



**3rd MONITORING
REPORT TO UNITED
NATIONS SECURITY
COUNCIL RESOLUTION 1325
COLOMBIA**

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Centro de Estudios de Derecho, Justicia y Sociedad (Dejusticia);

Liga de Mujeres Desplazadas;

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LIST OF ACRONYMS

| | |
|---------------|--|
| ACPEM | High Presidential Council on Women Equality (Alta Consejería Presidencial para la Equidad de la Mujer) |
| ACR | Colombian Agency for Reintegration (Agencia Colombiana para la Reintegración) |
| AUC | United Self-Defenders of Colombia (Autodefensas Unidas de Colombia) |
| CNRR | National Commission on Reparation and Reconciliation (Comisión Nacional de Reparación y Reconciliación) |
| CONPES | The National Council on Economic and Social Politics (Consejo Nacional de Política Económica y Social) |
| CSJ/SA | Superior Council of Judiciary, Administrative Chamber (Consejo Superior de la Judicatura, Sala Administrativa) |
| DDR | Disarmament, Demobilization and Reintegration |
| DPS | Department of Social Prosperity (Departamento para la Prosperidad Social) |
| ELN | National Liberation Army (Ejército de Liberación Nacional) |
| EPL | Popular Liberation Army (Ejército Popular de Liberación) |

| | |
|-----------------|---|
| FARC-EP | Revolutionary Armed Forces of Colombia – Army of the People (Fuerzas Armadas Revolucionarias de Colombia - Ejército del Pueblo) |
| M-19 | 19th of April Movement |
| MAPP-OEA | Peace process support mission (Misión de Apoyo al Proceso de Paz en Colombia) |
| NODEFIC | Norwegian Defense College International Center |
| ONIC | National Indigenous Organization of Colombia (Organización Nacional Indígena de Colombia) |
| PRSE | National Policy on Social and Economic Reintegration |
| RUV | Victims' Record (Registro Único de Víctimas) |
| SIERJU | Statistical Information System of the Judicial Branch |
| UC-ELN | National Liberation Army–Camilist Union (Unión Camilista-Ejército de Liberación Nacional) |

WOMEN, PEACE AND SECURITY PROFILE

A. Nature of the conflict

Colombia has been a country in conflict for over 50 years. During this period, the country's military forces have been fighting a number of guerilla groups, primarily the *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, FARC), and the *Ejercito de Liberación Nacional* (National Liberation Army, ELN).¹ Paramilitary groups, organized as the *Autodefensas Unidas de Colombia* (United Self-Defenders of Colombia, AUC), became key actors in the conflict and have been competing with guerrilla groups over territorial control since the 1980s.²

•1 *The Revolutionary Armed Forces of Colombia – Army of the People (FARC-EP) is an armed group with Marxist-Leninist ideology and Maoist influences in its military strategy. This group has participated in three peace processes since the 1980s. The ELN, or the National Liberation Army – Camillist Union (UC-ELN) is a military organization with Marxist – Leninist orientation. The organization was born in 1964, following two armed attacks. This guerilla group has had ties to the peace processes, covert or public, with the last four national governments of Ernesto Samper, Andrés Pastrana, Álvaro Uribe and Juan Manuel Santos. In addition to these groups, other guerilla groups have intervened in the Colombian conflict, such as the Popular Liberation Army (EPL), and the 19th of April Movement (M-19) that demobilized at the end of the 1980s and beginning of the 1990s.*

•2 *Documented and recognized by international petitions for human rights protection, these groups acted with the acquiescence of the State. In this respect, see: the Interamerican Commission on Human Rights Report on the demobilization process in Colombia. December 13, 2004. <http://www.cidh.org/countryrep/colombia04sp/informe3.htm>*

Although paramilitary groups were part of the demobilization process that followed the 2005 Justice and Peace Law (Law 975), several paramilitary groups continued to operate under different names as recently as 2012.³ New groups made up of previously demobilized paramilitaries have also surfaced; they are known as “Post-Demobilization Groups,” as well as *Bacrim* or criminal gangs.⁴ These groups continue to affect the civilian population through threats, homicides, kidnappings, and sexual violence.

After a number of failed peace negotiations, in September 2012, the Government of Colombia and FARC reached an initial agreement, with the objective to permanently demobilize FARC.⁵ The agreement came as a result of an exploratory phase of peace negotiation, which led to the second phase of peace negotiation that is currently unfolding in Havana, Cuba. This event was an important step toward the end of the conflict and the construction of peace.

The ongoing peace process has also been characterized by strong social mobilization as well as the emergence of new social movements led by indigenous groups, peasants, and workers, many of whom are based in the regions. This is significant because it shows the emergence of new social actors that have the capacities to address the current social conflicts that have been exacerbated by decades of war. Furthermore, it shows that civil society actors are able to play an important role as peacebuilders during the transition period and, presumably, during the ensuing post-conflict context.

•3 *Annual Report by the High Commission of the United Nations on Human Rights. Addendum. Report by the High Commission for Human Rights on the human rights situation in Colombia, January 2013, A/HRC/22/17/Add.3. Accessible on: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf*

•4 *The criminal gangs, although located throughout many regions of Colombia, are associated with drug trafficking, and exercise control of micro trafficking in the urban areas of Colombian cities.*

•5 *The agreed upon themes of the discussion were: agrarian reforms, political participation, termination of the armed conflict, illicit drugs, and the rights of victims. The agreement included an additional point on the mechanisms of application, verification, and solution to controversies.*

B. Impact of conflict on women

Even though the civilian population as a whole has felt the impact of the violence perpetrated by the various armed groups in Colombia, women and rural, indigenous, and Afro-Colombian communities have been more severely affected.⁶ The armed conflict has had a disproportionate and differential impact on women, as women in conflict are subjected to particular kinds of violence. Furthermore, women's demands of the enforcement and fulfillment of their rights in accordance to national laws and policies have made them the targets of additional threats and violations.

According to the *Unidad Administrativa Especial para la Atención y Reparación Integral a las Víctimas* (Special Administrative Unit for the Care and Reparation for Victims, UNARIV), as of August of 2012, there have been 123,066 cases of forced disappearances documented, of which 46.8 percent were women. Of the 846,853 cases of conflict-related homicides, 47 percent of the victims were women. Of the 1,497 indigenous persons who were assassinated, 76 percent were women; of the 3,445 Afro-Colombians who were assassinated, 65.6 percent were women; and of the 4,662,600 internally displaced peoples, 51 percent were women. If the number of women and children are added, they make up approximately 70 percent of the total displaced population.

The armed conflict has led to the following:

- (i) women's economic insecurity, including lack of gainful employment and increasing poverty, exacerbated by societal expectations that women must care and provide for their families;
- (ii) lack of opportunities (lack of access to economic, social, and cultural rights) for young women and men, which increases the risk of gang activity, drug consumption and prostitution;

⁶ *Alta Consejería Nacional para la Equidad de las Mujeres: Lineamientos de la Política Pública Nacional de Equidad de Género para las Mujeres, (High Presidential Council on Women Equality: Guidelines of the National Policy for Gender Equality for Women), September 2012.*

- (iii) women's increased vulnerability to violence both in the public and private spheres as a result of displacement; and
- (iv) women's abandonment of leadership roles due to threats against women who assume key positions and serve as representatives of social movements and political initiatives. This situation considerably limits women's empowerment and political participation.

