

UN CRC	Ratification Date	Care-Related Concluding Observations
	28 Jan 1991	<p>CRC/C/COL/CO/4-5                      4 February 2015</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCOL%2fCO%2f4-5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCOL%2fCO%2f4-5&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p><b>E. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))</b></p> <p><b>Children deprived of a family environment</b></p> <p>33. The Committee welcomes the measures taken by the State party to support families living in precarious conditions and prevent separation or abandonment of children. However, it remains concerned about:</p> <ul style="list-style-type: none"> <li>(a) The high number of cases of abandoned children;</li> <li>(b) Reports that children continue to be separated from their families because of poverty, in particular children of displaced families;</li> <li>(c) The failure to reduce institutionalization and ensure that this is only used as a measure of last resort;</li> <li>(d) Some institutions and foster homes not complying with international standards;</li> <li>(e) The lack of disaggregated data on children whose families benefit from assistance and those deprived of a family environment.</li> </ul> <p>34. The Committee recommends that the State party take into account the Guidelines for the Alternative Care of Children annexed to the United Nations General Assembly resolution 64/142 of 20 December 2009 and, in particular:</p>

		<ul style="list-style-type: none"> <li>(a) <b>Ensure in practice that children are not separated from their families due to poverty or financial reasons;</b></li> <li>(b) <b>Provide further support to families in order to prevent separation or abandonment of children and ensure compliance with maintenance obligations, including through counselling, legal support and financial contributions;</b></li> <li>(c) <b>When alternative care is necessary, prioritize foster care and ensure that institutionalization is used only as a measure of last resort;</b></li> <li>(d) <b>Strengthen efforts to provide training to foster families and personnel working in institutions on children's rights and the particular needs of children deprived of a family environment;</b></li> <li>(e) <b>Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing adequate resources and accessible channels for reporting, monitoring and remedying maltreatment of children;</b></li> <li>(f) <b>Collect disaggregated data on children whose families benefit from assistance and those deprived of a family environment.</b></li> </ul> <p><b>Adoption</b></p> <p>35. The Committee remains concerned that:</p> <ul style="list-style-type: none"> <li>(a) The number of international adoptions continues to be high and that national adoptions are not prioritized;</li> <li>(b) There are reports that not all adoptions are directly administered by the ICBF and that private adoption houses and institutions are still operating, increasing the risk of improper financial and another gain including children being sold for adoption;</li> <li>(c) Restrictive criteria on adoptability are used.</li> </ul> <p>36. The Committee reiterates its recommendations (CRC/C/COL/CO/3, para. 57 and CRC/C/OPSC/COL/CO/1, para. 21) and recommends that the State party:</p> <ul style="list-style-type: none"> <li>(a) <b>Strengthen efforts to prioritize domestic adoptions;</b></li> </ul>
--	--	--

		<ul style="list-style-type: none"> <li>(b) Ensure that all national and international adoptions be administered through the ICBF, which has been designated as the competent authority in accordance with article 21 of the Convention and the Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Inter-country Adoption;</li> <li>(c) Prohibit adoption through private houses and institutions where there is a risk of improper financial and another gain, including children being sold for adoption;</li> <li>(d) Implement the protocol on adoptions, as ordered in the Constitutional Court ruling T-844 of 2011, setting criteria on the procedure and responsibilities of the authorities involved in adoption processes and avoid restrictive criteria on adoptability.</li> </ul> <p><b>H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</b></p> <p><b>Children in street situations</b></p> <p>61. The Committee notes the measures taken to address the phenomenon of children in street situations. It remains, however, concerned that these efforts are insufficient, do not adequately address structural problems and are only limited to some of the main cities. It notes with concern that these children are generally stereotyped as criminals.</p> <p><b>62. The Committee reiterates its recommendation (CRC/C/COL/CO/3, para. 85) and recommends that the State party:</b></p> <ul style="list-style-type: none"> <li>(a) Conduct a national study of the scope and causes of the phenomenon of children in street situations, with disaggregated data, and regularly update the information;</li> <li>(b) Evaluate the consistency and impact of the initiatives taken so far and, based on the lessons learned, develop a comprehensive and well-resourced policy to prevent and reduce the phenomenon of children in street situations. The policy should address the different needs of boys and girls in street situations;</li> <li>(c) Strengthen its efforts to ensure that children in street situations are provided with adequate nutrition, shelter, health care, educational opportunities and protection from all forms of violence, including sexual abuse, and that they are not viewed as criminals.</li> </ul>
--	--	--

