

# CEDAW AND ITS IMPACT ON WOMEN'S LIVES: AN INTERSECTIONAL PERSPECTIVE

*Brazil, Colombia, Cuba, Mexico, Nicaragua,  
Peru and the Dominican Republic*





## **CEDAW and its Impact on Women's Lives: An Intersectional Perspective**

*Brazil, Colombia, Cuba, Mexico, Nicaragua, Peru,  
and the Dominican Republic*



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Lastly, we at Race and Equality hope this report will contribute to a discussion within the Committee on the Elimination of Discrimination against Women on how it should interact with the States, civil society, and other UN Committees in order to advance in the promotion and protection of women's rights in Latin America. You can count on us!

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# Contents

1. Introduction .....	6
2. Committee's composition, mandate and roles ..	20
3. CEDAW in Brazil .....	43
4. CEDAW in Colombia.....	72
5. CEDAW in Cuba.....	107
6. CEDAW in Mexico .....	125
7. CEDAW in Nicaragua.....	142
8. CEDAW in Peru .....	161
9. CEDAW in the Dominican Republic .....	178
10. Final reflections .....	196
11. Conclusions.....	209
12. Final Recommendations.....	212
References.....	215
Annexes.....	224





# 1. Introduction

## 1.1 Afro-descendant women in Latin America and the Caribbean

1.

Latin America is a region with significant inequality between men and women (CEPAL, 2020), with women having the least chance of finding employment; this in turn increases the probability of poverty and old age without a pension (IDB, 2020). Additionally, the majority of non-remunerated and caregiving work falls on women's shoulders (CEPAL, 2020b). A great degree of violence is visited upon women's bodies: in 2017, at least 2,795 women were victims of femicide in the region (CEPAL, 2020), while 69% of the women in 15 countries in the region were physically abused by their partners and 47% have been victims of sexual assault (IDB, 2020).

2.

This harsh reality increases with crosscutting vulnerability vectors such as race, sexual orientation, and gender identity. The concept of intersectionality can be understood within a theoretical feminist framework, based on the overlapping experiences of various systems of oppression (Crenshaw, 1989; Collins, 2000). This concept has permitted an examination of the inseparability of the interactions among the various categories of social exclusion, domination, and discrimination, with the goal of understanding the complex dynamics of positioned social realities (Lutz, et al., 2011; Viveros, 2016).

3.

In light of the foregoing, the issue of intersectionality is key to understanding the problems faced by Afro-descendant women



in Latin America and the Caribbean. “The term ‘intersectionality’ itself was introduced by Kimberlé Crenshaw (1989) in her discussions of the employment problems experienced by Black women in the United States” (YuvalDavis, 2006, p. 193). Crenshaw used that term to describe the various forms of vulnerability a person can experience.

4.

Violence against Afro-descendant women has historic and structural origins. Starting with the conquest of the Americas and proceeding throughout modernity, race became a category of domination, as a way to classify bodies. This historic category even came to be naturalized within the ‘coloniality of power’ (Quijano, 2014). The foregoing has been intersectionalized with the violence visited upon female and feminized bodies since colonial times, through the imposition of a patriarchal, exclusive system that relegated women to the private sphere (Lugones, 2008). These aspects remain in force to some degree today and affect Afro-descendant women’s access to their rights.

5.

According to CEPAL data (2018), Afro-descendant women’s participation is very low in representative spaces at the national level in Latin America and the Caribbean. The poverty lines in 2018 in the region were 1.8 and the average income of Afro-descendant women was 1.9%. Young Afro-descendant women between the ages of 18 and 24 are those who participate least in higher-education systems and Afro-descendant women’s unemployment rate is very high. Likewise, these women have little access to birth-control methods and the maternal mortality among Afro-descendant women is higher than the national average in the various countries in the region. It is important to highlight that that report does not offer specific data on the state of Afro-descendant lesbian, bisexual, and trans women in Latin America and the Caribbean.

## 1.2 The Convention

6.

In 1979, the United Nations General Assembly promulgated the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which entered into force in 1981 (OHCHR, 2020). It was based on the principle of non-discrimination promulgated by the Universal Declaration of Human Rights, according to which all persons are born in a state of equal dignity and rights, and furthermore, that the States Parties to various international human rights treaties are obligated to guarantee their effective enjoyment by all of their citizens. Likewise, one of its motivations was the concern that international commitments are not effectively implemented in women's reality and as such, inequality between the genders continues to exist in the world.

7.

CEDAW is one of the nine international treaties which, together with the nine additional Optional Protocols, United Nations Charter (1945), and Universal Declaration of Human Rights (1948), delimit the framework of international human rights law and the United Nations' framework of action. These nine treaties are: International Convention on the Elimination of All Forms of Racial Discrimination; International Covenant on Economic, Social, and Cultural Rights; International Covenant on Civil and Political Rights; Convention on the Rights of the Child; Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; International Convention on the Protection of All Persons against Enforced Disappearance; Convention on the Rights of Persons with Disabilities; and lastly, Convention on the Elimination of All Forms of Discrimination against Women, which is the one on which the present analysis centers.

8.

The States voluntarily ratify or adhere to treaties and their Optional Protocols; when a State becomes a party to a treaty or Protocol, it acquires a legal obligation to apply its provisions and periodically inform a "treaty body" of the United Nations comprised of independent experts. The bodies created by virtue of the human rights treaties are committees of independent experts that have been issued the mandate to supervise the application of each of the principal human rights treaties, among them CEDAW.

9.

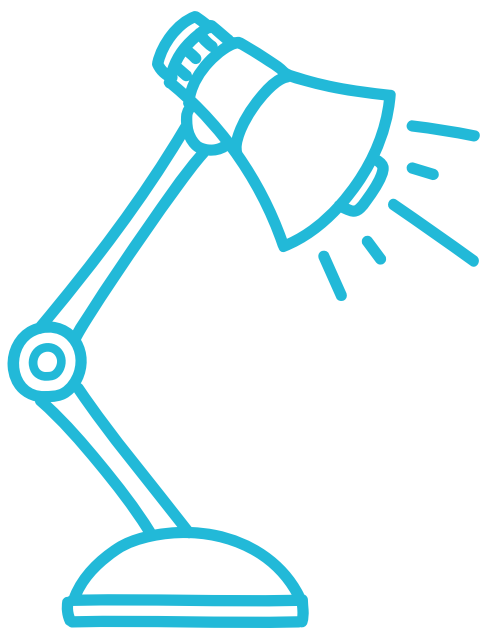
CEDAW represents a landmark in the field of human rights, in that it recognizes some concrete aspects that affect women's ability to effectively enjoy their rights (UNDP, 2020). One of these is the sociocultural realm, in the understanding that some practices of this nature have enabled the persistence of inequality and stereotypes between the genders. Another matter of profound relevance addressed by CEDAW is women's right to make decisions regarding motherhood, including decisions of how many children to have and the length of time between pregnancies. Likewise, CEDAW not only seeks the elimination of inequality, but also focuses on the States Parties preventing these actions, both in the public as well as private spheres.

Given the fact that CEDAW does not directly reference the issues related to intersectionality, when it is applied the Committee should dialogue and derive backing from the Special Procedures and take into account their recommendations. Said Special Procedures are experts in subjects who provide in-depth reflections on specific issues; as such, their recommendations will be useful in order to gain an understanding of intersectionalities.

10.

11.

CEDAW proposes a conceptualization regarding what is understood by 'discrimination':



*Any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.*  
(Article 1)

12.

This legal definition becomes a part of national regulations after States ratify CEDAW (UNIFEM, 2006). This conceptualization provides an understanding that discriminatory acts against women can transpire in various spheres of society. CEDAW not only demands that States eliminate all forms of discrimination against women, but also urges them to implement constitutional, legislative, and affirmative actions with an eye to preventing discriminatory acts against women or any such attempts.

13.

To date, CEDAW is the international document most relevant for guaranteeing women's rights internationally. It supposed progress in the recognition of men's and women's equality and the struggle on behalf of non-discrimination. CEDAW currently has 189 States Parties (UN, 2020), among which are Brazil<sup>1</sup>, Colombia<sup>2</sup>, Dominican Republic<sup>3</sup>, Peru<sup>4</sup>, Nicaragua<sup>5</sup> y Mexico<sup>6</sup>. The States that have ratified CEDAW thus commit to taking all appropriate measures to fully contribute to women's development.

14.

CEDAW is divided into six parts and 30 articles which not only reference the ways in which the States Parties can eradicate discrimination, but also promote the inclusion of affirmative actions in the public and private realms to ensure women can enjoy their rights. The first four parts are centered on defining discrimination and the measures that should be taken to eradicate it. The fifth part of CEDAW makes reference to the creation of the Committee on the Elimination of Discrimination against Women (hereinafter, "the Committee"). The sixth sets forth the general provisions to which the States Parties commit when ratifying CEDAW.

---

<sup>1</sup> Ratified on February 1, 1984.

<sup>2</sup> Ratified on January 19, 1982.

<sup>3</sup> Ratified on September 2, 1982.

<sup>4</sup> Ratified on September 13, 1982.

<sup>5</sup> Ratified on October 2, 1981.

<sup>6</sup> Ratified on March 23, 1981.



15.

Part I of CEDAW, which is set forth between Articles 1 and 6, centers on the broad actions that should be taken to eliminate all forms of discrimination against women. The States Parties commit to working to eliminate these forms of discrimination by including equality between men and women in their Constitutions and laws, adopting measures that prohibit all forms of discrimination against women, extending legal protection for women's rights, preventing the recurrence of discriminatory practices, promoting actions to eliminate discrimination in the private sector, [and] repeal laws and criminal provisions that promote discriminatory behavior. Likewise, the States Parties must carry out actions to promote equality between women and men in the political, social, economic, and cultural spheres. This part urges States Parties to implement temporary or affirmative actions in favor of equality between men and women. It also makes reference to the measures that States should take to transform discriminatory sociocultural patterns and guarantee familial education. This first part concludes with the need for measures of any kind to eliminate trafficking and exploitation of female prostitution.

16.

The second part of CEDAW, covering Articles 7, 8, and 9, makes reference to the equality of men's and women's political rights. This part is aimed at getting the States Parties to take measures to eliminate all forms of discrimination in the [respective] country's public and political life, especially in terms of access to voting [and] participation in decision-making spaces and non-governmental organizations. Likewise, the text aims to promote the egalitarian participation of women in the States Parties' international representation. Lastly, this part alludes to the egalitarian granting of nationality, both to men as well as women, and recognizes the equality of women's rights vis-à-vis the nationality of their sons or daughters.

17.

The third part of CEDAW, Articles 10 through 14, centers on the sociocultural measures that should be taken to eliminate discrimination against women. Firstly, it mentions the need to eliminate all forms of discrimination in education, in light of the need to ensure equality of opportunity and access to knowledge. Likewise, the need to reduce female school dropouts and [females' ability to] access informational material on family matters, including family planning. Secondly, the text calls



for the elimination of discrimination in the workplace, with an eye to ensuring equality of work opportunities, the possibility to freely choose one's profession or employment, equality in remuneration, access to social security, and healthcare. Similarly, it seeks to eliminate all forms of discrimination based on marriage or motherhood. This part also calls on the States Parties to eliminate all forms of discrimination in the access to healthcare and in other spheres of economic and social life, such as accessing familial social benefits and obtaining bank loans, and the right to recreation. Lastly, this part concludes by calling on States Parties to guarantee rural women's access to rights.

18.

Articles 15 and 16 make up Part IV and focus on legislative and marital issues, calling on States Parties to recognize the equality of men and women before the law. Likewise, they fully recognize women in civil and legal matters and emphasize women's capacity to sign contracts and administer assets in equal conditions to that of men. Additionally, they recognize the need to guarantee equality between men and women in the matter of marriage, in that they recognize that women have the capacity to freely choose their spouse and enjoy equal rights and responsibilities vis-à-vis their sons and daughters. A matter of great importance is the recognition of women's rights to freely and responsibly decide on the number of children they wish to have and the interval of time between births.

19.

In order to monitor compliance with this treaty, CEDAW itself, in Part V comprised of Articles 17 through 22, anticipated the creation of the Committee on the Elimination of Discrimination against Women (hereinafter, "the Committee") (OHCHR, 2020). One of its essential functions is to periodically review compliance with the rights included in CEDAW on the part of the States Parties.

20.

The last part of CEDAW, Part VI, is comprised of Articles 23 through 30, and focuses on the technical aspects for its entrance into force and implementation. It highlights the commitment of the States Parties to adapt all measures that are necessary for ensuring the realization of the rights recognized in CEDAW.



### 1.3 Objective of the report

21.

The objective of the present report is to present the real impacts of the Committee's recommendations on the lives of Afro-descendant cisgender, lesbian, bisexual, and trans women in Brazil, Colombia, Cuba, Mexico, Nicaragua, Peru, and the Dominican Republic.

### 1.4 Geographic parameters of the report

22.

Seven countries were selected for the purposes of the present report – Brazil, Colombia, Cuba, Mexico, Nicaragua, Peru, and the Dominican Republic – which have already experienced several cycles of review and recommendations issued by the Committee that have not been implemented by the State system. These countries were selected for three principal reasons: first, due to the work that has been performed by the International Institute on Race, Equality, and Human Rights accompanying and strengthening women's organizations and individual leaders; secondly, because the gender gap is wide in these countries; and thirdly, given that they are States Parties to CEDAW and thus, assumed the commitment to eliminate all forms of discrimination against women.

23.

The foregoing invites us to reflect on the dynamics that are hidden behind the lack of the effective enjoyment of the rights enshrined in CEDAW for Afro-descendant cisgender, lesbian, bisexual, and trans women, and the need to apply the Committee's recommendations in order to facilitate compliance. From this space, it is necessary to analyze how State authorities, the Committee itself, and civil society can work together to overcome these challenges.

## 1.5 Temporal parameters of the report

24.

The temporal parameters chosen were the period of reports submitted to the Committee between 2010 and 2020. During this timeframe, the States Parties studied submitted periodic reports on how they were implementing CEDAW in their territories.

25.

It is important to highlight that over the course of the last decade the region's agendas on gender have been strengthened and greater commitment to the issue has been shown by national governments, which have created ministries and offices particularly charged with addressing the issues of women and gender. Additionally, they have incentivized the creation of similar institutions at the local level.

26.

The foregoing has transpired primarily thanks to the strengthening of women's and LGBTI organizations and their increased influence. Controversial matters such as the decriminalization of abortion, egalitarian marriage, adoption of children by same-sex partners, gender laws for trans persons, [and] anti-femicide laws, among others, have been at the epicenter of some of the legislative and political debates with the greatest media impact over the last decade. These discussions have been possible not only through the strengthening and coordination of grass-roots women's and LGBTI persons' organizations, but also the interest of and accompaniment by various international aid organizations.

27.

Currently, within the framework of the health crisis generated by COVID, the United Nations Special Procedures assure that “women and girls will face greater discrimination and risk of death, unless governments consider their particular needs in their responses to COVID-19” (OHCHR, 2020b, parag. 1). The communiqué issued in April 2020 calls on States to address the problems that differentially impact women, young people, and girls, such as for example, not disrupting their sexual and reproductive rights, the struggle against domestic violence, [and] the caregiving duties that weigh on women, among others. Similarly, it calls attention to women already living in conditions of vulnerability – such as rural and indigenous women – as in light of the health crisis, their rights can be eroded even further. Lastly, it indicates that women are underrepresented in decision-making spaces for mitigating the COVID emergency and as such, recommends that women be listened to and their leadership be recognized.

28.

In Latin America and the Caribbean, this crisis has exposed the situations of vulnerability and marginalization experienced on a daily basis by many Afro-descendant women. The lack of access to basic services such as sanitation has made it impossible for Afro-descendant women to fully adopt the government-imposed biosecurity measures. In addition, the lack of formal employment has led these women to expose themselves and their families by having to go out to work to ensure their sustenance, without being able to comply with quarantine measures. The responsibility for caregiving has primarily fallen on women's racialized bodies, who must not only perform their remunerated work, but also take care of their homes. Lastly, the gaps in accessing information and communications technology (ICT), including the Internet, have led many Afro-descendant women to have difficulty accessing education or performing their daily activities in the field of activism and human rights defense.

## 1.6 Analytical parameters of the report

29.

This report analyzes the dynamic and articulated relationships among States Parties, the Committee, and civil society. This was performed in a dialogical manner, by observing the interactions that transpire between the various actors. The dynamic of this conversation was analyzed in the following manner:

**a. The States before the Committee:** The States Parties have a direct responsibility to the Committee when ratifying CEDAW and as such, commit to fully complying with it. To that end, they must submit Periodic Reports to the Committee wherein they inform in detail how they are implementing CEDAW. The Committee is responsible for offering observations on these reports. Our analysis only took into account the information that was explicitly provided on Afro-descendant women.

**b. Civil society before the Committee:** Civil society has the right and capacity to draft shadow reports and submit them to the Committee with an eye to publicizing a truth different from the official one regarding compliance with CEDAW. To that end, the Committee provides various spaces for grassroots organizations to submit their reports and dialogue with Committee members. Our analysis only took into account the information that was explicitly provided on Afro-descendant women.

**c. Final Observations of the Committee:**

This section reviews the comments made by the Committee. This answer corresponds to an analysis of the official reports and the Alternative Reports submitted by civil society. Our analysis only took into account the information that was explicitly provided on Afro-descendant women.

**d. Monitoring the implementation of the recommendations:**

For this section, conversations were held with civil society organizations and letters were sent to the offices of the United Nations in each country, with an eye to understanding how the recommendations issued by the Committee have been implemented. Despite the fact that letters were sent to all of the governments and United Nations offices, only the Colombian government responded to the questions posed.

30.

When performing this analysis, we sought to accomplish the objective of understanding the real impact of the Committee's recommendations on the lives of Afro-descendant cisgender, lesbian, bisexual, and trans women in Brazil, Colombia, Cuba, Mexico, Nicaragua, Peru, and the Dominican Republic.

31.

Likewise, an analysis of this type enables us to make recommendations not only to the States so they are able to appropriately comply with the Committee's recommendations, but also to civil society, so that the reports they submit to the Committee are more effective when presenting these women's reality.

32.

Our hope through all this is to improve the dialogue among the parties.

It should be noted that throughout the present report we will study three basic intersectionalities: race-gender; race-sexual orientation; and race-gender identity. Based on this, we identified in what manner(s) said intersectionalities affect(s) the effective access to rights, how the Committee makes observations on these topics, and the way in which the States do or do not apply said observations.



## 1.7 Report methodology

33.

We employed a mixed investigative methodology that includes methods of qualitative and quantitative research. The qualitative portion entailed a literature and analysis of the State reports and Alternative Reports submitted by civil society for the Committee's reviews of the aforementioned countries during the last 10 years, together with the recommendations issued by the Committee.

34.

Complementarily, structured interviews were performed with key civil society actors. Interviews were performed with Afro-descendant cisgender, lesbian, bisexual, and trans women's social organizations in Brazil, Colombia, Cuba, Mexico, Nicaragua, Peru, and the Dominican Republic with which the International Institute on Race, Equality, and Human Rights has been continuously working to guarantee Afro-descendant women's rights so that, through their experience, we could analyze the achievements that should be replicated and some challenges that still require work. The quantitative aspect entailed two surveys administered to 45 civil society organizations in Latin America and the Caribbean, 15 of which actively work with Race and Equality, while 30 do not. This information enabled us to measure the perception of those organizations that defend Afro-descendant women's rights.

## 1.8 Structure of report

35.

In order to comply with the proposed objective, this report first provides a review of the operations [and] composition of the Committee, with an emphasis on the interactive dialogue in Geneva, Final Observations, and their monitoring. Said analysis was performed by monitoring possible reprisals for having participated in the reviews. We also briefly explain the Committee's other roles, such as drafting General Comments, the adoption of individual cases (all of the countries in the study have ratified the Additional Protocol, other than Cuba, which has only signed it, and Nicaragua, which has neither signed nor ratified it), role of the Office of the High Commissioner, and budgetary limitations.

Secondly, we analyze each of the seven countries. This analysis seeks to present a broad panorama of the current state of Afro-descendant cisgender, lesbian, and trans women; how the interactive dialogue has transpired with the Committee; what civil society thinks about the recommendations and way in which the States implement them; and lastly, some conclusions and recommendations. Each country-focused section includes:

- a. A brief introduction that presents the [respective] country's principal geographic, demographic, and sociocultural data.
- b. An analysis of how each State Party has presented its reports over the last decade and what they have reported on Afro-descendant women in their [respective] country.
- c. We reviewed each of the Alternative Reports submitted by civil society and mention those that explicitly address the matter of Afro-descendants.
- d. SWe analyzed how the Committee issues its recommendations and comments on Afro-descendant women for each country.
- e. We interviewed civil society organizations in each country to learn their perceptions of the way in which the States Parties implement the Committee's recommendations. Similarly, we asked them about the state of rights in their countries and their comments on the Committee's recommendations.
- f. Final reflections are provided based on the information gathered.
- g. A series of recommendations were made for each case – not only aimed at the States, but also civil society and the Committee.

37.

Following the country-level analysis, final comments are provided that include two surveys administered to 40 civil society organizations in the region that work on the issues of race and gender. Likewise, a comparison is performed among the seven countries studied and the comments made by the Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora [Network of Afro-Latin American, Afro-Caribbean, and the Diaspora Women] on the issue are incorporated.

38.

Lastly, based on the information gathered, we offer a series of general recommendations to the States, civil society, and Committee. While these recommendations are based on what was found in seven countries in the region, they might possibly be applied to other countries with similar political and social systems.







## 2. Committee's composition, mandate, and roles

39.

The following were taken into account when drafting this chapter: the [Convention on the Elimination of All Forms of Discrimination against Women](#); [Optional Protocol of the Convention on the Elimination of All Forms of Discrimination against Women](#); [Regulations of the Committee on the Elimination of Discrimination against Women](#); and its [methods of work](#). Likewise, we reviewed [General Assembly Resolution 68/268](#) regarding the [process of reforming and strengthening](#) the system of United Nations treaty bodies and the impact of the crisis generated by COVID-19 on their work.

40.

The content of these legal texts has been expanded through Race and Equality's experience accompanying civil society organizations in this study's target countries during those countries' reviews. Likewise, we include interviews with international NGOs, Committee experts, and human rights officials in the Office of the United Nations High Commissioner (OHCHR) in Geneva.





## 2.1 The Committee: mandate and composition

41.

CEDAW anticipated the creation of a Committee on the Elimination of Discrimination against Women to oversee compliance and support the States Parties in its application<sup>7</sup>. This Committee is comprised of 23 experts elected by the States Parties from among their citizens due to their professional trajectory and experience in the topic, who exercise their responsibilities in a personal capacity. The composition of the Committee responds to a balanced geographic representation in which the principal legal systems and conceptions of the world are taken into account (General Assembly, 2014).

42.

There are currently three members from the region of the Americas: Ms. Gladys Acosta Vargas (Peru); Ms. Marion Bethel (Bahamas); and Ms. Rodha Reddock (Trinidad and Tobago). The experts are elected for a period of two years and are eligible for reelection with no maximum limit on the number of times they can be reelected. Since 1982, a total of 138 experts have served in the capacity of Committee members, 27 of whom are and were experts from the region (Annex I).

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<sup>7</sup> Convention on the Elimination of All Forms of Discrimination against Women, Article 17

43.

The States nominate candidates in accordance with the Addis Ababa Guidelines<sup>8</sup>, which require the members treaty bodies to serve in a personal capacity and be independent and impartial. The treaty bodies' elections are important moments in which civil society organizations perform advocacy (OHCHR, 2020c): on one hand, to press States Parties to present candidates who, given their experience and trajectory, can support the work of the Committee and on the other, to ensure that all candidates comply with the requirements of impartiality and have the knowledge and motivation necessary to serve as experts on the CEDAW Committee. There are three candidates in the coming 2020 elections, in which nine spots will be open to countries in the region<sup>9</sup>.

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<sup>8</sup> Guidelines on the independence and impartiality of members of the human rights treaty bodies ("the Addis Ababa Guidelines").

<sup>9</sup> CEDAW/SP/2020/2, Elección, con arreglo al artículo 17 4) y 5) de la Convención, de 11 miembros del Comité para sustituir a aquellos cuyo mandato expira el 31 de diciembre de 2020, 15 de junio de 2020 [Election, in accordance with Article 17 (4) and (5) of CEDAW, of 11 members of the Committee to take the place of those whose mandate expires on December 31, 2020, June 15, 2020]. Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treaty-bodyexternal/Download.aspx?symbolno=CEDAW/SP/2020/2&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treaty-bodyexternal/Download.aspx?symbolno=CEDAW/SP/2020/2&Lang=en).

The following elections will be held in 2022; as such, in 2021 regional organizations should start thinking about candidates and advocacy strategies to support their candidacies. In this process, they can seek support from organizations that follow this issue, such as Race and Equality or IRAW-Asia Pacific<sup>10</sup>.

## 2.2 The Committee: operations

44.

The Committee has its own regulations that organize and govern its internal operations (CEDAW, 2020). In addition, it organizes itself around working groups that focus on various issues that are elements of its mandate. The Office of the High Commissioner of Human Rights (OHCHR) serves as the Committee Secretariat and provides it with the necessary staff and services to effectively perform its duties in accordance with CEDAW<sup>11</sup>. It is important to keep in mind that OHCHR and the system of United Nations treaty bodies, one of which is the Committee, are independent entities.

45.

### 2.2.1 Period of sessions

The Committee normally meets in Geneva three times yearly, in February, July, and October. The program of each ordinary or extraordinary period of sessions is published on the [Committee's](#) website. During each of these sessions, the Committee performs various functions it has been assigned, from adopting the list of issues, reviewing State reports, and adopting Final Observations, to drafting General Comments or decisions regarding an investigation procedure or individual communication<sup>12</sup>.

46.

The Committee sessions are public, unless the Committee decides otherwise, while the debate on the Final Observations related to country reviews, as well as the working group sessions on individual communications and investigation procedures, shall be, by regulation, private<sup>13</sup>. The public sessions shall be rebroadcast on [UN TV](#)

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<sup>10</sup> See IRAW Asia-Pacific CEDAW elections 2020. Available at: <https://cedaw.irow-ap.org/cedaw-committee-elections-2020/>.

<sup>11</sup> Article 21 of the Regulations on the Convention to Eliminate All Forms of Discrimination against Women (hereinafter, "the Regulations").

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<sup>12</sup> See paragraph on Committee functions.

<sup>13</sup> Article 28 of the Regulations.



47.

The Committee's work agenda is available on the Committee's website under the section "Coming Events" or "Information for Civil Society Organizations." This information can normally be accessed a month prior to the [respective] session. The section "Sessions" also contains the relevant documents and information for following each session.

### 2.2.2. Languages and translation

48.

The official languages of the Committee are Arabic, Chinese, Spanish, French, English, and Russian.<sup>14</sup> The information provided by organizations to the Committee must therefore be written in one of those languages. During the sessions, the declarations drafted in one of the official languages will be translated into the other official languages.<sup>15</sup> Similarly, all official Committee documents shall be published in the official United Nations languages.<sup>16</sup>

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<sup>14</sup> Article 24 of the Regulations.

<sup>15</sup> Article 25 of the Regulations.

<sup>16</sup> Article 26 of the Regulations.

## 2.3 Committee: duties

### a) Country reviews

49.

The States that are members of CEDAW are obligated to submit a country report every four years in which they inform the Committee regarding the measures – legislative, judicial, administrative, or of any other nature – they have adopted to effectively comply with the rights contained in CEDAW<sup>17</sup>. The Committee elects one of the experts to lead this process due to his/her knowledge of the language and/or context, to lead [sic] the review of a member State. The elected expert will be known as the country rapporteur.

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<sup>17</sup> Article 18 of CEDAW.

50.

The Committee receives and examines the reports submitted by the States Parties and draws up a list of issues (LOI) with those questions or matters regarding which it desires more information (CEDAW, n.d.). The State must respond anew to this LOI with the information requested. There is not set period within which the State must respond to an LOI, and oftentimes does not even do so. Employing this information, together with the information provided by civil society,<sup>18</sup> the Committee adopts and publicizes its LOI.

51.

This list seeks to facilitate the work of the States and ensure that reports are focused on the relevant topics. The Committee can also adopt an LOI prior to the State report, known as the list of issues prior to the report (LOIPR). The adoption of any of these LOIs is part of the work performed prior to a session.

52.

Following the adoption of the LOI, the next step is the Committee session, wherein the country in question is examined in what is known as an “interactive dialogue.” In order to participate in this dialogue, a delegation of the State Party that will be reviewed travels to Geneva. These delegations are comprised of representatives of the various entities

at the ministerial or lesser rank, such as Directorates or Institutes, that are responsible for implementing CEDAW. They tend to be led by the Ministry of Foreign Affairs, Ministry of Human Rights, or the entity that has led the presentation and drafting of the State report with the rest of the State apparatus. Their composition varies and is decided at the discretion of each country.

53.

During the interactive dialogue, the members of the State delegation submit to questioning by the country rapporteur and the rest of the experts who question them during two consecutive days. Based on this information, the Committee issues its Final Observations with specific recommendations, with an eye to providing assistance to the States Parties in complying with their obligations by virtue of CEDAW.<sup>19</sup> As detailed below, civil society participation is also essential for guiding the Committee and States toward this objective.

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<sup>19</sup> Articles 53 and 48 of the Regulations.

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<sup>18</sup> See paragraph on civil society participation.



## 2.4 Civil society participation

54.

Civil society participation in the review process is essential, both in order to send information as well as perform oversight of the dialogue between the authorities and Committee. Civil society participation in the country reviews helps the Committee obtain a more comprehensive and exhaustive panorama of the state of human rights in the country that complements, or perhaps contradicts, the information presented by the State. It is equally relevant at the moment of presenting the concrete situation of a particular sector of the population, such as for example Afro-descendant women and/or the situation of women with diverse sexual orientations or identities. Likewise, their participation in the process is essential to guaranteeing compliance with the commitments acquired by the State during the dialogue, continuing the communications with the authorities after returning to the country, and ultimately, effectively implementing the Committee's recommendations.

### 2.4.1 In drafting State reports

55.

Drafting the State report should be participatory and can take into account human rights institutions (national or of another kind), NGOs, and other relevant civil society agents, including individuals and those groups that are most affected (United Nations, 2009).

56.

The way in which States draft their reports is a practically routine matter requested by the Committee, as it seeks to learn about the efforts that the State has made to generate a report in a participatory manner, taking into account the work and knowledge of civil society organizations. It is also a question of research regarding the relationship between State authorities and independent civil society organizations that represent the cornerstone of this dialogue.

### 2.4.2 In the pre-sessions

57.

Civil society organizations can participate in pre-session work in which the Committee adopts the LOI. Not all members of the Committee are present in this pre-session, and the LOI rapporteur may not be the same as the one elected to adopt the Final Conclusions. For this reason, and how expensive the trip is, frequently the civil society organizations prefer to participate remotely or even hold an informal private virtual meeting with the rapporteur in charge of the LOI. The goal of this participation is to influence the LOI with the topics that concern them, in hopes the Committee passes them on to the State.

58.

In this pre-session, the Committee adopts its LOI, which will in turn be published on the Committee's webpage approximately one week after the pre-session. It should also be noted that civil society organizations can submit information to the Committee after the LOI has been published. There is no established timeframe wherein to submit this information; however, to ensure that it arrives in a timely fashion, we recommend Contacting the CEDAW Secretariat or IRWA-Asia Pacific that support the work of the Committee in these matters.

