

Gender-Based Violence

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Implementation of recommendations from the previous period

Colombia received at least 21 recommendations related to gender-based violence during the 2018 UPR evaluation cycle, which covered a range of issues, such as effectively combating deeply entrenched gender stereotypes and sexual and gender-based violence (Namibia, Iceland); combating impunity (Belgium); strengthening administrative, legislative, and judicial mechanisms that guarantee women's rights to a life free of violence and discrimination (Finland, Singapore, Norway); ensuring that all cases of sexual violence are investigated and that victims have support, including access to medical and psychosocial services (Malaysia, France, Georgia); and ongoing efforts to implement legal protection measures for women victims of all forms of violence (Poland). There has been an increase in violence against women and people with diverse sexual orientations and gender identities. This led the women's social movement to demand that the government declare a national emergency on sexist violence and its inclusion in the 2022-2026 National Development Plan. (1)

Current status

Femicides. Between 2018 and 2022, Colombia registered 3,106 femicides and transfemicides nationally, most of which were committed with firearms. The most frequent perpetrator was the victim's intimate partner and the most common location was their home. The age range with the highest number of victims was 20 to 34 years old. There were 213 femicides registered this year, as of 30 June 2023. (2) Despite the existence of regulations and laws that include punitive sentences for the perpetrators of these crimes, the impunity rate for femicide in Colombia is over 90%. (3)

Domestic Violence. Domestic violence continues to be one of the main sources of risk for women in Colombia. In 2019, a total of 25,785 forensic medical examinations were performed on victims of domestic violence, evidencing that a woman was victim to domestic violence every 35 minutes.(4) According to data from the National Institute of Forensic Medicine, there was a 9.94% increase in women victims, rising from 2,636 cases reported in January 2019 to 2,898 cases in the same period of 2020.(5) A total of 58,615 women victims of physical violence were reported in 2021 in Colombia, along with 10,021 women victims of psychological violence. The victims were female in 87.1% of all cases. (6) In the first quarter of 2023, there were 19,606 reports of domestic violence in the country. (7) On 12 February 2023, the Attorney General's Office (FGN) reported that domestic violence is the crime with the second highest number of active cases (274,062). (8)

(1) Law 2294 of 2023 that approves the 2022-2026 National Development Plan. Available at: <https://www.dnp.gov.co/plan-nacional-desarrollo/pnd-2022-2026>

(2) Observatorio Colombiano de Femicidios. Dynamic Report. Available at: <https://observatoriofemicidioscolombia.org/index.php/reportes>

(3) Latin American and Caribbean Women's Health Network (LACWHN). Available at <https://www.reddesalud.org/es/novedades/situacion-actual-en-la-prevencion-y-sancion-del-femicidio-en-colombia>

(4) 8 March 2020: International Women's Day. Bulletin No. 19. Corporación Sisma Mujer. March 8, 2020. Available at: 07-03-2020-Bulletin-Sisma-Mujer-8M-1.pdf (sismamujer.org) Viewed 9 July 2023.

(5) Ibid.

(6) Sistema integrado de información de violencias de género (SIVIGE) <https://www.sispro.gov.co/observatorios/onviolenciasgenero/Paginas/home.aspx>

(7) National Institute of Legal Medicine and Forensic Sciences. Monthly statistical bulletin. National Reference Center on Violence Group (GCERN). May 2023. Available at: https://www.medicinalegal.gov.co/documents/20143/879499/Boletin_mayo_2023.pdf

(8) Attorney General's Office Management Report: 2022-2023. <https://www.fiscalia.gov.co/colombia/wp-content/uploads/Link-Informe-de-Gestion-2022-2023.pdf>

Sexual violence. Girls and adolescents are the population group among females who suffer most from sexual violence. In 2019 they accounted for 85.58% of all reported cases of female victims. Within this group, girls aged between 10 and 14 years old are the most affected (48.43%) by sexual violence, followed by those between 5 and 9 years of age (25.98%).⁽⁹⁾ The FGN reported that the number of cases of sexual violence represents 8.1% of the total criminal caseload, constituting the third group of crimes with highest number of active cases, with a total of 238,119. ⁽¹⁰⁾

Institutional violence. Since 2017, the Constitutional Court recognized the existence of institutional violence committed against women and girls who reported themselves as victims of violence from judicial authorities, such as the Family Office and Prosecutor's Offices. Through rulings T-735 of 2017, T-015 of 2018, and T-462 of 2018, the Court found that institutional violence committed by Colombian authorities occurs because of their inefficiency to provide effective protection to female victims of violence. ⁽¹¹⁾ According to the Court, this contributes to a context of structural violence against women, fostering an environment of impunity and State tolerance of acts of aggression, depriving them of effective judicial solutions to counteract the reported event. ⁽¹²⁾ The Court called for the inclusion of a gender perspective in judicial authorities' actions, establishing that they must be sensitive to victims' realities and the increased protection that they require. ⁽¹³⁾

(9) 8 March 2020: International Women's Day. Bulletin No. 19. Corporación Sisma Mujer. March 8, 2020. Available at: 07-03-2020-Bulletin-Sisma-Mujer-8M-1.pdf (sismamujer.org) Accessed December 20, 2022.

(10) Attorney General's Office Management Report: 2022-2023. <https://www.fiscalia.gov.co/colombia/wp-content/uploads/Link-Informe-de-Gestion-2022-2023.pdf>

(11) Constitutional Court. Ruling T-735 of 2017

(12) Constitutional Court. Ruling T- 462 of 2018

(13) Constitutional Court. Ruling T-015 of 2018

Recommendations

1. Prevent, investigate, prosecute, and punish as quickly as possible all forms of gender-based violence in the country, providing effective channels for reporting and care incorporating a psychosocial component.
2. Design and implement strategies to promote children and adolescents' rights that contribute to the prevention and eradication of the crime of Commercial Sexual Exploitation of Children and Adolescents (CSEC), prosecute perpetrators on all levels, restore the rights of victims, and end the normalization of the problem. This can be achieved by implementing a comprehensive model that includes the participation of different social actors such as families, the community, public institutions, State agents, the private sector, and children and adolescents.
3. Create a comprehensive law for the transgender population that addresses the risks that transgender women face in terms of discrimination and the lack of equal rights.