

Country	Colombia
SIGI 2019 Category	Very low
SIGI Value 2019	15%

Discrimination in the family		10%
	Legal framework on child marriage	50%
	Percentage of girls under 18 married	14%
	Legal framework on household responsibilities	0%
	Proportion of the population declaring that children will suffer if mothers are working outside home for a pay	42%
	Female to male ratio of time spent on unpaid care work	3.4
	Legal framework on inheritance	0%
	Legal framework on divorce	0%

Restricted physical integrity		15%
	Legal framework on violence against women	25%
	Proportion of the female population justifying domestic violence	11%
	Prevalence of domestic violence against women (lifetime)	37%
	Sex ratio at birth (natural =105)	105
	Legal framework on reproductive rights	50%
	Female population with unmet needs for family planning	7%

Restricted access to productive and financial resources		14%
	Legal framework on working rights	100%
	Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay	5%
	Share of managers (male)	47%
	Legal framework on access to non-land assets	0%
	Share of house owners (male)	49%
	Legal framework on access to land assets	0%
	Share of agricultural land holders (male)	-
	Legal framework on access to financial services	0%
	Share of account holders (male)	53%

Restricted civil liberties		21%
	Legal framework on civil rights	0%
	Legal framework on freedom of movement	0%
	Percentage of women in the total number of persons not feeling safe walking alone at night	67%
	Legal framework on political participation	25%
	Share of the population that believes men are better political leaders than women	27%
	Percentage of male MP's	81%
	Legal framework on access to justice	0%
	Share of women declaring lack of confidence in the justice system	62%

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0%, 25%, 50%, 75% or 100%. See data source [here](#).

Source: OECD (2019), Gender, Institutions and Development Database, <https://oe.cd/ds/GIDDB2019>.

Colombia

1. Discrimination in the family

a) Overarching legal framework for marriage

The Civil Code of 1887 governs marriage and family relations. The Colombian Constitution recognises the family as the “basic institution of society” (art. 5), and establishes that marriage is based on the free decision of a man and a woman (art.5).

Women and men have the same rights to enter marriage (Civil Code, art. 113 and 114), and explicitly forbids marriages that are not based on mutual consent (art. 123). De facto unions are recognised, and regulated by the law 54/1990. To be recognised as a de facto union, a couple must have been living together for at least two consecutive years. They have the same rights as married couples regarding the management of household resources and property. The Constitution also grants civil effects to religious marriages (art. 42), a disposition that is regulated by the law 25/1992 which specifies that religious marriages can have civil effects only if the church has a signed concordat with the state.

b) Child marriage

The legal age of marriage is 18 years for both men and women, but can be lowered to 14 years with the consent of their parents or legal guardians (Civil Code, arts. 116, 117). Article 140 prohibits child marriage, declaring null a marriage involving a minor of either sex under the age of 14. Minors aged between 14 and 18 can get married with the written authorisation of their parents or legal guardians. In case of disagreement between the parents, the will of the father precedes that of the mother (arts. 117 and 140).

Colombia is a signatory of the American Convention on Human Rights (OAS,) which has a disposition against forced marriage. However, Colombia remains one of the countries with the highest rates of marriage under the age of 15 (CONPES, 2012), with 23% of women who were first married or in union before the age of 18 (UN Women Global Database on Violence Against Women, n.d.).

The Government launched a plan of action against teenage pregnancy in 2012 (Estrategia de Prevención de Embarazo en la Adolescencia, CONPES, 2012). According to their estimates, 19% of women aged 15 to 19 years old had been pregnant in 2010. The plan was allocated a budget of 56 433 million Colombia pesos for 2015, and emphasises actions with schools, communities and local health services. However, no specific measure or campaign against child marriage is included.

c) Household responsibilities

Women and men have the same rights to be head of household (Civil Code, art. 177), and they owe each other fidelity, support and mutual help (art. 176). Women are not required to obey their husbands. They are equally responsible for their children and have the same right to be legal guardians; in fact, children conceived within marriage are automatically presumed to be the couple's, and they become their shared responsibility (art. 213). In addition, parents have an obligation to care and provide for their children (art. 333 and 334). For extra-marital children, the consent of the other spouse is required for the children to live in the conjugal home (art. 334).