59.

This list, together with the State report and recommendations drafted by the Committee in its previous study, are key instruments that civil society organizations can use when drafting their Alternative Reports. All of these documents are public and accessible through the Committee's

webpage. For example, if we look in the "Sessions" section, we see that Nicaragua was reviewed in the [77th session of the Committee \(19 October 2020 - 6 November 2020\)](#), and that the aforementioned documents are there and we should keep [them] in mind when drafting our Alternative Reports.

### 2.4.3 Alternative Reports

60.

Civil society organizations can submit information to the Committee for it to consider in its country review, in the form of Alternative Reports. The Committee has established a limit of 3,300 words for reports submitted by organizations and 6,600 when dealing with coalition reports. It is essential that, together with the issues or patterns of violations we lay out, we propose specific recommendations to the Committee that it can deliver to the State. On the Committee's website, the "Sessions" section contains the Alternative Reports submitted by civil society organizations, which can be consulted as a reference.

61.

The reports can be public or private, according to what the organization(s) request(s). If they contain names of individuals – for example, the victims of violations – it is always necessary to obtain their consent; if this is not possible, it should at least be mentioned that the case at issue is a public one that has been covered in other reports and/or the media.



62.

With regard to the content of the report, it is important not to overlook that it is a presentation of the state of compliance of each of the rights contained in CEDAW. In order to perform this evaluation, civil society should analyze the report presented by the State [and] the LOI and recommendations issued by the Committee in its previous review. Similarly, as we have seen, it is important to know the degree to which other recommendations have been implemented, such as the Special Procedures or Inter-American System, that are useful to us in reinforcing the messages we wish to transmit.

63.

The drafting of the Alternative Reports takes time, coordination, and a certain degree of trust and dialogue among the organizations wishing to submit information to the Committee. This is essential to avoiding contradictions, reinforcing messages, and avoiding any of CEDAW's rights from going unreported. Such coordination ultimately facilitates the Committee's work when issuing recommendations supported by a unified civil society. To that end, it is preferable for reports to be submitted on behalf of coalitions by several organizations.

64.

Nonetheless, coalition reports of a general scope might not be the best strategy when what is needed is to highlight the state of a specific population. This has been the case with Afro-Colombian women, who for several years have developed and coordinated a specific report on their situation. This strategy has been essential, for example, in explaining and denouncing the particular impacts of the armed conflict in Colombia on Afro-Colombian women.



#### 2.4.4 Participating in sessions

65.

Through what are known as Alternative Reports – or colloquially, ‘shadow reports’ – civil society organizations have the opportunity to share with the Committee their in-situ work documenting and monitoring human rights. To that end, organizations should first become familiar with the [review dates and deadline](#) for submitting information, and integrate this work into their schedule of work and international advocacy.<sup>20</sup>

66.

Only organizations that have submitted or collaborated on drafting Alternative Reports can participate in the interactive dialogue held in Geneva. With regard to logistical issues in attending sessions, the NGOs that will travel must inform the Secretariat (OHCHR) or IWRAW-Asia Pacific that they will be attending a session and register online beforehand on the [INDICO](#) website.

67.

With regard to matters more related to content, NGO participation in sessions in Geneva occurs at two important points. The first is the formal meeting on the first day of the week in which the country in question will be examined. This is the meeting in which all of the civil society organizations participate from the countries that will be reviewed in that session. The length of the presentation varies depending on the number of participating NGOs, though it tends to not be longer than five minutes. This meeting involves interpretation and the participation of all of the experts, including the expert from the Committee who has been elected as the country rapporteur, who will lead the subsequent dialogue with the State. Once all of the organizations have made their presentations, the experts pose their questions to the organizations that are present in a private meeting. The State is not present; the national human rights institution can participate if it is classified as Category A (OHCHR, Factsheet 19).

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<sup>20</sup> See paragraph on information on the sessions.



68.

The other opportunity civil society organizations have to participate is the informal meetings with the country rapporteur at lunch prior to the dialogue. It is common and very useful that, depending on the matter of interest, the NGOs invite another of the experts who is also interested in the issue. This meeting does not have interpretation; as such, we must think about having English-language materials and interpretive support in the event one of the experts does not speak Spanish or Portuguese.

It is important to keep in mind that in certain countries, the informal meeting runs the risk of being boycotted by government-organized non-governmental organizations (GONGOS). It is the role of the Secretariat and civil society organizations that work directly with the Secretariat to ensure that these spaces are safe and seek solutions to avoid and prevent these situations, for example by holding separate meetings.

69.

70.

Successful participation in the dialogue in Geneva entails performing prior intelligence work to get to know the experts who are interested in the matters we work on, in order to invite them to the informal meeting and speak with them during one of the breaks in the sessions. Likewise, it is important to coordinate timing with the rest of the NGOs from the country that are participating, to ensure all voices are heard and the messages are delivered clearly.

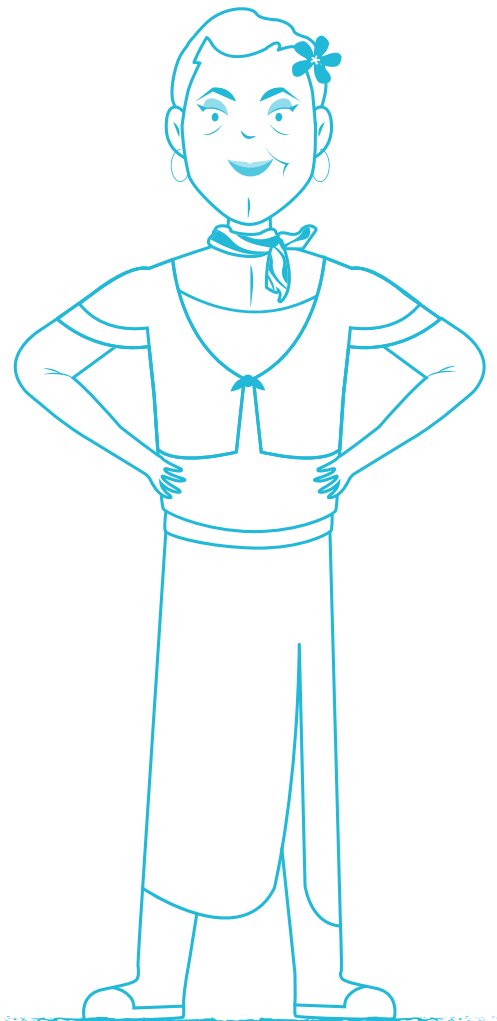


71.

In order to facilitate advocacy work, it is very useful to carry printed materials; for example, an executive summary of the report that was presented (in English and Spanish/Portuguese) to facilitate the work of the experts when they question the State. Race and Equality's experience during the country reviews indicates that the advocacy work performed by civil society organizations during the dialogue in Geneva is essential to ensuring that our concerns are transmitted to the State and reflected in the Committee's Final Observations.

72.

The trip to Geneva requires significant effort in terms of time and financial resources; as such, it is important to develop an agenda for meetings with other actors that can push the human rights agenda that interests us. Among those actors are the permanent missions of the countries that we know provide international cooperation in our country or support topics on the human rights agenda that interest us; additionally, OHCHR staff tasked with the country we are focused on (desk officers) [and] support staff from the various rapporteurships, such as the [Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance](#), [Working Group of Experts on People of African Descent](#), [Independent Expert on Sexual Orientation and Gender Identity](#), or, for example, the [Special Rapporteur on Minority Issues](#).



### 2.4.5 Monitoring recommendations

73.

Civil society organizations have very useful information that is relevant for effectively analyzing the implementation of the Committee's recommendations. In addition, the work of monitoring and advocacy performed by civil society is fundamental in reminding the State about its obligations and insisting it comply with them.

74.

It is important to mention that United Nations Committees' recommendations are binding, inasmuch as they are necessary for complying with the obligations State Parties assume by ratifying CEDAW (Bantekas, 2013). Likewise, United Nations Committees' reviews should be understood as part of a continuous cycle in which the degree of implementation of the previous recommendations made by the Committee should be reported. It is thus necessary to highlight that the States should guarantee the effective monitoring and dissemination of the Committee's

75.

In order to help countries implement its recommendations, the Committee can also ask States to submit information within a two-year timeframe on one of the points that are priorities or of special concern to the Committee. Likewise, Committee members can visit States Parties by invitation of the State itself or civil society

as follow-on to the report, to monitor the implementation of the Final Observations. We should also note that the Committee designates one of its members to be in charge of monitoring the recommendations and there is also someone in the Secretariat (OHCHR) who supports this task.

76.

Lastly, it is worthwhile to highlight that when a State does not comply with the recommendations issued by the Committee, it means it is backing away from the obligations it assumed by ratifying CEDAW and not using all of the measures at its disposal to prevent and protect women from all forms of discrimination. It is thus that civil society is an essential actor in ensuring the recommendations are effectively monitored, in order to, on one hand pressure the State to implement them and on the other, inform the Committee regarding the State's conduct and the impact of its actions on women's human rights.

### 2.4.6 Delay or in compliance in States' submittal of reports

77.

In cases where a State does not submit its report or does so late, the Committee can send the State a reminder regarding its obligation to submit periodic reports. Likewise, the possibility exists that the Committee can examine the country in absentia.

78.

If the State does not submit its report and the review cycle does not commence, there is a risk that CEDAW's role becomes useless, given that civil society will not have the opportunity to dialogue with the State during the country reviews. The LOI prior to the State report attempts to overcome this risk, though does not ensure the will of the State to participate in the dialogue in good faith.<sup>21</sup> In some countries, faced with the incomppliance of the State to submit to the Committee's review, civil society has set in motion creative ideas such as, for example, a simulation of the review or media campaigns.

## 2.5 Synergies between the country reviews and other human rights instruments to be considered by the State and civil society organizations when submitting their reports to the Committee<sup>22</sup>.

79.

The actions that the States Parties take in other spheres are also important in protecting the rights enshrined in CEDAW. Among these, we would like to highlight the Beijing Platform for Action; Sustainable Development Goals; International Decade for People of African Descent; recommendations or decisions of regional human rights instruments; Security Council Resolution 1325 (2000); Universal Periodic Review (UPR); [and] the Committee's individual communications sent or investigation procedures undertaken (CEDAW, 2019).

80.

**Beijing Platform for Action:** The 12 spheres of special concern constitute

<sup>21</sup> Regulations of the Committee on the Elimination of Discrimination against Women, Article 49.

<sup>22</sup> OHCHR, Guidance Note for States Parties regarding the preparation of reports pursuant to Article 18 of CEDAW, within the context of the Sustainable Development Goals. Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treaty-bodyexternal/Download.aspx?symbolno=CEDAW/C/74/3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treaty-bodyexternal/Download.aspx?symbolno=CEDAW/C/74/3&Lang=en).

81.

a useful regulatory and programmatic plan for applying CEDAW (UN Women, 2020b).

**Sustainable Development Goals:** The application of the elements related to gender contribute, through the language of development, to the application of CEDAW. This is an interesting perspective, inasmuch as sometimes it is easier to initiate a dialogue with States from the perspective of development than from one centered on human rights (UN, 2020).

82.

**Security Council Resolution 1325 (2000)** regarding women in the prevention of conflict, in situations of conflict, and following conflict (United Nations Security Council, 2000). This is a matter with particular relevance in Colombia, where civil society organizations have created a working group through which interesting synergies can be developed with the Committee's work (Red Nacional de Mujeres [National Women's Network], 2020).

83.

**International Decade for People of African Descent:** This decade establishes a program of particular activities and plans of action that the States should take into account when developing their public policies that have a direct impact on Afro-descendant women's lives. These actions include disseminating the Durban Declaration and Programme of Action (United Nations, 2002) and International Convention on the Elimination of All Forms of Racial Discrimination; fully and effectively applying the commitments States have assumed by virtue of the Durban Declaration and Programme of Action; gathering statistical data; incorporating human rights into development programs; and honoring and preserving the historical memory of Afro-descendants (OHCHR, 2020).

84.

#### **Regional human rights instruments:**

This report's target countries are also members of the Inter-American Human Rights System. The regional system and universal human rights system, of which CEDAW is a part, mutually reinforce one another.<sup>23</sup> Thus, the Committee might be interested in knowing about the effective implementation of a precautionary measure issued by the Commission or a ruling by the Inter-American Court of Human Rights (I/A Court H.R.). For example, in the case of the Dominican Republic, the I/A Court H.R. has ruled on arbitrary detention and summary expulsion from the territory of persons of Haitian descent.<sup>24</sup> The effective

85.

compliance with this sentence by Dominican authorities can be relevant for the Committee to analyze the state of Haitian women in the Dominican Republic.

**Universal Periodic Review (UPR):** This examination has proven to be extremely useful for drawing the attention of States Parties to the need to periodically submit their reports to the Committees and comply with the recommendations (OHCHR, Factsheet 30). For example, after the Nicaragua UPR in 2019, the State submitted several country reports that had been delayed for up to seven years, among them the one it submitted to the Committee. The treaty bodies in turn also remind the States Parties of their need to comply with the recommendations received in the UPR.

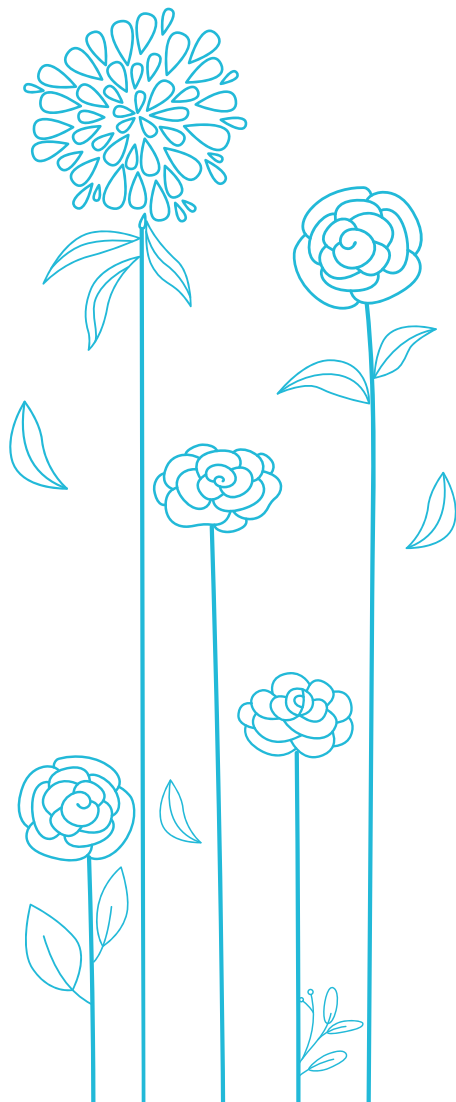
<sup>23</sup> See Inter-American Commission on Human Rights, <http://www.oas.org/es/cidh/>; Inter-American Court of Human Rights, <https://www.corteidh.or.cr/>.

<sup>24</sup> Inter-American Court of Human Rights, case of Expelled Dominicans and Haitians vs. Dominican Republic, Sentence of August 28, 2014. Available at: [https://corteidh.or.cr/docs/casos/articulos/seriec\\_282\\_esp.pdf](https://corteidh.or.cr/docs/casos/articulos/seriec_282_esp.pdf).

86.

**Individual communications sent/investigations of the Committee:** The implementation of opinions issued by the Committee, for example, if it has offered paths to reparation or any other concern regarding a communication received, is relevant information for the Committee when it comes to reviewing a country. It is also important for the Committee to receive information regarding an investigation.<sup>25</sup>

<sup>25</sup> Article 91 of the Regulations.



b) Other duties of the Committee (individual communications, investigation procedure, and General Comments)

87.

In addition to the country reviews on which this report centers, the Committee has other duties, such as receiving individual communications, initiating an investigation procedure, or issuing General Comments.

## 2.6 Individual communications

88.

A State Party to CEDAW must expressly recognize the competence of the Committee to receive and consider individual communications and adhere to the Optional Protocol to CEDAW.<sup>26</sup> Brazil, the Dominican Republic, Mexico, Peru, and Colombia have signed and ratified the Optional Protocol; Cuba does not recognize the competence of the

<sup>26</sup> Article 1 of the Optional Protocol to CEDAW (hereinafter, 'Optional Protocol'). Available at: [https://www.ohchr.org/Documents/HRBodies/CE-DAW/OP\\_CEDAW\\_sp.pdf](https://www.ohchr.org/Documents/HRBodies/CE-DAW/OP_CEDAW_sp.pdf). (En adelante, Protocolo Facultativo).



Committee, and although it has signed the Optional Protocol, it has not ratified it; [and] Nicaragua has neither signed nor ratified this Protocol (OHCHR 2020c).

89.

Individual communications enable the Committee to issue an opinion regarding a particular case, determining if there was or was not a violation of any of the articles of CEDAW. They can be submitted by the victims or through a representative, for which purpose consent is always required.<sup>27</sup>

90.

With regard to the requirements for submitting a communication, it must be presented in writing and accord with the principle in international law of subsidiarity; domestic jurisdiction resources must have already been exhausted, save if it can be demonstrated that they are ineffective.<sup>28</sup>

91.

The communications cannot be anonymous<sup>29</sup>; nonetheless, the author or authors of a communication, or the persons who allege having been victims of a violation, can request that their names, as well as any other datum that aids in determining their identity, not be made public.<sup>30</sup>

92.

In order to decide about admissibility, the Committee applies the criteria set forth in Articles 2, 3, and 4 of the Optional Protocol.<sup>31</sup> The Committee can consider a communication inadmissible and not send it to the interested State Party.<sup>32</sup> If the Committee admits it, it shall make known the communication to the State Party in a confidential manner.<sup>33</sup>

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<sup>27</sup> Article 2 of the Optional Protocol; Article 68 of the Regulations.

<sup>28</sup> Article 4 of the Optional Protocol

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<sup>29</sup> Article 3 of the Optional Protocol.

<sup>30</sup> Article 74 of the Regulations; Article 8 of the Optional Protocol.

<sup>31</sup> Article 67 of the Regulations.

<sup>32</sup> Article 64 of the Regulations

<sup>33</sup> Article 6 of the Optional Protocol.

93.

Once accepted for the procedure, there will be two rounds of document exchanges: with the author of the communication and with the State Party. Each of these exchanges of information take place within six-month timeframes.<sup>34</sup> Once these timeframes have passed, the Committee can send reminders to the author of the communication or the State Party. Following the reminders, each of which shall not exceed three months, the Committee will decide whether to proceed on the basis of the material obtained or suspend the case.<sup>35</sup> The Committee's final decision will be made public and is accessible in its database.

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<sup>34</sup> Article 6 of the Optional Protocol.

<sup>35</sup> Article 6 of the Optional Protocol.

94.

It is important to keep in mind that, with an eye to preventing irreparable harm to the victim, the Committee can direct a request to adopt protective measures to the interested State Party.<sup>36</sup> It can issue this request at any time after having received a communication and prior to arriving at a conclusion regarding its grounds.<sup>37</sup> The adoption of these measures does not presuppose any decision regarding the merits.

95.

The examination of an individual matter by the Committee is incompatible with the submittal of the same case to other instances – for example, to the Inter-American Human Rights System<sup>38</sup> – [whereas] the submittal of an individual communication is compatible with the request for or granting of precautionary measures by the Inter-American Commission [of Human Rights].

97.

Through this process, the Committee analyzes if there were grave or systematic violations of CEDAW.<sup>40</sup> All of the documents and proceedings of the Committee related to an investigation process are confidential.<sup>41</sup> Investigations are performed in accordance with the modalities determined by the Committee at each point.<sup>42</sup> If the interested State so authorizes, a visit to that State Party's territory<sup>43</sup> could be considered, as well as hearings that enable the designated members of the Committee to determine the facts or issues that are relevant to the investigation.<sup>44</sup>

98.

The investigation process is confidential and can be not very transparent, inasmuch as, while civil society organizations can submit information and ask the Committee to launch an investigation process, their participation is not necessarily taken into account once the process has begun. If the Committee believes grave and systematic violations are at issue, it shares its observations, recommendations, and conclusions with the State; requests it to submit its observations within a specific timeframe (generally six months); and asks that when the Committee needs it, to inform it regarding the measures that have been adopted in response to the investigation.

## 2.7 Optional Protocol's investigation procedure

96.

Any State Party that has not declared its opposition to Article 10 of the Optional Protocol is considered to recognize the competence of the Committee in the investigation procedure.<sup>39</sup> Colombia and Cuba do not recognize the competence of the Committee; Brazil, the Dominican Republic, Mexico, and Peru have not declared their opposition to this article and therefore, it is understood that they recognize it; [and] Nicaragua has neither signed nor ratified the Optional Protocol (OHCHR, 2020c).

<sup>36</sup> Article 5 of the Optional Protocol.

<sup>37</sup> Article 63 of the Regulations.

<sup>38</sup> Article 4 of the Optional Protocol

<sup>39</sup> Article 76 of the Regulations.

<sup>40</sup> Article 83 of the Regulations.

<sup>41</sup> Article 80 of the Regulations.

<sup>42</sup> Article 84 of the Regulations

<sup>43</sup> Article 86 of the Regulations.

<sup>44</sup> Article 87 of the Regulations.



## 2.8 General Recommendations

99.

The Committee can issue recommendations on any issue that impacts women and to which it believes the States Parties should pay greater attention. For example, in the 1989 session, the Committee discussed the high incidence of violence against women, for which purpose it requested information regarding this problem in all countries. In 1992, the Committee adopted General Recommendation 19 on Violence against Women, and to that end asked the States Parties to include in their periodic reports to the Committee statistical data on violence against women, information on the provision of services to the victims, and legislative measures or of any other nature. To date, the Committee has adopted more than 30 General Recommendations, none of them regarding the state of Afro-descendant women, women with diverse sexual orientations or identities, or the intersectionality of discrimination in general.<sup>45</sup>

100.

The debate regarding the General Recommendations has a regional scope that calls upon civil society participation. This regional scope to convene civil society is a strength when, for example, developing an advocacy strategy that addresses the structural racism that affects the state of Afro-descendant women's

<sup>45</sup> CEDAW, General Recommendations, available at: <https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Recommendations.aspx>.



human rights in Latin America and its intersections with women with diverse sexual orientations or identities.

## 3. Analysis of intersectionality

101.

The Human Rights Council Special Procedures (OHCHR, 2020) and treaty bodies, such as the Committee, mutually complement each other. There is a habitual exchange of information and they take into account of the recommendations that both generate: the Committees take into account the recommendations of the working groups and rapporteurs, and vice versa. Similarly, they can issue joint declarations regarding key issues in the international arena, and can even propose joint meetings to study how to better coordinate and perform joint work (OHCHR, Factsheet 30).

102.

With regard to the focus of this report – intersectionality in discrimination to address the state of women of African descent and/or women with diverse sexual orientations in the Latin American region – we view as essential the contributions of the [Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance](#), the Working Group of Experts on Persons of African Descent, and the [Independent Expert on Protection against Violence and Discrimination Based on Sexual Orientation and Gender Identity](#).

103.

The mandate of the [Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance](#) is to investigate and draft recommendations aimed at preventing and eliminating all forms and manifestations of racism, racial discrimination, xenophobia, and related forms of intolerance (Human Rights Council, n.d.). Within this framework, the work of the Rapporteur centers on racist incidents against people of African descent or, for example, in situations in which racial groups' and various ethnicities' human rights are persistently denied.

104.

Faced with these situations, the Rapporteur can transmit urgent appeals and communications to the States; visit countries (the countries in the region visited: Dominican Republic in 2007, Brazil in 2005, Nicaragua in 2005, and Colombia in 2003) (OHCHR, 2020d). Lastly, the Rapporteur presents his/her annual reports on the activities set forth in the mandate to the Human Rights Council (OHCHR, 2020e) and General Assembly. Among these activities, it is worthwhile noting the Rapporteur's thematic reports on various issues, for example, "reparations for racial discrimination rooted in slavery and colonialism" or "worldwide extractivism and racial equality" (OHCHR, 2020f).

105.

The [Working Group of Experts on Persons of African Descent](#) is tasked with studying problems of racial discrimination faced by persons of African descent who live in the diaspora, with an eye to proposing measures aimed at guaranteeing full and effective access to justice systems, as well as, among other things, examining those matters related to the wellbeing of Africans and persons of African descent that are included in the Durban Declaration and Programme of Action.



106.

In order to comply with this mandate, the Working Group holds two annual work sessions (OHCHR, 2020g). Likewise, it visits countries (OHCHR, 2020h), for example, to Brazil in 2013 (OHCHR, 2020h) and more recently, coinciding with the adoption of the Committee's LOI for Peru, the Mission to that country in March 2020. It likewise responds to information and denunciations received regarding its mandate by virtue of the communications procedures (OHCHR, 2020i) and also presents reports to the United Nations Human Rights Council and General Assembly regarding the activities related to its mandate (OHCHR, 2020j).

107

The Independent Expert on Protection against Violence and Discrimination Based on Sexual Orientation and Gender Identity is charged with evaluating the international human rights instruments in force to overcome violence and discrimination against persons based on their sexual orientation or gender identity. Likewise, it works to raise the awareness of the populace regarding this type of violence and discrimination, and thereby initiate a dialogue with the States and other interested parties, such as United Nations organizations, programs, and funds; regional human rights mechanisms; national human rights institutions; civil society organizations; and academic institutions. It also focuses on the struggle against the various interrelated and aggravated forms of violence and discrimination confronted by individuals due to their sexual orientation or gender identity.

108.

In compliance with this mandate, the Independent Expert transmits urgent appeals and denunciation letters (OHCHR, 2020k) to the States regarding cases of violence and discrimination against persons due to their sexual orientation or gender identity. Similarly, he/she can visit countries (OHCHR, 2020l) and present annual reports to the Human Rights Council (OHCHR, 2020m) and General Assembly regarding activities, trends, and methods of work.

109.

The mandate of the [Special Rapporteur on Minority Issues](#) is to promote the application of the [United Nations] Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities through consultations with States and taking into account existing international regulations and national law regarding minorities. This Rapporteur is in charge of guiding the

work of the [Forum on Minority Issues](#). His/her methods of work include sending communications to the States based on information it receives from, among others, specialized bodies, United Nations bodies, regional organizations and other intergovernmental bodies, NGOs, and civil society organizations. Likewise, the Rapporteur submits annual reports to the Human Rights Council and General Assembly regarding the activities carried out, including the thematic studies on fundamental matters regarding the rights of minorities. Finally, he/she may, by invitation of the governments, make [visits to the countries](#) to foster constructive dialogue.

#### 4. The role of international organizations

110.

The role of international organizations whose work is regularly associated with a treaty body has been essential in increasing the efficacy of the system and proximity of the committees to organizations on the ground.<sup>46</sup> International Women's Rights Action Watch Asia Pacific (IWRAP-Asia Pacific) is the organization that maintains a special relationship with the Committee.

<sup>46</sup> United Nations Treaty Bodies Net (NGO).

<https://www.facebook.com/UNTBNet>; International Women's Rights Action Watch Asia Pacific (IWRAP-Asia Pacific) website: <https://www.iwraw-ap.org/>.



Through several initiatives centered on the CEDAW review process, this organization provides support to other women's organizations in drafting Alternative Reports and in general monitoring the implementation of CEDAW and mobilizing the women's human rights community to establish international standards. In recent years, it has also set the goal for itself of developing an exhaustive understanding of several thematic areas; for example, new and emerging debates.

## 5. The expansion of the system of human rights treaties and the need to strengthen it

111.

The system of human rights treaty bodies has doubled in size with the incorporation of new members, Optional Protocols for individuals' denunciations, and new experts (OHCHR, Factsheet 60). This has led to the need to think strategically regarding strengthening the system and overcoming significant challenges, such as the delays in reviewing individual communications and State reports, insufficient compliance on the part of States Parties when submitting their reports, or, for example, the various committees divergent methods of work.

112.

Resolution 68/268 attempts to respond to these challenges through two different review mechanisms. The first is a report generated every two years by the UN Secretary-General on the state of the treaty bodies system, while the second is a general examination of the efficacy of the measures adopted pursuant to Resolution 68/268 that transpired in 2020 (General Assembly, 2014).

113.

Switzerland and Morocco are the two countries that are leading this Resolution and holding regional consultations in the various countries on how to address the challenges the committees face. There is a risk that this reform will entail regression in the United Nations human rights protection system. Some of the proposals – such as the one to promote a code of conduct for experts – are perceived with distrust by civil society, inasmuch as they can endanger the committees' independence. Thus, this is an important moment for the Committee and the other treaty bodies, wherein civil society must perform the essential role of guaranteeing that this reform in fact entails a strengthening of the United Nations human rights protection system.

## 6. The treaty bodies system in the face of COVID-19

114.

The work of the UN treaty bodies, such as the Committee, has been gravely affected by the state of emergency generated by COVID-19 and the financial crisis being experienced by the OHCHR. Consequently, virtually all of the planned sessions for 2020 were canceled or suspended. This decision was not communicated in a timely fashion to civil society organizations that, despite the uncertainty, continued drafting their Alternative Reports in order to participate in the sessions, which were later officially suspended without a clear date when they would be rescheduled.

115.

Civil society organizations have urged the committees to first, not suspend the sessions but rather, explore new ways of working using new technologies. Since the decision was made to suspend, civil society has insisted on the importance of rescheduling State reviews for no later than 2021. To that end, OHCHR is also asked to prioritize the necessary resources and tools to make this possible. In the event the pandemic prevents the treaty bodies' in-person sessions to be rescheduled in 2021, the civil society organizations have proposed a pragmatic focus that enables State reviews to occur online in a temporary and exceptional manner. Likewise, they ask that risks and possible scenarios be anticipated with clear mitigation and contingency plans that are public and communicated proactively to civil society.

116.

It is essential that the treaty bodies, as the sole independent monitoring bodies and experts in the various legally binding human rights treaties, are able to fulfill their mandates, especially in the midst of the crisis generated by COVID-19. What is at stake is the human rights protection system and effective relevance of the committees and their capacity to fulfill their mandates in a crisis situation.<sup>47</sup>

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<sup>47</sup> Joint Civil Society Letter for 2021 UNTBs reviews in the COVID-19 context. Available at: [https://www.inpud.net/sites/default/files/Joint%20civil%20society%20letter\\_2021%20UNTBs%20reviews%20in%20the%20COVID19%20context.pdf](https://www.inpud.net/sites/default/files/Joint%20civil%20society%20letter_2021%20UNTBs%20reviews%20in%20the%20COVID19%20context.pdf).



# 3

## CEDAW in **BRAZIL**





### 3.1 Current context

117.

The Federative Republic of Brazil is a South American country with a multi-ethnic population that includes descendants of indigenous, European, African, and Asian persons. With a land mass measuring 8,358,140 km<sup>2</sup> and a population estimated at 209,469,333, it is one of the largest and most populous countries in the world (Knoema, 2020). It is estimated that 51.2% of this population are women, approximately 51.8% of whom are Afro-Brazilian (Geledés, n.d.). Likewise, it is estimated that Brazil concentrates the greatest percentage of Afro-descendants outside of Africa (World Bank, 2018). This population has been increasing in recent years. According to a study presented by the Brazilian government in 2017, 54.9% of the population identifies as Afro-descendant (EFE, 2020).

118.

