

**COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN**

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**Presentation of the
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COLOMBIA**

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Honourable experts:

In this session of the Committee, the Colombian Delegation presents the achieved progresses in compliance with the Convention for the Elimination of Discrimination Against Women, between 1999-2006.

Year after year, the Convention has acquired greater importance in the actions of the Colombian State, and it has been our guiding light in many public activities and policies.

We must emphasize that the measures adopted in the implementation of the Convention, have been analyzed considering different political, social and economic circumstances of Colombia in the period covered by this Report, and the process of re-election of the President, which took place in 2006.

In August 2002, when Colombia faced huge levels of threats to its democratic institutions, President Alvaro Uribe Vélez was elected president and, in his determination to combat the difficult internal situation, committed to strengthen the State of Law and restore the rule of law throughout the country, according to human rights and international humanitarian law; and the defence and preservation of democracy.

The Democratic Security Policy moved forward with this purpose. It involves more than the simple dimension of security: it also invokes social equity and human development. As a result, the policy has improved the general climate in the country and has achieved major successes which have benefit men and women alike, and can be summarized by the following facts:

There have been significant results in territory recovery, population protection, and drug-trafficking reduction. The number of raids on villages has fallen 84.8% compared to the previous administration; kidnap for ransom has fallen 80% between 2002 and 2005; the number of terrorist attacks has fallen 63%; forced displacement has fallen by average of 29% a year since 2003, through a combination of prevention and integrated attention to those affected, and the allocation of substantial funds from the central budget.

Between August 2002 and November 2006, 42,808 members of illegal armed groups have demobilized, and in a unprecedented process in the history of the country, 34,196 of them belonged to illegal self-defence groups. As part of this collective demobilization of the armed groups, “Justice and Peace Law” was

approved. This new law made gender equity a guiding principle, transverse to our legislation.

Further, social equity was defined as a pillar of the National Development Plan "Towards a Community State 2003-2006".

The Social Reactivation policy, designed to achieve the objectives of the Plan, was founded on seven social equity tools, with actions which have been the driving force in economic growth, the generation of employment, the struggle against poverty, and they have given priority attention to the most vulnerable sectors of our people, particularly those affected by violence.

The Government is convinced that this is the only way to build a fairer and more democratic society, which will provide woman the place she deserves as a factor in development and social equity.

The desire of the Colombian government to introduce gender mainstreaming to all policies, plans, strategies and actions, was expressed in that National Development Plan, and will be enhanced in 2006-2010 new National Development Plan, in which the Government included a specific chapter on gender equity.

The Colombian State has pursued three strategies towards gender equity:

- Affirmative actions
- Social Reactivation Policy
- Gender mainstreaming strategy

Affirmative actions are developed in favour of women, children, adolescents, young people, ethnic groups and the handicapped, amongst others, through entities specially created to combat different forms of discrimination.

With regard to women, the Executive has adopted the "Women Builders of Peace and Development Policy", affirmative action that focuses on four intervention areas: employment and business development, education and culture, political participation, and prevention of violence against women. The policy has programs and strategies which are articulated with other policies and instances of national and local government; the results have been satisfactory, and our challenge is to continue with them.

The affirmative action policy contains a strategic plan for the period 2006-2010, to promote the defence of women's rights before the justice system in Colombia,

with more than 100 measures related to the protection of woman in family violence, breakdown of marriage, and labour discrimination; more than 30 entities of different State sectors will take part in its implementation.

The Social Reactivation policy promoted by the Government is essentially an opportunity plan for equality, and we should note that it is supported by seven social equity tools, and has contributed significantly to real equality between women and men, as can be confirmed by the gender-detailed results of the policy programs.

With regard to gender mainstreaming, a strategy which supposes a national agenda including all branches of the public power, in accordance with Articles 2-4 of the Convention, Colombia has consolidated a State policy designed to eliminate discrimination against women, with significant progress in terms of legislation, sentences, institutions and public policy.

In terms of legislation, between 1999 and 2006, the law came to offer stronger protection with the adoption of nine international treatie laws related to women, 20 laws that offer special protection, and nine further bills are currently in process.

In terms of judgments, the Constitutional Court and the Supreme Court of Justice have handed down some 3000 decisions related to the situation of women, and the protection of their rights.

Colombia counts with actions to protect basic rights of women; there are constitutional actions for the protection of fundamental rights, class actions and group actions; there is an action available for direct reparations of damages produced by the State, and a criminal action for crimes of gender violence.

The constitutional action, which may be filed by any person, has allowed us to remove incompatible laws with regard to the recognition of women's rights or incompatible to international treaties, in accordance to what has come to be known as the "Constitutional Block".