A study on social tolerance towards violence against women (Proyectamos Colombia, 2015) suggests that discriminatory social norms are shifting, with 31% of respondents in 2014 who believed that men should be the head of the household, compared to 45% in 2009. Similarly, the share of respondents who thinks that a good wife must obey her husband even if she disagrees with him went from 31% in 2009 to 19% in 2014, and those who think that families with a man have less problems went from 38% to 21%. However, women still do more unpaid work than men: 33 hours per week, compared to 10 hours for men. By contrast, women do on average 20 hours of paid work per week while men do 44 hours (ECLAC, 2017).

d) Divorce

Women and men have the same right to initiate and finalise divorce (Civil Code, art. 154 and 156). However, the divorce can only be initiated for a cause, and by the injured party. Article 154 provides a list of causes to demand a divorce: infidelity of one of the spouses; the serious and unjustified non-compliance by one of the spouses with his/her legal obligations as spouse and parent; the mistreatment of a member of the family; the frequent state of drunkenness of one of the spouses; the usual use of hallucinogenic or narcotic substances; any serious or incurable physical or psychological illness or abnormality of one of the spouses that endangers the mental or physical health of the other spouse and makes the marriage community impossible; any conduct of one of the spouses tending to corrupt or pervert the other, a descendant, or persons in their care and who lives under the same roof; the separation of bodies, judicial or de facto, that has lasted for more than two years; or, the consent of both spouses made known to a competent judge and recognized by the judge.

In cases of divorce, women and men have the same right to be legal guardians of their children, and their responsibility towards them applies as in the Titles XII and XIV of the Civil Code. Minors of seven years and girls remain the custody of the mother (art. 161). A pension can be required by the parent who becomes the legal guardian, to the amount of 50% of the other parent's salary. CEDAW (2012) mentions that free legal assistance is provided to women in cases of divorce.

e) Inheritance

There is no distinction made in the Civil Code between land and non-land assets when it comes to inheritance, and women and men have the same rights to inheritance (art. 1230, 1236, 1039, 1040, 1045). The surviving spouse is entitled to a share of the inheritance, called the "conjugal portion" (art.

1230). The conjugal portion must be equal to 25% of the assets, unless there are other descendants, in which case the spouse is counted as one of the children and should receive a share equal to that of one of the children's (art. 1236). Daughters and sons have equal rights to inheritance (art. 1039 and 1045). Women and men also have the same right to make a will (art. 1008 and 1230). There are no customary or religious laws or practices affecting women's inheritance rights.

2. Restricted Physical integrity

a) Violence against women

Colombia is signatory of the Convention Belém do Pará (1996).

In 2008, a law on the sensitisation, prevention and sanction of all forms of violence and discrimination against women was adopted (Ley n. 1257/2008, de sensibilización, prevención y sanción de formas de violencia y discriminación contra las mujeres). The definition of violence includes physical, sexual, psychological and economic violence, as well as threats and privation of liberty both in the public and in the private spheres (art. 2 and 3). The decree 2734/2012 regulates measures for victims and survivors of violence and creates an obligation of care for the state towards women and their children in situation of violence. It recommends the construction of shelters and specialised health services. However, there are no penal sanctions and the sentences against the perpetrator are not defined within the law on violence.

A Comprehensive Plan of Action to Guarantee a Life without Violence was launched in 2010 (Plan Integral para Garantizar a las Mujeres una Vida Libre de Violencias), as part of the Plan for Gender Equality (Plan Nacional de Equidad de Género – PNEG) for the 2010-2014 period. The three main axes of the plan are: prevention, action, and coordination (CONPES Social, texto n. 161). A follow-up report on the action plan published in 2014 (DNP, 2014) notices some advances in terms of campaigning and training on the question of violence. In particular, the Ministry of Education provided a guide for schools to prevent the use of sexist language and reproduction of sexist stereotypes, as well as awareness raising on sexual violence. In 2013, the Ministry of Justice trained 1 026 police officers on VAW and domestic violence.

In addition, an observatory of gender equality has been created in 2006 (law 1009/2006), under the direction of the Council for the Equity of Women (Equidad de la Mujer, Observatorio Asunto de Género). This governmental body has the mission to collect, analyse, systematise, and investigate gender-related issues, including data on VAW.