The situation of vulnerability faced by Afro-descendants in this country has improved, given the fact that “more than 50% of Afro-descendant homes that were living on less than US\$5.50 a day escaped poverty in Brazil” (World Bank, 2018, p. 19); nonetheless, these people face significant challenges. For example, the Afro-descendant population of this country has greater difficulty gaining access to formal employment, has lower levels of schooling, [and] receives lower salaries than non-Afro-descendants; seven out of every 10 people assassinated are Afro-descendants; and this po-

pulation is less able to have access to high-level jobs in the country (Santandreu, 2020).



119.

In general, the reality of the women in this country has been complex. In 2019, the I/A Court H.R. issued a communiqué denouncing violence against women, as it viewed with alarm the increase in femicides (Sánchez and Maes, 2019), a figure that increased by 19.9% (EFE, 2020b). Likewise, according to the IDB, in 2010 women on average earned 71% of what men earned and the former always participate less in work contexts and in political participation spaces (Kaipper, 2020).

120.

The foregoing problems increase when crossed with vulnerability vectors such as race, gender, sexual orientation, and gender identity. Just to offer some examples, woman-headed Afro-descendant households are 7% more likely to be poor than those headed by men; in addition, Afro-Brazilian women earn 46% less than White women and 32% less than Afro-descendant men (World Bank, 2018). The foregoing is related to the fact that only 5.8% of Afro-Brazilian women have been able to complete higher education (CEPAL, 2018). In addition, Afro-Brazilian women have less access to services related to sexual and reproductive health and as such, there are more cases of adolescent pregnancy among young Afro-descendant women. Maternal mortality is also more common among Afro-descendant women than in women who are not Afro-descendant (CEPAL, 2018). Therefore, it can be asserted that Afro-Brazilian women are at a disadvantage vis-à-vis White women and men – be they Afro-descendant or not – especially those women who live in the poorest sections of the country (Kaipper, 2020).

121.

It should be noted that in 2016, within the context of the Zika epidemic, Afro-descendant women were the ones most affected, due to the fact that this disease differentially affects pregnant women, whose sons and daughters were born with macrocephalia. In Brazil, “eight out of every 10 newborns with microcephalia and other cerebral disorders related to the virus were children of Black women” (CEPAL, 2018, p. 55). All of the foregoing is evidence of the social inequities faced by these women in this South American country.

122.

By crossing vectors of vulnerability with race, gender, and sexual orientation, we see new problems. Afro-Brazilian lesbian women have observed an increase in the discourse of hate directed against them (Salmazio, 2018), which is associated with the politicization of religious fundamentalism and legitimization of this discourse by the national government. By 2018, femicide against lesbian women had increased 237%, with the majority of the victims being young Afro-descendant women (Salmazio, 2018). Likewise, over the last decade, lesbian women continued being victims of ‘corrective rape’ (Geledés, n.d.), a patriarchal and machistic practice in which it is erroneously believed that by sexually abusing a lesbian woman she will become heterosexual.

123.

Similarly, rapes of trans women have been differentiated and have not ceased over the course of the last decade. In the case of violence against trans women, due to transphobia, it is possible that the figures are underreported. In addition, the violence and discrimination trans women experience in this country is part of their daily reality (Pressenza, 2020) and go from direct, physical, [and] symbolic violence to structural violence. In 2019, more than 120 trans persons were assassinated in Brazil; furthermore, 80% of the assassinations came on the heels of extreme violence or torture. The number of assassinations of trans persons in 2019 was less than in 2018 (163 assassinations) and 2017 (179 cases) (Prensa Latina, 2020). This continues to be a problem and it has become necessary to implement effective measures to guarantee the lives of these women. It is important to highlight that this violence especially affects Afro-Brazilian trans women; in 2017, for example, 80% of assassinated trans women were Afro-descendants (ANTRA and IBTE, 2018). The foregoing has been due to the fact that

“

**Black transvestites and transexuals [are primarily involved in] street prostitution. Proportionately, they are the ones who experience the greatest indices of violence and assassinations (ANTRA and IBTE, 2018, p. 20).**

”

124.

In 2013, Brazil celebrated one decade of the Maria da Penha Law, which “modified the Criminal Code and made it possible for criminals who attack women to be captured in flagrante delicto or be placed in pre-trial detention, as well as imposing stiffer punishments and establishing protective measures for the victims” (Brabo, 2015). During the celebrations of the decade the law has been in force, it was found that this law had prevented to a significant degree violence against White/mestiza women, though not against Afro-descendant women. On said date, 58.86% of the victims of femicide were Afro-descendant or mulatto women, while 40.15% were White/mestiza women (Teresi, 2017).

Additionally, in 2015 a law against femicide was enacted that sought, through stiff punishments, to decrease the number of women murdered (UN Women, 2020). In 2010 a law was passed in the country permitting same-sex couples to adopt children. In 2013, the judicial branch legally recognized marriage between same-sex couples. In 2018, the Supreme Federal Tribunal permitted trans persons older than 21 to change their names in the civil registry (Verdile, 2020), and in 2019 the Supreme Federal Tribunal of Brazil typified homophobia and transphobia as crimes.

125.

126.

The foregoing reveals a contradiction: on one hand, Brazil as a progressive State in terms of the rights of women and diverse sex-gender population, while on the other, Brazil as a State in which women, especially Afro-descendants, suffer from various forms of structural violence that make it impossible for them to access all of their rights and equality of opportunities. Until the reality is in accordance with how regulatory matters should be, Afro-descendant cisgender, lesbian, and tran women will continue to be at a disadvantage vis-à-vis men and White women. The challenges faced by these women are many and therefore, they need greater access to education, decent conditions in which to nurse, sexual and reproduction education, inclusion in the world of work in conditions of equality, and recognition of their diversity.

## 3.2 The Brazilian State before the Committee

127.

Over the course of the decade, Brazil attended Committee sessions on two occasions: during the 51st session in Geneva, held between February and March 2012, and the 79th session, held virtually in November 2020.

### 3.2.1 Report submitted during the 51st session (2012)

128.

During this session, the Brazilian State presented its seventh dated report in 2010 containing the progress made toward guaranteeing women's rights. At that time, generally speaking, one of the principal achievements presented was the transformation of the Ministry of Women's Policy as an essential organ of the structure of the Office of the President of the Republic. In addition, it was reported that the leadership of said organ would be members of the Council of Economic and Social Development of Brazil. Lastly, as a project it announced the creation of a monument to Brazilian women. The foregoing revealed some concrete and symbolic actions taken with an eye to improving the quality of life of this country's women.

129.

In terms of Afro-descendant women specifically, the Brazilian State indicated some achievements it had made as of then. Significant progress was made with regard to access to education: it confirmed an increase in access to higher education by the country's Black population, the highest in the last 20 years, as set forth in the document. The foregoing was due to the creation of institutional incentives on the part of universities for Afro-Brazilian students of scarce resources and the creation of race-based quotas.



While the State recognizes a gradual increase in women's participation in decision-making spaces, it also affirms the existence of a general underrepresentation of Afro-descendant lesbian, trans, and intersectional women. This is due to racist, classicist, and machistic structures that prevail in society. Faced with this problem, the government launched a campaign dubbed "More Women In Power" and the website [www.maismulheresnopoderbrasil.com.br](http://www.maismulheresnopoderbrasil.com.br), which sought to facilitate information for women who wished to gain access to these spaces. Similarly, the country's electoral law was reformed, ordering the parties that, when presenting their list of candidates, they must have a minimum of 30% representation from each sex and a maximum of 70%, thereby not only seeking to promote the participation of women but of intersectional and underrepresented women. In addition, the first National Seminar on the Empowerment and Political Participation of Black Women was held in 2009 with an eye to promoting the participation and integration of these women into political parties.



131.

Despite the little participation of Afro-descendant and intersectional women in decision-making spaces, the State emphasizes the significant participation of these women in civil society spaces, wherein they meet in pursuit of various initiatives and motivations. Furthermore, the State recognizes the increase in participation of Afro-descendant women in diplomatic careers between 2003 and 2008, with four such women involved.

132.

The State of Brazil accepts the existence of economic inequality between men and women, and as such affirms it has carried out measures to decrease it. Between 2005 and 2010, measures were developed to promote equality of opportunity between men and women, with a special emphasis placed on racialized and intersectional women. This emphasis was placed thusly, given that Afro-Brazilian women occupied to a greater degree precarious jobs (49%), while non-Afro-descendant women held 35.7% of such jobs. Domestic work was what Afro-Brazilian women mostly perform, most of whom do so informally (close to 75.6%); this level of informality is lower than that of non-racialized women. The foregoing is reflected in access to resources, as Afro-Brazilian women's remuneration is 65.8% of what Afro-descendant men earn and 35.5% of what non-Afro-descendant men earn.

133.

With an eye to managing this problem, the State implemented various programs and projects that will guarantee gender equality. It is important to highlight the project developed with the International Labor Organization (ILO) between 2004 and 2007 dubbed "Promoting Activities for Social and Professional Qualification to Benefit the Social Integration of Workers," which offered tools to ensure that women, whose bodies merge vectors of intersectionality and vulnerability, are able to access employment and obtain fair pay. Similarly, the National Plan for Respectable Work (2003) established various goals centered on Afro-Brazilian women, with an eye to ensuring they have access to the work world in equal conditions to the rest of the population.

134.

Similarly, the program "Promoting Equality of Gender and Race Opportunities in the Workplace" was created between 2007 and 2010. Also created, together with the ILO, was the program dubbed "Fostering Women's Autonomy in the Construction Sector," specifically aimed at Afro-descendant women of scarce resources, with an eye to offering training to ensure they are competitive in the construction sector. These programs and workshops, imparted in a parallel fashion, sought not only to socioeconomically support Afro-descendant women, but also decrease the risks of domestic violence which they faced by being economically dependent on their partners.





135.

It is important to note that a section of the report submitted by Brazil to the Committee entitled “Comprehensive Attention to Black Women’s Health” sets out the differentiated progress made in the country to guarantee those women’s access to health. That section not only explains the dissemination strategies that have been implemented to ensure they know their rights, but also makes reference to the 2009 National Policy for Comprehensive Attention to the Health of the Black Population (PNSIPN). The PNSIPN seeks to eliminate the disparities in access to healthcare, especially in cases where the patient lives with HIV, or in cases of alcoholism or drug addiction. In addition, it seeks to guarantee care in the areas of gynecology, obstetrics, post-partum, menopause, and in situations of abortion. It also offers incentives for creating healthcare networks for Afro-descendant women that are at risk of domestic and sexual violence.

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### **3.2.2 Report submitted during the 79th session (2020)**



136.

As of the close of the present report, the United Nations website had not made public the report submitted by the State of Brazil.

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## **3.3 Alternative Reports submitted by civil society**

### **3.3.1 Alternative Reports submitted by civil society in the 51st session (2012)**



137.

Eight civil society organizations presented Alternative Reports for the 51st session of the Committee regarding the state of women’s human rights from their own experience and areas of expertise. Below we present what these organizations said with regard to the country’s Afro-descendant women.

138.

The Center for Reproductive Rights informed the Committee regarding the obstetrical violence experienced by Afro-Brazilian women and the grave risks they face during childbirth, which in many cases result in the deaths of these women. This risk is so high, reports the Center, that Afro-descendant women are seven times more at risk of dying during childbirth than are White women. Similarly, maternal mortality is the second highest cause of death of Afro-descendant women in São Paulo. As such, this organization reports that when the government makes reference to reducing maternal death, it does not take into consideration the matter of race.

In addition, the Center for Reproductive Rights found that the majority of obstetric violence occurs in public hospitals, which places in a state of greater vulnerability Afro-descendant women and youth with few economic resources and low levels of schooling. It is thus that this organization called on the Committee to press the Brazilian government to implement measures that guarantee the life and wellbeing of Afro-descendant women when giving birth.

139.

Equality Now, the Coalition Against Trafficking in Women (CATW), and the Coalition Against Trafficking in Women and Girls in Latin America and the Caribbean (CATW-LAC) submitted a joint report addressing the issue of the trafficking of persons, wherein they urged the Committee to ask the State of Brazil about the measures it has implemented to prevent the sexual exploitation of women who are members of historically vulnerable groups such as Afro-descendant women, due to how exposed the latter are in light of the social and economic structures that have systematically violated their rights.

140.

For its part, the Articulação de Mulheres Negras Brasileiras (Organization of Black Brazilian Women) submitted a report on the state of Afro-descendant women in this country that highlighted two principal aspects – health and work – and a cross-cutting one: the participation of Afro-descendant women in spaces wherein their rights are discussed. By making reference to health, the Articulação de Mulheres Negras Brasileiras emphasized the issues of obstetric violence, sexual and reproductive health, and maternal mortality and called on the Brazilian State to protect the lives of Afro-descendant mothers. Likewise, it called for medical personnel to receive training in these issues and sanctions in the event they

do not appropriately attend to Afro-Brazilian women in the process of childbirth, with an eye to guaranteeing the humanization and quality of the attention. They also call for the systematization of disaggregated information on Afro-descendant women's access to health, so as to be able to guarantee they receive better service.

141.

In terms of work – specifically the domestic work most Afro-descendant women with low levels of schooling and scarce resources perform – the Articulação de Mulheres Negras Brasileiras called for these women's labor rights to be guaranteed, compliance with labor legislation, and the formalization [of their rights], in light of the fact that Afro-descendant women are the ones who face the greatest risk of violations given the precarious nature of domestic work. Therefore, participation mechanisms are required in which Afro-descendant women not only make their voices heard, but also enable them to learn about their rights. Lastly, the Articulação de Mulheres Negras Brasileiras asked the Committee for cross-cutting State actions that can include the active participation of Afro-descendant women.

142.

The Alternative Report, presented by more than 10 women's organizations and networks,<sup>48</sup> emphasized the state of inequality experienced by Brazil's Afro-descendant population, especially the women, who are victims of a patriarchal and racist system. In the report they highlight the violence of which Afro-descendant women are victims with regard to sexual and reproductive health. The report emphasizes how unsafe abortions are the cause of more deaths among Afro-descendant women, who are three times as likely to die due to an abortion than are White/mestiza women. Likewise, Afro-descendant women have less access to sexual education and family planning. This report has a section on the health of Afro-descendant women that centers on how maternal mortality is directly related in this country to the color of a woman's skin and, even more grave, that Afro-descendant and poor women are the ones facing the greatest risk of dying during childbirth.

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<sup>48</sup> The organizations and networks are: Comitê Latino-americano e do Caribe para a Defesa dos Direitos da Mulher [Latin American and Caribbean Committee for the Defense of Women's Rights] (CLADEM/Brasil) • IPAS • Rede Nacional Feminista de Saúde, Direitos Sexuais e Direitos Reprodutivos [Brazilian Feminist Network of Health, Sexual Rights, and Reproductive Rights] • GESTOS Soropositividade, Comunicação e Gênero [Soropositivity, Communication, and Gender] • Ação Educativa [Educational Action] • ECOS Comunicação e Sexualidade [Communication and Sexuality] • THEMIS Assessoria Jurídica e Estudos de Gênero [Legal Advisory and Gender Studies] • Relatorias Nacionais para o Direito Humano à Educação e pelo Direito à Saúde da Plataforma Descha Brazil [National Rapporteurships for the Right to Education and the Right to Sexual and Reproductive Health of the Brazilian Dhesca Platform] • NIEM – Núcleo Interdisciplinar de Estudos sobre Mulher e Gênero e da Universidade Federal do Rio Grande do Sul [Interdisciplinary Nucleus of Studies on Women and Gender at the Federal University of Rio Grande do Sul] • REGES – Rede Educação Sexualidade e Gênero e Jovens Feministas [Education Network of Sexuality and Gender and Young Feminists] • Comissão de Cidadania e Reprodução [Commission for Citizenship and Reproduction] • Coletivo Feminino Plural [Female Plural Collective].

### 3.3.2 Alternative Reports submitted by civil society in the 79th session (2020)

143.

At the time this report wrapped, the United Nations website had published 10 civil society reports covering such topics as data generation, intrafamily violence, Afro-descendant women, LGBTI persons, COVID-19, [and] sexual and reproductive rights, among others.

144.

In terms of the issue of Afro-descendant women themselves, the report presented by the Grupo de Investigación Interseccionalidad y Descolonialidad en Relaciones Internacionales [Research Group on Intersectionality and Decolonialization of International Relations] (INDERI) of the Rio Grande Federal University (FURG) makes reference to the State of Brazil's production of statistical data, analyzing the way in which the State, through the Brazilian Institute of Geography and Statistics (IBGE), has gathered data to get a handle on the Brazilian women's current situation, such as through the National Continuous Survey by Household Sample (PNAD) in 2019 and the Synthesis of Social Indicators of Brazil (SIS, 2018). It was found that these surveys, while analyzing aspects such as race and gender, do not have systematized criteria for adopting said categories. The foregoing makes it impossible to generate precise information. Similarly, it was found that the categories employed are not utilized in an intersectional manner, such that they have no specific information on Afro-descendant women, given that these categories are seen as excluding.



145.

Faced with the foregoing, INDERI believes it is necessary for the State to be able to perform race-gender intersectional analyses, with an eye to being able to generate relevant data. It also denounced the Brazilian State for not being concerned about developing data that permit specific diagnostic studies to be performed of all women throughout the country. To that end, INDERI asked the Committee to make recommendations regarding the matter, as it had been demonstrated that the State had not complied with Recommendations 34 and 35 made on the last occasion Brazil appeared before the Committee. Lastly, it asked the Committee to recommend to the State that it socialize and ensure accessibility to said data and for them to serve as a basis for disseminating information regarding the inequities between men and women and between White and vulnerable women.

146.

The *Articulación de Mujeres Negras Brasileñas* submitted a report on the state of the country's Afro-descendant women, focusing on four aspects. Firstly, violence against women and femicide: the report indicates that while femicide against White women has decreased, it has increased against Afro-descendant women, even as no investments have been made to build Brazilian Women's Homes, spaces that provide services to female victims of violence. Within the context of the COVID crisis, it reiterates that violence against women has increased. Afro-descendant women living on the peripheries of cities or in rural areas are those most vulnerable to such violence. All of this increases due to the digital exclusion experienced by women.

147.

The second point regards human rights defenders, making reference to cases of violence against female Afro-descendant rights defenders, the absence of systematized data, and the impunity that aggravates these cases.

148.

Through the third point – sexual and reproductive rights – they denounce that the public health system is the only instance Afro-descendant women and youth have to watch over their sexual and reproductive health. They also view with concern the fact that the current government is attempting to criminalize access to safe and legal abortion. There is a concern related to

the rates of maternal mortality, wherein 92% of the cases are preventable and whose risk has increased as a result of the COVID-19 health crisis.

149.

Lastly, the *Articulación de Mujeres Negras Brasileñas* made reference to rights and citizenry. According to this organization, Afro-descendants in Brasil do not fully enjoy their rights and citizenry. In this country, 30,000 young people are assassinated, 77% of whom are Afro-descendants. In addition, only 2.5% of Members of Parliament are Afro-descendant women.



150.

The National LGBTI+ Council points to the existing racial inequality in the country, which can be seen by the fact that while homicides of White/mestiza women decreased, that of Afro-descendant women increased 12.4%; in 2018, 68% of homicide victims were Afro-descendant women. Of the 8,609 femicides reported in 2018, 61% of the victims were Afro-descendant women. In terms of violence against trans persons, 124 assassinations of trans persons were reported in 2019, 82% of which were Afro-descendants.

151.

Violence against lesbian and bisexual women has increased in recent years, with Afro-descendants being the principal victims:

Of the 350 malicious homicides, 59.1% were of Afro-descendant women; of the 729 attempted homicides, 55% were of Afro-descendants; of 4,543 rapes, 55.8% were of Afro-descendants; of the 308 attempted rapes, 54.2% were of Afro-descendants; of the 41,344 victims of intentional physical assault, 54% were of Afro-descendants (p. 5).

152.

For its part, the UPR Coalition of Brazil, comprised of 30 civil society NGOs, notes that the State of Brazil has not complied with the recommendations previously made regarding Afro-descendant women. Specifically, with regard to “continuing to take active measures aimed at eradicating gender- and ethnicity-based discrimination against Afro-Brazilian women” and “expanding the program ‘Women Who Live Without Violence,’ with special attention placed on Afro-Brazilian women and girls who live in the countryside” (p. 13).



153.

The Center for Reproductive Rights (CRR) produced a report centered on four elements: inefficient access to maternal healthcare, continuing criminalization of abortion, failures in the guarantee of the rights of women affected by the Zika virus, and the violation of CEDAW in the midst of the COVID-19 crisis. With regard to the first element, CRR notes Afro-descendant women's lack of access to obstetric attention, which doubles the chance of maternal death. Similarly, the organization affirms that Afro-descendant women's childbirth is characterized by institutional, racial, and obstetric violence. Afro-descendant women make up three-quarters of the deaths of live newborns, [while] 68% of Afro-descendant women did not have accompaniment when giving birth due to the denial of healthcare. CRR concludes that this is a consequence of the absence of laws that guarantee wellbeing in obstetric attention, all of which leads to obstetric violence disproportionately affecting Afro-descendant women.

154.

In terms of criminalizing women for having abortions, the majority of the women arrested or tried are Afro-descendants without a criminal history. In many cases they are poor women without formal education who use the public healthcare service. This demonstrates a violation of CEDAW, given that the State has permitted there to be barriers to accessing abortion services, which has differentially affected Afro-descendant women.

155.

In the face of this, CRR recommended that the Committee ask the State of Brazil about the measures it had adopted to reduce maternal mortality among Afro-descendant women and youth.



## 3.4 Committee's observations

### 3.4.1 Committee's observations during the 51st session (2012)

156.

The Committee recognized the efforts made by the State to comply with CEDAW mandates. Nonetheless, it recognized that challenges still remain to be overcome and called attention to the fact that no explanation had been furnished as to how the recommendations made to Brazil's sixth report to the Committee had been implemented. With regard to Afro-descendant women, the Committee highlighted some challenges that can be divided into three aspects: decent work, education, and political participation.

157.

In terms of the work environment, the Committee highlighted the immediate need for constitutional reforms, especially to Article 7, which grants female domestic workers only nine of the 34 constitutional rights. This places female domestic workers at a disadvantage, most of whom are Afro-descendant women with little schooling. As such, and given that CEDAW applies to all branches of government, the Committee recommended that the State rapidly ask for the reform of this constitutional article. Likewise, it asked for the creation of a regulatory framework that would guarantee the rights of female domestic workers and implement effective measures for eliminating all forms of discrimination against Afro-descendant female domestic workers.

158.

In addition, the Committee was concerned about the wage gap between men and women, and particularly Afro-descendant women, most of whom hold badly-paid and precarious jobs. Furthermore, it called on the State to guarantee the integrity of women workers, so as to prevent sexual harassment and exploitation of women and girls who are sex workers.



159.

In the area of education, the Committee expressed concern about the so-called “temporary measures” for generating incentives by which Afro-descendant and racialized women access higher education. While the Committee viewed it as a positive aspect that merited highlighting, it believed it is appropriate to carry out monitoring actions to measure the real impact of these measures. As such, the Committee recommended “improving the understanding of the concept of special measures of a temporary nature and their use” (p. 4), with an eye to guaranteeing equality of opportunity for women, especially those who have historically been vulnerable, such as Afro-Brazilian women.

160.

By making reference to political participation, the Committee issued a warning call regarding the general underrepresentation of women, and specifically Afro-Brazilian women and those with historically vulnerable identities in public-political spaces. This is a mandate of CEDAW: the Committee asked the State of Brazil to accelerate the measures it plans to implement, with an eye to guaranteeing [women’s] political participation in conditions equal to that enjoyed by men.

### **3.4.2 Committee’s observations during the 79th session (2020)**

161.

When this report was completed, the observations it may have given the State were not publically available. Notwithstanding, the List of Issues and Related Questions is public on the website, wherein the Committee

requests information regarding the state of Brazilian women’s rights. In this document, the Committee lays out a series of questions to the Brazilian State to learn about detailed topics and disaggregated information about specific aspects that help eliminate all forms of discrimination against women.

162.

With regard to the issue of Afro-descendants specifically, the Committee began by asking about the way in which the COVID-19 pandemic has differentially affected Afro-descendant and indigenous women and the post-crisis actions implemented by the State. The Committee focused on the actions taken against gender-based violence, the equitable participation of women and youth in public life, and the socioeconomic support for mitigating the impact of the pandemic. In addition, the Committee requested information regarding women’s access to justice during the pandemic, including with regard to marginalized groups.

163.

The Committee also expressed interest in knowing how the previously-issued recommendations have been implemented regarding the guarantee of labor rights for female domestic workers, including Afro-descendant women. Similarly, it asked for information about the corresponding legal framework, including information related to fines and employers who violate women’s rights, the way they can be compensated, and other relevant information.

164.

Another issue of interest to the Committee regards the political participation of Afro-descendant women. It requested disaggregated information regarding the policies, programs, and plans implemented to guarantee said participation in decision-making spaces and about the female beneficiaries of these actions. On the heels of this, the Committee requested disaggregated information from the State of Brazil about the increased in the number of women who are part of the popular election instances, including Afro-descendant women.

165.

With regard to the topic of education, the Committee requested information from the State on the way in which, based on previous recommendations, it has sought to overcome the inequities in access to education by women and girls, including Afro-descendants. Similarly, it requested information so as to know how technology has been employed to ensure girls and women can access education in the midst of the COVID-19 pandemic.

166.

With regard to the issue of work and social security, the Committee was interested in knowing how the State has implemented the recommendations made, in order to eliminate discrimination against women in the workplace. Specifically, the Committee asked about the adoption of special temporary measures to reduce segregation against Afro-descendant women. Additionally, among other things, it was interested in knowing whether female domestic workers have been included in the formal labor market.

167.

The Committee also requested information regarding women's and girls' access to healthcare; and, based on prior recommendations, requested information regarding the high rates of maternal mortality, especially of Afro-descendant women in rural areas and within the context of the COVID-19 pandemic.

168.

This document has a section named "Groups of Disadvantaged and Marginalized Women." Said document requests complete disaggregated statistical information regarding the current state of women who belong to disadvantaged or marginalized groups, such as Afro-descendant women.



169.

Lastly, the Committee requested information on the way in which the State has included Afro-descendant women and a gender-based perspective in climate change policies and programs.

### 3.5 Civil society considerations

170.

In order to draft this section and get an understanding of the reality of Afro-descendant women today, we spoke with Janaina Oliveira of the Afro LGBT Network of Brazil and Nilzalraci, a social communicator, Black feminist, and Executive Coordinator of the Institute of Black Women (Geledés). Despite the fact that neither of the two organizations has actively participated in the dialogues held by the Committee in Geneva, Nilza has helped draft the reports.

We have participated in the reports. We have participated together with the women's movement. We were always in some fashion involved in the feminist movement. We always participated in the documents and put the issue of eliminating racial inequality as something important for promoting equality among all women. We have always participated. (Nilza Iraci)

171.

Nonetheless, in this country, the women have faced various types of barriers to being able to directly participate, such as barriers to access to information and resources. Added to this, in some cases these women do not have the necessary capacity to present a report of this magnitude.

The principal problem is language. There is no one in the Afro Network who speaks other languages. One has to keep in mind that when we speak of the LGBTI Afro Network, we are speaking about people who oftentimes did not complete their schooling, who do not have the resources to learn other languages, in contrast to other women's organizations, with more White people and [people who have] advanced schooling. (Janaina Oliveira)

There was a significant lack of information. There were no financial resources. We had a significant lack of information, we had to work hard so they would include us, those were other times, there was no Internet and it was much more difficult to access information. (Nilza Iraci)





172.

This was the reason the Afro-descendant women met with the women's and feminists' groups, to heighten the visibility of their specific issues. However, this was not easy to do in Brazil, given the fact that in these scenarios the racial issue was not being taken into account. Women were seen as a block, leaving Afro-Brazilian women to the side, or including them within the minorities.

The racial issue was never considered to a great degree; even the feminist organizations were always in CEDAW. Oftentimes we had a lot of difficulty including the word 'racism' in civil society documents, it was always a very costly thing. We had to say, 'Look, you-all are not considering race ...' There was the quota that we dubbed 'the list,' which included the Black women, the lesbians, the handicapped women, comma, comma, comma. We would say, 'Look, racism cannot be included in the list, because it structures inequality, even among women.' (Nilza Iraci)

173.

Therefore, the visibility of Afro-descendant women in feminist spaces in Brazil was a response to a historic struggle led by the same Afro-Brazilian women who worked arduously to win a place for themselves in social arenas.



174.

Despite the foregoing, structural racism continues to be a part of Brazilian society. While women have earned visible space, the racial problem has increased the discrimination women experience. This has been aggravated by the inaction of the current government led by conservative Jair Bolsonaro.

Last year and this year, investments in women's and LGBTI issues have been frozen, thereby preventing the generation of public policies aimed at these populations. (Janaina Oliveira)

It is not enough to create public policies aimed at women; public policies must be developed by considering the differences that exist among these women produced by the racism that determines those differences. (Nilza Iraci)

175.

These problems differentially affect sex-gender diverse Afro-descendant women. Likewise, said issues have been aggravated by the crisis produced by COVID-19.

As a result of the pandemic, a survey of more than 10,000 LGBTI persons was performed; they were asked how they were doing and their state of employment. It confirmed that the Black population is the one that has been most impacted . . . Recently, the public health system (SUS) gathered some information; that data showed that half of the assaults against LGBTI persons were committed against Blacks and that 60% were Black LGBT persons. (Janaina Oliveira)



176.

However, the crisis produced by COVID has not only impacted Afro-descendant lesbian, bisexual, and trans women, but rather, the entire population. That is, they are doubly discriminated against due to their gender and race. In addition to having to carry the weight of being careful within their homes and in the workplace, Afro-descendant women in Brazil must survive in the midst of the pandemic.

Black women cannot stay at home. How can you protect yourself from the pandemic if you don't have basic sanitation? The increase in COVID cases among those women is outrageous. In many of those places people are hungry and don't have any food to give to their children . . . A survey confirmed that domestic violence in the home increased, with 57% of the victims being Black women. Thus, I am not trying to speak in catastrophic terms, but this is the way the situation is. (Nilza Iraci)

177.

When these women are asked whether the State has socialized and complied with the comments issued by the Committee, they say that these actions of the Bolsonaro government have not been implemented. In addition, they affirm that in recent years, spaces for dialogue and defense of women's rights that existed during previous governments have disappeared: "It is likely that the government's behavior is very similar to all it does; that is, not to socialize these conclusions and recommendations" (Janaina Oliveira).



178.

Faced with this situation, the women who were interviewed call on the national government to make known how they are protecting the country's Afro-descendant population and specifically, the women. They also ask the Committee and civil society that in the coming sessions they put pressure on the government to make known these measures, if in fact any exist.

We recommend asking the State for a report that explains what policies were implemented to protect the LGBTI population, though also what support and how much funding was invested and what was done to protect the LGBTI population in the midst of the pandemic. (Janaina Oliveira)

179.

They also issue a call to recognize the real problem that perpetuates the gaps between Afro-descendant women and all other women: racism. If this is not stated and addressed at the root, social transformation and equality will not be achieved in the country: "If we don't incorporate the words 'structural racism,' we are not going to progress; all of the rest is a consequence" (Nilza Iraci).

### 3.6 Final reflections: spiraling discrimination

180.

Brazil is one of the countries in the region where, as reflected in the reports, the issue of Afro-descendants is part of the gender agenda. Even so, even the inequalities between Afro-descendant and White/mestiza women are extensive. As has been observed, there are three problems that impact Afro-Brazilians differentially: access to healthcare, decent work, and political participation. All of the foregoing is addressed both by civil society as well as by the Brazilian State.