In institutional terms:

- We have a wide range of institutions committed to the promotion and respect of women's rights; the Office of the Procurator General, and the Colombian Congress, have been exercising political control to ensure that the authorities and public institutions act in accordance with the right to equality and the principle of non-discrimination.

The office of the People's Defender and the Office of the Procurator General have special delegates for women's affairs, and exercise oversight on government actions.

In terms of violence against women, the Colombian State has several entities that protect women's rights, and bring attention to them as victims of many forms of violence. The Prosecution Service and the family welfare agency ICBF provide assistance in the cases of violence against women, through their care centres for family violence victims and the integral care units for the victims of sexual violence. Action is also taken under the national policy for Peace-Building and Family Coexistence "*Has Paz*".

At the same time, the Government has enhanced the nationwide system created to work for the advancement of woman, the Counselor's Office for Women's Equity. The intention is to enable it to work more efficiently in its new responsibilities, which include the formulation and implementation of affirmative policy for women, and coordination for the process of gender mainstreaming among social, departmental and local government agencies. Work has been done since 2003 to redefine its functions, mission and vision, and the Office will continue in this process of institutional strengthening over the next few years, analyzing the nature, structure and functions of mechanisms for the advancement of woman in other countries.

The Counselor's Office is accountable to the Presidential Administrative Office, and should remain so, in order to reap the benefits of one of the most important structures in the State, and participating in the operating budget and investment budget annually assigned to it, and to have direct contact with all the ministries and other agencies of national and regional administration, international cooperation and the private sector. From this position it has been able to execute projects for almost US\$ 8.5 million between 2002 and 2006 in actions addressed exclusively to women.

In terms of public policy:

-In addition to the mentioned policies, the State as a whole is preparing a National Plan of action in human rights and international humanitarian law, which contains the gender focus as a transverse principle, offers a "Route" in the struggle against discrimination and the promotion of identity, and contains a special chapter on the elimination of discrimination against women.

The third strategy, that is, gender mainstreaming, finds major support in the

"National Agreement for Equity between Women and Men" signed on October 14, 2003 in the presence of the President of the Republic, by representatives of the three branches of the public power, public universities, organs of control, and some private-sector associations. This agreement has been used to pursue inter-institutional and inter-sectoral agendas for concertation.

The "National Agreement" has a special meaning in the implementation of UN Resolution 1325, since in addition to making progress in the incorporation of the gender perspective into public policy, it accentuates women's participation on conditions of equality with men, in all spheres of society.

In relation to Article 5 of the Convention, Colombia has made a variety of efforts to implement the agenda related to the elimination of sexist stereotypes, in work undertaken by the Ministry of Education, the Ministry of Communications, and the Counselor's Office for Women's Equity.

The Ministry of Communications has prepared a document on sector policy for broadcasting in Colombia, which includes the need to dynamize social responsibility with programs to eliminate violence against women.

ICBF has held regular programs on sensibilization and the prevention of family violence in the media.

In relation to Article 6 of the Convention, the Colombian State, aware of the gravity of the traffic of persons crime, ratified the Protocol "to prevent, repress and punish the trafficking in persons, especially women and children", and has promoted the approval of Law 985/2005. This new legislation adopts measures against the trafficking in human beings, and offers regulations and protection for the victims of the trade. Significant progress has been made in this area, both internally and in the international arena. For example:

- The establishment of the traffic in persons as a type of crime;
- The creation and strengthening of an inter-institutional Committee for the Struggle against the Traffic in Persons as a consultative organ of the Government, with funds of more than US\$ 400,000, for 2007;
- The formulation of a national strategy against the traffic in persons, and the commitment of institutions to prepare a national action plan in terms of that strategy.

In relation to Article 7, it is a fact that in percentage terms, more women than men go to the polls. The women recorded 51.9% of the vote in the elections of

May 28, 2006, with a total of 6,161,817, compared to 5,700,547 men.

We also highlight the increase in women's participation in the public service in 2005, due to the application of the "Quota Law", amongst other factors. In the Executive, there was an increase of 2.57%; in State institutions, 5.53%. 4 out of the 13 Ministries and more than one third of management positions in public administration in regional governments are now occupied by women. In the capital Bogota, the 20 mayoral districts have 20 women mayors.

Women's participation in policy drafting and in non-governmental organizations and associations has been secured by the promotion of:

- Women's Community Encounters, encouraged by the Counselor's Office for Women's Equity; there are 323 of them, in as many municipal districts across the country as a recognition of the diversity and heterogeneity of women in all regions, and giving them their "own voice", for them to demand their rights.

- The meetings of the Women Builders of Peace and Development, with the participation of representations of more than 4000 social and community women's organizations across the nation.