However, a report published in 2013 (Cifuentes et. al., 2013) highlights institutional obstacles to the effective implementation of the law 1257/2008, including: the lack of information and knowledge about the law by competent authorities, the absence of protocols or constraining guidelines for the bodies in charge of processing cases of violence, and a too strong family-focus in the application of sanctions.

b) Domestic violence

The law 294/1996 penalises intra-family violence. It includes sexual, emotional, psychological and physical violence against any member of the family (art. 4). The victim has access to a specialised court of justice and is entitled to free legal assistance. The judge can mediate between the different parts (art. 4) and decide the removal of the perpetrator from the home (art. 5). Any friend, relative or neighbour of the victim can present a petition to the local judicial authorities in order to prevent or stop acts of domestic violence (art. 9 to 15). Penalties are defined in articles 22 to 26, and the law 1142/2007, art. 3, that sets a sentence of four to eight years of imprisonment for perpetrators of intra-familial violence. If the acts of violence are committed against a minor, a woman, a person older than 65 or with a physical disability, the penalty can be increased.

The law n. 1257/2008 (Ley de sensibilización, prevención y sanción de formas de violencia y discriminación contra las mujeres) stipulates that every victim must receive immediate and specialised guidance, as well as free legal assistance (CEDAW, 2012). The decree 4840/2007 created the Commissaries of the Family, who are specialised in teenagers' protection and domestic violence, and have the capacity to intervene directly within families affected by violence. The Commissaries of Family depend on the municipalities and districts, and the decree sets a target of one Commissary for 100 000 inhabitants in less populated districts and one for 250 000 inhabitants in more densely populated districts. The decree 2734/2012 (Por el cual se reglamentan las medidas de atención a las mujeres víctimas de violencia) further establishes guidelines for public institutions (art. 6, 7 and 8) regarding how to proceed with cases of violence, as well as an obligation for the Ministry of Health and Social Protection to provide adequate funding in the care and attention to women victims of violence (TÍTULO III - Término, Financiación, Supervisión y Levantamiento de LAs Medidas de Atención).

The city of Bogotá has an emergency hotline (line 155), as well as a district Secretariat for Women in charge of informing victims of their rights and guiding them through relevant services (Secretaria de Mujer). The 2008–2012 development plan “Positive Bogotá: For a Better Life”, executed by the Secretariat included the setting up of four shelters for female victims of domestic violence (CEDAW, 2012). However, there are no national plans or specific targets for the construction of shelters published online.

The National Department of Planning (DNP, 2014) reports 85 000 cases of intra-family violence committed every year between 2007 and 2014, with 79% of the victims being women. Of those cases, 65% are cases of domestic violence, and 90% of the victims are women. The CEDAW Committee report (2012) notes that free legal assistance is offered by legal clinics to women in situation of violence and for marriage breakdown.

A study on social tolerance of violence against women (Proyectamos Colombia, 2015) shows a change in social norms on this topic. The proportion of respondents who believe that the way a woman is dressed provokes sexual violence went from 59% in 2009 to 37% in 2014, and the proportion who believes that a woman is victim of rape because she did not resist went from 27% to 12%. However, the study shows that attention to victims is still quite low. Indeed, only 52% of the women victim of violence have solicited an official entity; amongst them, 12% went to the police and only 3% went to

the Commissaries of the Family. Only 40% of the women who looked for help had their complaint received, 33% had the legal process explained to them, and 28% were informed about their rights.

c) Rape

Rape is a criminal offence (Penal Code, art. 205 to 207) that can lead to a sentence of 8 to 20 years of imprisonment depending on the circumstances of the act. The code refers to three cases of sexual abuse, two of which are not explicitly based on the lack of consent but rather on the use of violence: “the one who performs carnal access in another person through violence” (art. 205), “the one who performs in another person a sexual act different to the carnal access through violence” (art. 206), and “the one who performs carnal access to a person put in incapacity to resist or in a state of unconsciousness, or in conditions of psychic inferiority that prevent her from understanding the sexual relation or giving her consent” (art. 207). Marital rape is an aggravating circumstance and can lead to an increase of 30% to 50% of the time served by the perpetrator (art. 211).

The law 1448/2011 on the assistance and integral reparation to the victims of the armed conflict includes dispositions for victims of sexual violence, such as the right to medical and emergency care (art. 52), and special legal assistance (art. 35). It creates a Centre for Integral Attention to Victims of Sexual Violence, and mandates the Attorney General’s Office to design and implement a protocol to investigate sexual violence cases (ABC Colombia, Sisma Mujer, and U.S. Office on Colombia, 2013).

