



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 combined seventh and eighth periodic reports of Colombia*

1. The Committee considered the combined seventh and eighth periodic report of Colombia (CEDAW/C/COL/7-8) at its 1161st and 1162nd meetings, on 2 October 2013 (see CEDAW/C/SR.1161 and 1162). The Committee's list of issues and questions are contained in CEDAW/C/COL/Q/7-8 and the responses of Colombia are contained in CEDAW/C/COL/Q/7-8/Add.1.

A. Introduction

2. The Committee appreciates that the State party submitted its combined seventh and eighth periodic report, although it did not comply with the reporting guidelines. It also appreciates the State party's written replies to the list of issues and questions raised by its pre-session working group. It welcomes the oral presentation of the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party delegation which was headed by Ms. Nigeria Rentería, Head of the High Presidential Counsellor for Women's Affairs. The delegation also included representatives from the Ministry of Interior, the Ministry of Health, the Attorney's General Office, the Presidential Programme on Human Rights and International Human Rights Law, the Ministry of Foreign Affairs and the Permanent Mission of Colombia to the United Nations at Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration of the State party's combined fifth and sixth periodic report in 2007 (CEDAW/C/COL/5-6) in undertaking legislative reforms, in particular the adoption of:

- (a) Law No. 1257 on the right of women to a life free from violence, in 2008;
- (b) Law No. 1448 on Victims and Land Restitution, in 2011;
- (c) Law No. 1542 on domestic violence, in 2012;

* Adopted by the Committee at its fifty-sixth session (30 September to 18 October 2013).

- (d) Law No. 639 on acid attacks, supplementing Law No. 1257, in 2013.
5. The Committee commends the State party for improving its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, including:
- (a) The adoption of the Public Policy of Gender Equality, along with a Comprehensive Plan against Violence, in September 2012, as well as the approval of its budgetary framework in March 2013;
- (b) The adoption in 2012 of the National Plan for Assistance and Integral Reparation for Victims and its budget, as well as the establishment of the National Assistance and Integral Reparation System for Victims;
- (c) The adoption, in 2012, of the Inter-Institutional Strategy to Prioritize Cases and the Assistance provided to Women Victims of Violence, in particular Sexual Violence.
6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:
- (a) The International Labour Organization Convention No. 189 on Domestic Workers, in 2012;
- (b) The International Convention for the Protection of All Persons from Enforced Disappearance, in 2012; and
- (c) The Convention on the Rights of Persons with Disabilities, in 2011;
7. The Committee commends the State party for having adhered to the nine major international human rights instruments.

C. Principal areas of concern and recommendations

Congress

8. **While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of Government and invites the State party to encourage the Congress, in line with the applicable procedures and where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations between now and the next reporting process under the Convention.**

Legislative and Institutional Framework

9. The Committee acknowledges the State party's comprehensive legal, policy and institutional framework on women's rights; however, it is deeply concerned that this framework stands in sharp contrast to the situation of women across the territory of the State party, as its implementation is highly ineffective. It welcomes the various Constitutional Court rulings which guarantee the protection of human rights, in particular women's rights. However, it is seriously concerned that opposing views at the Executive decision-making level and also within the judiciary, with respect to the Court's rulings have resulted in inconsistencies in governance and rule of law due to their limited implementation.

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

(a) **Improve the implementation of the legal and policy framework, enhance and establish effective monitoring mechanisms;**

(b) Ensure effective coordination among the various implementing government institutions and put in place accountability mechanisms; and

(c) Take the necessary steps to reconcile opposing views within the government, at the decision-making level and also within the judiciary, in order to respect and fully implement the Constitutional Court rulings.

National Machinery for the advancement of women

11. The Committee notes that the national machinery for the advancement of women has been strengthened by the establishment of the High Presidential Advisory for Women's Affairs and with increases in the number of staff. However, it is concerned that the capacity and resources of the High Presidential Advisory has not been adequately strengthened to ensure effective coordination among different institutions at various levels, to efficiently promote, monitor and evaluate the implementation of national gender equity legislation and policies, in particular the Public Policy of Gender Equity.