Indigenous and Afro-Colombian women are even more vulnerable to conflict-related violence, such as sexual and gender-based violence, domestic violence, and homicide. Even though the differential impact of conflict on minority ethnic groups such as Afro-Colombians and indigenous women is taken into account in recent policies on reparation and restitution for victims (such as the 2012 National Council on Economic and Social Politics (CONPES) for victims), the existing policy and institutional frameworks are still lacking to properly address the situation. This is due to a lack of coordination among lead implementing agencies, as well as limited capacity and effort duplication, among other factors.⁷

Even though women suffer disproportionately as a result of the armed conflict, they are also agents of peace. Despite the threats directed at women's and victims' organizations, women persevere in the defense of their rights. They continue to develop and implement community actions for reparation and reconciliation, and lead initiatives throughout the territories.

In 2012, threats against women leaders continued. Specifically targeted women included: women who work in communities for displaced persons; women who represent survivors of sexual violence related to the conflict; and women who demand the return of their land. The United Nations High Commission on Human Rights

•7 *General Accounting Office of the Republic, Legal Council of the Town, Attorney General's Office. First tracking and monitoring report of the implementation of the decrees of the law of victims, indigenous, afro-colombians, palenqueras and room communities, Bogotá 2013.*

report on Colombia, released in January 2013, reveals that there continues to be reports of new cases of sexual violence committed by members of the army. The report cites the case of a young *emberachami*⁸ girl in Bogota who was a victim of sexual abuses committed by four members of the army as well as the case of a woman repeatedly raped by members of the army in Chaparral, Tolima.⁹ In her report after her visit to Colombia in May 2012, the United Nations Special Representative of the Secretary General on Sexual Violence in Conflict, Ms. Margot Wallström, emphasized the necessity for the Ministry of Defense to revise its zero tolerance policy on sexual violence.¹⁰

Even though Colombia has adopted laws to support victims, such as the Victims and Land Restitution law (Law 1448) that came into force in 2012,¹¹ their implementation has been difficult due to institutional weakness, the continuation of conflict, and the presence of armed actors in the regions.¹² It is clear that although normative legal and political advances have been developed in Colombia to guarantee victims' rights, women continue to be denied of their rights.

C. Relevant legal and policy framework

In 2012, a number of laws and policies were adopted that could potentially have a significant effect on women, peace and security in Colombia. However, important obstacles persist that limit the impact of these laws and policies on the lives of women, such as the lack of the necessary political will for implementation.

•8 *Emberachami is an indigenous community.*

•9 *Annual Report by the High Commission of the United Nations on Human Rights. Addendum. Report by the High Commission for Human Rights on the human rights situation in Colombia, January 2013, A/HRC/22/17/Add.3. http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf*

•10 *Ibid.*

•11 *Law 1448 of 2011 "which dictated methods of attention, assistance, and integral reparation to the victims of the internal armed conflict and other dictated dispositions."*

•12 *Programa Somos Defensores: el efecto placebo (Program We are defenders, the Placebo Effect), 2012 annual report, Information system on attacks on women and men human rights defenders in Colombia, Bogotá 2013.*

1. In 2012, Congress passed Law 1542, promoted by the *Bancada de Mujeres* (women legislators), which modified the classification of the crime of *violencia interfamiliar* or domestic violence. Although this is not directly related to women, peace and security, recognizing violence against women as a public interest issue promotes a favorable environment for upholding, defending and protecting women's rights in times of war and peace.
2. As a result of the lobbying and activities of the women's movement, the national government promised—in the “*National Action Plan – Prosperity for All*”—to adopt a national public policy on gender equality. This policy will guarantee integral and interdependent human rights to women as well as gender equality, addressing the particularities of urban populations, the rural Afro-Colombians, indigenous groups, farmers, and *room* (gypsy communities). On September 12, 2012 president Santos presented the National Public Policy for Women's Equality. It must be highlighted that the government and the women's movement were in dialogue during the formulation of the policy, particularly on the topic of protection against threats and human rights violations.
3. In relation to Law 1257 of 2008, on ending violence against women, four legislative decrees were issued in 2012 for the justice, health, education, and labor sector, in order to enhance the implementation of its general provisions by clearly defining accountability, procedures and implementation mechanisms.
4. On July 25, 2012, a draft law was presented in Congress “*to guarantee access to justice for victims of sexual violence, especially sexual violence during armed conflict.*” This proposed law seeks to incorporate international standardized norms on sexual violence related to conflict as war crimes and/or crimes against humanity. Another proposed law was presented by Congress, which seeks to classify femicide as an autonomous crime. This proposed law is known as “*Rosa Elvira Cely*” (No. 49 in 2012), named after a woman who was raped, tortured and assassinated in Bogota on May 24, 2012.



DATA PRESENTATION AND ANALYSIS

Information on the situation of women, particularly violence against women, is difficult to access. Information on the legal process by which such cases are tried is even more difficult to obtain. In many cases, the information is not disaggregated by sex, and is not reliable due to relative difficulties of coverage and accessibility as well as limitations in monitoring variables and trends over time. In Colombia, a central database that uses standardized data collection methods on violence against women does not exist. The contradicting data presented by different State entities is symptomatic of the low level of coordination between the diverse entities that are responsible for addressing the issue of violence against women. The persistence of the internal armed conflict further limits the collection and dissemination of information throughout the country.

It should also be highlighted that there are serious gaps and shortcomings in the way in which male and female officers and civil servants report and share information. Often times, the information provided is not the information requested or it is not complete, which made the collection of data for the indicators below particularly challenging. This obstacle in data gathering shows that the state does not fulfill its obligation to guarantee the right to information for its citizens.

A. Participation

Indicator 1 – Index of women’s participation in governance

Colombia has had a quota law (Law 581) since 2000,¹ which requires 30 percent women representation in public administration. As of June 2013, this quota has been met only in ministerial positions and in the Presidential High Councils (bodies in charge of formulating public policies).

There are no women Superintendents, and only 14 percent of Administrative Departments consist of women representatives. Women’s low participation shows that Law 581 is still not consistently implemented. This is largely due to a lack of political will.

To address the consistently low representation of women in high-level positions, in 2012, the civil society organizations Red Nacional de Mujeres, Sisma, and Dejusticia presented various demands to the State Council, meant to be carried out by the National Government.²

TABLE 1.1

Index of women’s participation in national governance³

| | Number of women | Number of men | Percentage of women |
|----------------------------|-----------------|---------------|---------------------|
| Ministries | 5 | 11 | 31 % |
| Superintendents | 0 | 9 | 0 % |
| Administrative Departments | 1 | 6 | 14 % |
| High Councils | 5 | 7 | 42 % |

•1 This law is intended to regulate the adequate and effective participation of women in decision-making levels of the different branches and organs of government, in conformity with articles 13, 40, and 43 of the National Constitution.

•2 See Press Communications from April 23, 2013 published by Sisma Mujer, De Justicia and the Red Nacional de Mujeres.

•3 The information on women’s representation in the Ministries, Superintendents, Administrative Departments, and High Councils was taken from the web page of each entity and was compiled for this report in June 2013.

With respect to elected positions, women’s participation continues to be very low. For example, in Congress, which is composed of 102 senators and 168 representatives, women do not exceed 16 percent. As a result, women continue to be largely underrepresented in Congress.