According to the 2010 demographic and health survey, 37% of women who have been married or in a union have been subjected to physical abuse by their husband or partner, and 10% have been raped by their husband or partner (CEDAW, 2012). Although these figures represent a fall of 2 percentage points from the previous survey in 2005, the CEDAW Committee notes that they remain very high.

The context of the armed conflict has exacerbated sexual violence against women, often used as a weapon of war. There is no official registry on the number of women who have been victims of sexual violence as a result of the conflict, but a study published by women’s NGOs in relation to the campaign “Rape and Other Violence: Leave my Body out of the War” estimates that between 2001 and 2009, on average, 54 410 women per year, 149 per day, or six women per hour, suffered from sexual violence in Colombia (ABC Colombia, Sisma Mujer, and U.S. Office on Colombia, 2013).

d) Sexual harassment

The Penal Code (art. 210-A, as modified by the law 1257/2008) also sanctions sexual harassment, defined as: “Any person who, for his or her benefit or a third party and by virtue of his manifest superiority or relationship of authority of power, age, sex, labour, social, family or economic position, harasses physically or verbally for sexual purposes not consented to, another person”. The sentence is between one and three years of imprisonment.

This is complemented by the Law 1010/2006 on harassment at work which punishes harassment committed on the workplace by any worker, employer, or superior in the hierarchy. Harassment is

here defined as an act “with the intent to induce fear, intimidation, terror and anxiety, to provoke labour injury, generate demotivation at work, or lead to the demission of the worker” (art. 2). Civil remedies apply to harassment at work, including: disciplinary sanction, fair dismissal, a fine of two to ten monthly minimum wage to be paid to the victim by the perpetrator, a contribution to the amount of 50% of related health expenses of the victim to be paid by the employer (art. 10).

A report on the implementation of the law 1257/2008 (Cifuentes et. al., 2013) notes that a group on Labour Equity, with a special focus on gender, was created by the Ministry of Labour in 2012. The group is tasked with the elaboration of a programme for gender equality on the workplace and the end of all forms of discriminations. However, the report concludes that no effective measure has been taken so far to eradicate sexual harassment at work, and that the juridical norms adopted at the government level were not translated into practice yet.

e) Female genital mutilation

Colombia is the only country in Latin America where cases of FGM have been reported (Equidad Mujer, 2017). This practice exists among the Emberá community (about 23 000 people in Colombia) in the municipalities of Pueblo Rico and Mistrató in the department of Risaralda (CEDAW, 2012). There are no official figures on the extent of FGM in Colombia, but UNFPA’s officials believe that about two-thirds of Emberá women could have been affected (Cosoy, 2016).

Although the Government affirms that the eradication of FGM is a priority, in line with its commitment to the Sustainable Development Goals (Equidad Mujer, 2017), there is no specific legislation addressing FGM. One of the main issues surrounding the practice is the lack of information and silence around it, Emberá people being very reticent to let outsiders intervene in their communities (UNFPA, 2016).

The Emberá Wera project, started in 2006 and led by the Colombian Institute for Wellbeing, aims at promoting intercultural dialogue and generate debates amongst the affected communities, within the respect of their own cultures and traditions (Instituto Colombiano de Bienestar Familiar, 2010). The Emberá Resolution No. 001/2009, which was adopted under the project, provides for the suspension of the practice of female genital mutilation (CEDAW, 2012), and Emberá leaders signed an agreement in 2012 banning the practice (UNFPA, 2016). The project also enabled the training of midwives and healthcare practitioners at the community level on issues related to FGM (CEDAW, 2012).

f) Abortion

Abortion is illegal, and the woman who causes her own abortion or consents that someone else caused it on her can be charged with sixteen to fifty-four months of prison (Penal Code, art. 122-124). Nonetheless, the Decree n. 144/2006 outlines the circumstances under which abortion may be legally performed: to save a woman’s life, to preserve physical and mental health of the pregnant woman, and in case of rape or incest. This decree follows a decision from the Constitutional Court stipulating that the legislation criminalising abortion was unconstitutional. However, this decision has not been translated into the legislation yet, and the Penal Code has not been amended. Besides, the draft law

209/2016 plans a modification of the Penal Code to render abortion legal under every circumstance until the 24th week of pregnancy (Women on Wave, Colombia, abortion law).