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

(a) Consider giving ministerial rank to the High Presidential Advisory for Women's Affairs, with a view to making it more visible and effective, enhance its capacity to influence the formulation, design and implementation of gender equality policies, and strengthen its coordination role at all levels of government, in particular at the ministerial level; and

(b) Provide the Inter-Sectoral Commission, which is headed by the High Presidential Advisory for Women's Affairs, with the necessary and adequate means to ensure the effective implementation of the Public Policy on Gender Equity.

Stereotypes and harmful practices

13. The Committee is concerned at the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and society in the State party. It notes that such attitudes and stereotypes constitute a significant impediment to the implementation of the Convention, as they are root causes of women's disadvantaged position in political and public life, especially in decision-making positions and elected offices as well as in the labour market; the prevalence of violence against women; and gender segregation as reflected in women's and girls' educational choices. It is also concerned that the State party has not taken sufficient sustained and systematic action to eliminate stereotypes, in particular those against indigenous and Afro-Colombian women. It is further concerned at the practice of FGM in some indigenous communities, including the Emberá community, as well as at the tolerance to this practice by the State party and its non-prohibition by law.

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

(a) Develop a comprehensive strategy targeted at women and men, girls and boys, to overcome patriarchal and gender-based stereotypical attitudes about the roles and responsibilities of women and men in the family and in society, in particular in areas where women are in the most disadvantaged position, such as public and political life and employment;

(b) Disseminate the principles of non-discrimination and gender equality, through its cooperation with civil society and women's organizations, political parties, education professionals, the private sector and the media, to the general public and to specific audiences, such as decision-makers, employers, youth, with a view to enhancing a positive and non-stereotypical portrayal of Afro-Colombian and indigenous women;

(c) **Undertake joint efforts with the indigenous authorities to eliminate FGM, including by raising awareness on its harmful effects for girls and women and by ensuring the implementation of the decisions taken by the Regional Council of Risaralda with regard to the practice of FGM; and prohibit FGM in its legislation.**

Violence against Women

15. The Committee is concerned at the high prevalence of violence against women, in particular domestic and sexual violence despite the comprehensive legal framework to address violence against women in the State party. It is further concerned at:

(a) The inconsistencies and lack of articulation in the regulatory framework of Law No. 1257 (2008), as well as the lack of effective coordination among the different government ministries and institutions responsible for its application, which result in women's inadequate access to the protection and support measures therein envisaged;

(b) The delays in the implementation of certain provisions of Law No. 1257 (2008), such as those concerned with the provision of shelters for women victims of violence;

(c) The persistent impunity with respect to the investigation, prosecution and punishment of perpetrators of acts of violence against women; and the absence of accurate data disaggregated by sex, age, ethnicity and relationship between the victim and the perpetrator as well as on the number of prosecutions, convictions and sentences imposed on perpetrators; and

(d) The pressure put on women victims of violence to be reconciled with the perpetrator during the first stages of administrative or judicial process, despite the prohibition by law of such a reconciliation procedure (Law No. 1257 and Law No. 1542).

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

(a) **Ensure women's adequate access to the protection and support measures envisaged in Law No. 1257 (2008) by simplifying the procedures for access to them; ensuring consistency and articulation among the different decrees which constitute the regulatory framework of the law, enhancing coordination among the institutions responsible of its implementation; and, providing these institutions with sufficient human, technical and financial resources, to increase their effectiveness in executing their mandate;**

(b) **Prioritize the full implementation of Law No. 1257 (2008) by, among others, ensuring that shelters for women and girls victims of violence are functioning across the country; by providing adequate assistance, protection and rehabilitation to women victims of all forms of violence; and by complying with its domestic legal obligation to annually report to the Congress on the situation of violence against women;**

(c) **Ensure that the Follow-up Mechanism of Law No. 1257 (2008) effectively monitors and assesses the implementation of the law and its regulatory framework and ensure the participation of women's rights organizations, including indigenous and Afro-Colombian women therein;**