- The Pact for the Effective Inclusion of Women in Politics, signed on October 5, 2005 by the representatives of 16 political parties and movements which undertook to develop strategies to move forward towards gender equity.

- The implementation of UN Resolution 1325, which addressed peace-building and peace-keeping as international activities, counts with the decisive support of Colombia, a promoter of the Resolution and a member of the Group of Friends which promotes its application and dissemination.

Since 2002, the Government, through the Ministry of Foreign Affairs and the Presidential Counselor's Office for Women's Equity, has formed the Woman, Peace and Security Group, which has adopted an Agenda around the Resolution. Dissemination and promotion have been a permanent priority.

Annually, we commemorate its anniversary in an event in which several different social organizations and institutions take part. At the same time, we participate in training courses regarding the Convention, and organize them, in order to provide women of different regions, disciplines and interests, together with public employees, with technical, conceptual and methodological tools for negotiation and solution of conflict.

UNIFEM has been an important ally in all these efforts.

Two women with wide experience in NGO activity, and who work for peace, are now part of the National Commission for Reparations and Conciliation, and one of them is here with us in the Delegation.

Following Article 8, women represent the State at an international level on equal conditions with men: 131 women are engaged in diplomatic posts in the foreign service, and 35 are the heads of their diplomatic missions.

Women have headed the Colombian missions to international organizations. Colombia was recently elected as Vice-president of the Interamerican Commission on Women in the Organization of American States, and this is recognition of the work which the State has been doing in this important area.

In relation to Article 10, differences in access to education between men and women have practically disappeared. Illiteracy among women has fallen; the figures show that at all levels, more men withdraw from the education system than women; in the last 10 years, coverage has increased for the women in primary, secondary and college education.

The present government is materializing a true "educational revolution with a gender perspective ", and the figures confirm this. Today, 49.17% of new school places created for basic and intermediate education have been taken up by women; in higher education, women maintain 51% of the places; and in of the new places available for higher education, 67.8% of the loans of the State educational financing agency ICETEX are benefiting women. The success of the strategies promoted to broaden coverage is reflected in the generation of new places in pre-school, basic and intermediate education.

With regard to Article 11, in the field of employment, the diagnosis of results of the main variables on the level and quality of employment show that conditions are significantly more favorable than they were in 2002. Annual average unemployment at national level fell 3.9 percentage points between December 2002 and December 2005, when it reached 11.8%. By May 2006, unemployment has fallen again, to 11.5%, in contrast to December 2002, when it was 15.1%.

The policies for Social Reactivation, Social Management of the Rural Areas, support for Micro-Enterprise and SMEs, the programs of the Ministry of Social Protection, the National Training Service SENA; the policy of the

"Opportunities Bank" - all these, and others, have contributed to greater dynamism in the employment market, and brought about a drastic reduction in unemployment with the creation of 1.9 million new jobs in strategic sectors, with better conditions of employment due to a reduction of 2.8 percentage points in the level of under-employment which had been caused by shorter hours worked.

Despite this, women have achieved an average of 75% of the income earned by men between 2001 and 2004, and the gap is now 25%. This is higher in the informal sector (31%) than in the formal sector (17%), and this has meant that many women consider that it is better for them and their families to take some business initiative of their own, in order to be able to determine their own conditions of work.

In terms of affirmative action in employment and business development of women, the Presidential Counselor's Office for Women's Equity has developed nationwide programs to bring women' access to finance, business training, and commercial channels which help to strengthen production projects, to generate income and employment among women, to bring initiatives into the banking system, and to develop the entrepreneurial culture.

In the area of health - Article 12 - 7.8 million new users had been affiliated to the subsidized health regime, compared to 5.9 million places created between 1998 and 2002. In the period 2002-2006, the total number of affiliates increased 72.9% from 10.7 million to 18.6 million, and total coverage of the two basic levels of the subsidised system today is 62.7%.

The contributory regime now has 15.7 million affiliates, an increase of 19.4% on 2002; the health component of the Social Security System has registered 34.3 million beneficiaries up to 2006, representing coverage of 74.6% of the total population compared to 54.6% in 2002.

Substantial progress and development has been achieved in the promotion of sexual and reproductive health, and prevention and attention in each of its components, together with major changes in the indicators for early detection and attention to problems associated with sexual and reproductive activity.

The overall fertility rate continues to fall, from 6.8 children per woman in 1950 to 2.4 in 2005, represented by 2.1% in the urban areas and 2.4 in rural areas. The use of contraceptive methods among all women of fertile age has increased from 53% in 2000 to 56% in 2005.

Chronic malnutrition has fallen in the same period, although there are marked regional differences, and rural areas are much more strongly affected by these indicators.