Over three quarters of women are aware of the permitted reasons for ending a pregnancy: 76% referred to cases where the pregnancy endangered the woman's life or health, 79% to cases where the foetus was severely deformed and 78% to cases where the woman had been raped (CEDAW, 2012). However, 73% of the population believes that abortion is never justifiable (World Value Survey, 2014).

While abortion is still illegal, the FARC's insist on the use of contraception and have practiced forced abortion on their female combatants. According to the Ministry of Defence's Humanitarian Care Group for the Demobilised, between 2012 and 2013, 43 of 244 demobilised female fighters reported they had been forced to have abortion (ABC Colombia, Sisma Mujer, and U.S. Office on Colombia, 2013).

More

Violence against women in Colombia is marked by the context the armed conflict, and a "continuum of violence" that results from it (ONU Mujeres, 2014). About six million people were internally displaced because of the conflict, 58% of which are women, and over half a million of women and girls have experienced sexual and gender-based violence (Bouvier, 2016). Women are more likely to be subjected to sexual violence, rape, forced prostitution, forced abortions, and women survivors often become widows and single head of household.

Violence is also characterised by a high level of impunity; 634 cases were reported to the Constitutional Court between 2008 and 2015, and only fourteen have led to a conviction (Rocío Chaparro Moreno, 2016, p. 17). The working group on the monitoring of access to justice for women victims of sexual violence concludes that "there are ongoing obstacles for women victims of sexual violence associated with the armed conflict to access justice, and to obtain protection and comprehensive services, obstacles that originate from a lack of comprehensive investigation strategies and an absence of a complete state policy incorporating all aspects of its obligation to act with due diligence" (Rocío Chaparro Moreno, 2016, p. 87).

3. Restricted Access to productive and financial resources

a) Secure access to land and assets

Women have the same legal right as men to own, use and make decisions over their land and non-land assets (Civil Code, art. 181), irrespective of marital status. The right to private property is guaranteed by the Constitution (art. 58) and the Civil Code (art. 669). The law 1496/2011 (art. 8- 5) further guarantees rural women access to property and ownership over land, as well as access to agrarian credits and technical support for their production. After divorce, men and women have the

same rights over their collective property, and in case of conflict, the allocation of assets is to be decided upon by the judge (Civil Code, art. 1820 to 1836).

The law of Agrarian Reform (n. 160/1994) guarantees gender equality in the access to land, allows for joint titling, and recognises the role of female heads of households (Deere and Leon, 2001). In 2002, the law of Rural Women (Ley 731/2002) created a consultative commission for rural and indigenous women in order to promote their education, capacity building, and access to credits.

The Ministry of Agriculture and Rural Development has designed and implemented five programmes under its rural development policy (the Rural Social Housing Programme, the Production Partnership Programme, the Rural Opportunities Programme, the Land Subsidies Programme and the Credit Facility Programme), with the aim to improve rural women's quality of life (CEDAW, 2012). Land subsidies were offered to 9 171 families between 2002 and 2008, and given in most cases to family units comprised of both spouses, thus guaranteeing women equal access to land through family ownership (CEDAW, 2012).

The CEDAW report (2012) also notes the existence of targeted programmes such as a partnership between the Government and the National Coffee Growers' Federation launched in 2007 to encourage the active participation of women. This programme has led to the design and implementation of support measures for women coffee growers to develop and modernize their production.

However, the armed conflict has had detrimental effects on women's access to land (Bouvier, 2016). The conflict has slowed down, and in some places stopped, the agrarian reform. Quite significantly, it has provoked the displacement of millions of people, which has made land claiming and distribution more complicated. The law 1448/2011 on the assistance and integral reparation to the victims of the armed conflict emphasises the protection of women and other vulnerable groups (art. 13), and guarantees the right to land restitution to the victims who have lost their land as a result of the conflict (art. 28). This is referred to as one of the most significant developments in Colombia by the CEDAW committee (2012). Access to land and rural property for women was also one of the thematic priorities put forward by the gender sub-commission during the peace agreement negotiation process (Krystalli and Theidon, 2016).

b) Secure access to formal financial resources

There are no restrictions on women's ability to open a bank account or access financial institutions. Two national programmes exist to facilitate women's access to credit: the law 823/2003 to support single others with an entrepreneurship project, and a programme of microcredit for women head of household launched in 2004 (FAO, Gender and Land Right Database).