181.

The issues highlighted above – access to healthcare, work, and political participation – together with the matter of education, reveal spiraling vulnerability, given that if Afro-descendant women cannot access education, they will continue to hold precarious jobs with few opportunities for aspiring to popularly elected posts. Faced with this, the Committee issued some comments that, if implemented, could improve these women's quality of life.

182.

Nonetheless, the Committee overlooked an issue of great relevance to ensuring these women have a decent life: the obstetric violence suffered by Afro-descendant women. Despite various reports having emphasized the fact that Afro-descendant women are victims of bad practices when giving birth, their ignorance regarding sexual education and birth control, and the need to offer training to medical per-

sonnel to guarantee these women receive decent treatment, the Committee chose to not address this issue. Obstetric violence is an issue that has not been greatly discussed in the region, especially when committed against Afro-descendant women, given the degree to which it has been normalized, and it must be halted. This violence, as illustrated in the Alternative Reports dealing with the issue, primarily targets poor women who must turn to public medical centers; therefore, the State is directly responsible for guaranteeing the obstetric wellbeing of Afro-descendant women.

183.

In addition, it is important that the State present disaggregated data on how women experience or do not experience obstetric and gynecological violence. The foregoing is due to the fact that in many cases, as was confirmed by the civil society Alternative Reports, the State boasts about having decreased maternal mortality, notwithstanding the fact that this is not reflected in Afro-descendant women's reality. It is important to highlight that the women should not associate the act of giving birth with a death sentence; as such, the State of Brazil should ensure guarantees of respectful childbirth and life.

184.

A matter that the State and Committee overlooked is the existence of a racist system in the country. When reference is made to the inequalities owing to Afro-descendant women's race – which includes the poverty in which they live – there is not even a modicum of reflection on how it is a product of the country's structural colonial racism. That is, a collective imagination exists that values some bodies more than others: Whites/mestizos over Afro-descendants. A clear example of this can be seen in that Afro-Brazilian women are the ones who to a greater degree perform domestic work, which in turn is not protected by the State to guarantee these women's complete wellbeing.

185.

Despite the efforts of the State when submitting the report to guarantee greater inclusion of women in political life, that effort was not realized in a differential manner. It is important that Brazil recognize the barriers confronted by Afro-descendant women when accessing politics and therefore, specific measures are not being considered that can guarantee these women's participation in more decision-making spaces.

186.

A topic that was not addressed in any of the reports is that of female Afro-descendant sex workers and the physical violence committed against feminine and feminized bodies. This should be delved into, with regard to a vision that includes structural racism and the sexualization of Afro-descendant bodies.

187.

Despite the fact that throughout the report reference is made to lesbian, bisexual, and trans women, at no point is the topic of Afrodescendant lesbian, bisexual, and trans women made explicit. At some points Black women and lesbian and trans women are mentioned, such as when discussing the joint work of activists and their political underrepresentation. Nonetheless, for example, in the section "Lesbian, Gay, Bisexual, Transvestite, and Transgender Persons," no reference is made to the specific situations of vulnerability experienced by Afro-Brazilian lesbian, bisexual, and trans women. In addition, the Committee did not make comments regarding the violence that may be committed against Afro-descendant lesbian, bisexual, and trans women in this country.

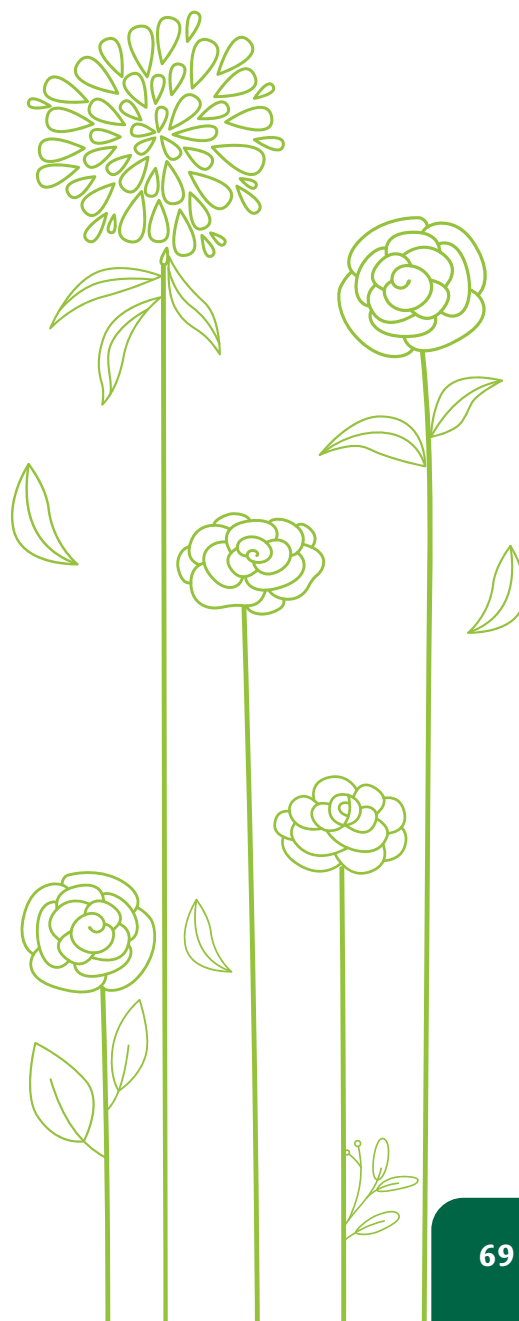


188.

Currently, there is significant concern in the country regarding the COVID-19 crisis. Poor Afro-descendant women do not have guarantees enabling them to stay at home, and instead must go out into the streets to earn money, thereby placing their own lives and the lives of those around them at risk. In addition, the informal work and predominance of domestic work among Afro-descendant women practically forces them to not practice social distancing measures in order to survive.

189.

The women interviewed believe that under the government of Jair Bolsonaro, Brazil has regressed in the area of rights and therefore, has not complied with the recommendations issued by the Committee or the commitments agreed to in CEDAW, which, when added to the little knowledge there is about the topic in some sectors of civil society, produces the result that there is minimal chance for advocacy in favor of eliminating all forms of discrimination against Afro-descendant women. Therefore, it is necessary for civil society – specifically, the Afro-descendant women’s organizations and leaders – to include in their work guidelines the monitoring of the comments issued by the Committee.



## 3.7 Recommendations

### 3.7.1 Recommendations to the State

**a.** Create spaces for civil society, wherein to listen to Afro-descendant cisgender, lesbian, bisexual, and trans women's needs.

**b.** Provide accountability regarding how actions were implemented in favor of Afro-descendant women within the context of the crisis produced by the COVID-19 pandemic.

**c.** Perform a disaggregated analysis of the gynecological and obstetric violence suffered by Afro-descendant women.

**d.** In the following review before the Committee, mention how it has progressed in the fight against sexual trafficking of Afro-Brazilian women.

**e.** In the following review before the Committee, explain the measures that have been adopted to guarantee equality and non-discrimination of female Afro-descendant domestic workers.

**f.** Offer information on Afro-descendant lesbian, bisexual, and trans women.

**g.** Systematically monitor the recommendations, including those issued by the Special Procedures.

### 3.7.2 Recommendations to civil society

**a.** Create spaces wherein to listen to Afro-descendant cisgender, lesbian, bisexual, and trans women's needs.

**b.** In the next Alternative Reports that are presented to the Committee, offer a complex and intersectional vision of the various Afro-descendant women.

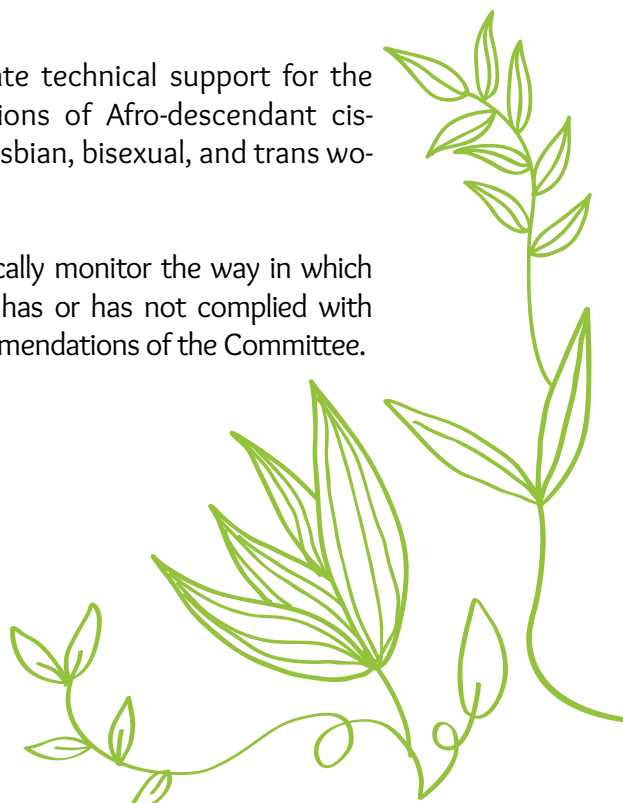
**c.** White/mestiza women's organizations should be able to institutionally support Afro-descendant organizations, so they can learn about and participate in international spaces such as the Committee.

**d.** Heighten the visibility in the Alternative

Reports of the realities of Afro-descendant lesbian, bisexual, and trans women.

**e.** Generate technical support for the organizations of Afro-descendant cisgender, lesbian, bisexual, and trans women.

**f.** Periodically monitor the way in which the State has or has not complied with the recommendations of the Committee.



**g.** Include in the organizational guidelines the monitoring of the Committee's recommendations and comments to the State.

**h.** Systematically monitor the recommendations, including those issued by the Special Procedures.

### 3.7.3 Recommendations to the Committee

**a.** It is necessary for the Committee to make recommendations related to obstetric and gynecological violence experienced by Afro-descendant women.

**b.** The Committee must carry out a campaign for Brazilian civil society organizations in which it communicates that the reports can be presented and/or consulted in Portuguese, not only in Spanish and English, such that more people can access them.

**c.** During the next session with the Brazilian State, the Committee should ask how it has complied with the recommendations it has offered.

**d.** Guarantee that the recommendations regarding Afro-Brazilian women are made in a differential and intersectional manner.

**e.** The cross-cutting nature of other elements of discrimination (race, sexual orientation, gender identity) in the analysis and implementation of all of the articles of CEDAW (not only health and the mix of vulnerable women).

**f.** Systematically monitor the recommendations, including those issued by the Special Procedures.

**g.** The Committee should create spaces wherein to listen to the voices of Afro-descendant lesbian, bisexual, and trans women.



4

# CEDAW IN COLOMBIA



## 4.1 Introduction

190.

The Republic of Colombia is a State located in South America whose territorial extension measures 1,141,748 km<sup>2</sup> and a population estimated at 48,258,494, 51.2% of whom are women (DANE, 2020). Of the national total, it is estimated that in 2019 at least 2.98 million people identified as Afro-descendants, at least 50.5% of whom are women (DANE, 2020). The Afro-Colombian population in Colombia is divided into the ‘raizal’ population of the San Andrés and Providencia archipelago, the ‘palenquero’ populations of San Basilio, and the Black, mulatto, and Afro-descendant communities. Thus, there are different identity-based realities within the Afro realm in the country.

191.

This country has been cruelly marked by a more than 50-year armed conflict that has produced at least 8,376,463 victims, 4.2 million of whom are women, 3,974 LGBTI, and 412 intersexuals (Unidad de Víctimas [Victims’ Unit], 2020). Likewise, this conflict increased the state of vulnerability of groups that have historically faced discrimination (Centro de Memoria Histórica [Center of Historical Memory], 2013), such as women, sex-gender diverse individuals, racialized groups, the population in peripheral areas, etc. Therefore, this conflict differentially affected Afro-descendant cisgender, trans, and lesbian women. According to the figures of the Unidad de Víctimas (2020), at least 1,123,943 Afro-descendants are victims of the armed conflict, of whom it is estimated that 413,677 are women.

192.

Because of the foregoing – and due to the historic structural violence the Afro-Colombian population has experienced deriving from the colonality of power (Quijano, 2014) – these persons “constitute approximately half of the persons living in extreme poverty” (World Bank, 2018, p. 14). In addition, according to this same source, these communities have lower levels of schooling, receive smaller salaries, and are more prone to being victims of violence with greater frequency. Likewise, households comprised of Afro-Colombians have a 51% greater chance of living in extreme poverty (CEPAL, 2018). The foregoing is reflected in the levels of poverty, which in the Colombian case is 10 points higher than the non-Afro-descendant population.

193.

Similarly, the structural, symbolic, and direct violence experienced by women in the country has been increasing in recent years. It is estimated that these abuses – a product of a patriarchal system – are so great that seven out of every 10 women have been victims of some type of violence in the country (El Tiempo [Time], 2020). The figures in this country are alarming: in 2018, 22,304 cases of sexual abuse were denounced; similarly, 960 women were victims of femicide (CNN, 2020). In like manner, between 2017 and 2018, at least every 30 minutes a woman was a victim of intrafamily violence and every 23 minutes a woman was a victim of sexual violence, 87% of

whom were girls and adolescents (La FM, 2020). The overwhelming majority of this violence was committed by relatives, former and current partners, or people known to the victims.



194.

This observed reality makes reference to women in general, which is greatly increased when crossing vectors of vulnerability such as poverty, race, gender identity, and sexual orientation. In Colombia, the presence of Afro-descendant women in the educational system is less than that of men; in addition, Afro-Colombian women face greater difficulty accessing healthcare and remunerated work; their maternal mortality rate is 2.3 times higher than the national average; and these women's political participation in decision-making arenas is not very high (CEPAL, 2018). All of this reveals not only structural racism, but also systematic violence perpetrated against the bodies of female Afro-descendants.

195.

It is important to note that after the signing of the Peace Accord (2016), and in the midst of the extermination of social leaders that is ongoing in the country, Afro-descendant women from the outskirts are in an extremely vulnerable situation. Of the 366 homicides of social leaders recorded by the government between 2016 and 2019, 12.84% were women (Consejería Presidencial para los Derechos Humanos [Presidential Office on Human Rights, 2020). Nonetheless, according to various social organizations, by May 2020 at least 100 social leaders had been assassinated (DW, 2020). Women from the country's regions find it difficult when they attempt to make denunciations: "Campesina, indigenous, and Afro women – and in general women living in rural areas – who

attempt to denounce problems in their municipalities suffer disproportionate violence" (Pacifista [Pacifist], 2020, parag. 7). This violence is committed by legal and illegal actors that do not take into account their declarations.



196.

Afro-Colombian women have been key to consolidating the Afro-descendant movement in Colombia. This identity began to be fortified and politicized within the framework of the constitutional transformations of 1991, a time in which a series of demands for rights were issued based on the constitutional opening (Paschel, 2013; Restrepo, 2006). This opening has had an important feminine presence. These women have held a principal role in the attainment of “communities’ ethnic territorial rights that are today being violated, as well as within the framework of all of the initiatives that have been developed with a view to making progress toward realizing these rights in the State’s public policies” (CEPAL, 2018, p. 48).

197.

The particular types of violence faced by Afro-descendant lesbian and trans women in the country is high, given the lesbophobia and transphobia that prevail in the country. Colombia has the second-highest rate of homicides of LGBTI persons in the region. Between 2014 and 2019, 549 LGBTI persons were assassinated in the country (Semana [Week], 2020). According to Colombia Diversa [Diverse Colombia] (2019), 193 lesbian, bisexual, and trans women were assassinated between 2014 and 2018. In 2018, 33 trans women, five lesbian women, and one bisexual woman were assassinated. According to this source, the majority of the victims were young and had low levels of schooling.

198.

Within the framework of the armed conflict, LGBTI persons were abused in a variety of manners due to their sexual orientation and gender identity. In addition, “LGBT persons perceived as belonging to certain ethnic communities, such as Afro-descendant or indigenous, or who come from territories marked by racial inequality, were commonly persecuted” (Caribe Afirmativo [Affirmative Caribbean], Colombia Diversa, All Survivors Project, n.d., p. 2).



199.

Within the framework of these realities, the movements of women, LGBTI persons, and Afro-descendant populations have attained a series of legal and constitutional achievements in recent years. Abortion has been legal in Colombia since 2006 on three grounds; since then, thanks to sentence C-355, there have been various debates aimed at ensuring abortion is legal unconditionally. The 2011 Law 1448 became the first regulatory body in the country with a gender-based focus. In 2016, the Constitutional Court declared marriages between same-sex partners to be valid, and in 2015 it also approved adoption by homoparental couples. The 2015 Law 1761 categorized the crime of femicide in the country. Despite the continuing lack of a law on gender identity, trans persons have been able to change their names and sex on their identity documents since 2015. Similarly, Colombia has a quota law (Law 581 of 2000) that requires that 30% of public posts be occupied by women. Likewise, legislation on various occasions sought to guarantee the life and dignity of the Afro-descendant population, such as Law 1833 of 2017, which guarantees the protection of that community.

200.

The foregoing reveals a series of existing conflicts in Colombian society, wherein, while a regulatory system framed by the 1991 Constitution has been created together with the rights it offers the country's most vulnerable populations, the reality demonstrates that violence against intersectional women is very high. Racism and machismo have wreaked havoc in the lives of Afro-descendant women and have increased as a result of the internal armed conflict, wherein legal and illegal groups have violated feminine and feminized bodies, especially those of Afro women, who have historically represented subordinate subjects in the country.

201.

In addition, in recent years there has been an immigration crisis, with Colombia being the recipient of a high number of immigrants from Venezuela. These women have been an example of resistance and the voice of their communities when demanding their rights. Therefore, while there are extensive contradictions in the Colombian case, they always reveal the development of agency among Afro-Colombian cisgender, lesbian, and trans women in the country's various regions.

## 4.2 The Colombian State before the Committee

202.

Over the last decade, Colombia attended two sessions of the Committee: the first, during the 56th session, between September and October 2013, and the second, during the 72nd session, held between February and March 2019.

### 4.2.1 Report submitted during the 56th session (2013)

203.

For this session, Colombia presented its seventh and eight reports jointly. This report detailed the progress made in the rights the State believed had been realized with a view to eradicating discrimination against women.

204.

In this report, the State highlighted the affirmative actions that have been taken with an eye to guaranteeing equality between men and women. Among other actions, it highlighted the program to prevent gender-based violence against vulnerable populations, including Afro-Colombian women, a program financed by UNDP-Spain and supported by diverse United Nations agencies. It also made reference to the need to create a public policy on gender equality that would take into account the needs and realities of Afro-descendant women. Through the *Consejería Presidencial para los Derechos Humanos* [Presidential Office on Human Rights] (ACPEM), the government has promoted trainings in

matters of entrepreneurship, human rights, and prevention of gender-based violence for vulnerable groups, such as Afro-descendant women. Various State programs, policies, and projects have been aimed at decreasing the gaps between Afro-descendant women and the rest of the population. In this sense, the following sentences stand out: T-131 of 2006, which reiterates the prohibition of racial discrimination, and T-384 of 1994, which protects the use of mother tongues within Afro-Colombian territories.

205.

Guaranteeing the rights of Afro-descendant women has been addressed by the various ministries and secretariats that comprise the government. With regard to the matter of education, the Ministry of Education sought to ensure the qualifications of the education offered to the country's Afro-descendant and indigenous communities. In addition, ACPEM created programs specially aimed at Afro-Colombian women, so as to address matters such as employ-





ment, political participation, education, and violence prevention. For its part, the Ministry of Culture implemented actions to institutionally strengthen women from Colombia's Pacific coast area and empower them through ethno-cultural, political, and gender-focused processes. Likewise, activities were implemented to strengthen the capacity of female Afro-descendant victims of forced displacement during the Colombian armed conflict.

206.

With the goal of promoting Afro-Colombian women's art, the book *Antologías de 21 poetas negras del Pacífico* [Anthologies of 21 Black Female Poets of the Pacific] was published in 2009, together with the holding of an encounter of women authors that sought to honor Afro-descendant women.

207.

By making reference to Afro-Colombian women's political participation, the State highlighted the implementation of Law 649 of 2001, which establishes special indigenous and Black constituencies. According to State data, the 2010 elections saw a 15.9% participation by women as candidates for the Chamber of Representatives. Notwithstanding, the State does not share the figures of the women who were elected.

208.

In order to promote education for historically vulnerable groups, the State made reference to a series of forgivable credits granted through SISBEN; of these, 3,270 million pesos were for an Afro-descendant communities fund. However, the percentage of Afro-Colombian women who are beneficiaries of these funds is not disaggregated.

Similarly, the Constitutional Court ordered the implementation and creation of programs with an eye to guaranteeing displaced women's education, including the Program on the Rights of Displaced Afro-descendant Women (Auto [Judicial Decree] 237 of 2009).

209.

Given the complexity of the armed conflict, the State, hand-in-hand with Pastoral Social [Social Pastoral], an institution that implements and supports UNHCR programs, provided psychological counseling in 2009 to 456 displaced victims of the armed conflict and members of the recipient community of victims of the armed conflict. Said counseling focused on indigenous and Afro-descendant communities. Nonetheless, data was not provided regarding the number of women beneficiaries of these measures.

210.

As part of the State strategies aimed at eliminating illegal crops, programs were created, such as Territorios Étnicos Productivos [Productive Ethnic Territories] (TEP), that seek to promote legal crops on indigenous and majority Afro-descendant territories, which in turn foster campesino women's entrepreneurial ventures. It is worthwhile noting that



this judicial decree was possible thanks to the advocacy of the Afro-Colombian women's movement. Similarly, it progressively created a regulatory framework that sought to protect displaced women, including protecting them against sexual violence, taking into account the historic vulnerabilities the country's Afro-descendant women have experienced.

#### **4.2.2 Report submitted during the 72nd session (2019)**

211.

Colombia presented the ninth periodic report to the Committee during the 72nd session. The information reported corresponds to the period 2013-2017; as such, it is the first report presented after the signing of the Peace Accord between the Colombian State and FARC guerrillas. This report acknowledges the challenges and progress the Accord represents vis-à-vis the guarantee of equality of men and women, while at the same time presenting the actions that were being taken at that time and those that were being planned for the medium and long terms. It additionally reports that joint efforts were being made with local governments to socialize CEDAW and implement the Committee's recommendations. This report was drafted by the Chancery, Presidential Office on Women's Equity, and Presidential Office on Human Rights.

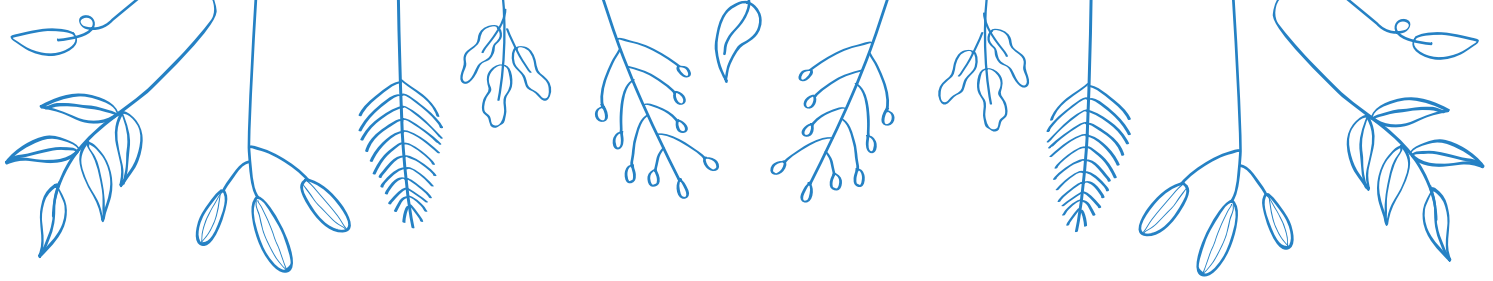
212.

Given that CEDAW commits all State sectors to eliminating all forms of discrimination against women, the Colombian State highlighted the work of the Office of the Attorney General

of Colombia in including an ethnic, differential, and gender-based focus in prioritizing investigations and prosecutions, with a view to combatting violence and femicide. Following the Committee's recommendations, the State sought the following for 2020:

"double the rates of indictments for malicious homicides, sentencing, [and] indictments and sentencing of sexual violence; reduce the effective criminal notices due to the homicide of victims who denounced intrafamily violence; and double the rate of indictments of intrafamily violence" (p. 5).





213.

With the goal of decreasing the indices of human trafficking and sexual violence, the Chancery implemented the program 'Ante la trata de personas NO se haga' [In the Face of Human Trafficking, DON'T Do It]. Afro-descendant women living in the country's border cities participated in this program, which had a differential and gender-based focus.

214.

The Ministry of Education has sought to decrease the educational gaps based on race and gender through educational credits. Between 2013 and 2015, there was an increase in the enrollment of women from various population groups, such as Afro-descendants, which increased the total figure of women enrolled from 8.1% in 2013 to 8.7% in 2015. Following one of CEDAW's recommendations, it has sought to perform disaggregated and detailed monitoring of academic enrollment.

215.

By making reference to the participation of Afro-Colombian women in decision-making spaces of public administration, the Administrative Department of the Civil Service reported that since 2016, 12 entities with Afro-descendant women and two with raizal women were in maximum decision-making posts, while at another decision-making level were 18 entities with Afro-descendant women and three with raizal women.

216.

The Peace Accord that was signed between the government of Juan Manuel Santos and FARC guerrillas represented progress in recognizing the rights of some historically violated groups such as women, LGBTI persons, and Afro-descendant groups. The Accord created specific provisions regarding political participation, victims, comprehensive rural reform, a solution to the problem of illegal crops, an end to the conflict, reincorporation, and mechanisms for implementation and verification. Women's active participation is requested in each of these aspects that represent the Accord's points. These spaces were made possible, thanks to the advocacy work of the Afro-Colombian movement.

217.

In addition, as part of the regulatory framework for implementing the Accord, the Jurisdicción Especial para la Paz [Special Jurisdiction for Peace] (JEP) was created. An open process was conducted in 2017 to select the 51 judges of the JEP; 28 of the persons selected are women and one-fourth are indigenous or Afro-descendant persons. Nonetheless, it does not specify how many of these women elected to sit on the JEP are Afro-descendants.

## 4.3 Alternative Reports presented by civil society

218.

Reports were generated for the 56th and 72nd sessions by a wide variety of Colombian civil society organizations. The present section only addresses those produced by Afro-Colombian women's organizations or those that in some manner explicitly addressed the problems faced by Afro-descendant women, putting aside those that do not mention this verbatim.

### 4.3.1 Alternative Reports presented by civil society during the 56th session (2013)

219.

For this session, more than 10 organizations and networks presented their Alternative Reports, wherein they explained the country's reality and the various challenges faced by women. Among these reports, three were from organizations that work specifically with Afro-descendant populations.

220.

The Asociación Nacional de Afrocolombianos Desplazados [National Association of Displaced Afro-Colombians] (AFRODES) presented a complete report on the reality of Afro-descendant women victims of forced displacement. The report reveals the complex situation in which these women find themselves, given a context of violence and the patriarchal and racist structure that prevails in the country. Therefore, AFRODES explains, the forced displacement has a differential impact on these women, placing them in a state of triple vulnerability: "being displaced, women, and Black" (p. 2). This situation is reflected in Judicial Decree 092 of 2008 issued by the Constitutional Court.

221.

AFRODES indicates the State's intentions to achieve real equality, such as Decree-Law 4635 of 2011, which seeks to guarantee attention and reparations for victims of the armed conflict from Afro-Colombian communities. AFRODES declares that while this law represents progress, it is weak in its guarantees of protection, attention, and reparation measures for Afro-descendant women. In addition, this organization believes the State does not include a differential focus in its policies with regard to the victims. This report presents a detailed overview of the deficits to which Afro-descendant women are exposed when attempting to access justice, especially by being victims of gender-based violence, little political participation, the risks faced by Afro-descendant women who are human rights defenders, and the need for legislation that guarantees these women's dignity.

222.

Lastly, AFRODES called on the Committee to once again recommend to the Colombian State [that it ensure] greater participation of women in decision-making realms and scenarios wherein peace is constructed; provide disaggregated data on the reality of Afro-descendant women; implement mechanisms for providing immediate attention to female victims of the [internal armed] conflict, including legal counsel and reparations; provide accountability regarding the process of the Consultiva Nacional de Comunidades Negras para el Decreto 4635 de 2011 [National Consultation of Black Communities for Decree 4635 of 2011]; ensure the creation of a new bill that overcomes the shortcomings in Decree 4635 of 2011 in terms of gender and participation; generate an intersectional focus on mechanisms of justice; oversee compliance with Judicial Decree 092 of 2008; [and] create a protocol for the intersectional participation of victims and public policies that guarantees the promotion, protection, and restitution of the rights of female Afro-Colombian women.

223.

The report entitled ‘A Look at Colombian Women’s Rights,’ presented by a series of women’s organizations,<sup>49</sup>

<sup>49</sup> The following organizations produced the report: Alianza Iniciativa de Mujeres Colombianas por la Paz [Alliance Initiative of Colombian Women for Peace] (IMP); Asociación Colectivo Mujeres al Derecho [Women’s Legal Association Collective]; Casa de la Mujer [Women’s House]; Católicas por el Derecho a Decidir [Women Catholics Favoring the Right to Decide]; Colombia - Centro de Estudios de Derecho, Justicia y Sociedad [Colombia Center for Studies of the Law, Justice, and Society] (Dejusticia); Centro de Investigación y Educación Popular / Programa por la Paz [Research and Popular Education Center / Program for Peace]; Colombia Diversa [Diverse Colombia]; Comisión Colombiana de Juristas [Colombian Commission of Jurists] (CCJ); Comité de América Latina y del Caribe para la Defensa de los Derechos de la Mujer [Latin America and Caribbean Committee for the Defense of Women’s Human Rights] (CLADEM Colombia); Conferencia Nacional de Organizaciones Afrocolombianas [National Conference of Afro-Colombian Organizations] (CNOA); Corporación Humanas Colombia [Female Humans Colombia Corporation]; Centro Regional de Derechos Humanos y Justicia de Género [Regional Human Rights and Gender Justice Center]; Corporación Sisma Mujer [Sisma Women Corporation]; Consejería Mujer, Familia y Generación [Office on Women, Family, and Generation]; Organización Nacional Indígena de Colombia [National Indigenous Organization of Colombia] (ONIC); Coordinación Mujer, Familia y Niñez [Coordinating Body for Women, Families, and Children]; Organización de los Pueblos Indígenas de la Amazonía Colombiana [Organization of the Indigenous Peoples of the Colombian Amazon] (OPIAC); ENI Colombia; Iglesia Evangélica Luterana de Colombia [Evangelical Lutheran Church of Colombia] (IELCO); Instituto Latinoamericano para una Sociedad y un Derecho Alternativo [Latin American Institute for an Alternative Society and Laws] (ILSA); La Coalición 1325 [1325 Coalition]; La Mesa Por la Vida y la Salud de las Mujeres [Roundtable for Women’s Lives and Health]; Liga Internacional de Mujeres por la Paz y la Libertad [International League of Women for Peace and Freedom] (LIMPAL Colombia); Mesa de Trabajo Mujer y Conflicto Armado [Working Roundtable on Women and Armed Conflict]; Mesa por el Derecho de las Mujeres a una Vida Libre de Violencias: Ley 1257 [Roundtable in Favor of Women’s Right to a Life Free From Violence: Law 1257]; Programa Acción por la Igualdad y la Inclusión Social [Action Program for Equality and Social Inclusion] (PAIS); Universidad de los Andes [University of the Andes]; Red de Educación Popular entre Mujeres [Network of Popular Education Among Women] (REPEM/Colombia); Red Nacional de Mujeres [National Women’s Network]; Sutsuin Jiyeyu Wayuu; Fuerza de Mujeres Wayuu [Wayuu Women’s Strength]; Tribunal de Mujeres [Women’s Court]; and DESC.



contains a section on Afro-Colombian women. It mentions the visit made by the Independent Expert on Minority Issues to Colombia in 2010, wherein she established the existence of structural factors that continue to marginalize the Afro-descendant population, which are in turn aggravated by the armed conflict and drug trafficking. She further found that the legislation that has been crafted surrounding female Afro-descendant victims of the armed conflict is not reflected in reality. Lastly, the expert indicated that the country's Afro-descendant women confront racism and sexual discrimination.