TABLE 1.2.
Women’s participation in congress, 2002-2014⁴

| Congressional Term | Number of women | Percentage of women |
|--------------------|-----------------|---------------------|
| 2002-2006 | 34 | 12.69 % |
| 2006-2010 | 28 | 10.45 % |
| 2010-2014 | 38 | 14.18 % |

According to the women’s organization Sisma Mujer’s analysis of the data from the National Registrar’s Office, women’s participation in Congress decreased slightly between 2002 and 2010 from 12.69 to 10.45 percent. In the 2010-2014 congressional term, the percentage of women increased to 14.18 percent.⁵ One of the possible reasons for this increase is the fact that a number of congressmen were found to have connections with paramilitary groups and were ousted from Congress and jailed. As a result, women who had the second highest number of votes took over the congressional positions.⁶

At the local level, women’s participation is equally precarious. Relatively speaking, women’s participation in the popular elections of governors and mayors continues to be very small. In the most re-

•4 *Corporación Sisma Mujer, Red Nacional de Mujeres, Towards a real road to equality, Fourth Report of the human rights of women, 2010, 2012, Bogotá, 2013.*

•5 *Corporación Sisma Mujer, Red Nacional de Mujeres, Towards a real road to equality, Fourth Report of the human rights of women, 2010, 2012, Bogotá, 2013.*

•6 *In recent years, the Supreme Court in Colombia has investigated and sanctioned a high number of congressmen for their involvement with illegal armed groups in the country.*

cent local elections, women only won 9.7 and 9.4 percent of mayoral and governor races respectively. The low level of women's participation at local levels is due to the endurance of a patriarchal culture and the lack of recognition of women's ability to make decisions.

TABLE 1.3.
Women's participation in local governance⁷

| | | Women | Men | Percentage |
|-------------|-------------------------|-------|-------|------------|
| Executive | Mayors | 107 | 993 | 9.7% |
| | Governors | 3 | 29 | 9.4% |
| Legislative | Departmental Assemblies | 1,875 | 9,162 | 17% |

In 2011, Law 1475 on political parties was adopted.⁸ This law contained affirmative action measures to force parties and political movements to include women in their electoral lists or, for those subject to inquiry, to conform through a 30 percent minimum of either gender. In addition to laws, it is necessary for political parties to gain a better understanding of the importance for women's political participation within their parties.

Although no national public elections have taken place since the adoption of Law 1475, the most recent local elections in October 2011 did. The results from these local elections did not show any significant impact of the law on the number of women elected. The hope is that, prior to the upcoming local elections, strong awareness-raising of political parties and of society at large will take place, thus resulting in an increase of women's representation in local governance.

⁷ The information about mayors' offices and governors' offices was taken from the Observatory on Gender Issues in the High Presidential Office for Women's Equality <http://www.equidadmujer.gov.co/OAG/Paginas/Estadisticas.aspx><http://www.equidadmujer.gov.co/OAG/Paginas/Estadisticas.aspx>

⁸ With this law, regulations have been adopted for the organization and functioning of political parties and movements, in the electoral processes and in other dispositions.

Although women’s participation in governance has yet to reach the 30 percent minimum across all positions in the national and local government, there has been slight to moderate progress in women’s participation in decision-making positions.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

During this reporting period, it is premature to assess the ongoing peace talks between the Colombian government and the FARC, given that it only started in October 2012. Initially, the peace talks agenda and procedures of the negotiations were all confidential. In the words of the spokespersons for both parties, one of the basic rule rules of the game is that: “nothing is agreed upon until everything is agreed upon.”⁹

TABLE 2.1.
Women’s participation in peace negotiation between the Colombian government and the FARC (as of October 2013)

| | Number of Men | Number of Women |
|-------------------|--|---|
| Government | 8 (5 chief negotiators, 3 alternates) | 2 (0 chief negotiator, 2 alternates) |
| FARC | 10 (5 chief negotiators, 5 alternates) | 0 (0 chief negotiators, 0 alternates) |

Similar to peace negotiations in other countries, women are not the principal negotiators in the peace talks between the Colombian government and the FARC. In the Colombian government’s team,

⁹ *First joint report on the negotiation table between the government of the Republic of Colombia and the Revolutionary Armed Forces of Colombia—the People’s Army, FARC-EP, June 21, 2013, accessible on <https://www.mesadeconversaciones.com.co/comunicados/primer-informe-conjunto-de-la-mesa-de-conversaciones-entre-el-gobierno-de-la-rep%C3%BAblica>*

there are five chief negotiators,¹⁰ and five are alternate negotiators, two of which are women: Lucía Jaramillo and Elena Ambrosi.¹¹ On the side of FARC, the five principal negotiators and the five alternate negotiators are all men. Two women, Tanja Nijmeijeralto and Shirley Méndez, serve as media liaison officers of the FARC.

The lack of a gender perspective and the absence of issues faced by marginalized groups such as indigenous and Afro-descendant communities are evident in the peace talks. Because of this, one of the first agenda items in the discussions in Havana was to create spaces for consultation with civil society in order to amplify the voices of the marginalized and under-represented groups on specific topics such as agrarian reform, political participation, and drug trafficking.¹² The Colombian congress also promoted regional consultations with civil society. So far, 18 Regional Peace Consultations have been held: 9 in 2012, and 9 in 2013. Women from civil society from all social sectors participate in these forums and consultations.

While this report was being written, President Santos announced that exploratory discussions with the ELN are also taking place.

•10 Table 2.1 and the analysis provided in the narrative reflect the situation in October 2013. As of November 29, 2013, two female chief negotiators have been nominated to join the Government's team of negotiators: <http://www.un.org/apps/news/story.asp/www.sealthedeal2009.org/petition/realfile/story.asp?NewsID=46628&Cr=Colombia&Cr1=#.Upz4fmSxNyc>

•11 Elena Ambrosi is the Coordinator of the thematic group from the Office of the High Commissioner for Peace. According to information by the Peace Commission in August, of 47 people that work for the negotiation process for the government, 28 are women, representing 60 percent. It is important to recognize that this is progress in relation to other negotiation processes, however there continue to be issues with women on the frontlines. This also signals the conformation of four commissions: thematics, communications, judicial, and Public Force link. Of these, three are directed by women. In addition, 6 support groups were created, of which 4 were directed by women. In agreement with the same official information, of the 30 people reported as consultants of FARC, 12 are women.

•12 The first forum on the theme of agrarian reform took place in December of 2012. 1,314 people participated from different regional and national organizations. 1,600 people and 139 women's organizations participated in the political participation forum. See mesadeconversaciones.com.co.

Indicator 3 – Index of women’s participation in the justice sector, security sector, and peacekeeping missions

The Justice Sector

The data presented below is on women’s participation in the High Courts. Data on women’s participation in tribunals and women judges are not included, due to the lack of gender-disaggregated information available in official databases.

From its creation in 1991 to 2012, the Constitutional Court has not had more than one woman magistrate. There is a slight improvement in women’s representation in the Supreme Court since 2001, as the number of women magistrates increased from 3 in 2011 to 4 in 2012. The number of women in the State Board and the Superior Judiciary Council remains the same as in 2011: 9 and 2, respectively. These figures show a stable and unsatisfactory tendency, as the percentage of women does not go above 22 percent in the High Courts.