(d) **Ensure women's access to justice, including by taking measures to combat impunity; enhancing the capacity of the Family Police Stations and by providing mandatory training for judges, lawyers and law enforcement officers on the consistent application of the existing legal framework, and on human rights, in particular on the Convention, including the various forms of violence against women and on gender stereotypes;**

(e) Establish a standard system for the regular collection of statistical data on violence against women, disaggregated by sex, age, ethnicity, type of violence and the circumstances in which the violence was committed, including the perpetrator and victim and whether they were related to each other; and

(f) Take effective actions to ensure women victims of violence their right not to be confronted with their perpetrator and to be reconciled with him, in conformity with the relevant legislation.

Conflict-related gender-based violence

17. The Committee notes the efforts of the State party to address conflict-related gender-based violence, including sexual violence, such as Law No. 1448 (2011). It also notes the measures taken by the Attorney's General Office to improve the methodology of investigation and treatment of victims of these crimes. However, it expresses its serious concern at the prevalence of sexual violence against women and girls, including rape, by all actors in the armed conflict, including by post-demobilization armed groups. It is concerned at the significant underreporting of cases and at the widespread impunity with respect to the investigation, prosecution and punishment of perpetrators of conflict-related sexual violence against women and girls, which contribute to the victims' lack of confidence in the State response. In this context, it is particularly concerned at:

(a) The lack of adequate protection measures for women victims of gender-based violence, including sexual violence, as well as for witnesses, their families and communities, as well as the lack of an effective specific system of protection for Afro-Colombian and indigenous women victims of violence;

(b) The obstacles faced by women when seeking access to justice, such as sex and gender discrimination against them by police officers and prosecutors, lack of adequate training and sensitization for justice officials, the lack of legal aid as well as the limited health care and psycho-social services for victims of sexual violence, including immediate access to forensic testing;

(c) The non-applicability of Law No. 1448 (2011) to the victims of post-demobilization armed groups, to which human rights violations are attributed, such as gender-based violence, in particular sexual violence, due to the non-recognition of the State party of these groups as parties in the conflict;

(d) The absence of reparation measures seeking to transform the sex and gender structural inequalities which led to gender-based violence in order to prevent the re-occurrence of such violations;

(e) The Reform to the Military Criminal Justice, adopted in December 2012, according to which human rights violations, such as violence against women (other than sexual violence) and arbitrary detentions, among others, will be handled by military courts; and the negative impact of the reform in the investigative process and treatment of victims;

(f) The adoption of the Protocol for the Public Force in the Handling of Sexual Violence with Emphasis on Sexual Violence with Occasion of the Armed Conflict, in November 2012 which gives the authority to the military to deal directly with and assist victims of sexual violence; and

(g) The transitional justice Legal Framework for Peace (adopted in June 2012), under which perpetrators of human rights violations, including sexual violence, may benefit from amnesties and the lack of information, during the constructive dialogue, with respect to its implementation so far in the State party.

18. The Committee recommends that the State party:

(a) Take measures to prevent gender-based violence, in particular sexual violence, by all actors in the armed conflict; conduct gender-sensitive training and adopt codes of conduct for the police and the military; and ensure their proper dissemination;

(b) Overcome impunity with respect to conflict-related sexual violence cases by adopting, among others, a policy aimed at standardizing the methodology of investigation across the country, which applies international standards; and, prioritize the investigation and prosecution of all cases requested by the Constitutional Court ruling No. 092 (2008) as well as all other cases within the conflict-related sexual violence caseload;

(c) Guarantee access to justice for all women affected by sexual violence during the conflict by ensuring that the justice system is gender-responsive; increase the number of judges and prosecutors specialized on sexual violence and ensure that gender training programmes for them are systematic and are a pre-requisite for working on conflict-related sexual violence cases; increase the number of women judges dealing with these cases; and pursue efforts, with the support of the international community, towards the adoption of a law on a specialized court or specialized chambers under the national judiciary system, to try individuals responsible for war crimes, genocide, and crimes against humanity;