In the period 1990-2005, the proportion of pregnancies without any institutional prenatal care has fallen from 20% to 6%. Between 2000-2005, prenatal care provided by doctors increased from 20% to 94%, 83% of pregnant women having four or more prenatal control sessions, and 71% attending their first session when four months pregnant. Institutional coverage of births increased from 86% to 92% in the same period.

The Presidential Counselor's Office for Special Programs (CPPE) acts together with the National Sexual and Reproductive Health Policy produced by the Ministry of Social Protection, in implementing the programme "The Promotion Of Rights And Peace-Building Networks".

The gender perspective has been incorporated into all health sector projects and programs, and information records now have provision for differences between men and women at all stages of the life-cycle, with several successful experiences.

In relation to the participation of rural women in decision-making processes (Article 14), the association of peasant, black and indigenous women ANMUCIC forms part of the Management Board of the agricultural sector development financing agency FINAGRO and of the Management Board of the rural development agency INCODER.

The Government statistical bureau DANE applied the gender perspective in collecting and analyzing several basic products, and included questions in the 2005 Census to obtain a vision of matters related to rural women, inquiring about their occupations, income-earning activities, and general conditions of life.

In the policy "Social Management of Rural Areas" of the Ministry of Agriculture and Rural Development, there are programs which involve rural women in the preparation and execution of projects, in particular, the project for the support for development of rural microbusiness, productive alliances, the rural women's microfinancing fund FOMMUR, rural social-interest housing, and the agrarian reform.

The Government has sanctioned Law 771/2002 in favour of rural women, to improve their quality of life, to give priority attention to low-income women and to speed up the achievement of gender equity.

In the area of professional risks, the Ministry of Social Protection has designed special action plans and strategies to attend rural women, such as (i) projects for occupational health prevention in specific groups of peasant workers; (ii) implementation of the ILO Conventions on agricultural workers health and safety; (iii) contracts with private agencies for research and promotion in occupational health.

In relation to Articles 15 and 16 of the Convention, we report the following progress in particular:

Women are recognized as having equal legal capacities to men, and equal rights to sign contracts and to administer goods; they have equal treatment in all stages of procedure in the justice system. Actions before the Constitutional Court have eliminated provisions of law which have tended to limit the legal capacity of women, who have the same rights as men to circulate freely and to choose their place of residence and domicile, to marry, to make a free choice of spouse, with equal rights and responsibilities within marriage, and when that marriage is dissolved. They have equal rights and responsibilities in parenthood, and in questions of ownership. And, according to a recent judicial ruling, they have the same minimum age to be able to marry.

The Constitutional Court has handed down Decision C-355 of May 10, 2006, to decriminalize abortion in three special cases: rape, serious malformation in the foetus, or where pregnancy represents a risk to the mother.

The following follow-up mechanisms are in place:

The system for the evaluation of public administration performance (SINERGIA); the system for the follow up of government social policy results (SIGOB); and the Gender Affairs Observatory, for monitoring progress in gender equity as a category and a method of analysis. The Observatory works on five basic themes, and includes components of regulation, judgments, administration and statistics. It connects up and systematizes secondary information, it builds up gender indicators, it disseminates the information, it collects, analyzes, and it makes recommendations.

The Observatory has been working since 2004, and was made a permanent unit by Law 1009/2006, accountable to the Presidential Counselor's Office for Women's Equity. It strengthens the process of gender mainstreaming and provides a solid and reliable basis for analyzes and reports.

In recent years, my country has received recognition for the progress made in gender equity, respect for human rights and the work performed by the Government in favour of women.

One of our targets for 2006-2010 is to include the gender perspective in our foreign policy and international cooperation agenda, with an emphasis on social development matters.

This progress, which we have achieved in compliance with the Convention to Eliminate Discrimination Against Women, is the result of joint work of the Colombian Congress, the Government, the judiciary, and the commitment of other sectors of society. However, the equality of the sexes and the equality and autonomy of women are far from being any reality, and we must recognize that in order to obtain greater and more effective participation by women, and enable them to have a sustained influence on the construction of a fairer and more equitable society, we must redouble our efforts. Colombia is committed to this objective.

Among the challenges which we propose, I should mention:

1. Continuity of the policies mentioned in this Report;
2. Better- quality education, and more articulation with the employment market;
3. Shared responsibility in domestic work;
4. Appropriation of the policy of affirmative action for women in all local government areas;
5. Further enhancement of the national mechanism for women;
6. Reduction in all forms of violence against women;
7. Consolidation of the strategy of gender transversality;
8. Greater participation for women in elected offices.

Finally, I would like to point another matter which confirms our commitment to the Convention the important delegation which has come from Colombia, with the presence of public servants from the highest levels of government.