

Statement to the CEDAW Committee on Colombia

20 October 2013

Looking at the situation of women displaced and survivors of the armed conflict

In spite of the international engagement of the Government of Colombia to support the UN Security Council Resolution (SCR) 1325 on Women, Peace and Security (WPS) and its subsequent resolutions (1820, 1888, 1889, 1960 and 2016), clear strategies for its implementation in Colombia and a National Action Plan to ensure follow up are yet to be adopted. This has been a constant demand by the women's movement in Colombia.

The exclusion of women in the first line of negotiations to end the conflict between the government and the FARC guerrilla is a patent discrimination since they are affected the most by the scourge of war. SCR 1325 assigns to women a cross-cutting role in conflict resolution and in peace-building.

However, we should note that, whilst there are no concrete results in the implementation of the WPS Agenda, the government has developed some regulations to include a gender approach in its public policies and an adapted assistance to the victims of armed conflict. In particular, Decree 092 of 2008 recognises that women are particularly affected by the armed conflict and stipulates special means for the protection of the human rights of women in displacement.

There are many limitations in the affectivity and efficiency of the prompt and appropriate application of this regulation, namely lack of awareness of the law, malfunctioning of the operative procedures for its implementation and lack of allocation of resources. Above all, the lack of operative and institutional capacity to coordinate the interinstitutional programmes at the local and national level is a constant.

In February 2013, Decree 098 was enacted to follow up the implementation of the "Programme of Prevention of Sexual Violence against Displaced Women and Integral Attention to Victims" and the progress of the criminal processes regarding sexual violence against displaced women and the protection of their rights.

However, in the opinion of grassroots women and local women leaders in several regions in the country, the current application of Decree 092 and SCR 1325 does not address their needs and realities of multiple forms of discrimination and violence, mainly because of the lack of awareness of these regulations by their community and local institutions.

Women continue to be systematically and generally object of sexual violence in the framework of the armed conflict. However, the levels of impunity of those crimes remain at 98% and this is without considering the high level of underreporting, the invisibility of these crimes and the fear of denouncing.

Furthermore, women experience a “double displacement” owing to the discrimination and threats they are subject to in the receiving municipalities. The protection and response that the State provides is not sufficient and women demand guarantees of security that ensure their access to justice. Indeed, Decree 092 mandates a specific protection for the 600 women who had reported human rights violations, but ignores the other affected survivals who had not done so.

Women human rights defenders who have led the follow-up, implementation and monitoring of Decree 092 have faced innumerable threats, harassment, persecution and sexual aggressions. The protection of women human rights defenders must comprehensively take a gender approach, including the protection of the family, psychological assistance, effective access to health care, education and disarmament. This demand is aimed at ensuring an atmosphere favourable to guarantee the human rights of women as well as their personal integrity.

Although we recognise that the State provides humanitarian assistance to displaced women, this is not sufficient since many victims are excluded from the list of beneficiaries for having registered to the tributary system while in displacement . This represents a vicious legal cycle that many women have serious difficulties in escaping.

Thus, WILPF recommends:

- The elaboration and implementation of a NAP of SCR 1325 (recommendation endorsed by the Human Rights Council in its Universal Periodic Review report)
- The participation of women from the government and from FARC in the first line of peace negotiations (recommendation endorsed by the Human Rights Council in its Universal Periodic Review report)
- That each of the points of peace building is negotiated with a gender perspective in view of having their endorsement by women’s organisations.
- The establishment of adequate measures for women, in a possible post-conflict context where demobilisation processes may take place
- That humanitarian assistance to women victims of the armed conflict will include psychosocial support, essential to heal psychological injuries
- Integral and effective protection of women human rights defenders advocating for women victims of the conflict, including for their family, psychosocial support, health care and education

- Wider awareness by the local and regional institutions of SCR 1325 and Decree 092, including the rights that these documents provide to displaced women for their effective implementation
- Eliminate all legal lacunas and traps so that women victims of the conflict can access State welfare to cover their needs and can access justice