TABLE 3.1.
Index of women’s participation in the justice sector¹³

| Year | 2011 | | | 2012 | | |
|-----------------------------------|-----------------|---------------|---------------------|-----------------|---------------|---------------------|
| | Number of Women | Number of Men | Percentage of Women | Number of Women | Number of Men | Percentage of Women |
| Constitutional Court | 1 | 8 | 11% | 1 | 8 | 11% |
| Supreme Court Justice | 3 | 20 | 13% | 4 | 17 | 19% |
| Council of State | 9 | 20 | 31% | 9 | 22 | 29% |
| Superior Council of the Judiciary | 2 | 11 | 15% | 2 | 11 | 15% |
| Total | 15 | 59 | 20% | 16 | 58 | 22% |

•13 Data from www.ramajudicial.gov.co

Information on the General Attorney’s Office is included below, taking into consideration its role in criminal investigation and its fundamental influence regarding the existing impunity for crimes that affect women in particular. Women’s participation in high-level posts in the General Attorney’s Office remains low, following the same trend as other branches of the judiciary and other government positions.

Women generally make up 42 percent of those working in the General Attorney’s Office. However, when looking at data disaggregated by post, it is possible to detect that the greatest number of women is found in the lowest ranks. The number of women decreases at the highest levels, with the exception of the Assistant Attorneys before the Supreme Court. The index of women’s participation in high positions continues to be unsatisfactory, as can be seen in Table 3.2.¹⁴

TABLE 3.2.
Number of women in the Attorney General’s Office, by position from highest to lowest rank¹⁵

| Office | Number of Women | Number of Men | Percent of Women |
|---|-----------------|---------------|------------------|
| National Attorney General’s Office | 0 | 1 | 0% |
| National Vice Attorney General’s Office | 0 | 1 | 0% |
| Attorney General | 1 | 0 | 100% |
| District Attorneys before the Supreme Court Justice | 4 | 7 | 36% |
| Assistant District Attorneys before the Supreme Court | 6 | 5 | 55% |

•14 The information in this table is presented by hierarchial levels, from highest to lowest.
 •15 Source: Answer to the District Attorney’s Office to Right to Petition presented by Coalition 1325.

| Office | Number of Women | Number of Men | Percent of Women |
|---|-----------------|---------------|------------------|
| District Attorneys before the District Tribunal | 44 | 97 | 31% |
| District Attorneys before the District Tribunal (Justice and Peace) | 17 | 22 | 44% |
| Sectional <i>Direcciones</i> of the District Attorney's Office | 7 | 12 | 37% |
| District Attorneys before specialized judges | 272 | 337 | 45% |
| District Attorneys before specialized judges (Justice and Peace) | 18 | 14 | 56% |
| District Attorneys before circuit judges | 787 | 776 | 51% |
| District Attorneys before circuit judges (Justice and Peace) | 43 | 47 | 48% |
| District Attorneys before municipal and general trial court judges | 909 | 588 | 61% |
| Total in the country | 2108 | 1909 | 52% |

Security Sector

TABLE 3.3.
Index of women's participation in the military forces¹⁶

| Military Forces | Number of men | Number of women | Percentage of women |
|--------------------------------------|----------------|-----------------|---------------------|
| Army | 216,234 | 1,483 | 0.68% |
| Navy | 31,436 | 689 | 2.14 % |
| Air Force | 10,901 | 850 | 7.23% |
| Total in the military forces* | 258,751 | 3,022 | 1,15% |

* This data has been updated through July 31, 2012.

•16 Data from the National Ministry of Defense 2012, in response to the Right to Petition presented by the Red Nacional de Mujeres in June of 2012.

The low percentage of women's participation in the armed forces accounts for a public force that continues to be predominantly masculine. This is due to the endurance of a patriarchal culture and the prevalent perception that the armed forces should be a male domain.

Peacekeeping Missions

Colombia's only participation in peacekeeping missions took place in Haiti, from 2011-2012. As seen in the table below, in 2011, only 12 percent of those who participated in the United Nations Stabilization Mission in Haiti (MINUSTAH) were women. In 2012, this percentage decreased slightly to 9.5 percent. This shows that participation of women in MINUSTAH was very low.

TABLE 3.4.
Index of women who participated in the United Nations Stabilization Mission in Haiti (MINUSTAH)¹⁷

| Year | 2011 | | | 2012 | | |
|--------------|-----------------|---------------|---------------------|-----------------|---------------|---------------------|
| | Number of women | Number of men | Percentage of women | Number of women | Number of men | Percentage of women |
| Participants | 3 | 22 | 12 % | 2 | 19 | 9.5 % |

We consider it necessary to rigorously evaluate the role of peacekeeping missions, especially the role that women play as part of these missions, when considering the reported acts of sexual violence committed by male peacekeepers in Haitian refugee camps. Although evaluations of MINUSTAH missions are unfortunately not yet available, we recommend that both the troop contributing country and the troop receiving country address the high risk of sexual violence and develop preventative measures.

¹⁷ Date from DPKO, accessed on Sept 24, 2013, accessed on Sept 24, 2013: http://www.un.org/en/peacekeeping/contributors/2013/jul13_3.pdf

Indicator 4 – Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

In Colombia, there are two principal bodies that undertake constitutional or legislative reviews: the Constitutional Court, which performs the revision of the constitutionality of laws; and the State Council, which makes revisions regarding the legality of the decrees and other norms of the inferior hierarchy. As seen under Indicator 1, there is currently only one woman in the Constitutional Court, magistrate María Victoria Calle, who was the speaker in 22 constitutionality studies and in 114 custody revisions in 2012. Like in 2011, women make up 29 percent of the State Council in 2012. These percentages indicate that women in Colombia have little participation in constitutional and legislative reviews.

TABLE 4.1.
Number and percentage of women who participate in constitutional and legal revisions¹⁸

| | Number of women | Number of men | Percentage of women |
|-----------------------------|-----------------|---------------|---------------------|
| Constitutional Court Review | 1 | 8 | 11 % |
| State Council Review | 9 | 22 | 29 % |

Indicator 5 – CSOs in task force/committees on UNSCRs 1325 and 1820 (out of total task force members)

Since Colombia does not have a National Action Plan for the implementation of Resolution 1325, there is no official task force on UNSCR 1325 and 1820.

¹⁸ Data from the Constitutional Court and State Council: www.ramajudicial.com<http://www.ramajudicial.com>

However, nationally, there are two coalitions made up of women's and human rights' organizations whose main objective is to monitor the implementation of Resolution 1325: Coalición 1325 and the program Fokus 1325 in Colombia.

Coalición 1325 is composed of civil society organizations that have either national or regional presence. Since 2011, Coalición 1325 has been working on annual monitoring reports of the implementation of UNSCR 1325. Each year, the monitoring report's findings and recommendations are used by civil society organizations (CSOs) to conduct advocacy at national and international levels, towards the full implementation of Resolution 1325 and the promotion and protection of women's rights.¹⁹ The coalition also works at the regional level with local organizations that are part of the different networks that make up Coalición 1325. These local organizations are important allies in UNSCR 1325 advocacy and implementation.

The program Fokus 1325²⁰ in Colombia was created *"...with the objective to support local and national organizations that work from the perspective of women, peace and security, in order to reinforce and increase the use of Resolution 1325 and the subsequent UN resolutions as tools to bring attention to the effects of the Colombian armed conflict on the lives of women."*²¹

•19 Coalición 1325 is made up of the following organizations: Red Nacional de Mujeres (RNM); Corporación de Investigación y Acción Social y Económica (CIASE); Alianza Iniciativa Colombiana de Mujeres por la Paz (IMP); Liga Internacional de Mujeres por la Paz y la Libertad (LIMPAL); Dejusticia; Liga de Mujeres Desplazadas; Observatorio de Género, Democracia y Derechos Humanos (OGDDH); Conferencia Nacional de Organizaciones Afrocolombianas (CNOA); Afrolider; and Red de Mujeres Indígenas Piemsiokupanaya.