In 2006, a strategy to promote women's access to banking services was put in place, and between 2007 and 2010; 114 seminars were delivered to over 50,000 women to train them on how to access microcredits and other financial services. During the same period, loans were extended to 11,089

women belonging to the *Juntos Network*, including 1 981 displaced women (CEDAW, 2012). In 2013, 25% of women had an account in a formal financial institution compared to 36% of men (World Economic Forum, 2013).

c) Workplace rights

Colombia is signatory of the following ILO Conventions: C-100 on equal remuneration, C-111 on non-discrimination in employment, and C-189 on decent work for domestic workers. The Labour Code (art. 143), and the law 1496/2011 (art. 7) recognises the principle of equal remuneration for work of equal value. The article 5 of the law 1496/2011 mandates that companies report on their wage policy and how they pay their different employees. Achieving gender equality at work is listed as one of the strategic objectives of the government to achieve the Millennium Development goals (CONPES, 2005), and is part of the PNEG 2010-2014. However, there is no legislation against gender-based discrimination at work and no specific measures to promote gender equality.

The Labour Code guarantees pregnant women protection against unfair dismissal (art. 239) as well as the right to maintain an equivalent position after their maternity leave (art. 241). Maternity leave lasts fourteen weeks, is paid by the government and covers 100% of the wage (Labour Code, art. 236; law n. 1468/2011). The Labour Code also provides fathers with a paternity leave of eight days, paid at 100% of their wage by the Government (art. 236).

The article 242 prohibits women from working in jobs that would expose them to industrial paint or any component of lead sulphate, working in mines, subterranean, dangerous or insalubrious jobs, and forbids them from doing night shifts except if they work for a family-business. The decree 2733/2012 provides a state subsidy to companies who recruit women victims of violence, however, no data is available on the effectiveness of the measure and no clear mechanisms of recognition of the status of victim has been put in place (Cifuentes et. al., 2013).

In urban areas, 24% of women do not have an income of their own, compared to 35% of women in rural areas. This proportion is 10% for men both in urban and rural areas (ECLAC, 2017).

More

4. Restricted Civil liberties

a) Citizenship rights

Women have the same rights as men to acquire, change and confer their nationality (Law of Nationality, n. 4/1993). They can apply for passports and identity cards, and travel outside of the country (decree 2465/2010, arts. 3, 11 and 12) without the permission of a male head of household. Identity cards can be acquired by citizens older than 7 years old, upon presentation of a certificate of birth (Registraduria Nacional de Estado Civil).

Women and men can both register their children at birth, and children born within marriage are automatically recognised as being the parents' responsibility (Civil Code, art. 333, 334, 1060 and 2006).

b) Voting

The Constitution guarantees every citizen the right to vote and be elected, participate in elections, and constitute parties or movements (art. 40). No restrictions that would prevent women from exercising their right to vote could be found.

c) Political voice

The article 40 of the Constitution guarantees the right to vote and be elected, as well as the effective participation of women in political and administrative instances. A law of gender quotas was approved in 2011 (law 1475/2011); the law mandates a quota of at least 30% of each sex on an electoral list running for more than 5% of the seats, both at the national and local level. Failure to comply leads to the invalidation of the list. A financial incentive is provided to parties who respect the quotas, and according to the number of women elected. The article 17-6 stipulates: "5% of the total state funding for the political parties will be equally distributed to political parties and movements in proportion to the number of women representatives elected from their lists into publicly elected offices" (The Quota Project, Colombia).

The proportion women elected in Parliament went from 4.5% in 1990 to 19% in 2016, and the proportion of mayors went from 4% in 1999 to 10% in 2016 (ECLAC). The Government has launched a campaign "Democracy without women is incomplete" in order to support the implementation of the gender quotas (DNP, 2014). In 2014, a minority of the population (27%) agrees that men make better politicians than women (World Value Survey, 2014).

Women played an important role in the peace agreement negotiation process, with the creation of a gender sub-commission tasked with ensuring that all decisions had an "adequate gender focus" (Bouvier, 2016). The commission paid particular to the inclusion of women and LGBT people's perspectives, and in addressing the issue of gender-based violence that had taken place during the conflict (Krystalli and Theidon, 2016). It was composed women's organisations, women victims of violence, and women ex-combatants. In 2014, the FARC delegation was composed of 40% of women (Bouvier, 2016).