224.

This report also notes a culture that underappreciates women, which is more pronounced if these women are young and Afro-descendant. Likewise, said culture is materialized in the violence women experience on a daily basis. Despite calls by the Court for to incorporate a gender-based focus into protection programs, this has not been realized, especially in Afro-Colombian territories, with a similar situation occurring with female victims of the armed conflict.

225.

Lastly, with regard to issues related to Afro-descendant women, this report recommends the creation of a mechanism with a differential focus, with an eye to understanding the impacts of educational measures on vulnerable populations; differential attention in healthcare for Afro-descendant and indigenous women; a guarantee of prior consultation for communities of indigenous and Afro-descendant women; and the creation of a comprehensive public policy regarding Afro-descendant communities.

226.

The report presented by FIAN Colombia and the Consejo Comunitario Campesino Palenque Monte Oscuro [Palenque Monte Oscuro Campesino Community Counsel] (CCCPMO) addresses the obstacles

confronted by the country's Afro-descendant campesina women to exercising their human right to adequate food and nutrition (HRtAFN). Colombia is a party to various international instruments in addition to CEDAW, wherein it commits to providing guarantees to HRtAFN for all women within its territory, such as the Universal Declaration of Human Rights; International Covenant on Economic, Social, and Cultural Rights (ICESCR); [and] Declaration on the Protection of Women and Children in Emergency and Armed Conflict. However, in this report it affirms that:

**The women of the CCCPMO do not enjoy guarantees of agricultural production and development of adequate foodstuffs using their own seeds; nor do they have individual or collective land titles; nor does the State protect the transmission of knowledge and survival of the culture itself (p. 9).**





227.

Due to the foregoing, these organizations asked the Committee to [suggest that the State] adopt policies with a differential, disaggregated vision, so as to guarantee HRtAFN and access to land for Afro-campesina women, programs without a family-centered focus, the protection of these women vis-à-vis large companies and businesses, disaggregated data, and legal protection.

228.

The Kuagro Ri Ma Changaina Ri PCN (PCN Women's Collective) of the Proceso de Comunidades Negras en Colombia [Process of Black Communities of Colombia] (PCN) produced a report on the structural violence faced by Afro-Colombian women. Therein, they issue a call to action by showing how the Colombian State, by not guaranteeing Afro-descendant women's basic rights, has failed to comply with its commitments under various international treaties such as CEDAW, ICESCR, CERD, ILO Convention 169, and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, as well as various judicial decrees and sentences issued by the Constitutional Court on the matter.

229.

This report calls on the Committee to ask the Colombian State to include a differential focus on gender and ethnicity in a cross-cutting manner in its programs and policies and similarly, to get an understanding of the state of implementation of the Plan of Action in the areas of human rights and international humanitarian law for the Black, Afro-Colombian, raizal, and palenquera populations, specifically with regard to women; and similarly, to facilitate processes of prior consultation with Afro-descendant sectors; ensure the creation of disaggregated instruments for understanding the reality of Afro-descendant women at the national and local levels; likewise, to create the Observatorio de Violencias contra las Mujeres Negras, Afrocolombianas y Palenqueras [Observatory of Violence against Black, Afro-Colombian, and Palenquera Women] with a differential, ethnic, and racial focus and an updated database; also, to create measures for fostering employment among Afro-descendant women; take special temporary measures for eradicating violence against young and sexually diverse Afro-descendant women; perform a diagnostic study to understand the reality of Afro-descendant women in a disaggregated fashion; and lastly, establish a Committee against Forced Disappearance, with an eye to implementing the International Convention for the Protection of All Persons from Forced Disappearance.

230.

Among the reports that mention Afro-descendant women though were not produced by Afro-Colombian organizations, Human Rights Watch centers its report on the conditions of vulnerability experienced by Afro-descendant victims of forced displacement. In 2011, official figures showed the existence of at least 383,924 internally-displaced Afro-Colombians. It is estimated that at least 50% of the entire displaced population in the country are women. According to the report 'From Forced

Sterilization to Forced Psychiatry' signed by various organizations and networks, Afro-Colombian women have less access to prenatal care in health establishments and less access to their rights in the event they are HIV positive. Widows for Peace through Democracy, meanwhile, issues a call to provide special attention to Afro-descendant and campesina widows of the armed conflict, who are the ones who have suffered differentially the impact of the armed conflict.



231.

Another report, presented by a series of organizations,<sup>50</sup> highlights how the Office of the Prosecutor of the International Criminal Court (OPICC) found that Afro-Colombian women have specifically been victims of sexual violence within the framework of the armed conflict by various actors. Among the types of violence to which women have been exposed during the conflict, the report highlights rape, sexual abuse, forced recruitment, trafficking, and forced pregnancy. Additionally, the review of Colombia under the Optional Protocol to the Convention on the Rights of the Child condemned the systematic recruitment of boys and girls; it is common for the girls who are recruited to become victims of sexual violence.

#### 4.3.2 Alternative Reports presented by civil society in the 72nd session (2019)

232.

More than 10 organizations and networks of organizations presented Alternative Reports in the 72nd session of the Committee. While the reports focused on various issues, the migration of Venezuelan women was given prominent attention in the reports presented. Possibly, given this was the first session of the Committee held since the signing of the Peace Accord between the FARC guerrillas and government of Juan Manuel Santos, and the fact that it took place in the middle of the Venezuela migration crisis, the issue of Afro-descendant women was lower down on the civil society agenda. Only two reports centered on the Afro-descendant problem: the one presented by AFRODES and the report

entitled ‘Gender-Based Human Rights Violations of Afro-descendants.’<sup>51</sup> Even so, the AFRODES report is not found on the CEDAW website.

233.

‘Gender-Based Human Rights Violations of Afro-descendants’ is a report that presents the state of vulnerability of Afro-descendant women in the midst of the period following the signing of the Peace Accord. It shows how the ethnic chapter of the Final Peace Accord was realized, thanks to the pressure exerted by Afro-descendant and indigenous groups, given the lack of interest on the part of the national government. Said chapter has not been fully implemented, according to the authors, given the lack of political will and funding. Notwithstanding, Afro-descendant women were able to land a spot in the Instancia de Género [Gender Agency] in order to continue monitoring

<sup>50</sup> The following organizations produced the report: Programa Acción por la Igualdad y la Inclusión Social [Action Program for Equality and Social Inclusion] (PAI-IS) of the University of the Andes Law School; Profamilia [Pro Family]; Asdown; Fundamental Colombia; Taller de Vida [Life Workshop]; Entre Tránsitos [Between Transit]; Grupo de Apoyo Transgenerista [Transgender Support Group] (GAT); Transrevolucionando Géneros [Trans-Revolutionizing Genders]; Procrear [Procreate]; MADRE; and International Women’s Human Rights Clinic at the City University of New York School of Law (IWHR Clinic).

<sup>51</sup> Presented by: Procesos de Comunidades Negras (PCN); MADRE; [and] Human Rights and Gender Justice Clinic (HRGJ) at the City University of New York School of Law, with support from the Movimiento de Mujeres Negras, Afrocolombianas, Raizales y Palenqueras en sus Identidades Diversas [Movement of Black, Afro-Colombian, Raizal, and Palenquera Women in Their Diverse Identities].

the gender-based focus of the Peace Accord. The report discusses the existing fears for the Accord's guarantees, in the middle of the government of Iván Duque and the little interest the government has shown to have the Afro-descendant communities actively participate in decision-making related to upholding the Accord.



234.

Faced with these problems, the organizations asked the Committee to urge the government to recognize the Instancia Étnica [Ethnic Agency] and guarantee funding for racial and gender justice; implement the ethnic chapter, especially the indicators of ethnic-racial gender; consult the Afro-descendant women's groups to guarantee collective security; ensure Afro-descendant women's participation in the various agencies to guarantee the Accord; and lastly, guarantee the right to free, prior, and informed consent by Afro-descendant groups with regards to the implementation of the Accord.

235.

Likewise, this report denounces the state of violence experienced by Afro-descendant female social leaders. It quotes an Afro-descendant female leader, who said that "being a human rights defender in Colombia is equivalent to a death sentence" (p. 6). Currently, in addition to the situation of vulnerability described, female Afro-descendant human rights defenders are being criminalized. As such, it asks the Committee to guarantee relevant investigations

in all cases of attacks against female Afro-descendant leaders and their security; halt the persecution of female Afro-descendant human rights defenders; guarantee the institutional and financial resources for implementing the Security and Protection Program (Articles 3.4.8 and 6.2.c of the Peace Accord); [and] similarly, improve the criteria for evaluating the risk faced by female Afro-descendant leaders.

236.

Another aspect it addresses is sexual violence against Afro-descendant women, which it affirms demonstrates the little effectiveness the government has had in preventing and addressing these issues; the difficulties female Afro-descendant victims of sexual violence and gender-based violence have in accessing justice, which is why many cases remain shrouded in impunity; and the difficulties female Afro-descendant survivors of sexual violence in the midst of the armed

conflict have in accessing healthcare services, highlighting how Afro-descendant communities face difficulty in accessing physical and psychological medical attention.

237.

Given the foregoing, the Committee is asked to recommend to the State to implement Law 1257 of 2008 regarding access to justice and reparations for female Afro-descendant victims of sexual violence and the creation of support measures for these women; additionally, to increase the self-protection of the communities against sexual violence; guarantee all medical and psychological services for rural female Afro-descendants; promote mechanisms for providing psychosocial attention from the perspective of collective ancestral experiences; create safe ways to file denunciations; ensure Afro-descendant women have access to justice and the Special Jurisdiction for Peace; ask the Office of the Attorney General to study the intersection of race, ethnicity, poverty, [and] gender; reparations for all crimes committed in the midst of the [armed] conflict against Afro-Colombian women and girls; prevent the revictimization of the survivors of gender-based violence; provide comprehensive treatment for Afro-Colombian women survivors of gender-based violence; comply with Law 1719, to ensure no victim has to file a police report in order to access medical treatment; promote access o healthcare services; [and] provide training to medical professionals on the violation of reproductive rights, so as to appropriately respond in cases of sexual violence.

Lastly, this report calls for the need to guarantee the right of Afro-descendant women to land tenure. To that end, it will be necessary to implement Law 70 of 1993 (land tenure for Afro-descendant groups) and the Law on Victims and Land Restitution (Law 1448 of 2011), as well as other decrees that deal with these matters. For its part, the government needs to consult with Afro-descendant women and their communities as to how to utilize the funds made available by Law 1448 of 2011; guarantee the right of Afro-Colombian women to free, prior, and informed consent; [and] implement a formal and comprehensive policy against large-scale mining and a National Development Plan for the Black, Afro-Colombian, Raizal, and Palenquero Communities, which can be integrated into the National Development Plan.

238.



239.

The First Specific Shadow Report on Rural and Campesina Women of Colombia was developed with participation from various organizations of racialized women, such as the Consejo Comunitario Campesino Palenque Monte Oscuro (CC-CPMO), which denounced that despite efforts from the State, Afro-descendant women not only are victims of the feminization of poverty, but also of forced displacement in areas where mining and extractive megaprojects are progressing. Likewise, they denounced the sexual and intimate violence of which women in their communities have been victims.

240.

The report by Caribe Afirmativo issues a call to protect female Afro-Colombian, indigenous, rural, lesbian, bisexual, and trans human rights defender leaders. The report entitled *Women and Peace, In Search of Full Rights*, produced by the Grupo de Monitoreo para la Implementación de la CEDAW en Colombia [Monitoring Group for CEDAW Implementation in Colombia], highlights the social and political changes that transpired in the country after the signing of the Peace Accord between 2013 and 2018, wherein women played an active role in monitoring the implementation of the Accord and attempts were made to progress in increasing the visibility of social problems that had historically been under the shadow of the [internal armed] conflict, such as discrimination. All of this has differentially impacted Afro-descendant women and other historically vulnerable groups. This report also points out the underrepresentation of Afro-descendant women in the country's public life, and explains that in the entire history of the country, only six women have been voted into the Congress of the Republic.



241.

The report presented by Women's Link, Avesa, Freya, CEPAZ, and Equivalencias en Acción [Equivalencies In Action] points out the risk of women becoming victims of trafficking, due to the state of poverty of vulnerable populations, such as Afro-descendants. The Coalición Colombiana por la Implementación de la Convención sobre los Derechos de las Personas con Discapacidad [Colombian Coalition for the Implementation of the Convention on the Rights of Persons with Disabilities] states that 4.7% of the population that identifies as having a disability is Afro-descendant. It also notes that the poorest sectors of society and victims of forced displacement have less access to medical services and therefore, there is a greater presence of disabilities.

242.

Human Rights Watch (HRW) documents how, despite the Peace Accord, violence continues to threaten Afro-Colombian women in the Chocó. To illustrate the foregoing, they present how the Autodefensas Gaitanistas de Colombia [Gaitanist Self-Defense Forces of Colombia] (AGC) have systematically sexually abused girls and adolescents under the age of 18, and attest that several of them have been impregnated thusly. Therefore, HRW asked the Committee to question the State as to what it was doing to guarantee access to the right to an abortion (Sentence C-355 of 2006), especially for vulnerable groups such as Afro-descendants).



## 4.4 Observations of the Committee

### 4.4.1 Observations of the Committee in the 56th session (2013)

243.

In this session, the Committee expressed significant concern regarding the differentiated violence targeting Afro-descendant and rural women within the framework of the armed conflict which, together with the agricultural and mining megaprojects in development on their territories, increases structural inequalities. This violence includes barriers Afro-Colombian women face to accessing land restitution, threats, sexual violence, and the lack of institutional actions. Due to the foregoing, the Committee recommended the following to the State: implement a differential and gender-based focus in its legal and policy actions; implement Judicial Decree 092 of 2008; adopt protective measures for women; recognize the relationship between gender-based violence and forced displacement and move ahead in processes of investigation and prosecution of the perpetrators; [and] provide sustainable solutions to the problem of land and access to it by rural Afro-descendant women.

244.

Similarly, the Committee was concerned about the lack of protocols that permit Afro-Colombian women's participation in processes that directly impact them and the little access they have to healthcare. For this reason, it recommends that the State guarantee Afro-Colombian women's ability to exercise their right to prior consultation and create policies that include racial and gender issues, wherein communities actively participate.

245.

Another aspect of significant importance to the Committee is the creation of adequate measures that protect Afro-descendant women from becoming victims of sexual violence. The State should guarantee safe environments for women and girls who are victims of this type of violence, and provide differentiated attention for Afro-Colombian women focused on their specific needs.





246.

Similarly, the Committee hoped the State would apply Law 1257 of 2008, so as to guarantee the wellbeing and participation of Afro-Colombian women in organizations that defend women's human rights. Continuing with the issue of participation, the Committee expressed concern at the lack of Afro-Colombian women in national spaces of political representation, such as the Congress of the Republic, and to that end urged the State to propose actions wherein these women can politically participate, with an eye to ensuring their representation, and recommends the adoption of temporary measures that can guarantee this. The Committee highlighted the little access enjoyed by Afro-Colombian women to basic rights such as healthcare, education, and employment. As such, it requested the creation of inclusive policies with a gender and race focus with the goal of decreasing the existing gaps between Afro-descendant women and the rest of the population.

#### **4.4.2 Observations of the Committee in the 72nd session (2019)**

247.

While the Committee recognized the achievements made by the country following the signing of the Final [Peace] Accord, it expressed concern regarding the increasing violence against women, including sexual violence, and specifically among vulnerable groups such as Afro-descendant women. Therefore, the Committee called [on the State] to guarantee the elimination of all forms of discrimination against women, incorporate the definition of discrimination against women and girls into legislation, and protect, among others, Afro-descendant women. The Committee joined [calls for] the need to improve access to justice for women, including Afro-Colombian women in a differentiated manner, as their rights have been disproportionately violated. To that end, the institutional presence in zones impacted by the armed conflict must be increased. It is exceedingly urgent for the Colombian State to implement the national plan for preventing gender-based violence against women and girls. It also recommended that Afro-Colombian and racialized women have a presence in the Office of the President for Women's Equity.





248.

In addition, there are ongoing problems that had been mentioned in the previous report, such as the disparity in access to education and the need for the Ministry of Education to guarantee access for Afro-descendant girls and women by adopting temporary measures, if necessary. With regard to healthcare, it is necessary to guarantee equality in access to services for Afro-descendant women in rural areas. In addition, access must be guaranteed to the right to a safe abortion, following Sentence C-355 of 2006 and SU 096 of 2018, which seek to eliminate barriers that might be put up by the health system.

249.

Another matter of concern to the Committee is the burden of care that falls on women and their significant presence within the informal sector, which leaves them with no form of social security. Despite the creation of [governmental] programs, the Committee views it as concerning that Afro-descendant women do not have access to these programs and as such, the State must economically empower them through financial services. It additionally recommended, once again, that the State develop disaggregated data.

250.

The report has a specific section entitled ‘Rural, Indigenous, and Afro-Colombian Women’ that highlights the approval of the comprehensive public policy favoring rural women and the program providing special access for women, girls, and adolescents to the administrative stage of the process for the restitution of plundered lands. Despite this, there are still social behaviors that discriminate against Afro-Colombian and indigenous women, thus preventing them from participating in the processes of land restitution. The Committee thus recommended that the State apply policies in favor of these women; measures that permit these women to access land; [carry out] anti-discrimination campaigns; promote Afro-descendant women’s participation in public spaces; and incorporate into political and legal instruments the principles enshrined in the United Nations Declaration on the Rights of Peasants and Other Persons Working in Rural Areas.



## 4.5 Considerations of civil society

251

In drafting this section, we spoke with Luz Marina Becerra of AFRODES, an organization that defends the rights of Afro-descendant victims of the armed conflict and works in a cross-cutting manner on issues of gender, and Vivian Cuello of Corporación Caribe Afirmativo, an organization that defends the rights of LGBTI persons in the Caribbean area of Colombia. Both women attended the 72nd session of the Committee, when Colombia came before the Committee for the last time in the decade. This session was greatly relevant, given it was the first time that LBT women represented themselves; in addition, Afro-descendant women had a space wherein to present their problems.

For the first time there was representation of LBT women before the Committee. For the first time there was a public intervention by LBT women from Colombia. (Caribe Afirmativo)

We've had the opportunity as an organization to participate by presenting shadow reports to the Committee. We have presented reports like two or three times: we traveled to Geneva to tell the experts on the Committee about the specific situation of Black women in Colombia. (Luz Marina Becerra)

Doing this in their own voices represents significant progress in the area of recognition and visibility, given that in previous reports, groups of White/mestiza women were the ones who spoke on behalf of the country's Afro-descendant women. It can thus be asserted that a monopoly in this international space has been broken.

They are the ones who wish to narrate us, write us, tell our stories, but we know that oftentimes these stories are told badly; oftentimes they even make us invisible. (Luz Marina Becerra)

Historically, they have represented us, in quotes, they have spoken for us. It is extremely important to break with these dynamics, because we couldn't represent them. They are women who have been in those spaces for a long time now. (Caribe Afirmativo)

Nonetheless, this has transpired because recently, various women's groups have gained access to spaces such as the Committee. The Colombian dynamics between the center (the capital city) and periphery (the regions) have ensured that the women's movement with greatest visibility is the one in the capital city, comprised of White/mestiza women. For their part, the regional processes have progressed slower. Various barriers have made it impossible for more diverse groups of women to be able to appropriate these arenas for themselves.

There can be a lack of knowledge, because we don't have policies of inclusion in the country aimed at the peoples [and] communities in the various territories knowing about these programs, these conventions, knowing about the Universal Declaration of Human Rights. (Luz Marina Becerra)



254

Likewise, there is a flaw within the women's movement that has had the historic opportunity of participating in these spaces, related to the matter of representativeness, which triggers the problem of whether a subordinate should have a voice. All of this, together with a delimited view of intersectionality, leads to the invisibilization of Afro-descendant women that prevents them from telling their stories with their own visages and voices.

Here, the topic that's talked about is gender, but there is no analysis of the diversity that exists within gender. . . . The issue of women almost always centers on the issue of women [sic], but there is never a consideration of the Afro, indigenous, raizal, or palenquera diversity, not to mention the issue of culture. (Luz Marina Becerra)

255.

Thus, if this is added to other intersectional elements, such as sexuality or gender identity, it leads to the much greater invisibilization of some women. The Afro-descendant women remain in a type of blind spot, where their realities are not addressed, not even by the groups that work on issues of sexuality or those working on gender, nor do they have an important place on the racial agenda.

I definitely believe that the fact that the women's movement, in particular the LBT women's movement, is a White/mestizo movement has made it so that Afro-descendant LBT women are not recognized therein; not only are they not recognized, but they haven't been taken into account there . . . It's like that topic is a blind spot, with Afro-descendant women at the end of the day being neither here nor there: neither in the LBT movement nor in the Afro movement, but rather in this space where no one sees them. (Caribe Afirmativo)

256.

The women call for greater commitment on the part of the Colombian State to international bodies and to women. They also view as greatly relevant for women's organizations to be able to come together to monitor governmental actions regarding the Committee's recommendations:

The State just tweets one or two photos, it's terrible material, not even the State takes itself seriously. I felt so insulted, and I know I wasn't the only one. According to the Colombian State, it's a marvel and panacea in terms of women's rights. You see, they're not embarrassed to tell lies. They were openly lying. (Caribe Afirmativo)

257.

Additionally, the civil society organizations interviewed believe the Colombian State has not complied with the recommendations and comments made by the Committee. Due to the foregoing, they issued a call for compliance with the State's international commitments to fight discrimination against women. "The Committee has issued some recommendations and that is where our concern lies: even though the State has signed and ratified some international conventions, when it comes to complying with the recommendations, it comes up short." (Luz Marina Becerra)

258.

Given this situation of in compliance, it is essential for civil society to implement actions of follow-on and monitoring. Some organizations have committed to including in their agendas the monitoring and dissemination of CEDAW, while others do not know what CEDAW is, nor anything about the accountability mechanisms and as such, cannot perform those actions.

Last year, we drafted an article regarding the Committee's recommendations and now our tendency is to write a report on what is currently happening within the context of the pandemic, to be presented to these international committees. (Luz Marina Becerra)

Many organizations do not know what CEDAW is. On one hand, it is unknown; I think it's a matter of inequality in access to education, though I also think it's a bit related to ignorance on the part of the regions regarding these accountability mechanisms for the States, because no one has told us about them, either. (Caribe Afirmativo)

259.

Today, in the midst of the COVID-19 pandemic, the country's Afro-descendant women have seen their rights violated even further, along with the difficulty of accessing basic services such as potable water or sanitation without stable resources, little access to ICTs, threats against their lives, and an upsurge in intimate violence. The female leaders have worked to continue preserving the social fabric of their communities.

COVID-19 has pushed into the open all of these inequalities of poverty, racism, discrimination, exclusion . . . We female leaders have had to adapt to these media to be able to continue with our processes, so as to ensure that the pandemic does not become an excuse to still our voices or our struggles. We've had to reinvent ourselves.  
(Luz Marina Becerra)

260.

Faced with this complex situation, the women issued a simple call: that the State comply with the commitments it has made at the national and international levels. "We need the State to exercise political will, because there have already been many recommendations made."  
(Luz Marina Becerra)



## 4.6 Response of the Colombian State

261.

In order to know how the Colombian State has implemented the recommendations issued by the Committee in 2019, a right to request was sent, signed by Gheidy Marisela Gallo Santos, Presidential Advisor for Women's Equity. The document responded to four of the five questions posed. In this response, the Colombian State reveals that it is aware of the recommendations issued by the Committee regarding the country's Afro-descendant women.

262.

Among the actions it declared it had implemented in order to comply with said recommendations, the State highlighted the inclusion of the Equity Covenant for Women in the 2018-2019 National Development Plan, which is a cross-cutting agreement whose goal is eliminating gender gaps and creating opportunities for women. To that end, eight policy lines were developed: 1) strengthening gender institutions in Colombia; 2) education and economic empowerment; 3) care, an investment in coordination, and joint responsibility; 4) women's participation in arenas of power and decision-making; 5) promotion of sexual and reproductive rights for girls, boys, and adolescents; 6) women's right to live a life free from violence; 7) rural women as agents of transformation in the countryside; and 8) equity for women in building peace.

263.

It should be noted that greater attention was given to the State's commitment to complying with the Sustainable Development Goals, especially number five, which seeks gender equality. Based on the foregoing, Colombia's goal for 2030 is the following:

To be a country in which women and men have the same opportunities and can develop their rights in an environment free from violence and stereotypes against women. In addition, inequities between women and men associated with work, income, and participation will be reduced (pp. 3-4).

264.

The document highlighted that the Vice President of the Republic, specifically the Presidential Office on Women's Equity, has moved forward with efforts to guarantee women's rights. As achievements of the government of Iván Duque in implementing the recommendations of the Committee, the text focused on the 'Women Free From Violence' strategy, which has three pillars:

i) a mechanism for preventing and attending to violence against women at high risk; ii) territorial and sectoral targeting; [and] iii) institutional offerings for preventing, attending to, prosecuting, and reestablishing rights. This institutional offering has four principal foci: 1) violence prevention; 2) attention to and protection of female victims; 3) access to justice and judicial pursuit of aggressors; and 4) reestablishment of rights from a socioeconomic stabilization perspective of the female victims and their families.

265.

These strategies receive support from ministries and other governmental entities. Likewise, attempts have been made to implement revitalizing measures, such as creating the website [www.mujereslibresdeviolencia.gov.co](http://www.mujereslibresdeviolencia.gov.co), strengthening lines of attention, and coordinated work with territorial entities working on the issue of gender.

266.

In terms of implementing the Committee's recommendations and performing monitoring, the government affirmed that commitments were made regarding the rights of women from the Black, Afro-descendant, raizal, and palenquera communities by the office of follow-on and monitoring of the National Planning Department. This should be reflected in the design of the second phase of the National Public Policy on Gender Equality for women, a document that contains measures for including women from those populations. Additionally, the governments assured that all of the actions [it takes] are monitored by the Monitoring Group for the Implementation of CEDAW in Colombia, which brings together diverse civil society organizations in the country.<sup>52</sup>

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<sup>52</sup> The following organizations are members of this group: Católicas por el Derecho a Decidir [Catholic Women In Favor of the Right to Choose] (CDD); Cedetrabajo; Colombia Diversa; Comisión Colombiana de Juristas [Colombian Commission of Jurists]; Comisión Intereclesial de Justicia y Paz [Interecclesiastic Commission of Justice and Peace]; Corporación Casa de la Mujer [Women's House Corporation]; Corporación Colectiva Justicia Mujer [Women's Justice Collective Corporation]; Corporación Humanas; Corporación Sisma Mujer [Sisma Woman Corporation]; CLADEM-Colombia; FIAN Colombia; Iniciativa Pro Equidad de Género [Initiative Favoring Gender Equity]; Instituto Latinoamericano para una Sociedad y un Derecho Alternativos [Latin American Institute for an Alternative Society and Law] (ILSA); Mesa por la Vida y la Salud de las Mujeres [Roundtable on Women's Life and Health]; Liga Internacional de Mujeres por la Paz y la Libertad [International League of Women for Peace and Freedom] (LIMPAL); Diálogo Intereclesial por la Paz [Interecclesiastic Dialogue for Peace] (DIPAZ); Programa de Acción por la Igualdad y la Inclusión Social [Program of Action for Equality and Social Inclusion] (PAIS); Red de Educación Popular Entre Mujeres [Women's Popular Education Network] (RE-PEM); Red Nacional de Mujeres [National Women's Network] - Nodo Barranquilla, Nodo Bogotá, Nodo Bolívar, Nodo Cauca, Nodo Chocó, Nodo Manizales, Nodo Magdalena Medio, Nodo Medellín, Nodo Pasto, Nodo Provincia de Ubaté, Nodo Puerto Colombia, Nodo Risaralda, Nodo San Andrés and Providencia, Nodo Santander, Nodo Tolima, Nodo Valle [various branches of the network]; members of the Alianza por la Niñez Colombiana [Alliance for Colombian Children]: Fundación Plan [Plan Foundation], Save the Children Colombia, and World Vision Colombia.

267.

Lastly, the government declared that the adoption of Committee recommendations has enabled the guarantee in Colombia of a better quality of life for Afro-Colombian cisgender, lesbian, and trans women, all of which has been made visible, primarily by preventing violence against them. As stated in the document:

Efforts have been redoubled to prevent gender-based violence against women, including violence in institutions, lending special attention to indigenous and Afro-Colombian, rural, lesbian, bisexual, and transgender women. This is reflected in the national strategy for confronting violence against women, especially the adoption of protocols that prevent and address violence against them, particularly in the sectors of education, law enforcement, culture, and sports, among other actions already described.

## 4.7 Final reflections: Afro-descendant women in resistance

268.

Colombia has a series of historic and structural factors, making it one of the most complex countries in the region. The many vulnerabilities to which Afro-descendant women are exposed have increased due to the violence generated by the armed conflict. Poor women in Colombia's Pacific zone have been victims of sexual violence, mutilations, assassinations, forced displacement, etc., which, together with State oversight, has left the region in poverty.

269.

We see a transformation in the national reality reflected in the reports presented by the State (2013 and 2019). The conflict and its consequences are no longer at the center of the debate but rather, the migration of Venezuelans to Colombia. The foregoing might be due to various reasons, one of them being politics: the institutional discourse of President Iván Duque, whose government submitted the 2019 report, is in line with the classic discourse of rejecting the armed conflict, and his efforts have not focused on complying with the Peace Accord.

270.

It could be stated that the migration crisis eclipsed that of the country's Afro-descendant women, both in the State's official report and those presented by civil society. The foregoing is directly related to the fact that the 2019 State report, in contrast to the 2013 report, does not seek to put a spotlight on Afro-descendant women victims of

271.

the armed conflict, who continue to be victims of various forms of social, political, and economic violence and the presence of new illegal actors (such as the Gaitanist Self-Defense Forces).

The signing of the Peace Accord has not led to immediate improvements in the quality of life of a population group that has been so battered by the war. Likewise, there is currently a genocide ongoing against social leaders throughout the country, a situation the current government continues to deny, even though social organizations have attempted to increase its visibility worldwide. It is necessary for entities such as the Committee to take over these problems, with an eye to providing relevant accompaniment to the women of these communities. In the case of Colombia, Afro-descendant women have served as the spokespersons of their communities and are committed to social transformation [and] awareness raising, placing them at risk without receiving support from the State to protect them.



272.