•20 The groups that make up the Programa Fokus 1325 Colombia are: Humanas con el Observatorio Mujeres, Paz y Seguridad, Asociación Colectivo de Mujeres al Derecho (Colemad) with their headquarters in Barranquilla; Centro de Promoción y Cultura (CPC) who work in Bogotá, particularly in Kennedy locality; Colectivo de Mujeres Excombatientes with their headquarters in Bogotá; Corporación Colombiana de Teatro (CCT) with their Casa de Úrsula No 13-25 "La casa suya de usted" in Barranquilla, Bogotá, Cali, Cartagena and Riohacha; Liga Internacional de Mujeres por la Paz y la Libertad (LIMPAL Colombia) who work in Cartagena and San Jacinto (Bolívar); and Sütüün Jieyuu Wayúu (Fuerza de Mujeres Wayúu), who are active in the Guajira department.

•21 Ten years after Resolution 1325. Corporación Humanas – Colombia, FOKUS Regional Human Rights and Gender Justice Center, page 5, accessible at: <http://www.humanas.org.co/archivos/diezanosresoluciontreceeresumenejecutivo.pdf>

■ B. Prevention and protection

■ Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted, and penalized

Sexual violence in Colombia is a widespread phenomenon that is rendered invisible as much by the prevailing attitudes as by the inadequate reporting mechanisms of the official information systems. Despite the limitations in data collection for this indicator, the available data shows that sexual violence is rampant and that impunity for sexual and gender-based violence persists.

Since the second half of 2013, the National Institute of Legal Medicine (INML) has been extremely delayed in making public statistical information on legal and forensic medical examinations. Even 2012 reports have not yet been presented. Data made public on cases of violence against women only exist for years 2011 and prior. In spite of known underreporting of SGBV cases, INML data from 2009 to 2011 shows a steady increase of cases in recent years. As INML reports:

In 2011, the number of forensic exams for sexual assault in the country reflects a progressive annual increase of reports of sexual violence since 2003, with the exception of 2010. In the entire national territory, there were 22,597 exams given, 6 percent more than in 2009 and 11 percent more than in 2010 (when excluding cases of testing virginity).

For 2011, INML calculated that 49 cases of SGBV were reported for every 100,000 individuals, the highest rate in the last decade.

Regarding sexual crimes committed against women by armed actors, INML reported 77 cases in 2011. In all these cases, the armed actor who was the suspected perpetrator was a member of the public forces, or another state entity.

According to research on SGBV cases related to the internal armed conflict, the National Attorney General's Office reports that "from 2010 to 2013, no cases of violent carnal penetration (rape), acts of sexual violence, prostitution and sexual slavery against protected persons have been assigned to the National Human Rights and International Human Rights Law Unit. In relation to violent carnal entry when the victim is not a protected person, this Unit is carrying out two investigations that are in the inquiry stage and in which the victims are women."

In February of this year, the National Attorney General's Office handed over official data on the cases of sexual violence to the organization Sisma Mujer. According to this information, on December 31, 2011, the National Human Rights and International Human Rights Law Unit of the Attorney General's Office knew of 89 cases of sexual violence, of which 24 corresponded to cases included in Order 092 of 2008.

Regarding the investigations of these 89 cases, the National Attorney General's Office says that there have been 73 people connected to the cases, 21 accused, 11 detained, and 5 convicted. In addition, in these 89 cases, 130 victims have been identified, of which 35 were minors. Of all the victims, 80 were subjected to violent rape, 19 were victims of diverse sexual violations, and 9 did not identify the specific violation. The National Attorney General's Office did not share information on the remaining 22 victims.

As for investigations undertaken by the Justice and Peace Unit, the National Attorney General's Office did not provide useful information with respect to the number of cases of sexual crimes reported to this Unit in 2012. The information provided was not disaggregated by sex, and it was therefore impossible to determine the percentage of women victims of sexual violence.

The scarce data that was accessible shows that cases of sexual and gender-based violence are prevalent and continue to increase.

However, it is important to note that this increase in cases reported may be due to increased awareness of SGBV and to greater consciousness and efforts of women to denounce their perpetrators and seek justice.

Indicator 7 – Number and quality of gender-responsive laws and policies

TABLE 7.1.
Legislative developments

| Regulations | Contents |
|---|--|
| <p>Decreets 2733 and 2734 of 2012 – Regulations of law 1257 of 2008 regarding work and health</p> | <p>These health law decrees specifically cover regulations ordered by Law 1257, in relation to the right to transportation, nutrition, and housing services for women victims of SGBV, for a period of time of up to six months that can be extended for another six months (based on the situation), under the responsibility of the health and social protection system. However, instead of facilitating access to these important services, the two decrees present a series of requirements that have become obstacles to access for victims. Victims' emergency needs are not met, as obtaining access to services takes several days, following compliance with a number of requirements. Furthermore, in 2012, the Ministry of Health did not allocate a budget to fulfill its obligation.</p> |
| <p>Ratification of the International Convention for the Protection of All Persons in Forced Disappearances (Ratification)</p> | <p>In July 2012, Colombia ratified the International Convention for the Protection of All Persons in Forced Disappearances. Nevertheless, it did not recognize the competence of the Committee against Forced Disappearances to receive and study statements from victims, their representatives or other State parties. According to Amnesty International, "this will leave the victims and their families, including survivors of sexual violence related to the conflict, without a means to access justice."</p> |

| Regulations | Contents |
|---|---|
| Law 1592 of 2012 to introduce modifications to the law 975 of 2005* | This law was adopted to correct deficiencies of previous laws (Law 975 of 2005) and to accelerate alternative legal processes brought forth by Law 975, Legislative Acts 1 and 2 of 2012, and the judicial framework for peace and legal military jurisdiction. The first of these Legislative Acts establishes methods of prioritization of crimes to be investigated and sanctioned, which can have an important impact on women, regarding the prioritization of gender-based violence, and specifically of sexual violence in conflict. |

* *“By the said dispositions for the reincorporation of members of the armed groups organized at the margin of the law, that could contribute in an effect manner to the national peace achievement and for other said dispositions for humanitarian agreements”*

In spite of the adoption and formulation of important gender-responsive laws, it is still difficult to measure their impact. Furthermore, while the adoption of gender-responsive laws indicate some degree of political will, the laws and decrees themselves at times have unforeseen consequences, as is the case for Decrees 2733 and 2734.