		Country Report
		CRC/C/COL/4-5 <a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCOL%2f4-5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCOL%2f4-5&amp;Lang=en</a>
<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	11 Nov 2003	
<b>OPAC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	25 May 2005	
<b>ICCPR</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	29 Oct 1969	
<b>ICESCR</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	29 Oct 1969	
<b>CEDAW</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	19 Jan 1982	
<b>CRPD</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	10 May 2011	CRPD/C/COL/CO/1  30 September 2016

		<p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCOL%2fCO%2f1&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCOL%2fCO%2f1&amp;Lang=en</a></p> <p><b>III. Principal areas of concern and recommendations</b></p> <p><b>B. Equality and non-discrimination (arts. 5-30)</b></p> <p><b>Children with disabilities (art. 7)</b></p> <p>18. The Committee is concerned about the limited information available on the situation of children with disabilities, mainly those who have been institutionalized or who are living in poverty or in rural or remote areas, and about the steps taken to protect their rights and facilitate their remaining with or return to their families or foster families. It is also concerned about the lack of a ban on corporal punishment of children with disabilities.</p> <p><b>19. The Committee urges the State party to more systematically gather data on children with disabilities and to take steps to prevent their abandonment, abuse and institutionalization. It encourages the State party to adopt a plan on the deinstitutionalization of children with disabilities, including those who are institutionalized on the basis of protection measures ordered by the Colombian Family Welfare Institute, and to provide community-based services and support to families, especially households headed by single mothers, in order to ensure the right of children with disabilities to grow up in a family environment and the right to have a family life. The Committee recommends that the State party repeal the provision in the Civil Code that authorizes adult childminders to correct and discipline children moderately and that it ban corporal punishment in any environment, including within the family and within indigenous and remote communities.</b></p> <p><b>Liberty and security of the person (art. 14)</b></p> <p>36. The Committee is concerned about the lack of detailed information on the number and situation of persons institutionalized and detained because of their disability. It is also concerned that persons with</p>
--	--	---

		<p>psychosocial disabilities are deprived of their liberty on the grounds that they require medical treatment and with only the consent of their legal representative.</p> <p><b>37. The Committee recommends that the State party explicitly prohibit forced institutionalization on the basis of disability, and that it adopt protocols to guarantee the exercise of the right to free and informed consent of persons with disabilities.</b></p> <p><b>Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)</b></p> <p>42. The Committee notes with concern that the State party has not ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and that there are no national mechanisms to prevent or protect against torture, or legislation establishing as separate offences specific forms of torture committed against persons with disabilities.</p> <p><b>43. The Committee urges the State party to ratify the Optional Protocol to the Convention and to establish a national mechanism for the prevention of torture, whose mandate should include monitoring of institutions for the seclusion or internment of persons with disabilities, including psychiatric hospitals and long-term residential centres, within its mandate.</b></p> <p><b>Living independently and being included in the community (art. 19)</b></p> <p>48. The Committee is concerned that the transition of persons with disabilities from institutions to living in the community has not begun, and that there is a lack of support services for independent living.</p> <p><b>49. The Committee recommends that the State party:</b></p> <ul style="list-style-type: none"><li><b>(a) Implement a plan for the deinstitutionalization of persons with disabilities, in close consultation with organizations of persons with disabilities, with specific timelines and sufficient resources for its implementation;</b></li><li><b>(b) Ensure that community services are available to persons with disabilities and are inclusive of persons with disabilities, and develop and make available at all levels, including municipalities and</b></li></ul>
--	--	---

		<p>communities, the support services required by persons with disabilities, including personal assistance, to enable them to choose their place of residence and to live independently.</p> <p><b>C. Specific obligations (arts. 31-33)</b></p> <p><b>Statistics and data collection (art. 31)</b></p> <p>68. The Committee is concerned about the lack of updated information and statistics on the number of persons with disabilities in the State party, as well as on the status of their human rights enjoyment throughout the territory.</p> <p>69. The Committee recommends that the State party collect and update data and statistics on persons with disabilities using a rights-based model. The data should be disaggregated by age, sex, type of disability, existing barriers, ethnicity and geographical location and include the type of residence or institution and cases of discrimination or violence against those persons. These processes should be undertaken in consultation with organizations of persons with disabilities. In addition, the Committee recommends that the State party be guided by article 31 of the Convention in pursuing target 17.18 of the Sustainable Development Goals.</p>
<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	23 April 2013	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/COsession16.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/COsession16.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Ratification Date</b>	<b>Link to Country Profile</b>
	13 July 1998	<a href="https://www.hcch.net/en/states/other-connected-states/details2/?sid=90">https://www.hcch.net/en/states/other-connected-states/details2/?sid=90</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review