An issue that was reiterated in both sessions by civil society was access to land by Afro-descendant women, an essential topic when speaking about the country's armed conflict. It is a deeply-rooted problem in the country's structures and one of the causes of the armed conflict. The State has not been capable of upholding the respect for the ancestral territories of Afro-descendant women, which through the decades have been at risk due to various actors of the armed conflict and today, mining and development megaprojects.

273.

Similarly, the State continues to prohibit Afro-descendant women from making decisions regarding their territories, which reveals a failure not only vis-à-vis the Constitution and law, but also various international treaties the State has signed and ratified. While the Committee has made recommendations regarding the matter, given the many conflicts surrounding access to land, this point has not been fulfilled.

274.

In light of the foregoing, the Colombian State should commit to gathering disaggregated data that provides an efficient understanding of the reality of Afro-descendant women. While State reports provide a general discussion of the benefits to which the Afro-Colombian population has had access, it is not clear, for example, which educational credits have been accessible by Afro-Colombian women. If the racial and gender gaps are to be closed, it will be necessary to understand these women's reality.

275.

In terms of the discourse of the State and some civil society organizations, a relevant analysis is not being performed of racial issues. The foregoing is seen when, on one hand only women of the Pacific area of Colombia are mentioned, thereby overlooking palenquera and raizal women, while on the other, this is seen when indigenous, rural, and Afro-descendant, disabled, etc. women are mentioned, as if they were a homogenous group. While these women can be seen as "minorities" and in some cases share experiences, they are distinct from one another and have been the targets of discrimination for different reasons.

276.

In the specific case of the country, Afro-descendant women are discriminated against due to their condition as women and because of their race. In a racist country, where in some cities a cultural inheritance of slavery persists and all things Afro-descendant are associated with poverty, a broad, deep cultural transformation is needed.

277.

Despite the fact that there are many matters that concern civil society regarding Afro-descendant women, neither the State nor the Committee are adequately addressing intersectionality. They are not talking about Afro-descendant lesbian, bisexual, or trans women, for example. These women experience triple discrimination and are made doubly invisible by society and the State. It is necessary to go into greater depth regarding the multiple identities that can intersect in the bodies of Afro-descendant women, the specific problems they have due to their gender and race, and even the violence to which they are exposed by a patriarchal, racist system.

278.

Afro-descendant women issue a call on the State to effectively comply with the commitments it has made at the national and international levels. In addition, eliminating all forms of discrimination against Afro-descendant women requires the State to commit to disseminating the Committee's recommendations and creating spaces for socializing [information] with Afro-Colombian civil society organizations.

279.

To complement the foregoing, and in the event of an absence of political will by the State, women's organizations should create spaces for socializing and monitoring the Committee's recommendations. Educating people regarding these issues can be essential in the State fully complying with the Committee's recommendations.



Lastly, the crisis produced by COVID-19 has revealed the violations suffered by Afro-descendant women. Currently, they are the ones in this country who are fighting two pandemics: the virus and the systematic assassination of male and female social leaders. These women, who carry the weight of their communities and families on their shoulders, issue an ongoing call for succor to the State, which has yet to be answered appropriately.

## 4.8 Recommendations

### 4.8.1 Recommendations to the State

- a. Implement a public policy of gender equality with a specific budget and intersectional vision that includes Afro-descendant cisgender, lesbian, bisexual, and trans women.
- b. The government tends to make reference to Afro-descendant women from the Pacific area of Colombia, while overlooking palenquera and raizal women.
- c. The government should comply with the ethnic focus of the Peace Accord, and should entail the active participation of Afro-descendant civil society, especially Afro-descendant cisgender, lesbian, bisexual, and trans women. In addition, the security and wellbeing of female Afro-descendant leaders in all of their diversity should be guaranteed.
- d. It is necessary that in future reports it submits to the Committee, the Colombian State provides disaggregated data on the reality of Afro-descendant cisgender, lesbian, bisexual, and trans women.
- e. The Colombian State should heighten the visibility of the realities of Afro-descendant cisgender, lesbian, bisexual, and trans women in their reports.
- f. Despite the current situation in the country, Afro-descendant women cannot be overlooked in the reports, as they have differentially suffered as a result of the armed conflict and conditions of inequality that persist in their communities.
- g. Offer in future appearances before the Committee, reports on how the pandemic was managed in the communities of Afro-descendants and how it has complied with the recommendations that have been made.

#### 4.8.2 Recommendations to civil society

**a.** The groups and collectives of White/mestiza women should offer their spaces – many of which are a product of dynamics of privilege – to permit women who have historically been violated and/or from the regions to have their own voice.

**b.** Create spaces for dialogue and coordination among Afro-descendant and White/mestiza women.

**c.** Strengthen capacity, so as to ensure that more groups of Afro-descendant cisgender, lesbian, bisexual, and trans women are able to participate in international advocacy spaces such as the Committee.

**d.** Understand the differentiated manner in which experiences and violence have affected Afro-descendant cisgender, lesbian, bisexual, and trans women, and the fact that they are directly related to structural racism, machismo, lesbophobia, and transphobia.

**e.** Heighten the visibility of Afro-descendant lesbian, bisexual, and trans women's realities.

**f.** Monitor the way in which and whether the State complies with the Committee's recommendations.

**g.** Include in the organizational guidelines the monitoring of the recommendations and comments the Committee offers to the State.

#### 4.8.3 Recommendations to the Committee

**a.** Recommend to the State that it not lose focus on the country's Afro-descendant women, specifically those social leaders whose lives might be at risk due to the violence that besets the country.

**b.** Observe the realities of Afro-descendant women in a differentiated manner, with the understanding that the structural racism and violence directed against Afro-descendant communities has made true equality impossible.

**c.** Ask the State to comply with the recommendations that have been offered regarding Afro-descendant women.

**d.** In future reviews of the Colombian State, monitor the violence committed against Afro-descendant women by new groups outside the law.

**e.** Request disaggregated information from the State on Afro-descendant lesbian, bisexual, and trans women.

5

# CEDAW in CUBA



## 5.1 Introduction

281.

The Republic of Cuba is an island nation located in the Antilles in the Caribbean Sea measuring 110,860 km<sup>2</sup> with a population of approximately 11,193,470 people, 5,629,297 of whom are women (ONEI, 2019). It is estimated that 26% of the Cuban population is mulatto and 9% is Afro-descendant (Alfonso, 2020), making it the country with the second-highest Afro-descendant population in the region (González, 2020).

282.

Gaining an understanding of the Afro-descendant population on the island is a complex matter, given the government's refusal to recognize racist structural problems that endure in Cuba. The foregoing [is necessary], beyond the institutional discourse regarding the elimination of racism after the triumph of the revolution in 1959 and the social policies implemented on a national scale. Thus, it is possible to affirm that "both at the social level as well as on the part of the authorities, there is resistance to recognizing racial discrimination" (González, 2020, parag. 23). As such, it is difficult to know precisely, through official data, the deficiencies in rights faced by this population on a daily basis.

283.

Nonetheless, Afro-Cuban activists have repeatedly denounced to international bodies the precarious nature of their existence as Afro-descendants on the island. In a 2017 appearance before the Inter-American Commission on Human Rights (IACHR), "the International Institute of Race, Equality, and Human

Rights and the Comité Ciudadano por la Integración Racial [Citizen Committee for Racial Integration] (CIR) noted that the inequality of opportunities in the country generates poverty and social, economic, and cultural marginalization" (EFE, 2020c, parag. 2). In this first instance, the organizations emphasized the labor discrimination experienced by the Afro-Cuban population and the existence of enduring racial stereotypes on the island.

284.

According to the report presented by the Plataforma Feminista [Feminist Platform] (2019), violence against women is serious: not only must they confront violence on the part of the State, but also intrafamily gender-based violence. Said report goes further, noting that the Cuban State is an accomplice to the intimate violence suffered by women, who in many cases are revictimized by State agents who ask for proof from the victims and when none is available, can fine them. Likewise, female human rights and gender activists have denounced the systematic violence to prevent their meetings or joint activities.



285.

Violence against women and the ignorance of the Cuban State regarding this problem only serve to increase the vulnerability to which women are exposed. In addition, the absence of official statistics hides Cuban women's reality. It is common for gender-based crimes in Cuba to be classified as another type of crime, making it practically impossible to have accurate figures (Cubanet, 2020).

286.

Notwithstanding, despite the scarce data available and existing underrecording, the major causes of homicides of women are gender-based crimes. According to data from the Santiago de Cuba Department of National Statistics, women are the victims of 39.9% of the homicides in the country and 70% of these were victims of femicide (Seguí, 2020). Therefore, violence against women should be seen as one of the principal problems facing the island.

287.

In addition, Afro-descendant women are targets of differentiated violence: not only are they impacted by structural racism that can affect their access to employment, but also gender-based violence. Likewise, there is a gap between Afro-Cuban and non-Afro-Cuban women reflected in access to education and employment, income disparity, and greater marginalization (IPS Cuba, 2020). That is, direct violence is not the only thing that weighs on the bodies of Afro-Cuban women, but also structural and symbolic violence, such as race-based stereotypes (IPS Cuba, 2020b).

288.

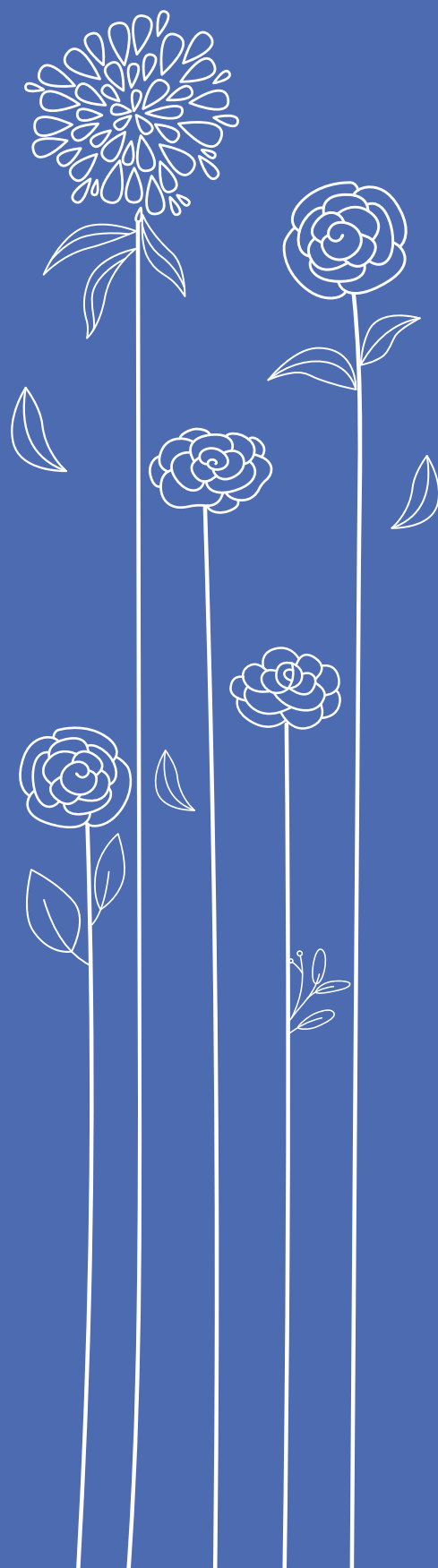
Similarly, Afro-descendant trans persons and lesbian women on the island are the targets of double and even triple violence: "In public, work, and familial spaces, lesbians and transexuals are doubly violated in Cuban society, due to their sexual orientation and gender identity" (*Periódico Cubano* [Cuban Newspaper], 2020, parag. 1). In addition, lesbian women are abused when they do not obey patriarchal mandates; as such, they are the targets of violence of various kinds. Trans women, meantime, are the principal victims of labor discrimination by being relegated to sexual work (*Periódico Cubano*, 2020). In addition, the authorities on the island do not pay sufficient attention to the cases of intimate or domestic violence experienced by lesbian and trans women (*Proyecto Palomas* [Doves Project], 2020); as such, measures are needed to guarantee equality in sex-gender-diverse women's access to their rights.

289.

While Cuba does not yet have a law on gender-based violence that regulates femicide, nor has it legalized same-sex marriage, it would appear that the regulatory system in favor of women is very extensive. Since the 1980s, Cuba has been a pioneer in the inclusion of regulations promoting gender equality within the workplace; for example, Law 49 of 1984. Currently, Article 42 of the new Constitution references equality among all residents of the island. Moreover, the following article (43) incentivizes equality in all aspects of social life between men and women. Additionally, there are a series of laws and decrees that regulate maternity and paternity leave. In addition, in contrast to many countries in the region, Cuba currently has two Afro-descendant women in Parliament.

290.

All of the foregoing reveals a regional constant: the dissonance between the laws and reality. Afro-descendant cisgender, lesbian, and trans women are victims of different types of violence that arise due to their identities that are manifest simultaneously in the same body. Without effective actions and recognition on the part of the government and State actors of these women's needs and realities, gender equality will never become a reality.





## 5.2 The State before the Committee

291.

Over the last decade, the Cuban State only came before the Committee on one occasion, during its 55th session held in 2013. In its report, which combines the seventh and eighth reports, the State issues a reminder that it was the first to sign CEDAW and second one to ratify it. Prior to this, the last time Cuba appeared before the Committee was in 2006. According to the report, the State performed extensive work to disseminate and implement the recommendations that had been offered at that time.

292.

In this report, the Cuban State affirmed it is the guarantor of rights and offers women opportunities for a decent life, by being the only country in the region where the average lifespan of Cuban women is 80 years. Various articles of the Constitution are cited (42, 43, and 44) to reaffirm the equality of conditions between men and women, as well as declaring that workshops have been held and numerous laws in favor of equality have been enacted. Likewise, the State reiterated its commitment to the United Nations Charter and Beijing Conference. The State also declared it covers 100% of its residents' social security.

293.

In terms of the fight against discrimination, as of the date of the report actions had been taken, such as creating an inter-disciplinary group led by the Ministry of Justice comprised of the *Federación de Mujeres Cubanas* [Federation of Cuban Women],

Ministry of Labor and Social Security, UNJC, FGR, and TSP. The National Action Plan to Follow Up on the Beijing Conference believes the State has progressed in the implementation of actions against discrimination based on race and sex. It furthermore affirmed that cultural transformations have taken place in Cuban society that have modified traditional female and male roles. One of the means employed for this transformation has been education.

294.

Nonetheless, despite discussing this progress, the report did not present any specific information regarding Afro-descendant women in the country, nor disaggregated data regarding their situation vis-à-vis the rest of the populace, or information on the reality of the country's lesbian, bisexual, and trans women.



### 5.3 Alternative Reports presented by civil society

295.

For this section, only those Alternative Reports submitted by civil society that directly address the issue of Afro-descendant women are taken into account. Of the more than 10 “alternative” reports, many were generated by organizations close to the government and only one addressed the issue of Afro-descendant women.

296.

The report from Cubalex, an organization that provides guidance in legal and human rights matters for nationals and foreigners, called for laws that explicitly define what is meant by discrimination against women, despite the classification of discrimination as a crime in the Criminal Code. Due to the foregoing, this organization asked the State for disaggregated information regarding those judicial cases related to this crime whose victims are women.

297.

Furthermore, this report has a section entitled ‘Afro-descendant Women’ that is greatly relevant, in light of State silence regarding the situation of race-based discrimination in the country, given that as of the report date there were no disaggregated statistical data based on self-identification, with those performing the survey being the ones who in the national censuses classify the population according to their perceptions. According to the foregoing, Black and mulatto women constitute 17.2% of the population, which would be 34.5% of all women. These women, declared the report, experience triple discrimination due to their sex, race, and state of poverty. They live in marginalized areas; more than 70% of them are older than 15; and only 30% are economically active. Given that official statistics do not reveal the needs of Afro-Cuban women, Cubalex asked the Committee to recommend to the Cuban State [to gather] disaggregated information with a gender-based focus to get a sense of the reality of these women and thus be able to design relevant public policies.

298.

It is important to highlight that this report denounced the triple discrimination experienced by Afro-descendant lesbian, bisexual, and trans women in the workplace. They tend to be victims of mistreatment by being called “*machorras*” [butch/tomboy], treated differently from their other female colleagues, hold jobs that require greater physical effort, [and] experience harassment that can lead them to ask for leave from work. This leads to greater social marginalization of these women. The violence toward these women not only occurs in the private realm, but is also committed by State civil servants who verbally and physically attack Afro-descendant sex-gender diverse women, including deeming two women showing affection to be a disturbance of the peace. This disincentivizes denunciations of intimate violence among LBT women. This report also denounces State abuses against female Afro-descendant political prisoners and victims of State-imposed evictions.

## 5.4 Observations of the Committee

299.

For this session, the Committee did not emphasize the problems of Afro-Cuban women or of Afro-Cuban lesbian, bisexual, and trans women, despite the warning calls issued by Cubalex. Nonetheless, it did recognize the state of vulnerability in which Afro-descendant women exist.

300.

In one section, named ‘Disadvantaged Groups of Women,’ the Committee indicated its concern for the state of rural, Afro-descendant, older, and handicapped women: they confront obstacles to accessing basic rights, including education, sanitation services, and political participation which, together with the lack of disaggregated statistical data, make it impossible to offer policies and programs for improving the quality of their lives.

301.

For this reason, the Committee called for the need to offer updated data disaggregated by sex, age, race, ethnicity, etc. The Committee urges the State to gather disaggregated data with an eye to formulating and executing policies and programs that reflect the reality of all women on the island, and thereby eliminating all types of discrimination.

302.

In addition to the foregoing, the Committee urged the Cuban State to adopt temporary measures to guarantee the rights of Afro-descendant women and other vulnerable groups; develop educational programs targeting negative, including racial, stereotypes; [and] promote the political participation of Afro-descendant and rural women through temporary measures that accelerate these women's involvement in politics. The Committee expressed concern regarding the high rate of abortion and low quality of and education surrounding birth control, especially for vulnerable groups such as Afro-descendant women.

## 5.5 Considerations of civil society

303.

*In order to draft this section, we spoke jointly with Juana*<sup>53</sup> and Marthadela Tamayo. Juana works with poor, Black, and mestiza women who have been victims of violence. She helps them in processes to gain recognition of their rights. Marthadela Tamayo is a member of the *Comité Ciudadano por la Integración Racial* [Citizen Committee for Racial Integration] (CIR), which has defended male and female Afro-descendants for more than 13 years.

304.

We then held a conversation with Laritza Diversent, a lawyer and founder of Cubalex, an organization that provides legal assistance to Cubans. One of the principal activities, since its creation in 2010 has been drafting thematic reports for use in advocating for the defense and promotion of human rights. Since 2016, Laritza has been in the United States, where she emigrated for security reasons.

<sup>53</sup> Juana is a pseudonym utilized to protect and guarantee the wellbeing of the Cuban activist interviewed.

305.

Laritza had the opportunity to attend the 55th session of the Committee, the last time the Cuban State was present, in 2013. This represented a precedent for her and for the State, in that it is not common for organizations not working with the [Cuban] government to attend.

My experience in 2013 – I believe that for the first time an independent civil society organization directly participated in a Committee session. Prior to this session, all of the organizations that participated in these meetings at least had received support from the government. (Laritza Diversent)

306.

The little presence of independent Cuban civil society organizations in the Committee[’s sessions] has been due primarily to the little knowledge on the island regarding CEDAW and the lack of resources for submitting a report to the Committee in Geneva:

To get to these places, one needs a lot of support, because we know all of the restrictions placed on us independent civil society organizations by the government. (*Juana*)

We were able to present before the IACHR, thanks to the support of international aid agencies and Race and Equality, which was the one that took us there. Otherwise, we wouldn’t have done it because we didn’t have the wherewithal to do so; that is, neither the mechanism nor the tools to be able to present the report. (*Marthadela Tamaño*)

According to the accounts of these activists, ignorance regarding CEDAW is very widespread. Likewise, there is a certain degree of distrust, in light of how close the State is to the Committee. That, together with the little openness of governmental spaces that should deal with the matter of gender, produces ignorance of and disinterest in this international body. Therefore, one sees an elite group, comprised of the Federation of Cuban Women, an organization close to the government that enjoys greater access to spaces such as the Committee.

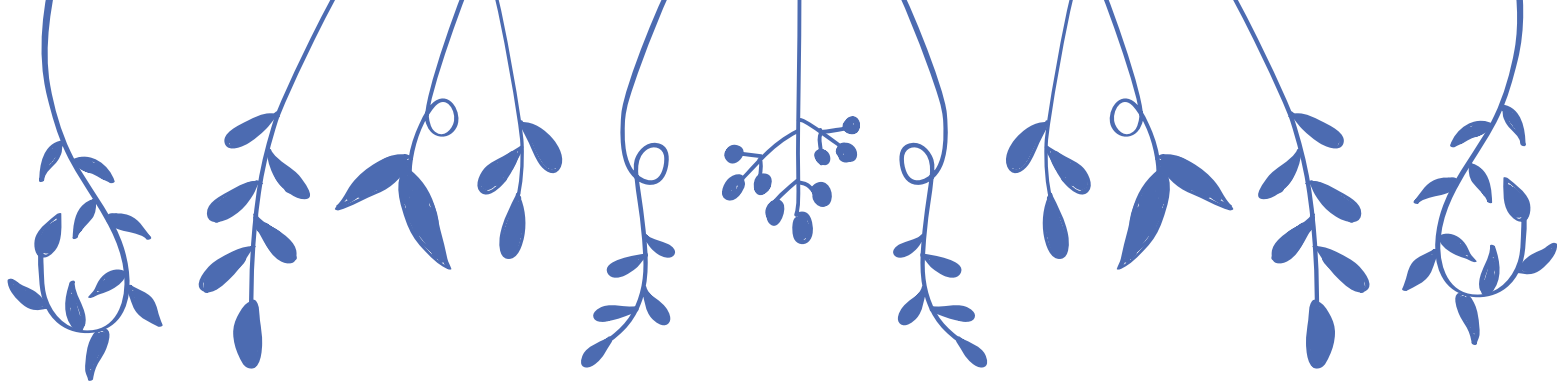
307.

There’s like a marriage between CEDAW and the Federation of Cuban Women, which is the official organ . . . If the Federation of Cuban Women were to perform the kind of work it sells in the international arena, like the kind where it explains and declares that everything is very well, that all of us are happy and we go to the field walking, filled with roses, well truly I believe that many women do not know what the Committee is and how to get there. (*Marthadela Tamaño*)

In the 55th session of the Committee, Laritza feels the State delegation was resistant to her, as she acted in her role as a member of independent civil society. As such, she avoided meeting with said delegation inside the venue. This tension reached its height when she was not permitted to enter the space where the interactive dialogue was being held. In addition, the Cuban civil society organizations did not wish to allow her to speak when it was the turn of civil society to make its intervention.

The secretary of the Committee kindly asked us to not participate in the interactive dialogue portion between the Committee and Cuban State. We had to view it on a webcam. . . . When it was Cuba's turn, the Cuban delegation used the three minutes for itself; nonetheless, the same expert on the Committee who had spoken to us during the private meeting spoke with the president [of the Committee], telling her that there was one Cuban organization that had not yet spoken, and she gave us the opportunity to speak to them for one minute. (Laritza Diversent)





309.

While the report produced by Cubalex mentioning the state of Afro-descendant women on the island was presented in this session, there were few comments issued by the Committee on the issue. For Laritza, this in and of itself represented significant progress, given that it was the only report presented by civil society containing a discourse that differed from the government's.

The advocacy before the Committee was going to be hugely challenging. We had already been observing and reading the prior reports issued by this Committee to Cuba and the recommendations seemed to us to be ridiculous, and look, although they appeared to be small there, what the Committee did, those little things; the fact that we were already speaking amongst us women that there is a situation with Afro-descendant women, and Cuba was asked for disaggregated statistical data by race, that represented incredible progress ... Despite being lukewarm, it was an incredible step as compared to the previous ones.  
(Laritza Diversent)

310.

Since the Cuban State's presentation to the Committee, little has changed for Cuban Afro-descendant women. Similarly, the State has done little to socialize the recommendations and comments the Committee made in 2013. Given all of this, Cuban women do not realize they have an international tool for guaranteeing their rights.

311.

Furthermore, Cuban women have noticed a lack of political will to develop regulations and policies that can guarantee women's rights in general and those of Afro-descendant women in particular. Without regulations on gender-based violence, for example, women feel they are exposed to the machistic violence that besets the island.

Cuban women on the street, ordinary women, don't know about CEDAW; they don't even know what CEDAW is. That's the fault of the establishment and the Cuban government. There's no visible, real work being done to tackle women's problems in terms of gender-based violence. There's no work being done to educate women. (*Juana*)

Not even one of the legal regulations that were presented in the legislative calendar through 2028 dealt with gender; not even one law that benefits us Afro-descendants. That is, those two issues remain dormant. And if they are to be governed by the legislative schedule, we will have to wait until 2028 for a gender law to be passed. (*Marthadela Tamaño*)



312.

Notwithstanding, this invisibility is not new; rather, it is part of an historic problem. The issues related to Afro-descendant women are eclipsed by others on the island. Even within women's groups, there is no intense discussion being held regarding Afro-Cuban women. It is thus that these women have had to insert their agenda into public discussions, which has been difficult due to racist and machistic structures in society.

The issue of Afro-descendant women continues to be an invisible topic within the larger issue of the state of women that could be discussed right now, even groups within Cuba that could be talking about women. Very little is being discussed about Afro-descendant women. (Laritza Diversent)

313.

In the midst of the crisis produced by COVID-19, the complex realities experienced by Afro-descendant women have increased. The scarcity that has affected the entire society has impacted women differently, as explained by Marthadela:

We have seen that everyone stands in a queue, but within the entire populace, it's in fact we women who continue struggling in the midst of this vulnerability. . . It's just that the most minimal thing a woman might need – like a sanitary pad – we can't get. (Marthadela Tamaño)

314.

Lastly, within the framework of these experiences of invisibility produced by the State and allied civil society organizations, and of resistance by Afro-descendant women, a call is made regarding the need for education: education for public servants who should ensure the implementation of CEDAW, as well as for women, to enable them to demand their rights.

First, we need education, from childhood through to adulthood. Education for governmental actors and civil servants, as well as for the women themselves, so they will know their rights. The other thing is, that laws need to be developed that are centered on gender equality.  
(Juana)

## 5.6 Final reflections: complicity

315.

In its report, the Cuban State completely ignored Afro-descendant women, who have been key to the country's historic and social development. Afro-Cuban traditions have been greatly relevant in positioning the country before the world. Nonetheless, upon reviewing this official report, it would appear they do not exist.

report, Cuba simply discussed women in general, occasionally making reference to a few specifications; however, by not addressing the Afro-descendant issue, the State not only invisibilizes it but also becomes an accomplice in ensuring that racial structures of inequality continue to be in force.

316.

The elimination of a population group of such relevance can be explained, whether it be due to structural racism, an attempt to standardize women's realities, and/or ignorance regarding the Afro-descendant population. In this



317.

This situation is aggravated when one peruses each of the civil society reports, wherein one can clearly see the similarity of the discourse. The majority of these reports limit themselves to listing the government's achievements, though do not assume a critical position regarding the elements that can be improved. Without objective feedback from civil society, the existing problems cannot be resolved.

318.

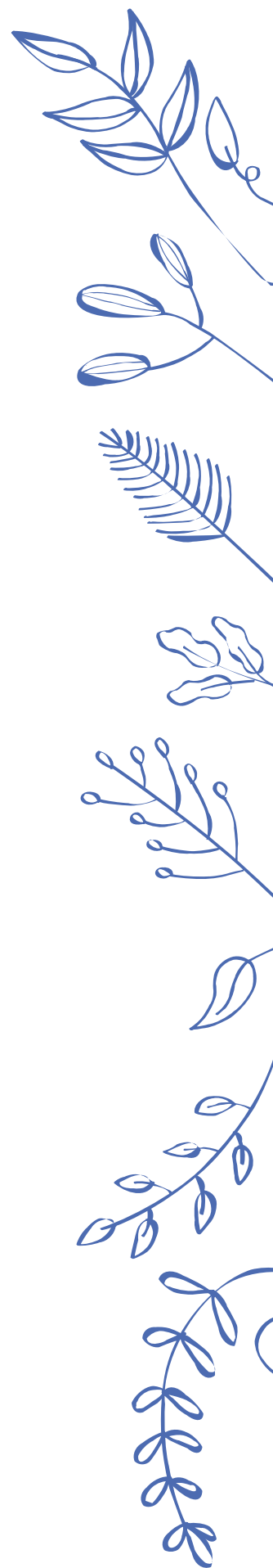
It is important to understand that spaces like the Committee are not simply for demonstrating the significant progress made by the States but rather, to create a dynamic of dialogue and reflection that effectively enables the elimination of all forms of discrimination against women. Dialogue should be permitted with various civil society actors to enable there to be a broad vision of reality.

319.

Together with the foregoing, it is necessary for civil society, as well as the Committee, to issue more specific calls to action and recommendations for the Cuban State. Other than Cubalex's report, there was no true feedback offered to the Cuban State. All of this can provoke, as some independent civil society organizations in Cuba have declared, mistrust among United Nations organs, which settle for the official versions.

320.

Therefore, if the Cuban State does, in fact, wish to eliminate all forms of discrimination against women, it should get to know them, and this can only be done by gathering disaggregated data that reflect Afro-Cuban women's reality. Additionally, it is necessary to make them visible, praise their customs, and respect their traditions. The coloniality of power has permeated State structures, thereby normalizing a racist society wherein Afro-descendant women are violated for being women and due to their race.



321.

It is very important that civil society carry out advocacy actions urging the State to make known the Committee's recommendations and perform follow-on and monitoring. In the interviews performed, some organizations exclusively blame the State for the widespread ignorance regarding CEDAW and the Committee's recommendations; notwithstanding, this is also the responsibility of civil society.

322.

Having the opportunity to socialize with other organizations basic aspects such as what CEDAW is, what the Committee does, and what the recommendations are for represents a first step in advocacy. Furthermore, organizations including in their agendas the issue of evaluating and monitoring compliance with these recommendations by the Cuban State can entail the latter implementing the Committee's recommendations. While the State has an obligation to the Committee to socialize its comments, civil society has an obligation to educate other Afro-descendant organizations and leaders regarding these matters.

323.

It is recommended that the Committee be capable of specifically seeing these organizations whose discourse is not in agreement with the government. If the report presented by Cubalex during this session is reviewed in detail, one finds a series of requests it asked the Committee to make to the State, which were omitted. For example, the Committee did not reference violence against female activists, the mistreatment of Afro-descendant women by State agents,

or the triple vulnerability experienced by LBT women.

324.

Likewise, the Committee, in its recommendations, did not view Afro-descendant women differentially but rather, grouped them together with rural, handicapped, and other women: the so-called 'minorities.' These women only share the fact that they are not part of the hegemonic forces but rather, victims of different forms of discrimination.

325.

Despite being undeniable that Cuba was a pioneer in women's rights when it signed and ratified CEDAW, currently its efforts to guarantee real equality between men and women, specifically Afro-descendant women, has not be at the level of what it disseminates. Women's groups have been pressing for years for a gender law and the classification of femicide as a crime; however, this has not been one of the State's priorities.

326.

Therefore, entities such as the Committee should be resolute when making recommendations that seek to effectively guarantee the elimination of all forms of discrimination. Afro-Cuban women cannot continue within the discourse of otherness, wherein they are seen as "the others" or "the minorities." These women deserve recognition, in order to break the racist and machistic structures that do not allow them to gain full access to basic rights such as education and decent work.