TABLE 7.2
Developments in public policy

| Directive 06 of 2012 of the National General Prosecutor’s Office | Give instructions to public officials on procedures related to cases of sexual violence in armed conflict. |
|--|--|
| Developments and issues discussed* | |
| Supreme Judicial Council | The formulation of an Agreement by the General Commission of the Judicial Branch redefined the policy of equality and nondiscrimination, with a differential and gendered focus in the Judicial Branch and in the Integrated System of Quality Management on October 24, 2012.** |

| | |
|---|--|
| <p>National Attorney General's Office</p> | <p>Resolution 00450 of 2012: Policy of equality and nondiscrimination. The National Attorney General's Office reports the implementation of an integral action plan for the defense of the fundamental rights of women victims of sexual violence during armed conflict.</p> <p>A taskforce, the Gender Committee, was formed in 2009 and has met twice since. It is made up of a district attorney, several research psychologists and members of the judicial police. Through Resolution 0368 of 2012, the Attorney General's Office adopted the "Policy on Equality and Nondiscrimination." The "Model [Procedures] of attention to violent gender-based acts for forensic clinics" is used as a conceptual, normative, and strategic structure.***</p> |
|---|--|

** The institutions consulted for this monitoring report reported on these issues.*

*** See Response from the Superior Judiciary Council on the Right to Petition presented by Coalición 1325. Radicated: May 29 and June 20, 2013 UDAEOF13-1373*

**** Source: Response from the National Attorney General's Office on the right to petition presented by Coalición 1325. Oficios No. 002508, May 29, 2013, No. 15503 July 2, 2013 and No. 004989 de June 2, 2013.*

With respect to the reported developments in public policies, despite the formulation of a series of guidelines and programs, it is still not possible to show their real impact on women's lives. Nevertheless, we hope that the resolutions, routes, work plans, and other tools developed by the Attorney General's office to benefit women will lead to tangible results, beginning with a curbing of the high level of impunity in relation to violence against women. It is especially disheartening that the Gender Committee created three years ago has only been in session on two occasions.

Indicator 8 – Number and nature of provisions/ recommendations in the truth and reconciliation commission (TRC) and other transnational justice reports on women's rights

During the previous presidential mandate, a research group called "Grupo de Memoria Histórica" was created with the objective of elaborating and divulging in a narrative on the armed conflict in Co-

lombia. The group tries to identify the reasons for the emergence and the evolution of the illegal armed groups (law 975 of 2005), as well as for the distinct truths and memories of the violence, with a focus on the voices of the victims that have been suppressed and silenced.²²

Between 2008 and 2012, the group published a series of reports that will be compiled and presented publicly in 2013. So far, two reports have been dedicated to the impact of the armed conflict on women: “Women and War. Victims and Resisters in the Colombian Caribbean. Women that Make History. Land, Body, and Politics in the Colombian Caribbean” (2011), and “Pleasure. Women, coca, and war in the Bajo Putomayo” (2012). These reports have undoubtedly contributed to the visibility of the impact of armed conflict on women in Colombia, as well as the characterization of diverse regional events and time periods.

Another measurement of transitional justice adopted by the State in recent years is Law 1448 of 2011, targeted to advance the recognition and guarantee of the rights of victims, in particular the rights to reparation measures and land restitution. Even though this law is not focused exclusively on women, it contains some provisions that recognize and confront the differential and disproportionate impact that the conflict has had on the lives and the rights of women.

With this law, its decrees and the CONPES for indigenous, Afro-Colombian, and *room* victims²³, the State has begun a monitoring process and has made concrete recommendations, intended to better the implementation of the law. These recommendations include recommendations on situations faced by women in gener-

•22 <http://www.centrodememoriahistorica.gov.co/>

•23 *These include Law 975 of 2005 (known as the Law of Justice and Peace), the Decree 1290 of 2008 on administrative reparations, Law 1448 of 2011 (Law 8 for Victims), and the decrees for indigenous communities (Decree 4633 of 2011), Afro-Colombian communities (Decree 4635 of 2011) and the Room and gypsy communities (Decree 4634 of 2011).*

al,²⁴ as well as recommendations specific to indigenous, Afro-Colombian, and *room* women. As they are implemented, the law and recommendations will presumably lead to more focused attention on women and victims, enhanced capacity of civil servants, and overall institutional strengthening.

■ **Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes**

Colombia is still a country in conflict; therefore, it is not possible to characterize the present moment as post-conflict or to speak of a reconstruction process. Nonetheless, in 2012, a number of regulations were developed and implemented to award reparations to victims of the armed conflict through jurisdictional and administrative channels. To carry out this process, institutions with very specific responsibilities have been created: the Land Restitution Unit and the Attention and Integral Reparations Unit for Victims.

As a jurisdictional channel, the Land Restitution Unit manages the Registry of Dispossessed and Forcibly Abandoned Lands. Registration of dispossessed and forcibly abandoned lands can only begin once the parcels of land to be restituted have been determined.²⁵ In 2012, the Land Restitution Unit processed 6,708 applications for land restitution from its administrative offices. According to the Land Restitution Unit, each application for land restitution can contain one

•24 Among the recommendations, the following must be highlighted: 1) Education for the prevention, attention, protection, and sanction of sexual violence and abuse; 2) Dissemination and formation of the public force, District Attorneys for human rights and international humanitarian rights and specific charges for women; 3) Dissemination and formation of women, prioritizing those under 18 for women's rights and routes of attention; 4) Formation of a gender perspective directed to the health sector; 5) Institutional strengthening of the justice sector; 6) Legal assistance and accompaniment to victims including in relation to assets; 7) Implementation of gender indicators by the Early Alert System by Sistema de Alertas Tempranas – SAT – by the Public Attorney's Office; 8) Strengthening of women's participation in the National System of Attention to Displaced Persons; 9) Incorporation of protection criteria with a gender focus; and 10) Strengthening and protecting community networks of women.

•25 The Land Restitution Unit. Oficio URT-DJR-00645 July 16, 2013

or more recipient(s). In some cases, the same person can present more than one application. In 2012, the aforementioned 6,708 applications to the Land Restitution Unit were presented by 4,913 people, of whom 1,663 were women and 3,250 were men.

To implement the Victims' Law and the Land Restitution Law (Law 1448 of June 2011), a special jurisdiction was created. In 2012, this jurisdiction initiated six processes, in which there are 63 female applicants. So far, there have been no rulings or processes of land restitution carried out.

TABLE 9.1.
Rulings by civil courts for land restitution in 2012²⁶

| No. of trials | Department | Municipality | Sex of applicants | | Total applicants |
|---------------|--------------------|---------------|-------------------|------------|------------------|
| | | | Women | Men | |
| 6 | | | | | |
| | Bolívar | María la Baja | 41 | 18 | 59 |
| | Bolívar | María la Baja | 4 | 73 | 77 |
| | Bolívar | María la Baja | 4 | 20 | 24 |
| | Norte de Santander | Tibú | 8 | | 8 |
| | Norte de Santander | Cúcuta | 6 | | 6 |
| | Tolima | Ataco | | 12 | 12 |
| Total | | | 63 | 123 | 186 |

As for administrative channels for reparations, the Attention and Integral Reparations Unit for Victims was created following Law 1448 of 2011. The Unit aims to coordinate the national system of attention and reparation to victims, and to implement public policy on attention, assistance, and integral reparations to victims.

²⁶ Data from the Superior Council on the Judiciary to Petition Rights presented by Coalición 1325. Filed as: 29 de mayo y 20 de junio de 2013 UDAEOF13-1373

For this monitoring report, it was not possible to access official information on the beneficiaries of this Unit disaggregated by gender and year. It must be noted that by legal mandate, the President must present an annual report on the compliance of Law 1448 of 2011. The data that was obtained for this report is from June 2012 to May 2013.²⁷ The presidential annual report emphasizes the adoption of reparation methods, such as the construction of an individual route of reparation that has permitted the elaboration of 126,543 Individual Reparation Plans,²⁸ compensation for 165,131 victims (including 7,052 children and adolescents), and support to projects of symbolic reparations, among others.