(d) Provide women and girls who are victims of conflict-related gender-based violence, in particular sexual violence, with an environment of security and trust during pre-investigation and investigation, trial and post-trial stages by strengthening the protection measures for them and by integrating a differentiated and integral approach, which takes into consideration the specific needs of Afro-Colombian and indigenous women;

(e) Comply with Constitutional Court ruling No. 119 (2013) so as to ensure that victims of sexual violence by post-demobilized armed groups are recognized as victims under Law No. 1448 (2011) and conduct proper investigations and prosecution of perpetrators;

(f) Ensure access of victims to comprehensive medical treatment, mental health care and psychosocial support provided by health professionals who are appropriately trained to detect sexual violence and to treat its consequences; and ensure that women victims of sexual violence are promptly provided with access to forensic testing;

(g) Conduct an assessment of the impact of the conflict on women with the aim to provide victims, with transformative reparation measures which address the structural inequalities which led to gender-based violence, in particular sexual violence respond to women's specific needs and prevent the re-occurrence of such violence;

(h) Repeal all legal provisions which grant authorization to military courts to handle cases of human rights violations, in particular cases of violence against women; and declare void the Protocol for the Public Force in the Handling of Sexual Violence with Emphasis on Sexual Violence with Occasion of the Armed Conflict;

(i) Ensure that under the Constitutional Reform adopted in June 2012 (Legal Framework for Peace) women's access to justice will be guaranteed, that its mandating bodies will address all conflict-related gender-based violations, including sexual violence and that amnesties will be rejected; and

(j) Ensure that sexual violence concerns are raised early and consistently in the current peace process that the Government of Colombia initiated in August 2012

with the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP), and are adequately reflected in an eventual peace agreement.

Trafficking and exploitation of prostitution

19. The Committee is concerned at the delays in the adoption of Law’s No. 985 (2005) regulatory decree on the protection of and assistance to victims of trafficking. It is also concerned at the lack of information with respect to the extent and causes of external and internal trafficking of women and girls despite the fact that the State party is a country of origin of external trafficking and despite the existence of internal trafficking, particularly in regions where the mega-development projects are being carried out. It reiterates its previous concern (CEDAW/C/COL/CO/5-6, para. 20) with respect to the absence of information with respect to the exploitation of prostitution and measures to address it.

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

(a) **Prioritize the adoption of Law No. 985 (2005) regulations and ensure its effective implementation as well as other programmes, in order to ensure effective legal guidelines for the protection and assistance of victims of trafficking and reintegration programmes, as appropriate;**

(b) **Carry out, without delay, a study to investigate the extent and causes of external and internal human trafficking and prostitution, particularly of women and girls, including through the collection and analysis of data on human trafficking and prostitution; and provide information on its results in its next periodic report; and**

(c) **Enhance international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange and harmonize legal procedures aimed at the prosecution and punishment of traffickers.**

Participation in political and public life

21. The Committee welcomes the adoption of Law No. 1475 (2011) which establishes a 30% quota for women in the electoral lists by the political parties. However it is concerned that its implementation is not translated in an increase in the number of elected women due to inefficiencies in the composition of electoral lists. It is further concerned at the stagnant low representation of women in the Congress (less than 18%) and at the absence of the representation of Afro-Colombian women therein. It regrets that despite the allocation of seats for indigenous peoples in the Congress, indigenous women are not represented therein. It notes the compliance with the 30% representation quota for women in the Executive, however is concerned at women’s low representation at high levels of decision-making in other government institutions and the judiciary.

