention spoke of gender equality, which meant equal rights for women and men. That was why she had raised the point. The Convention directed States parties to uphold the principle of gender equality, both *de facto* and *de jure*. The Constitutional Court of Colombia had held the same position.

54. **Ms. Gumede Shelton** said she would appreciate some additional information on the issue of prostitution. She would like to know how effective Government policy and the action of NGOs and other women’s organizations had been.

55. **Ms. Nieto Jaramillo** (Colombia) said that adult prostitution as such was not an offence in Colombia. However, penalties were imposed for child prostitution, pimping and human trafficking. Psychological and social care for prostitutes was provided by the social security system and the health-care system, and some cities had programmes for helping women who wished to leave prostitution. No statistics were available on the number of women practising prostitution at the national level.

56. The prostitution of children for sexual tourism was a serious problem. The Ministry of the Interior and Justice and the ministries responsibilities for social protection, trade and tourism, the Office of the Attorney General and ICBF were working with the tourism sector to prevent the use of children for sexual

tourism. The Office of the Attorney General, the Office of the Ombudsman and the National Institute of Legal Medicine and Forensic Science had joined forces with the police and local government to provide comprehensive care for victims of sexual violence. The Catholic Church also offered services for children under six and their families.

57. **Ms. Vázquez Zawadzky** (Colombia), referring to the conceptual differences between equity and equality, said that the Government’s position was that equity did not mean giving everybody the same but rather giving more to those who needed more. Thus, it meant giving preferential treatment to disadvantaged groups. That approach, which embodied the concept of justice, was the basis for affirmative or proactive actions on behalf of women or disadvantaged groups. The concept of equality referred to opportunities and results, in other words, enabling men and women alike to fully exercise their rights as citizens. The Government therefore viewed the concept of equity as an affirmative policy, and the concept of equality as a social policy for ensuring equal opportunities for men and women.

The meeting rose at 1 p.m.