In summary, restitution and reparation processes are still in their initial stages. More time for implementation is needed to comprehensively monitor progress.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments, and international humanitarian law

Since 2010, the Ministry of Defense has been carrying out its program “Strengthening of sexual and reproductive health, sexual and reproductive rights, and gender equity.” Just as in 2011, the Ministry of Defense did not report on the impact or effectiveness of its programs and actions.

•27 *Informe anual del Presidente de la República sobre los avances en la ejecución y cumplimiento de la Ley 1448. Disponible en: http://www.unidadvictimas.gov.co/images/docs/rendicion/informe_presidente.pdf*

•28 *Op. Cit, pag. 13*

With respect to the “Protocol for the Public Force in the Management of Sexual Violence, with Emphasis on Sexual Violence During Armed Conflict” of the Ministry of Defense, even though the said instrument acknowledges the importance of addressing sexual violence in conflict; the Protocol’s contents must be revised, in particular because the restrictive notion of sexual violence in internal armed conflict in the protocol ignores international and national advances related to these crimes. The procedures outlined in the Protocol must also be revised, because they contain unnecessary requirements for women victims of acts of violence in need of immediate attention. These requirements have become obstacles to access to justice.

The persistence of cases of sexual violence committed by members of the Colombian armed forces reveals the need for the Colombian state to address the situation through prevention, attention, and sanctions for the perpetrators. In this respect, the formulation of policies focused on guaranteeing sexual and reproductive rights to women and girls is an important first step. However, these policies must be effectively implemented, with actions that demonstrate the armed force’s intentions to eradicate SGBV perpetrated by the forces armed. The armed forces are required to refer all allegations of crimes of sexual violence committed by members of the security forces to civilian courts.²⁹

■ **Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government**

According to the Presidential Agency of Cooperation, 31 projects from international corporations were registered for a grand total of \$USD 13,071,972, with a focus on women in 2012. Out of these 31 projects, 17 projects were directly related to WPS, as can be seen in the two tables below. Table 11.1 includes projects assigned to organizations, and the Table 11.2, outlines projects assigned to state entities.

•29 This applies unless the cases are related to military service.

TABLE 11.1.

Projects registered in 2012 on women and/or with a gender focus³⁰

| | Name of the Project | Total International Contribution in \$USD | Beneficiaries | Theme | Responsible Organization |
|---|---|---|--------------------------------|--------------------------------|---|
| 1 | Promoting advocacy and practices of women in the Caribbean region for restitution, peacebuilding, justice, and protection | 28,000 | Women | Peace and Regional development | Asoc. Colectivo mujeres al derecho |
| 2 | Defense and promotion of human rights in Sonson, Antioquia | 128,564 | Victims of violence, and women | Human rights | Undefined |
| 3 | Swiss program for the promotion of peace (SUIPPCOL) | 1,326,000 | Social organizations | Peace and regional development | Caritas suiza |
| 4 | Strengthening of the persecution of sexual crimes against women | 108,371 | Women | Human rights | Red de justicia |
| 5 | Gender Program in Development – Phase I | 650,000 | Institutions, and women | Human rights | Regional human rights and gender justice center – humanas |
| 6 | Generation of a stabilization and socio-economic inclusion model for internally displaced women in Suba, Santa Fe, and Bogotá | 129,809 | Women, and displaced persons | Social development | Corp. Cultiba |

³⁰ Source: Response from the Presidential Agency of Cooperation to the Right to Petition presented by Coalición 1325. Filed as: 29 de mayo y 20 de junio de 2013 UDAEOF13-1373

| | Name of the Project | Total International Contribution in \$USD | Beneficiaries | Theme | Responsible Organization |
|----|---|---|--|--------------------------------|--|
| 7 | Bio – development fund – locfund mundo mujer – Colombia | 84,357 | Women | Peace and regional development | Undefined |
| 8 | Strengthening of indigenous women's political participation in the north of Cauca for a democratic and peaceful culture | 155,507 | Indigenous women | Democracy | Almaciga |
| 9 | Women's political school in Medellín-Colombia focused on citizenship, electoral participation and influence on popular elections at the state level | 160,546 | Women | Democracy | Undefined |
| 10 | Improve the quality of life for women in Soacha affected by the armed conflict | 92,227 | Victims of violence | Social development | Undefined |
| 11 | Strengthening of the judicial processes of sexual crimes committed against women | 111544 | Women | Human rights | Corp. Excelencia en la justicia |
| 12 | Strengthening of sexual, reproductive, and gender equity rights in the interior of the public force | 1,036,453 | Women, and men | Human rights | United Nations Population Fund (UNFPA) |
| 13 | Program for the eradication of all forms of violence against women affected by human rights violations and infractions on the International Humanitarian Law in the context of the Colombian armed conflict: Truth, Justice, and Reparation for the women in Colombia | 329,466 | Victims of violence, social organizations, women, and institutions | Human rights | UN Women |

| | Name of the Project | Total International Contribution in \$USD | Beneficiaries | Theme | Responsible Organization |
|----|---|---|--|--------------------------------|--------------------------|
| 14 | Strengthening of the local capacities for the construction of peace in Nariño | 276,543 | Social organizations, institutions, victims of violence, and women | Human rights | UN Women |
| 15 | Demands by the women in local development as a peace strategy in Soacha | 112,735 | Women | Peace and regional development | UN Women |

TABLE 11.2.

Government projects registered in 2012 on women and/or with a gender focus

| Name of the Project | Total International Contribution in \$USD | Beneficiaries | Theme | Responsible Entity |
|--|---|--------------------|--------------------|---|
| Support to the Peace Process in Colombia in the name of the Law of Justice and Peace; an example of transitional justice - ProFis Fase III | 2,113,580 | Institutions | Justice | National District Attorney General's Office – (FGN) |
| Familias con Bienestar 2012 | 1,749,699 | General population | Social development | F. Plan internacional Colombia |

As previously stated, 31 projects with a focus on women were funded by international corporations in 2012, with a grand total of \$USD 13,071,972. For 2012, the Official Support for Development (AOD) in Colombia registered \$USD 548 million. In this regard, AOD directed projects for women and/or with a gender focus, which represent 2.37 percent of the total AOD support.

The small percentage of funds for projects on women and gender reported by AOD demonstrates that women and gender are not

considered priority issues for the Colombian government's agency of cooperation. Of the international cooperation projects that do focus on women and gender, gender-based violence against women is a prevalent theme, and some programs aim to empower and strengthen women's organizations. In relation to indigenous and/or Afro-Colombian populations, although some initiatives do exist, there needs to be more substantial funding for initiatives that take into consideration particular vulnerabilities of these populations. In addition, it is imperative that there be more initiatives to strengthen the differential focus.



CONCLUSION AND RECOMMENDATIONS

■ Conclusion

Women's participation in decision making positions continues to be very low at both national and local levels. The 30 per cent quota law, adopted more than a decade ago, has yet to be effectively implemented. Also, very few women have been elected. The hope is that upcoming elections will bring about positive changes in terms of women in elections, as political parties comply with affirmative action measures from Law 1475 of 2011.

In terms of peace negotiations, 2012 is an important year, as it marks the beginning of peace negotiations between the government and the armed group FARC. The evolving context has shaped the conclusions and recommendations formulated in this report. The report seeks to advance the inclusion of Colombian women's necessities and interests in the agreements reached on all five points of the agenda of the peace negotiation. Even though women's representation in the peace talks has increased in recent developments (November 2013), it was consistently minimal until then. The number of women representatives and negotiators is still far from the number of men.