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

(a) **Develop mechanisms to translate the 30% quota for women in the electoral lists to a real increase in women’s political representation by placing women in winnable positions, ensuring that political parties allocate sufficient funds for women’s campaigning and establishing benchmarks with a concrete timetable and sanctions for non-compliance;**

(b) **Promote the political participation of indigenous and Afro-Colombian women so as to ensure their representation in Congress, by for example the adoption of temporary special measures; and**

(c) **Implement awareness-raising activities for the general public about the importance of women’s participation in decision-making, and develop targeted training and mentoring programmes on leadership and negotiation skills for women in the public sector;**

23. The Committee is further concerned at:

(a) The limited acknowledgement of women's role and agency in the armed conflict and their exclusion in the first line of key negotiators in the peace process as well as at the reluctance to elaborate a National Action Plan in the framework of Security Resolution 1325 (2000);

(b) The different manifestations of violence, such as threats and sexual violence, to which women human rights defenders and leaders are subjected in the context of the armed conflict; and the lack of adequate protection measures for them.

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

(a) Ensure the full implementation of Security Council Resolution 1325 (2000) through the formulation of the State party's Action Plan; ensure the effective and meaningful participation of women in the first line of negotiations within the peace process as well their participation in decision-making processes relating to post-conflict policies and strategies; and

(b) Establish a protection programme for women rights defenders and leaders which takes into consideration their needs and realities from a gender differentiated perspective; and allocate adequate financial and human resources for its implementation.

Education

25. The Committee acknowledges that the dropout rates of school at all levels are lower for females than for males, however, it is concerned that at higher levels of education, 46.7% of young women do not complete their university education. It is also concerned at the dropout rate of school of girls due to pregnancies and at the lack of disaggregated data by sex, age and ethnicity related to the field of education.

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

(a) Address female dropout rates from university by, among others, developing programmes to retain women at higher level education institutions; and encourage young women to choose non-traditional fields of study and professions;

(b) Adopt a policy on the readmission to school of pregnant girls and young mothers and develop strategies to retain them at school; and

(c) Develop protocols for the collection of sex, age and ethnicity disaggregated data on an annual basis on core indicators including net/gross enrolment rates, enrolment ratios, attendance and drop-out rates and performance.

Employment

27. The Committee takes note of Law No. 1429 (2010) which incorporates temporary special measures by way of tax deductions to those private companies employing women. It notes the adoption of Law No. 1496 (2011) and is concerned that it only partially enshrines the principle of equal pay for equal work of equal value. It is also concerned at the high female unemployment rate, the considerable pay gap between women and men and at the occupational segregation of women. It is further concerned that the large majority of the female working population is engaged in the informal labour sector hence without access to social security benefits. It is concerned at the mitigating circumstances contained in Law No. 1010 (2006) with respect to sexual harassment in the workplace.

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

(a) Take effective measures to reduce in practice the pay gap between women and men; and amend Law No. 1496 (2011) in order to fully incorporate the

principle of equal pay for equal work of equal value, in conformity with ILO Convention No. 100 (1951) on Equal Remuneration;

(b) Ensure the effective implementation of the National Plan for Employment Equality which aims to increase the rate of women in the formal labour sector and at the reduction of women's unemployment rate;

(c) Continue adopting temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's General Recommendation No. 25 (2004), aimed at achieving de facto equal opportunities for women and men in the labour market, including disadvantaged groups of women;

(d) Adopt effective measures to eliminate occupational segregation both horizontal and vertical, based on stereotypes related to gender; and closely monitor the working conditions of women in the informal sector and ensure their access to social services and social security; and

(e) Repeal the mitigating circumstances for perpetrators of sexual harassment in Law No. 1010 (2006); develop a confidential and safe system for filing complaints related to gender-based discrimination and sexual harassment at the workplace; and ensure that victims have effective access to such means of redress.

Health

29. The Committee expresses its concern at:

(a) The very limited implementation of Constitutional Court's Ruling C-355 (2006) which guarantees access to legal abortion under the grounds of life or health risks for the mother, rape and serious of the foetus; the public campaigning against its implementation by high authorities of the State party; and the prevalence of invasive and expensive abortion procedures;

(b) The high number of unsafe abortions and the refusals by health professionals to provide post-abortion services to women;

(c) The high prevalence of teenage pregnancy;

(d) The high rate of childbearing women who use sterilization as a family planning method; and

(e) Cases of forced sterilization of women with disabilities and women living with HIV/AIDS.