Other initiatives were implemented to promote women's active voice in the peace building process. The programme "Women peace builders" was set-up in partnership with UN Women in order to gather associations from the civil society who work on gender equality and the end of violence in Colombia. The strategic goals of this partnership are: promote women's leadership and participation in processes of peace building, promote women's leadership and participation in processes of prevention and conflict resolution, contribute towards the eradication of all forms of violence against women and girls, promote women's leadership and participation in processes of taking back control over resources in context of conflicts and natural disasters (Mujeres constructoras de paz/UN Women).

d) Access to justice

The article 181 of the Civil Code affirms that married women can freely access justice or petition a judge without the authorisation of their husband. No restrictions could be found regarding married or unmarried women's ability to sue, be sued, or testify in a court of justice. The CEDAW Committee report (2012) notes that free legal assistance is offered by legal clinics to women in situation of violence and for marriage breakdown. The Higher Judicial Council has also established a National Gender Commission of the Judiciary, with the aim to promote effective equality of opportunities between men and women and non-discrimination on the basis of gender in judicial decisions (ruling n. 4552/2008).

The context of the armed conflict in Colombia has restricted women's rights to access justice (Amnesty International, 2012). According to Amnesty International (2017), in December 2016, the Victims' Unit had registered more than 17 500 victims of conflict-related crimes against sexual integrity since 1985. An official Peace Agreement was signed in 2016, and the Office of the Attorney General issued a Resolution adopting a protocol for the investigation of crimes of sexual violence perpetrated during the period of the conflict.

There are multiple barriers for female survivors of the armed conflict to access justice (Guzmán Rodríguez and Prieto Dávila, 2013). These include a patriarchal culture that tends to normalise acts of violence against women, the lack of trust in the judicial system, the lack of effective guarantees for a victim who comes forward to denounce an act of violence, and threats or pressures against victims from armed groups. In some remote areas, judicial centres can be far from the victim's location which induces a too high cost of travel and makes it inaccessible. Finally, in some indigenous communities, all the official administrative and judicial positions are held by men which makes it harder for women to denounce an act of gender-based violence (Guzmán Rodríguez and Prieto Dávila, 2013).

Sources

ABC Colombia, Sisma Mujer, and U.S. Office on Colombia (2013) Colombia: Women, Conflict-related Sexual Violence and the Peace Process:

http://reliefweb.int/sites/reliefweb.int/files/resources/ABColumbia_Conflict_related_sexual_violence_report.pdf

Amnesty International (2012) *Colombia: hidden from justice*, London: Amnesty International:

https://www.amnestyusa.org/files/colombia_vaw_report_oct.4_embargoed.pdf

Amnesty International (2017), Country Report - Colombia:

<https://www.amnesty.org/en/countries/americas/colombia/report-colombia/>

Bouvier, Virginia M. (2016) Gender and the role of women in Colombia's peace process, New York: UN Women, U.S. Institute of Peace

CEDAW Committee Report 2012:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=3&DocTypeID=29

Cifuentes, L. M. C, et. al. (2013) Ley 1257, cinco años después... segundo informe de seguimiento a la Ley 1257 de 2008 - Mesa por el derecho de las mujeres a una vida libre de violencias, Ley 1257 de 2008, Bogotá: Ediciones antropos Ltda

Código Civil (1873): <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=39535>

Código Penal: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=6388>

Código Sustantivo del Trabajo (1950):

<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=33104>

Comisión Consultiva de las Mujeres Indígenas Rurales, Ley 731/2002 Mujer Rural:

<https://www.minagricultura.gov.co/Normatividad/Leyes/Ley%20731%202002.pdf>

CONPES (2005), Normativa 91: Metas Y Estrategias De Colombia Para El Logro De Los Objetivos De Desarrollo Del Milenio – 2015:

http://www.minambiente.gov.co/images/normativa/conpes/2005/Conpes_0091_2005.pdf

CONPES/UNICEF (2014), Estrategia de Prevención de Embarazo en la Adolescencia:

<http://www.equidadmujer.gov.co/Documents/Estrategia-prevencion-embarazo-adolescencia.pdf>

Constitución Política de Colombia (1991):