## 5.7 Recommendations

### 5.7.1 Recommendations to the State

**a.** The Cuban State should provide disaggregated information on the reality of Afro-descendant women on the island.

**b.** The State cannot invisibilize the country's Afro-descendant women. In future reports, it is important to mention their realities.

**c.** For its next presentation to the Committee, the Cuban State should create spaces in which to listen to the voices of Afro-descendant women who are members of independent civil society, with an eye to developing reports that are more critical and realistic.

**d.** Socialize amongst various sectors of civil society what CEDAW is and the recommendations made by the Committee.

**e.** Comply with the recommendations made by the Committee regarding racial matters.

**f.** Guarantee the ability of civil society to participate in international spaces without reprisals.

**g.** Comply with the recommendations made by the Committee, despite the fact that they are not directly related to institutionalized governmental discourse.

### 5.7.2 Recommendations to civil society

**a.** Create spaces wherein to socialize what CEDAW is and the recommendations the Committee has made to the Cuban State, with an eye to performing advocacy.

**b.** b) Strengthen the capacity of Afro-descendant women's organizations, to enable them to carry out advocacy in international spaces such as the Committee.

**c.** Generate strategies for monitoring the recommendations issued by the Committee to the Cuban State.

**d.** Civil society organizations that are close to the government should have a critical view of women's realities. This will not endanger the State but rather, to the contrary, will create strategies for improving the lives of all women in the country.

### 7.3 Recommendations to the Committee

- a. The Afro-descendant issue cannot only be addressed in the section “Disadvantaged Group of Women.” This does not provide a deep dive into an intersectional perspective and ignores the problems described by civil society. As such, it is important that the Committee is able to depend on the recommendations and work of other human rights organizations, to ensure that the intersectional analysis can be addressed in a complex manner.
- b. When there are reports that mention women’s intersectional realities, such as the Cubalex report that was presented regarding the state of Afro-descendant lesbian, bisexual, and trans women, the Committee should visibilize them.
- c. Ask the State for information regarding how it has complied with the recommendations made.

6

CEDAW in  
**MEXICO**



## 6.1 Introduction

327.

The United Mexican States, the official name of Mexico, is a North American country measuring 1,964,375 km<sup>2</sup>, making it the third largest country in Latin America. According to the 2015 census performed by INEGI (2020), this country had a total of 119,938,473 residents, and it is estimated that by 2020 it will have a population of 1,964,375, 50.7% of whom will be women (Countrymeters, 2020). According to data from the aforementioned census, 1.2% of the Mexican population defined itself as Afro-descendant, 705,000 of whom are women.

328.

Much like other countries in the region, the Afro-descendant population is among the groups with the least amount of schooling, greatest poverty, and least access to potable water as compared with the nation as a whole (INEGI, 2015). Likewise, they live primarily in the states of Guerrero, Oaxaca, and Veracruz, with Guerrero having the largest such population, where they represent 7% of residents. Oaxaca and Guerrero comprise an area wherein is “prevalent the same inequality and poverty that also characterizes the rest of the areas where the Afro-Mexican population lives” (CNDH, 2016, p. 22).

329.

Currently, one of the central problems experienced by this population is ignorance on the part of the government and their own compatriots. The Afro-Mexican population has struggled against symbolic, structural, and direct violence, such as the systematic elimination of their history, which has reached the point of [other Mexicans] thinking that Afro-descendants in the country are foreigners (Gregorius, 2020). This population confronts social and economic marginalization on a daily basis that are an inheritance of the coloniality of power. The Afro-Mexican population is not recognized as a people, despite its historic origin and cultural particularities, due, among other things, to not having their own language (Gregorius, 2020; CNDH, 2016).

330.

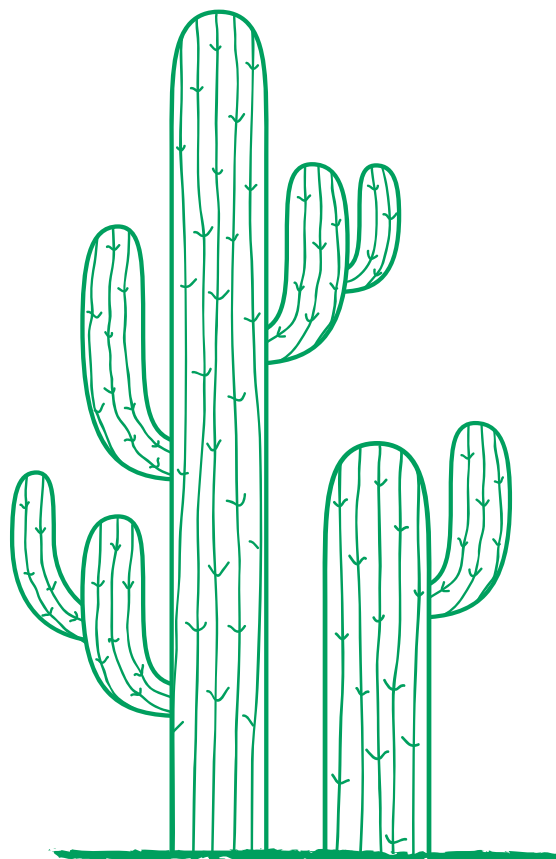
Mexico is a country with a high rate of violence against women, reflected in the fact that six out of every 10 Mexican women say that at some point in their lives they have been the victims of violence, with 41.3% having been victims of sexual violence, while nine women on average are assassinated daily (UN Women, 2018). In 2019 alone, 976 cases of femicide were recorded throughout the country (*La Vanguardia* [The Vanguard], 2020b).

331.

In the case of Afro-Mexican women, they experience violence due to being women and because of their race, which additionally includes symbolic and structural violence. The invisibilization, hypersexualization, and ignorance of their reality, together with the lack of a budget for governmental policies and actions enabling decent lives, make these women's life experiences precarious. Afro-Mexican women declare that “we suffer from sexual, obstetric, [and] economic violence, among others; the fundamental thing is that we want to be a part of affirmative actions to ensure ‘right living’ for Afro-Mexican women [*el buen vivir*]” (*Milenio* [Millennium], 2020, parag. 8). It should be noted that the tendency in Mexico is to exclude Afro-descendant women from governmental programs and public policies, and no program exists that is especially aimed at Afro-Mexican women (Equix, 2014). In addition, the illiteracy rate of these women is 8.4%, higher than the national average (Afrofeminas, 2020).

332.

While the situation of invisibilization of Afro-Mexican cisgender women is a reality, in the case of Afro-descendant lesbian and trans women it is even greater. No precise data exist on the violence and discrimination that press upon these bodies; however, if it follows regional trends, it is to be expected that due to intersectional vectors of vulnerability that overlap in these women, the violence and discrimination they experience could be very high in a country with high rates of hate crimes committed against the LGBTI population. It is estimated that at least 743 LGBTI persons were assassinated during the administration of Enrique Peña Nieto, 55% of whom were trans women and nine were femicides of lesbian women. It should be noted that while the focal points of homicides of LGBTI persons are those states with the largest populations of Afro-descendants – Veracruz with 43 assassinations and Guerrero with 39 (*Letra S* [The Letter S], 2019) – it is unknown if any of the victims were Afro-descendants.



333.

While the regulatory progress has not been great in matters of gender and gender identity in this country, there have been some milestones in this area. 2017 marked a decade since the passage of the national law providing women access to a life free from violence, which classified femicide as a crime. Abortion is legal in all Mexican states on certain grounds. Same-sex marriage is legal in 19 states and nine permit adoption by same-sex partners.

334.

As such, Afro-Mexican women not only need greater social and cultural recognition, but also legal and political recognition. Visibilizing them is essential to their recognition. Including them in public debates is key, not only as a way to recognize their existence and settle a historic debt of discrimination, but also to understand what their needs are, so as to guarantee them decent lives. Similarly, it is necessary to learn about the state of Afro-descendant women with intersectional identities (trans, lesbians, poor, handicapped, etc.) so that the lessons that are implemented are coherent with their demands.

## 6.2 The Mexican State before the Committee

335.

Over the course of the last decade, the Mexican State came before the Committee on two occasions. The first time was during the 52nd session in 2012, and the second in the 70th session in 2018.

### 6.2.1 Report presented in the 52nd session (2012)

336.

On this occasion, Mexico jointly presented its seventh and eighth reports to the Committee, covering the period 2006-2010. The State presented its progress regarding women's rights and the work done to eradicate discrimination. It is noteworthy that the report was produced hand-in-hand with various actors and sectors and was coordinated by the National Institute of Women (INMUJERES). Among the progress presented, of particular note are the frameworks resulting from the General Law on Equality between Women and Men and the General Law on Women's Access to a Life Free From Violence. It also notes the creation of a



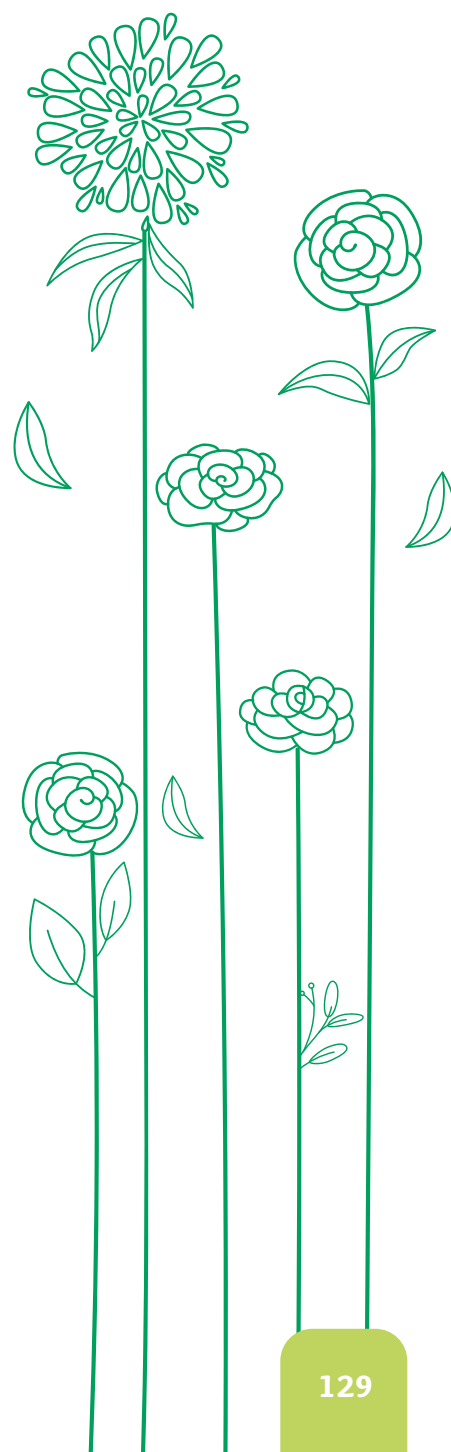
Commission to Monitor and Comply with CEDAW, which is a part of the National System for Equality of Opportunities between Women and Men (SNIMH). A novel aspect of this commission is a virtual and interactive space. Emphasis is also given to the strengthening of the legal, regulatory, and institutional systems in favor of equality.

337.

The report highlighted the struggle for equality and anti-discrimination from the national sphere all the way down to the federative entities [states]. This is reflected in the Constitution, whose Article 1 prohibits discrimination and adopts the definition of discrimination found in CEDAW, which has been harmonized with state laws. To that end, by May 2010, 22 federative entities had included the principle of equality in their constitutions; 16 states had laws to prevent and eradicate all forms of discrimination; 13 federative entities had classified discrimination as a crime; and 19 had laws on the equality between men and women.

338.

Nonetheless, despite this progress, Afro-Mexican women were completely invisible in the report. The only space in which race is mentioned is with regard to the right to work, where Article 3 of the Federal Labor Law is mentioned, which affirms that work is a right and social duty and that distinctions cannot be established based on race, sex, [or] age, among other motives.



### 6.2.2 Report presented in the 70th session (2018)

339.

The ninth periodic report was presented by Mexico to the Committee during the 70th session in July 2018. The report asserted that since 1981 CEDAW has represented a roadmap for creating public policies and the struggle against discrimination. To generate this report, information was utilized from organs at the federal and state levels, legislative and judicial organs, civil society organizations (convened in three fora), and experts in the field.

340.

The Mexican State highlighted the development of legal-regulatory strategies, public policies, and programs favoring equality, especially emphasizing the National Policy on Equality (PNI) and National Program for Equality of Opportunities and Non-Discrimination against Women (PROIGUALDAD) 2013-2018. The report noted that 84% of PROIGUALDAD's lines of action derive from commitments made by the State to international instruments such as CEDAW (109 of 314 lines), the Beijing Platform for Action (154 lines of action), as well as the Regional Consensus of Quito, Brazilia, and Santo Domingo, Convention of Belém do Pará (CBP), and Consensus of Montevideo.

341.

Despite these apparent commitments made by the Mexican State to comply with international platforms and the struggle against discrimination, the Afro-descendant matter was practically invisible in the report. Only one mention was made when speaking of the cross-cultural healthcare model for indigenous peoples and Afro-descendants. This model of healthcare attends to 230 health jurisdictions with indigenous populations, with speakers of indigenous languages hired in 2015 to provide support for obstetric services. However, once again, similar to the previous report, no mention was made regarding the situations, realities, and experiences of Afro-Mexican women, thereby invizibilizing them in this report.



## 6.3 Alternative Reports presented by civil society

### 6.3.1 Alternative Reports presented by civil society in the 52nd session (2012)

342.

Despite the fact that the organizations that participated in this meeting addressed different forms of violence experienced by women in Mexico and that it is impossible for them to enjoy equality, in addition to the many forms of discrimination women face, no report made reference to Afro-Mexican women.

343.

The majority of the reports tried to provide an intersectional perspective by including the indigenous angle, while omitting the issue of Afro-descendant women. The report presented by women's organizations<sup>54</sup> in the states of Guerrero and Morelos with support from FIAN International mentions *campesina*, indigenous, and rural women, while not specifically addressing the issue of Afro-Mexican women.

### 6.3.2 Alternative Reports presented by civil society in the 70th session (2018)

344.

More than 30 Alternative Reports were presented in this session by civil society dealing with issues such as abortion, handicapped women, migration, violence, situations in the States, LBT women, sexual torture, handicapped indigenous women and rural indigenous people, female domestic workers, indigenous women's political participation, forced disappearance, sexual and reproductive rights, inequality in the media and ICTs, [and] female sexual workers, among others. Despite the high number of organizations and diverse and specific topics [addressed in the reports], only two reports mentioned Afro-Mexican women.

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<sup>54</sup> The following organizations produced this report: Colectivo de Mujeres Campesinas de la Costa Grande [Collective of Women Campesinas from Costa Grande]; Coordinadora de Madres Solteras [Coordinating Body of Single Mothers] (Atoyac); Colectivo de Mujeres Indígenas Pascala del Loro [Pascala del Loro Collective of Indigenous Women]; Organización Campesina de la Sierra del Sur [Campesino Organization of Sierra del Sur]; Red Estatal de Salud [State Helath Network]; Unión de Pueblos de Morelos [Union of Morelos Communities]; [and] Kinal Anzatic (Land of Women in Tzeltal), who belong to more than 150 communities in the states of Guerrero and Morelos.



345.

The report presented by the Area on Sexual and Reproductive Rights of the Right-to-Health Program of the Division of Legal Studies of the *Centro de Investigación y Docencia Económicas* [Center for Economic Research and Teaching] focused on labor discrimination against women in Mexico, highlighting the little capacity the Mexican State has to provide an intersectional focus when disaggregating data. The report stated that Afro-descendant women's reality has recently begun to be taken into account, thereby enabling a measurement to begin of the impact of skin color on access to rights, but that this information is still paltry. Given the foregoing, it is challenging to understand the problems and discrimination faced by Afro-descendant women in the workplace. Due to all of that, the group asked the Committee to recommend to the State that it include indicators that will provide an intersectional perspective of the country's women, including the color of their skin.

346.

The report coordinated by the UNESCO Chair in Human Rights, by addressing the issue of women's political rights, specifically with regard to legislative harmonization, recognized the need to “encourage internal regulatory systems to eliminate all forms of discrimination against indigenous, rural, and Afro-descendant women in the exercise of their political rights” (p. 9).

## 6.4 Observations of the Committee

### 6.4.1 Observations of the Committee in the 52nd session (2012)

347.

Despite the historic existence of Afro-descendant women in the country, and in the face of their invisibility in the State and civil society reports, the Committee did not make any recommendations regarding the matter.

348.

While the Committee noted its concern about the rate of illiteracy among rural women (18%) and issued various calls to action regarding the state of indigenous women in rural areas, it did not acknowledge the problems impacting Afro-descendant women and they were not mentioned in the Committee's Final Observations.

### 6.4.2 Observations of the Committee in the 70th session (2018)

349.

During this session, the Committee listened closely to the few comments made by civil society regarding Afro-descendant women, and to that end included a series of recommendations seeking to eliminate discrimination against these women who have historically been invisibilized in their own country.

350.

The Committee expressed concern regarding the lack of effective mechanisms and insufficient resources by virtue of laws on gender equality and/or women's right to a life free from violence. Faced with these barriers, the State has not ended discrimination, particularly intersectional discrimination, including against Afro-descendant women. For this reason, it recommended that the State implement a roadmap with clear goals and resources to compel federal, state, and local bodies to implement them and thereby eradicate all forms of discrimination against women, including Afro-Mexican women.



351.

A problem of which the Committee has taken note is the negative stereotypes of various groups of women, such as Afro-Mexicans, employed by the media. It is thus that it recommended the adoption of measures to disseminate positive images of these women in the country's media.

352.

In terms of political participation, structural barriers have hindered women's political-electoral actions, which increases with the gender and racial discrimination that prevails in the political parties. Based on the foregoing, the Committee recommended implementing de jure and de facto measures to tackle the discriminatory practices within the political parties. This should be done because these discriminatory practices disincentivize women's participation, including that of Afro-descendant women.

353.

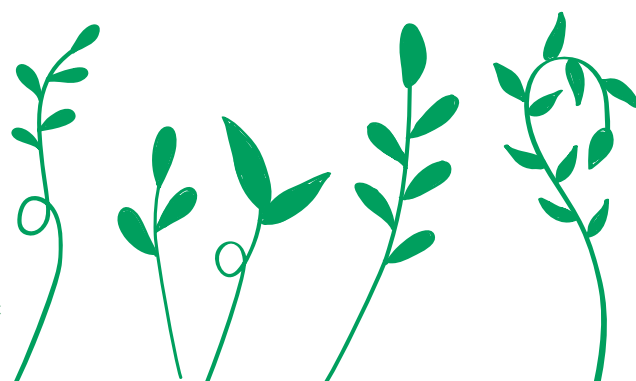
The Committee is concerned that despite the reforms implemented to facilitate the recording of Mexican boys' and girls' births, the number of newborns in distant areas – sons and daughters of migrants, indigenous people, and Afro-Mexicans – continues to be low. It is thus that the Committee recommends that the State guarantee a universal registry for newborns.

354.

With regard to the issue of work, the Committee issued a call to action regarding the limited access to the labor market enjoyed by Afro-descendant, indigenous, and handicapped women. To that end, it recommended the adoption of measures that incentivize the inclusion of these women in the formal labor market. The Committee also expressed concern about the elevated levels of poverty and inequality experienced by various groups of women in the population, such as Afro-descendants. The Committee recommended strengthening the national strategy for reducing poverty by emphasizing the most vulnerable sectors of the population, thereby ensuring compliance with the Sustainable Development Goals. Furthermore, it recommended increasing funding for microcredit, loans, and other forms of financial credit for women in vulnerable sectors, such as Afro-Mexicans.

355.

While the Committee celebrated the implementation of the program *Cruzada Nacional Contra el Hambre* [National Crusade against Hunger] and the *Programa Nacional de Financiamiento al Microempresario y a la Mujer Rural* [National Finan-



cing Program for Microenterprises and Rural Women], it expressed concern regarding the poverty, little access to land, and lack of institutional support for rural indigenous and Afro-Mexican women. There is also the issue that the principle of free, prior, and informed consent is not being respected with indigenous and Afro-Mexican women, who are also not being consulted regarding development projects that might impact their lands and communities. Consequently, it recommends increasing the financial resources, access to and tenure of land, and institutional support for these women, while also offering them the guarantee of a legal framework that regulates the development projects in their territories.

## 6.5 Considerations of civil society

356.

Beatriz Amaro is an Afro-Mexican activist who works on behalf of the recognition of Afro-descendant peoples and respect for the women in their communities and is a member of the *Colectiva de Mujeres Afromexicanas en Movimiento* [Collective of Afro-Mexican Women In Motion] (MUAFRO). Together with this collective and the support of organizations such as the International Institute of Race, Equality, and Human Rights, she has increased the visibility of the problems faced by Afro-descendant women, by taking part in national and international advocacy spaces. Notwithstanding, when she was interviewed she had not yet appeared before the Committee, though she had submitted her recommendations.

357.

She believes Afro-Mexican women's role has not been very significant, given that up to 2014 their struggles centered on State recognition of Afro-descendant communities in general, without specifying the issue of gender, whose relevance has grown in recent years.

We have not worked with the Committee. We need a calendar of these international conventions and treaties in which we can advocate. It is thus we haven't participated in the Committee[']s work]. In 2018 when there was a region, some female indigenous colleagues who were already in Geneva contacted us and asked us for information and our demands to include in their submissions.  
(Beatriz Amaro)



358.

Despite being able to elevate a few comments during the last session in which the Mexican State appeared before the Committee, she says that the Committee's recommendations were very general. Although there were few recommendations made, it represented the first time the Committee mentioned Afro-Mexican women. These recommendations reveal that the Committee has not implemented an intersectional perspective to address the problems faced by Afro-descendant women but rather, limits itself to mentioning them as part of the group of "other" women:

I have been reading the Committee's recommendations and only in 2018 did it make specific recommendations aimed at Afro-Mexican women, and then only just a few... The recommendations – at least those offered by the Committee to Mexico regarding Afro matters – are framed within others that deal with indigenous and "other" women.  
(Beatriz Amaro)

359.

The foregoing is related to a lack of interest and political will on the part of the Mexican State to recognize their rights. Following legal battles, the State has provided some recognition to Afro-Mexican communities, though the legal debt is ongoing. This can be palpably seen in the reports which the State Party has presented to the Committee, wherein Afro-descendant women are rendered practically invisible. Faced with this, the State needs to apply the few recommendations that have been made by the Committee, in order to eliminate all forms of discrimination against these women: "It has been impossible to implement a cross-cutting vision in the Mexican State that helps these recommendations, which are few in number, to have a greater effect on Afro-Mexican women's development" (Beatriz Amaro).

360.

Likewise, the same civil society has done its part to ignore Afro-Mexican women's needs. As was seen in the analysis of the Alternative Reports, few women's organizations are concerned with Afro-Mexican women's needs. This has resulted from Mexican social structures that enable some women to have greater access to resources and rights. "The feminist organizations should have a broader perspective and truly include racial issues. What many people call the "elites of feminism" are oftentimes White forms of feminism that are not inclusive" (Beatriz Amaro).

361.

Currently, Afro-Mexican women are fighting for the specific recognition of their rights. In recent years, the struggles waged by these women and their communities have centered on State recognition, which has been partially achieved, thanks to intensive advocacy. Therefore, a project is currently being consolidated to visibilize and specifically recognize Afro-descendant women.

We believe that much of our effort was dedicated to achieving legal recognition by the Mexican State. Last year, legal recognition was won, which makes us visible, though does not grant us rights. (Beatriz Amaro)

362.

These complex realities of exclusion and invisibilization have grown in the midst of the crisis produced by COVID-19. Access to justice, virtual education, [and] denunciations of gender-based violence have decreased due to the mediation of technology, to which these women do not tend to have access due to financial reasons. Likewise, without governmental help and in the midst of isolation measures, these women have difficulty guaranteeing food for their families.

Economic violence is growing. When you are the head of your household and you are not allowed to go out to sell due to the pandemic, your income drops and you face significant difficulty giving your children enough to eat. Plus, the workloads have been a whole lot bigger for women. (Beatriz Amaro)

363.

In the face of this situation, Beatriz calls for recognition of and respect for difference. Likewise, she asks the State to comply with the international regulations and treaties it has signed, given that political will is key to eliminating all forms of discrimination against Afro-Mexican women: “The State should not only do it in order to comply on paper but rather, the commitments should truly be realizable and real” (Beatriz Amaro).

## 6.6 Final reflections: some women are more equal than others

364.

Upon carefully reviewing the manner in which the State of Mexico and civil society organizations address the matters of race and gender, one remembers the phrase from Orwell’s book *Animal Farm* that all animals are equal, but some are more equal than others. That is a reference to how some population groups enjoy greater access to rights than others. It would appear that this same thing occurs with Afro-descendant women in the country: they are rendered invisible and unknown.

365.

Women, that population group that for centuries has had to fight for its rights, even today continues to struggle against machistic violence; we women, who for years have spoken of sisterhood and mutual support; women, the same ones who in Mexico forgot those of their peers who face double discrimination and are victims of history: Afro-descendant women. All of this reveals a problem that does not relate to subalternity but rather, simply renders invisible the different, other woman.

366.

The Mexican State left the country’s Afro-descendant women out of both of the reports it presented over the course of the decade. This cannot and should not be understood vis-à-vis the excuse that a “cross-cutting” vision of what it means to be a woman has been implemented; on the contrary, it committed ontological violence against the bodies of feminine and feminized Afro-descendants. By avoiding mentioning Afro-descendant women in its reports, the State invisibilizes and attempts to eliminate centuries of history and resistance.

367.

Afro-descendants in Mexico have a legacy of vexations and resistance. Descendants of enslaved people, they have fought in recent years for recognition as an ancestral community. However, despite these struggles, the State had no intention of referring to the realities of these women, who confront endless forms of discrimination on a daily basis.

368.

If the State and Mexican society wish to effectively eliminate all forms of discrimination against women, they must apply an intersectional focus instead of a cross-cutting one. The realities, experiences, and regular struggles of Afro-descendant women cannot be seen from a universalist perspective of “all women,” as a homogeneous mass, nor by a long shot can they be understood as “minorities,” given they do not comprise a homogeneous group.

369.

Afro-Mexican women’s calls to action center on the State complying with the national and international commitments it has agreed to in favor of non-discrimination against women. The need to overcome historic problems so as to enjoy their rights is one of the objectives of Afro-descendant women in Mexico. To that end, they have carried on a historic fight that has yielded some fruit, but is not complete. Without political will, and without transforming the State’s commitments into reality, these women’s situation will not change.

370.

On both occasions in which the Mexican State appeared before the Committee and in which civil society presented its Alternative Reports, direct symbolic violence was committed against Afro-Mexican women by rendering them invisible. The State merely made reference to [the provision of] healthcare with a multi-cultural focus, without mentioning who these women are or where they are, information that very possibly the State itself does not have.

371.

Faced with this, one would expect civil society to raise its voice in sisterhood for these women, who currently do not have the capacity to access spaces such as the Committee; nevertheless, a small number of organizations performed that task. It is important to highlight that one of the reports in which these women were mentioned made reference to labor discrimination and the little information that exists, while the other one mentioned discrimination in accessing political spaces. Both represent a call for more information on these women.



372.

Similarly, Afro-Mexican women should take advantage of these spaces, not only by participating but also by taking actions of follow-on and evaluation. Participation is essential, because what goes unnamed does not exist, while monitoring must be performed to firstly learn about what the State is doing regarding the matter and how and secondly, in order to advocate for the materialization of its actions.

373.

Faced with this scenario, it was to be expected that the Committee, at least in the session held in 2018, would have made some direct recommendations regarding Afro-descendant women, which were made visible thanks to the information put forth in the two Alternative Reports. However, the Committee's Final Recommendations were general and fell prey to the fallacy of including Afro-descendant women in a list of "the other women," which includes indigenous women, handicapped women, those living with HIV, etc.

374.

While the Committee made an effort by drafting recommendations that included Afro-descendant women, due to their minor presence in the State as well as civil society reports it is necessary for the Committee to recognize the differentiated existence of Mexican population groups, understanding that Afro-Mexican women need, firstly, State recognition. Without it, these women will face significant difficulty accessing their rights to work, education, etc.

375.

In addition, State and societal recognition is needed in order to overcome direct and symbolic violence and likewise, racial and gender stereotypes. It is impossible to eliminate discrimination weighing down these bodies if there is no reflecting done on their existence. As such, the State must recognize these women and gather disaggregated information on their realities. Remembering that what goes unnamed does not exist, the first step to redressing the violence committed by the State itself against Afro-Mexican women is to name them and recognize them as citizens.

## 6.7 Recommendations

### 6.7.1 Recommendations to the State

- a. Include Afro-descendant women in its reports, with an eye to making their realities visible in a differentiated manner.
- b. By making reference to the issue of cross-culturalism, think in a differential manner about Afro-descendant communities.
- c. Present disaggregated data on Afro-descendant women.
- d. Create spaces in civil society to hold discussions with Afro-descendant women's groups, with an eye to gaining an understanding of their differentiated problems.
- e. Support the institutional strengthening of Afro-descendant women's groups and address their problems.

### 6.7.2 Recommendations to civil society

**a.** Institutionally strengthen Afro-descendant women's groups to enable them to actively participate in international advocacy spaces, such as the Committee.

**b.** Highlight and visibilize the differential problems confronted by Afro-descendant women. Civil society speaks of identities such as women, girls, boys, adolescents, indigenous people, handicapped people, etc., though very little about Afro-descendant women, and what is not named does not exist.

**c.** Monitor State compliance with the recommendations issued by the Committee.

**d.** Visibilize the reality of Afro-descendant women, whose bodies bring together various intersectionalities, such as the case with lesbian, bisexual, and trans women.

**e.** Create strategic alliances between Afro-descendant women's groups and White/mestiza women's groups, in order to advocate for the State complying with the Committee's recommendations.

**f.** Include in the organizational guidelines the monitoring of the Committee's recommendations and comments to the State.

### 6.7.3 Recommendations to the Committee

**a.** The Committee should apply an intersectional and differentiated view to the problems that impact Afro-descendant women.

**b.** The Committee cannot continue speaking about Afro-descendant women and women of other "minority" groups as if they were "the other."

**c.** The next time the Mexican State appears before the Committee, the latter should ask it about the actions it has taken to eliminate all types of discrimination against Afro-descendant women.

**d.** In the event the Mexican State continues to invisibilize Afro-descendant issues in future reports, the Committee should inquire as to the status of Afro-Mexican women from a differentiated perspective.





7

CEDAW in  
**NICARAGUA**





## 7.1 Introduction

376.

The Republic of Nicaragua is a Central American country measuring 130,494 km<sup>2</sup>, with a population of approximately 6.4 million, 51% of whom are women (INIDE, 2018). It is estimated that 1.5% of the population of this country is Afro-descendant, 88% of whom are primarily located in the autonomous regions in the northern and southern Caribbean coast. The Afro-descendant population in Nicaragua is not homogeneous; as such, it can be primarily divided into three groups: Creoles, Garífunas, and Misquitos (World Bank, 2018).

377.

Thanks to the Political Constitution of 1986, Nicaragua recognizes itself as a multi-ethnic State; as such, it commits to preserving the original and Afro-descendant peoples' own culture and organization. It also recognizes the communal right to land by creating an autonomous government for the Caribbean coast. It is estimated that 32% of the territory of this country is titled to indigenous and Afro-descendant groups, which transpired through the demarcation and titling law (URACCAN, 2019).

378.