30. The Committee recommends that the State party:

(a) Guarantee women's access to legal abortion by ensuring compliance with the Constitutional Court's Ruling C-355 (2006), developing monitoring and accountability mechanisms, including sanctions, sensitizing the relevant authorities and professionals on health and sexual and reproductive rights; and expanding the availability of medically safe modern abortion methods;

(b) Ensure the provision of post-abortion health care services for women who have undergone an unsafe abortion;

(c) Effectively implement the Policy on the Prevention of Teenage Pregnancies (2012) and ensure universal access to health services and to information on sexual and reproductive health and rights and education, particularly to adolescent girls and boys;

(d) Take measures to decrease the use of sterilization as a family planning method by conducting awareness raising campaigns on the use of modern reversible

contraceptive methods and ensuring their availability for girls and women of childbearing age; and

(e) Amend and develop the regulatory framework as well as guidance provided to medical practitioners to ensure that sterilization is carried out with the free and informed consent of women, including women with disabilities and women living with HIV/AIDS.

Rural, indigenous and Afro-Colombian women

31. The Committee is concerned about the persistent discrimination experienced by rural women, indigenous women and Afro-Colombian women.. It is deeply concerned that the disproportionate impact of the armed conflict in conjunction with the negative impact of the mega-agricultural and mining projects on these groups of women are deepening the prevailing discrimination, inequalities and poverty which they have long been experiencing, despite the efforts of the State party to improve their situation. It is particularly concerned at:

(a) The multiple barriers women face to have access to land restitution in the framework of Law 1448 (2011), inter alia, institutional, procedural and social barriers, as well as the lack of sustainable solutions for women to whom their land has been returned or who are claiming their land;

(b) The threats and violence, including sexual violence, women are experiencing by armed groups, including post-demobilized armed groups, when the investment interests of third parties are at odds with their demands of land restitution, situation which results in the forced displacement of women and their families; and

(c) The lack of an effective and coordinated institutional response to the specific risks to which internally displaced women and girls are exposed as well as the fact that gender-based violence, in particular sexual violence is a cause of forced displacement.

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

(a) Translate into practical actions the legal requirement to take into consideration a gender and differentiated approach to address women victims' specific needs, with the view to eliminate the various barriers faced by them during the land restitution process; and enhance the capacity of civil servants, judicial officials and health professionals responsible for implementing Law No. 1448 (2011) with a view to better identify the specific needs of women victims;

(b) Ensure the effective implementation of the Constitutional Court's ruling 092 (2008) regarding the situation of internally displaced women, in particular the 13 programmes aimed at addressing the specific needs and risks faced by this group of women;

(c) Take effective protection measures for women who are victims of threats and violence by armed groups, including post-demobilized armed groups, in relation to land restitution;

(d) Fully acknowledge the link between gender-based violence, including sexual violence and forced displacement and ensure the prompt investigation and prosecution of perpetrators, including post-demobilized armed groups; and

(e) Develop sustainable solutions for women to whom their land has been returned which, inter alia, incorporate women's right to have access to productive resources, such as seeds, water, and credit and foster their capacity to earn a living and produce their own food; and ensure that the protection of these rights prevail over the profit interests of third parties involved in the mega-agricultural and mining

projects by *inter alia* promoting public-private partnerships; and ensure that adequate compensation is provided when land is requisitioned.

33. The Committee is further concerned at:

(a) The lack of concise information with respect to the implementation of Law No. 731 (2002) on rural women, including a rural census, and of policies and programmes in place aimed at advancing the situation of these women, affected or not by the armed conflict, and results achieved;

(b) The lack of adequate protocols to guarantee the participation of indigenous and Afro-Colombian women in decision-making processes which directly affect their economic, social and cultural rights, such as those related to the establishment of mega-development projects in their territories;

(c) The inadequate access to health care services, education and employment opportunities of indigenous and Afro-Colombian women, in urban and rural contexts; and

(d) The lack of adequate responses to indigenous women's demands by both the indigenous justice mechanisms and the formal justice system as well as the persistence of barriers to their effective access to formal justice, such as the absence of interpretation during judicial processes;