Regarding sexual and gender-based violence as part of the Colombian armed conflict, the following three findings must be highlighted, which are consistent with trends reported in the 2012 Monitoring Report: 1) SGBV continues to be committed by members of the armed forces; 2) the number of cases are increasing; and 3) little progress has been made in the fight against impunity for these crimes. Moreover, it is necessary to stress the increase in attacks and threats against women leaders and human rights defenders, who are facing sexual attacks.

In recent years, Colombia has adopted a number of laws and policies on women, peace and security. However, effective implementation requires more political will, effective monitoring mechanisms, and active civil society participation in implementation. However, to date, these laws and policies have not been fully implemented and have not allowed women to enjoy their rights as women and as victims. Hence, we want to stress the gap that exists between the numerous laws and policies that exist in Colombia and their effective implementation on the ground.

The drafting of guidelines for a National Public Policy on Gender Equality must be highlighted as a positive development, especially since women from civil society organizations participated in its formulation. As a result of the participation of organizations from different regions of the country, topics from the provisions of UNSCR 1325 have been integrated. In contrast to noted progress in gender-responsive policy development, there continues to be very little international cooperation resources directed towards projects on women and/or with a gender focus.

State-run official information systems must significantly improve their coordination and build their capacities in data-collection, so that they can share information on the realization of women's human rights in the country. The public entities consulted to gather data for this monitoring were far from having the necessary capacities to

provide reliable and timely information. Reliable and timely information is essential in writing monitoring reports on specific events and concrete realities. Monitoring reports, in turn, make concrete contributions to the formulation and revisions of public policies, programs, and plans; they can shape actions such as budgeting, so that budgeting accounts for regional differences and the differential impact of conflict on women in Colombia.

■ Recommendations

To the national government

- Formulate, adopt, and implement a National Action Plan on UNSCR 1325 and the supporting women, peace and security resolutions.
- Comply with the commitments put forth in the guidelines of the National Public Policy for Gender Equality by converting commitments into action plans and programs at the national and local levels, with adequate budget allocation.
- Incorporate questions on the guarantee of truth, justice and reparation for women victims of the armed actors, especially FARC and the armed forces, into the negotiation agenda with FARC.
- Recommend the Ministry of Defense to reformulate the contents of the protocol on sexual violence, with the intention of guaranteeing due diligence to the human rights of women and their protection in conformity with international and constitutional regulations, as well as to monitoring and evaluation. Make public the extent of implementation.
- Take into account, while formulating and applying transitional justice mechanisms, all the international instruments related to violence against women and their participation in the construc-

tion of peace, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the Convention to prevent taking care of and eradicating violence against women (Belém do Pará), and UNSCR 1325 and 1820 in relation to the preclusion of amnesty or pardon for sexual violence as part of negotiation processes.

- Include provisions specific to women and their particular truth, reconciliation and reparations needs in the laws and government initiatives being developed in relation to the conflict.
- Create a single/centralized information system on violence against women that not only allows for action and prevention of femicide, but also identifies the actors committed to strengthening prevention, protection, and access to justice for SGBV. In addition, it is important to strengthen the existing information systems and mechanisms used to provide information to civil society.
- Promote the creation of an observatory on human rights with a differential focus that grants access to relevant, timely and objective information, and be more efficient in responding to information requests by civilians exercising their right to information.
- Comply with Law 1475 of 2011 for political parties, in order to guarantee the inclusion of women in electoral lists and increase the number of women in political, decision-making positions.

To congress

- Advance and adopt draft gender-responsive laws, particularly those related to guaranteed access to justice for victims of sexual violence, especially sexual violence during armed conflict, so as to harmonize the national legislations with the international instruments on WPS.

To the international community

- Support national civil society organizations in order to give continuity to the actions of dissemination and advocacy for the implementation of the UNSCRs on women, peace and security, with an emphasis on women's empowerment and organizations in post-conflict settings.

To civil society

- Strengthen coordination among national networks, in order to implement UNSCR 1325 and to promote the formulation of the National Action Plan as a necessary instrument for monitoring women's participation, prevention and protection from SGBV and the promotion of a gender-perspective in the upcoming post-agreement period in Colombia.
- Continue to build alliances and strengthen partnership with international organizations to implement Resolution 1325 and to publicize the situation of women in Colombia at the global level.

| | | |
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BIBLIOGRAPHY

Comisión Interamericana de DDHH. Informe sobre el proceso de desmovilización en Colombia. (Dic 2004).

Disponible en <http://www.cidh.org/countryrep/colombia04sp/informe3.htm>

Contraloría General de la República, Defensoría del Pueblo, Procuraduría General de la Nación. Primer informe de seguimiento y monitoreo a la implementación de los decretos ley de víctimas, indígenas, afrocolombianas, palenqueras y room. Bogotá. 2013. Disponible en <http://www.secretariasenado.gov.co/INFORMES%20DE%20SEGUIMIENTO%20Y%20MONITOREO%202013/INFORME%20EJECUTIVO%20SEGUIMIENTO%20Y%20MONITOREO%20A%20LA%20IMPLEMENTACION%20DE%20LOS%20DECRETOS%20LEY.pdf>

Mesa por el derecho de las mujeres a una vida libre de violencias Ley 1257 de 2008. *Informe de seguimiento a la implementación de la ley 1257 y su estado actual de cumplimiento. Ley, Letra Muerta y vida de las Mujeres*. Bogotá. 2012

Corporación Humanas – Colombia. *Diez años de la resolución 1325*. 2010 Disponible en <http://www.humanas.org.co/archivos/diezanosresoluciontreceresumenejecutivo.pdf>

Corporación Sisma Mujer. *Derechos en Femenino ¿Hacia un real camino a la igualdad? VI Informe de Derechos Humanos de las Mujeres. 2010 – 2012.* Bogotá 2013

Forensis 2011. “*Datos para la vida*”, 2012, Disponible en: <http://www.medicinalegal.gov.co/index.php/estadisticas/forensis/193-forensis-2011>

Guzmán, Diana., Molano, Paola. *Ley de cuotas en Colombia: Avances y retos. Diez años de la ley 580 de 2000.* Bogotá. Junio 2012

Informe Anual de la Alta Comisionada para los Derechos Humanos sobre la situación de los derechos humanos en Colombia A/HRC/22/17/Add.3 disponible en http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_Spanish.pdf

Informe anual del Presidente de la República sobre los avances en la ejecución y cumplimiento de la Ley 1448. 2013. Disponible en: http://www.unidadvictimas.gov.co/images/docs/rendicion/informe_presidente.pdf

Primer informe conjunto de la mesa de conversaciones entre el gobierno de la república de Colombia y las Fuerzas Armadas Revolucionarias de Colombia -Ejército del Pueblo, FARC-EP. 21 de junio de 2013. Disponible en <https://www.mesadeconversaciones.com.co/comunicados/primer-informe-conjunto-de-la-mesa-de-conversaciones-entre-el-gobierno-de-la-rep%C3%BAblica>

Primer Informe de Monitoreo a la Resolución 1325 del Consejo de Seguridad de las Naciones Unidas. 2012

Programa Somos Defensores. El efecto placebo. Informe anual 2012. Sistema de Información sobre agresiones contra defensoras y defensores de derechos humanos en Colombia. Bogotá. 3013.

Segundo Informe de Monitoreo a la Resolución 1325 del Consejo de Seguridad de las Naciones Unidas. 2012

COALICIÓN 1325



TECHNICAL AND FINANCIAL SUPPORT