<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>

Constitución Política de Colombia

<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=4125>

Convention Belém do Pará: <http://www.oas.org/juridico/english/sigs/a-61.html>

Cosoy, N. (2016) 'Cut with a blade': Colombia indigenous groups discuss FGM, in *BBC Mundo*, 12/10/2016: <http://www.bbc.co.uk/news/world-latin-america-37374006>

Decreto 2465 de 2010:

<http://www.dmsjuridica.com/CODIGOS/LEGISLACION/decretos/2010/2465.htm>

Deere, C. D and Leon, M. (2001) Who Owns the Land? Gender and Land-titling Programmes in Latin America, *Journal of Agrarian Change*, vol. 1/3, 2001

Departamento Nacional de Planeación (2014) Tercer Informe De Seguimiento CONPES Social 161 "Equidad de Género para las Mujeres" Eje 6: Plan Integral para Garantizar a las Mujeres una Vida Libre de Violencias, Bogotá: DNP

ECLAC (2017), Country profile:

<http://estadisticas.cepal.org/cepalstat/PerfilesNacionales.html?idioma=english>

Equidad Mujer, Observatorio de Asuntos de Género:

<http://www.equidadmujer.gov.co/ejes/Paginas/observatorio-asuntos-genero.aspx>

Girls not Brides, Colombia: <http://www.girlsnotbrides.org/child-marriage/colombia/>

Guzmán Rodríguez; D. E. , and Prieto Dávila (2013) *Aceso a la Justicia: Mujeres, Conflicto Armado y Justicia*, Bogotá: Dejusticia: <https://www.dejusticia.org/en/publication/access-to-justice-women-armed-conflict-and-justice/>

ID card procedures: <http://www.suit.gov.co/VisorSUIT/index.jsf?FI=76>

Instituto Colombiano de Bienestar Familiar (2010), El Proyecto Emberá Wera:

http://www.un.org/esa/socdev/unpfii/documents/EGM12_joint_project.pdf

Krystalli, R. and Theidon, K. (2016) Here's how attention to the gender affected Colombia's peace process, in *The Washington Post*, 09/10/2016: https://www.washingtonpost.com/news/monkey-cage/wp/2016/10/09/heres-how-attention-to-gender-affected-colombias-peace-process/?utm_term=.a86af5f2639b

Ley 1257/2008, de sensibilización, prevención y sanción de formas de violencia y discriminación contra las mujeres: http://www.secretariassenado.gov.co/senado/basedoc/ley_1257_2008.html

Ley 1496/2011: <http://wsp.presidencia.gov.co/Normativa/Leyes/Documents/ley149629122011.pdf>

Ley 4/1993 de la nacionalidad: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=286>

Ley N° 1.448 - Medidas de Asistencia y Reparación Integral a las Víctimas del Conflicto Armado Interno:

http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi_normativa/colombia_ley_nro_1448_2011.pdf

OAS, American Convention on Human Rights, Ratifications:

<http://www.cidh.oas.org/basicos/english/Basic4.Amer.Conv.Ratif.htm>

ONU Mujeres (2014) Elementos de la estrategia país Colombia 2014-2017:
<http://colombia.unwomen.org/es/como-trabajamos/estrategia-pais-2014-2017>

Proyectamos Colombia (2015) *Segunda Medición Del Estudio Sobre Tolerancia Social e Institucional de las Violencias Contra las Mujeres - Informe Final*, Bogotá: Equidad de la Mujer, Paz Equidad Educación

Rocío Chaparro Moreno, L. (2016) Access to justice for women victims of sexual violence, Mesa de Seguimiento, Bogotá: Corporación Sisma Mujer

UN Women Global Database on Violence Against Women: <http://evaw-global-database.unwomen.org/en/countries/americas/colombia>

UNFPA (2016) A silent epidemic: the fight to end female genital mutilation in Colombia:
<http://www.unfpa.org/news/silent-epidemic-fight-end-female-genital-mutilation-colombia>

Women on wave - Colombia: <http://www.womenonwaves.org/en/page/4942/colombia--abortion-law>

World Bank (2016), Women, Business and the Law:
http://wbl.worldbank.org/data/exploreconomies/colombia/2015#wbl_ai

World Economic Forum (2013) The Global Gender Gap Report:
http://www3.weforum.org/docs/WEF_GenderGap_Report_2013.pdf#page=20

World Value Survey, 2010-2015 wave: <http://www.worldvaluessurvey.org/WVSONline.jsp>