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

(a) **Conduct a rural census as stated in Law No. 731 (2002), and include on it indicators which will facilitate the elaboration of an assessment of the situation of rural women; and develop effective policies and programmes aimed at the advancement of rural women;**

(b) **Take appropriate measures to guarantee to indigenous and Afro-Colombian women their right to prior consultation, in conformity with international standards, with respect to, *inter alia*, the establishment of mega-development projects; and promote their increased political participation at the national level and within their communities;**

(c) **Develop comprehensive and gender-sensitive policies for indigenous peoples and for Afro-Colombians, aimed at effectively addressing discrimination against them; and ensure indigenous and Afro-Colombian women adequate access to health care services, education and employment opportunities; and**

(d) **Take measures to ensure indigenous women adequate access to justice, within the indigenous justice mechanisms and also within the formal justice system; and sensitize indigenous authorities, prosecutors and judges on the importance of addressing violations of women's rights.**

Marriage and family relations

35. While noting that the legal age of marriage in the State party is set at 18 years for both girls and boys, the Committee is concerned at the exception in the Civil Code of the State party which allows 14 year old adolescents, girls and boys, to get married with the consent of their parents or guardians. It takes note that since 2007 the Constitutional Court has issued rulings which guarantee the rights of same-sex couples in the State party, such as ruling C-577 (2011). However, it notes barriers to its implementation.

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

(a) **Guarantee compliance with the minimum age for marriage, set at 18 years for both women and men and amend its Civil Code so as to ensure that exceptions related to the minimum age of marriage are set at 16 years for both girls and boys upon the authorization of a competent court; and**

(b) Sensitize parliamentarians and public servants and members of the judiciary on the relevant jurisprudence of the Constitutional Court.

Data collection and analysis

37. The Committee regrets that insufficient statistical data disaggregated by sex, age, race, ethnicity, geographical location and socioeconomic background, was provided in many areas covered by the Convention, which has created gaps and inconsistencies in the legislative reforms undertaken, as well as in policies and programmes developed and has misdirected available funding. It notes that such data are necessary for an accurate assessment of the situation of women and for informed and targeted policymaking with regard to all areas covered by the Convention.

38. **The Committee urges the State party to improve the collection and analysis of statistical data, disaggregated by sex, age, race, ethnicity, geographical location and socioeconomic background, in all areas covered by the Convention, in particular with respect to disadvantaged groups of women, in order to assess the progress toward de facto equality, the impact of measures taken and the results achieved. The Committee requests that such data be included in its next National Census (2015).**

Optional Protocol and amendment to article 20, paragraph 1, of the Convention

39. **The Committee urges the State party to remove its declaration under article 10, paragraph 1, of the Optional Protocol to the Convention regarding the competence of the Committee under articles 8 and 9, and to accept without delay, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

40. **The Committee calls upon the State party to utilize the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.**

Dissemination

41. **The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests the timely dissemination of the concluding observations, in the official language(s) of the State party, to the relevant state institutions at all levels (national, regional, local), in particular to the Government, the ministries, the Congress and to the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organisations, universities and research institutions, media, etc. It further recommends that its concluding observations be disseminated in an appropriate form at the local community level, to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the CEDAW Convention, its Optional Protocol and jurisprudence, and the Committee's General Recommendations to all stakeholders.**

Technical Assistance

42. **The Committee recommends that the State party avail itself of international assistance, including continued technical assistance from the Team of Experts on the Rule of Law/ Sexual Violence in Conflict, and other technical assistance contributing to the implementation of the above recommendations as well as the Convention as a**

whole. The Committee also calls upon the State party to continue its cooperation with specialized agencies and programmes of the United Nations system.

Follow-up to concluding observations

43. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 24 and 30 above.

Preparation of the next report

44. The Committee invites the State party to submit its sixth periodic report in October 2017.

45. The Committee requests the State party to follow the “Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents” (HRI/MC/2006/3 and Corr.1).