The Afro-descendant population of Nicaragua lives in conditions of greater marginalization than does the rest of the country: they have 65% less access to potable water than the non-Afro-descendant population; [only] 9% of this population has access to a sewage system; and 93% of the homes live in poverty (World Bank, 2018). In the same

way, this population coexists with racial stereotypes that perpetuate symbolic violence, such as thinking that Afro hair is aesthetically less attractive than straight hair, offensive phrases, and relating Afro-Nicaraguans with drug trafficking (Niú, 2020).

379.

While Nicaragua is not currently at war as in other times, nor is it under siege by gangs as are some of its neighbors, the situation of violence against women is critical. This comes together with violence from criminal and State groups due to the sociopolitical crisis triggered in 2018. Between 2010 and 2019 there were 637 femicides in the country: “firearms, knives, and beatings have become the principal instruments used by men to kill women in Nicaragua” (*Despacho* 505 [Office 505], 2020, parag. 1). This same source states that violence against women is due to gender-based prejudice and that additionally, it enjoys the complicity of the State, with the latter permitting impunity in many cases, along with women’s lack of trust in both the police and State entities.

380.

Likewise, it can be posited that in this country violence against women is not appropriately recorded; as such, it can be assumed that there is an underreporting of cases of sexual violence and femicide, which is due to a patriarchal and machistic culture. An example of the foregoing is that in 2011, “Nicaraguan judges classified as ‘minor offences’ 77.5% of the 33,535 denunciations tried for intrafamily violence or sexual abuse” (Chicago Tribune, 2020, parag. 3). This reveals how a system that is permeated with machismo can help conceal violence against women, in this way decreasing the punishment meted out to the perpetrators.

381.

Since the political crisis began in 2018, violence against women has taken on new guises, such as digitally. Since the crisis exploded, digital violence against women has increased by 73.1% (*Confidencial* [Confidential], 2020). Similarly, this type of violence has a gender-based distinction, as women experience attacks differentially. While men are threatened with being imprisoned, women’s private lives are exposed and they are threatened with being raped.

382.

In the specific case of Afro-descendant women, it would appear that to some degree the Nicaraguan dynamics are far from the average in the other six countries examined in the present report. It is worthwhile noting that the possibility of cultural and social recognition, as in the case of Garífuna women, has increased the visibility of these women and their problems. According to data from CEPAL (2018), Afro-Nicaraguan women have the highest rates of educational levels and professional and technical jobs; however, their levels of unemployment are higher than non-Afro-descendant women, with young Afro-descendant women (15-29 years old) being the ones who are represented most in the labor market.



383.

With regard to adolescent pregnancy, an important problem in the country, the figures of Afro-descendant and non-Afro-descendant women are very similar (around 20%). Lastly, although political representation continues to be a regional problem, actions have been taken at the local level to increase representation for these women, together with actions by civil society, such as in 2015 when a group of Afro-descendant women from the region met in Managua for the First Summit of Afro-descendant Women, with the goal of developing strategies for achieving greater social and political empowerment.

384.

In terms of the realities of Afro-descendant sex-gender diverse women, in Nicaragua homosexuality was not classified as a crime until 2008. This is not only related to the legal, but also cultural aspects: this country, characterized by a dominant patriarchal system, has opted for heteronormativity that results in homophobia and transphobia, making trans women primarily the victims of gender-based violence as compared with lesbian women, given the greater visibility of the gender expression in the trans population (CEJIL, 2013). Therefore, “homophobia, transphobia, and lesbophobia are constructed in Nicaraguan society as a central aspect of the socialization of gender and a fundamental, determining characteristic of the patriarchy” (CEJIL, 2013, p. 173). The naturalization of this violence has led a significant number of sex-gender diverse people in Nicaragua to have been the targets at some point in their lives of homophobic and transphobic violence.

385.

According to a study performed by the *Grupo Estratégico por los Derechos Humanos de la Diversidad Sexual* [Strategic Group In Favor of the Human Rights of Sexual Diversity] (2010), 100% of the LGBTI persons interviewed have suffered some kind of discrimination due to their sexual orientation or gender identity; 48.6% stated they had experienced violence for these same reasons; [and] 79.5% of the trans women and 49.8% of the lesbian women said they have been victims of violence due to their gender identity or sexual orientation. Sadly, these data do not reveal what percentage of those interviewed were Afro-descendants. Furthermore, the political crisis that began in 2018 has increased the violence against LGBTI persons, especially against trans women, who occasionally are doubly victimized by a transphobic society and State agents who do not recognize their problems or ignore their demands (CEAR, 2018).

386.

The significant criticism leveled against the Nicaraguan government by the collectives of women and LGBTI groups is that the laws are not applied. For example, greater dissemination is needed of Articles 36 and 315 of the Criminal Code, which urge the significant investigation of hate crimes (CEJIL, 2013). In addition, trans women had demanded greater dissemination of Ministerial Health Resolution 671 of 2014, which covers respect in access to health for trans women (*Enterezas* [Integrity], 2020). In 2012, this country passed the Comprehensive Law against Violence against Women and the reforms to Law No. 641 of the Criminal Code of Nicaragua, which classifies this phenomenon as a public health and citizen security problem. On a related note, the Criminal Code prohibits abortion with no exceptions. Likewise, egalitarian marriage and adoption by homoparental families are prohibited.

387.

Therefore, if several vectors of discrimination come together – such as racism, sexism, homophobia, and transphobia – one can deduce that the violence that not only Afro-descendant cisgender persons but also lesbians and trans persons will suffer will be greater than that experienced by non-Afro-descendant women in the country. Likewise, while Nicaragua is not at the same level as other countries in the region in terms of women's and LGBTI persons' rights, the few laws and measures it has to guarantee equality require greater State monitoring to ensure they are enforced. That, together with the socio-political crisis this country has been living through in recent years, generates the need to focus special attention on the lives of the country's women and sex-gender diverse population.



## 7.2 The State before the Committee

388.

In 2020, Nicaragua again presented reports to the Committee, something it had not done since 2007. It jointly presented its seventh through tenth reports at this session. When the present report was completed, the presentation to the Committee – scheduled for the 77th session, to be held between October and November – had not yet transpired.

Article 27 of the Political Constitution of this country establishes the equality of all persons before the law, without discrimination based on birth, nationality, political creed, race, or sex, and the State commits to eliminating any obstacle that impedes the participation of its citizenry in any sphere of societal life. The foregoing is grounded in the promotion and protection of human rights enshrined in the Universal Declaration of Human Rights; American Declaration on the Rights and Duties of Man; International Covenant on Economic, Social, and Cultural Rights; International Covenant on Civil and Political Rights; American Convention on Human Rights of the Organization of American States; Convention on the Elimination of All Forms of Discrimination against Women; Convention on the Rights of the Child; and in general, all international treaties that have been ratified.

389.

390.

In this report, the State of Nicaragua highlighted the commitment of the Government of Reconciliation and National Unity (GRUN) to equality between men and women, viewing it as a priority, based on the international commitments the country has to CEDAW and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém do Pará). Based on what the State referred to as a model Christian, socialist, and solidary government, it affirmed having implemented measures to ensure women are the generators of change by having access to assets and a regulatory framework. Likewise, it noted how through its National Human Development Plan (PNDH 2008-2012) it was prioritizing equality and gender equity through the Women's Development Policy.

391.

With regard to the issue of Afro-descendants, the State pointed to the passage of Law 757 in 2011, the Law on the Decent and Equitable Treatment of Indigenous and Afro-descendant Peoples. Previously, Law 717, the Law Creating the Fund for the Purchase of Lands with Gender Equity for Rural Women was passed in 2010, which gave priority to female heads of household. In the same way, community titles were granted to indigenous and Afro-descendant groups, with special priority given to the women in these groups.

392.

From a cultural and educational perspective, given Law 162 – the Law on the Official Use of the Languages of the Communities of the Atlantic Coast of Nicaragua – classes are taught in Miskitu, Creole, Mayagna, Garífuna, and Rama. Likewise, discrimination based on language is prohibited.

393.

With grounds in the Universal Declaration of Human Rights, the family is enshrined as the nucleus of society and the right to form a family is reaffirmed without distinctions of any kind, including race. Therefore, the Development Plans for 2008-2012, 2012-2016, and 2017-2021 seek to guarantee the rights of families.

## 7.3 Alternative Reports presented by civil society

394.

Of the reports presented at the 77th session, only two organizations made mention of Afro-descendant matters. While to date not many shadow reports have been presented, they generally reference problems faced by the country's women in the midst of repression at the hands of the government of Daniel Ortega.

395.

Firstly, the report presented by the *Colectivo de Mujeres 8 de Marzo* [8th of March Women's Collective], Ipas CAM, *Movimiento Autónomo de Mujeres* [Autonomous Women's Movement] (MAM), *Movimiento Feminista de Nicaragua* [Feminist Movement of Nicaragua] (MFN), and *Programa Feminista La Corriente* [The Ordinary Feminist Program] affirms that the political and social instability in the country has had a huge impact on the economy and social life of the country. This has entailed a minimum 3% increase in poverty between 2016 and 2019, which has differentially affected Afro-descendant and indigenous women and girls, considered to be vulnerable populations.



396.

Secondly, the *Centro por la Justicia y Derechos Humanos de la Costa Atlántica de Nicaragua* [Center for Justice and Human Rights of the Atlantic Coast of Nicaragua] (CEJUDHCAN) presented a report emphasizing the Afro-descendant and indigenous women who live in this region of the country. The regulatory framework that protects Afro-descendant women includes the country's Political Constitution, and recognizes the individual and collective rights of indigenous and Afro-descendant communities by establishing the *Régimen de Autonomía de las Regiones Autónomas* [Autonomy System for Autonomous Regions], regulated by the *Estatuto de Autonomía de las Regiones Autónomas* [Statute on the Autonomy of Autonomous Regions] (Law 28) and Law 445 of 2003, Communal Property System Law. Furthermore, in 2010, the country ratified ILO Convention 169 on Indigenous and Tribal Peoples.

397.

Notwithstanding, the report states that the implementation of these laws has not been clear, given the incapacity of the State to comply with Law 445, which has resulted in the invasion of territory by armed settlers. This is demonstrated by the fact that 70% of the territories titled to indigenous or Afro-descendant communities are currently in the hands of settlers. Afro-descendant communities' rights, such as to self-determination and access to justice, are not being respected, given the forced displacement due to natural resource extraction, which has particularly affected women.

398.

Together, the political crisis of 2018 has grown due to the censoring and criminalization of journalists [as well as]

the situation of isolation faced by populations in this territory. While joint efforts were made between 2009 and 2014 to combat gender-based violence, the little progress that had been made disappeared when the *Comisaría de la Mujer* [Women's Police Stations] were shuttered throughout the country.

399.

In addition, the government, out of partisan interest, has not only created divisions within communities with an eye to having persons allied to State ideologies holding dominance as the authorities, but also one sees in the report that women have been prevented from performing their duties in public office in their territories, despite having been elected to such posts. The organizations that presented this report illustrate this problem via the case of a young Afro-descendant woman to whom State authorities refused to provide certificates for her designation. Thus did the Nicaraguan State

“

**“violate its obligation to adopt measures in all spheres – be they civil, political, economic, societal, or cultural – to guarantee women’s exercise and enjoyment of their human rights and fundamental freedoms in equal conditions to that enjoyed by men” (p. 6).**

”

400.

Faced with this, the organizations that developed this report asked the Committee to recommend to the State that it host campaigns against racial discrimination; review and implement the recommendations made in the previous session regarding racial issues; implement Law 445 so as to reduce collective violence against ancestral communities; and respect the autonomy of indigenous peoples to elect their own representatives, especially women.

## 7.4 Observations of the Committee

401.

At the time this report was completed, the 77th session of the Committee had not yet been held; as such, it does not contain any observations it may have made to the Nicaraguan State.

402.

Nevertheless, the List of Issues and Related Questions was available, wherein the Committee requested information on the state of women's rights in the context of the political crisis in the country that was unleashed in 2018, particularly emphasizing the rights of female human rights defenders, female journalists, and trans women. It also requested information on detained women, extrajudicial violence, torture, and assassinations during the 2018 protests.

403.

With regard to Afro-Nicaraguan women, the Committee asked what impacts the Gender Policy and Law on the Decent and Equitable Treatment of Indigenous and Afro-descendant Peoples have had on the laws and programs aimed at rural, indigenous, Afro-descendant, and handicapped women.



404.

Similarly, the Committee requested information on the resources earmarked for the work of the *Procuraduría para la Defensa de los Derechos Humanos* [Human Rights Ombudsman's Office] and that it guarantee gender equality, emphasizing the receipt of denunciations of discrimination and prevention of violence against women in situations of risk, including Afro-descendant women.

In terms of participation in political and public life, the Committee requested information regarding the measures implemented to guarantee the participation of indigenous and Afro-descendant women. With regard to education, the Committee requested additional information on various issues, including transportation and school infrastructure that guarantees access to Afro-descendant, indigenous, and handicapped females.

405.

The document contains a section entitled 'Indigenous and Afro-descendant Women,' wherein the Committee asked the State for disaggregated information on these women's access to social services, especially with regard to education, healthcare, and employment. Similarly, it requested information on the reparation measures offered to indigenous and Afro-descendant women due to discrimination, the actions that have been taken to protect these women's territories and practices (Atlantic coast), and the way in which free, prior, and informed consent is being guaranteed for indigenous and Afro-descendant women with regard to large-scale projects. Likewise, it requested information on the measures that have been implemented to foster the participation of indigenous and Afro-descendant women in decision-making processes in their territories and territorial governments.

## 7.5 Considerations of civil society

406.

“*Elizabeth*”, as we will call her, has asked that we use a pseudonym for her, so as to guarantee her security and wellbeing. Given the political crisis in the country and difficulty in accessing justice, we decided to guarantee her security by concealing her identity. *Elizabeth* is a member of an organization working on issues related to women and Afro-descendants. Since 2006, she has defended women on Nicaragua’s Caribbean coast, specifically to socially and politically empower young Afro-Nicaraguan women, with an eye to eliminating all forms of violence in their lives.

407.

Despite the fact that to date her organization has not directly submitted reports to the Committee, *Elizabeth* helped gather information for one of the Alternative Reports that were presented this year to the Committee. She finds this work challenging, given the multiple topics addressed by the Committee: “We assisted with a report to sensitize the Committee regarding these events of violence against Afro-descendant women. We were able to transmit some incidents and violations to the Committee. We provided the information” (*Elizabeth*).

408.

Nevertheless, she affirms that there are many barriers in Nicaragua confronted by Afro-descendant women in order to participate in these spaces. Those spaces are in large part related to access to resources and the difficulty in obtaining them, given that the government, in the midst of the crisis, has wrested the legal personality from organizations it considers to be in the opposition, thereby making it difficult to raise funds from aid agencies.

An obstacle that limits us is the matter of money. ... In light of the political crisis, the State has removed the legal personality from civil society organizations it sees as its enemies. Oftentimes these organizations that finance [other] organizations aren’t going to give you money if you aren’t legally established. (*Elizabeth*)

409.

Despite the existence of financial barriers, this activist recognizes the importance of participating in international spaces of the magnitude of the Committee. In the midst of the invisibilization of the Nicaraguan State, being present in these spaces makes it possible, in their own words, to visibilize and position the realities of Afro-descendant communities, especially those of the women.

“

“It is important for us to be able to participate in these international spaces, as one way or another we are able to position our demands while also heightening the visibility of the suffering experienced by the Afro-descendant population  
(Elizabeth).

”

410.

In the midst of the country's political and social crisis, this activist points to a significant lack of political will on the part of the State to make known the reality of Nicaragua's Afro-descendant women. The absence of real data has led to the creation of other mechanisms such as networks to stay informed regarding Nicaraguan Afro-descendant women's experiences.

The violence from which women suffer in our country, say, indigenous and Afro women, is felt to a much greater degree than when it is experienced by other women in other countries, because they have been rendered invisible. It is not a priority of the State of Nicaragua to attend to these cases of violence. (Elizabeth)

411.

An example of the foregoing is the absence of figures on femicides in the country. The majority of the official data only present the cases of White/mestiza women. The foregoing generates a series of doubts for the Afro-descendant civil society working on issues of gender.

In cases of femicide we have seen that the majority of the women affected are mestiza women, rarely are indigenous or Afro women victims of femicide, we don't know why. We don't know if they don't keep track of Afro-descendant and indigenous women. We don't know if they are not being tracked as femicides. We don't know if we truly aren't victims of femicide. It's a question we ask ourselves. (Elizabeth)

412.

In reviewing the official document presented by the State of Nicaragua to the Committee in the 77th session, one sees the principal achievements regarding Afro-descendant matters are related to the development of laws. Although a regulatory framework exists, Afro-Nicaraguan women do not see real impacts of these laws in their lives.

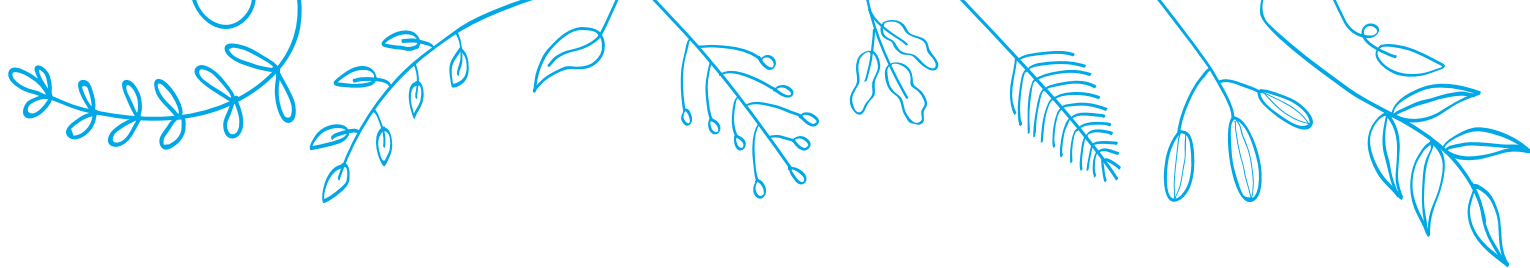
Nicaragua is a star at drafting laws, though not in complying with them. Laws exist, though they are not being duly executed in the way the law should be executed. For example, the law on languages and education in one's own [indigenous] language: if you guys visit classrooms, you'll see that the language in which classes are taught is Spanish. There's not one school in which classes are done in their own [indigenous] languages. (*Elizabeth*)

413.

Just as happens in other countries in the region, Elizabeth feels there are points on which the White/mestiza women's movement gets closer and others on which it is farther apart. It is important to mention that the activist indicates that there are many women's organizations in the country in general, but few comprised of Afro-descendant women.

There are points we agree on with the women's movement and there are points on which we are at odds. ... When speaking of the rights of strictly indigenous peoples and Afro-descendant communities, that is where we split from one another, because the violence they suffer is not the same type of violence we suffer (*Elizabeth*)





414.

It should be noted that within the Afro-descendant women's movement there are some women who are even more overlooked than the others: lesbian, bisexual, and trans women. They are victims of structural racism in a machistic, homophobic, lesbophobic, and transphobic system:

“

“These persons do not have rights and must continue to conceal their sexual identities, stuck in the closet, because the State does not guarantee the security of the lives of these diverse persons” (*Elizabeth*).

”

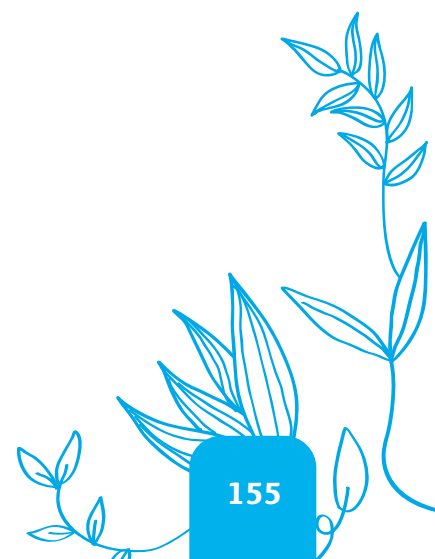
415.

These complex realities, worsened by the COVID-19 and political crises in the country along with judicial racism, makes it so judicial proceedings against Afro-descendant women are slower. *Elizabeth* explains that she has sought new ways to accompany women in their denunciations, so as to support them in their processes to lead decent lives without suffering from discrimination.

We have sought other ways to continue supporting women in the process of accompanying their denunciations, especially for Afro-descendant and indigenous women. If a mestiza woman comes to us, we also accompany her just the same, [though] we try to prioritize our indigenous and Afro-descendant women, who are the ones who issue the least number of denunciations, as they do not trust the country's judicial system. (*Elizabeth*)

416.

When we asked this woman what recommendations she would make to the State, her answer was simple yet concise: the State needs to comply with and socialize the recommendations it has received from the Committee, which include the guarantee of indigenous and Afro-descendant women's rights [and] creation and implementation of policies that guarantee decent lives and security for these women: “I would recommend to the State that it assume that commitment it made when it signed on to CEDAW” (*Elizabeth*).



## 7.6 Final reflections: with Laws, without change

417.

The Nicaraguan State has made an effort to create an inclusive normative framework that guarantees rights. Nonetheless, what the Afro-descendant population sees is a long list of inoperative clauses that have not been implemented. An example of this is the law on language usage which is not executed in Caribbean territories. Something similar occurs with the law on decent treatment; one can clearly see the violence and discrimination confronted by Afro-descendant women, including their access to justice.

418.

Likewise, the State is not complying with the recommendations proffered by the Committee. The respect for the traditions, territories, and lives of Afro-descendants is an element of the commitments signed by the State, but has not been materialized. Furthermore, civil society has confronted repression when doing its daily work in defense of human rights. The State is failing in its work, not only in terms of compliance but also socializing the recommendations made by the Committee, a basic aspect to enable civil society organizations to know about these international tools for guaranteeing their rights.

419.

Due to the foregoing, it is necessary for the State to implement these laws regarding which it has evinced pride and that it presents to the international community as one of its principal achievements. If the State of Nicaragua is interested in transforming the lives of Afro-descendant women, it must effectively implement its laws that are aimed at this population. This is of the utmost importance, given that in the report presented to the Committee, the achievements it includes regarding Afro-descendant women are centered in the laws that have been passed though not executed.

420.

Alternative Reports reference settlers' invasion of ancestral Afro-descendant territories and the interference of the State in the election of community leaders. All of this reveals a lack of respect for the laws and autonomy of original Nicaraguan peoples. Thus, without some guarantees, not only to a decent life but also to access to territory, the rights of Afro-descendant women will continue to be violated and discrimination will continue to be present in society.

421.

Furthermore, the absence of disaggregated data on the current state of violence against Afro-descendant women makes it more difficult to understand it. The State must offer information about these women, not only those who live on the Atlantic coast, but also those who have migrated to other cities in the country. Knowing about their realities is a first step to addressing their needs.

422.

Only one report from non-Afro-descendant organizations of those that can be currently found on the CEDAW website (given the fact that this session has yet to be held) mentions Afro-Nicaraguan women. This report addresses a matter of general interest: the economic repercussions of the country's current socio-political crisis. Additionally, the civil society organizations deliberately omit intersectional topics, ignoring how some women can be the targets of double and even triple discrimination due to their gender and race, as well as the multiple identities that may come together in their persons.

423.

If a report from an Afro-descendant organization had not been presented, this population group would have been practically forgotten. This report addresses a series of problems related to very delicate matters such as barriers to access to justice, a lack of respect for self-determination, and governmental interference in internal discussions. Similarly, it describes how people are seizing territories that legally and historically belong to Afro-descendant peoples.

424.

Violence against Afro-descendant women cannot continue to be naturalized and normalized but rather, to the contrary, must be seen as an issue that deserves to be societally repudiated – a universal repudiation, not just on the part of Afro-descendant communities. The rest of society must see, in the midst of the socio-political crisis, how Afro-descendant women experience the violation of their rights. It is important to create solidarity networks that enable the problems these women have to be visible.





425.

Given the complex Nicaraguan context, it would appear that there is little that Afro-descendant women can do to advocate for policies, regulations, plans, and projects developed by the government. Notwithstanding, it is necessary that the women continue implementing actions to track and monitor State actions, with an eye to being able to have information to use when advocating at the international level.

426.

Thought must also be given to those women who represent a combination of various vulnerabilities. For example, Afro-descendant women who are poor, sex-gender diverse, with little access to education, handicapped, etc. Afro-descendant women are not simply “the others,” but rather, deserve full respect and recognition of their rights in equal conditions as those of everyone else. Without an intersectional perspective on women’s problems, discrimination will continue to persist in the country.

427.

Lastly, it is noteworthy that while the laws are profoundly important, they represent only an initial state of social change. Laws and policies are the guides for State actions of societal transformation, but in order to do so they must be well implemented and tracking and monitoring exercises must be undertaken. In order to permanently eliminate all forms of discrimination, State action is essential; therefore, Nicaraguan political will shall define whether or not discrimination against Afro-descendant women will be eliminated, which should transpire simultaneously with a recognition of the existence of structural racism that increases existing barriers between White/mestiza and Afro-descendant women.

## 7.7 Recommendations

### 7.7.1 Recommendations to the State

**a.** Provide disaggregated data on the reality of Afro-Nicaraguan women and visibilize their reality.

**b.** Offer a detailed vision of its compliance with the regulations in benefit to the country's Afro-descendant population.

**c.** Comply with the regulations in support of the Afro-descendant population, especially with regard to Afro-Nicaraguan women.

**d.** Respect the autonomy of Afro-descendant communities.

**e.** Create measures that guarantee the wellbeing of Afro-descendant women and their access to their lands.

**f.** Protect and visibilize Afro-descendant lesbian, bisexual, and trans women.

**g.** Promote ample spaces for dialogue with civil society organizations, including Afro-descendant women in the opposition, with a view to building a country that promotes non-discrimination.

**h.** Prevent the criminalization and prosecution of Afro-descendant women activists in the opposition.

### 7.7.2 Recommendations to civil society

**a.** Visibilize, through disaggregated data, the realities of Afro-descendant women.

**b.** Generate spaces for institutional strengthening, to ensure more women and organizations of Afro-descendant women can advocate in spaces such as the Committee.

**c.** Visibilize the violence of which Afro-descendant lesbian, bisexual, and trans women are victims in the country.

**d.** Monitor whether or not the State complies with the laws that seek to guarantee decent lives for Afro-descendant persons.

**e.** Continue documenting and systematizing human rights violations against Afro-descendant women, in order to be able to compare this information with what the State presents.

**f.** Include in the organizational guidelines the monitoring of the Committee's recommendations and comments to the State.

### 7.7.3 Recommendations to the Committee

a. Perform an analysis of the structural racism of which Afro-Nicaraguan women are victims and that has made it impossible for them to fully access their rights.

b. Differentially analyze the violence experienced by Afro-descendant women in this country and do not simply include them in a category with other minorities.

c. Ask the State for information on how it has complied with the laws that impact Afro-descendant populations.

d. Ask the Nicaraguan State to comply with the national and international commitments it has made, in order to guarantee that Afro-Nicaraguan women are able to fully access their rights.







8

CEDAW in  
**PERU**



## 8.1 Introduction

428.

The Republic of Peru is a country located in western South America measuring 1,285,216 km<sup>2</sup> and an estimated population of 32,162,184 in 2018, 50.34% of whom were women (INEI, 2018). According to data from the census performed in 2017, a total of 828,894 people identify as Afro-descendants, 646,000 of whom are women. Of the entire Afro-Peruvian population, 83.2% live in urban areas, primarily in “Lima (26.6%), Piura (15.1%), La Libertad (12.3%), Lambayeque (9.5%), Cajamarca (7.2%), Ica (4.0%), and La Provincia Constitucional del Callao (4.6%)” (INEI, 2017, p. 123).

429.

It is estimated that half of the Afro-descendant population in this country lives in extreme poverty: at least 10 percentage points greater than non-Afro-descendant persons. Despite the foregoing, at least 20% of Afro-Peruvians have escaped poverty over the last decade. There is a 7% annual chance to decrease poverty, with education being key in that process (World Bank, 2018). Likewise, according to this same source, access to a sewage system, potable water, and electricity is very similar between Afro-descendants and the rest of the Peruvian population. Also, 72.8% of this population group holds some form of health insurance (INEI, 2017). It should be noted that in this country 11.6% of Afro-descendants say they are handicapped, 54.3% of whom are women (INEI, 2017).

430.

Despite women in general comprising practically 50% of the country's population, violence against them is high. The UN viewed the situation in which Peruvian women exist as being critical (PUCP, 2020), given the various gender inequalities in the country. Women face a 30% salary gap as compared with men, while 78% of women are in the informal sector. Women dedicate approximately 38 hours weekly to unremunerated work, which is evidence of the feminization of poverty in this South American country.

431.

Likewise, the figures of physical gender-based violence are critical: it is estimated that “every minute, a woman is a victim of physical violence and every four minutes, a woman is the victim of sexual violence” (UNFPA, 2018, p. 1). This same source states that one out of every 10 women has been a victim of physical violence in urban as well as rural areas. Likewise, in terms of adolescent pregnancy, it is estimated that out of every 100 adolescents, 13 have been pregnant, a high number of which are undesired pregnancies. In addition, the women in this country experience many problems; for example, the index of females who neither study nor work is double that of males; there is a significant school dropout rate caused by adolescent pregnancies; and there is also very low representation of women in this country's popular election organs (UNFPA, 2018).

432.

Six out of every 10 females attest they have been victims of violence on the part of their partners; 27% of the victims are girls and young women; oftentimes this violence is perpetrated by persons close to the victims (*Aldeas Infantiles* [Children's Villages], 2020). In 2019, Peru reported 168 cases of femicide, with 85% of the victimizers being the victims' current or former partners (CNN, 2020b). The greatest number of incidents occurred in the cities of Lima, Arequipa, and Junín, primarily in the victims' homes (25% of the cases). In these cases, one sees a systematicity in the mode of operating, given that 22% were stabbings, 11% were beatings, and 17% were gunshots (Ministry of Women and Vulnerable Populations, 2020). Lastly, it is important to highlight that 2019 was the year with the highest number of femicides of the decade.

433.

In the same way, the armed conflict particularly impacted Quechua-speaking indigenous and *campesina* women in the Andean zone, primarily in Ayacucho, Huancavelica, and Apurímac. They were victims of different types of violence, some direct (such as rape, disappearance, torture, detention, and assassination) and others indirect (such as the assassination and disappearance of their sons/daughters or husbands) (Bueno-Hansen, 2015). A total of 527 cases of female victims of sexual violence have been reported that were committed by the Shining Path or Peruvian Army. In general, the victims were poor women with little access to education and practically no command of the Spanish language (Cancharí, 2016). This has resulted in a possible underreporting of cases to the Truth Commission (Bueno-Hansen, 2015).

434.

In the specific case of Afro-descendant women of Peru, there is a clear relationship between poverty, gender, and ethnic-racial issues (CEPAL, 2018). As such, the intersectionalities represented in these women, based on historical-structural racism and machismo, increase the violations they experience in their daily lives. While, as was mentioned above, the school dropout rate is high due to adolescent pregnancy, in the case of Afro-Peruvian females, 8.3% state they have dropped out of school for that reason, which serves to increase the feminization and racialization of poverty (CEPAL, 2018).

435.

In Peru there is little research conducted on the sexual and reproductive health of Afro-descendant women with an eye to having a greater understanding of their needs. Furthermore, not all healthcare personnel is sensitive to matters of gender and race and many Afro-descendant women confront racist and sexist prejudice on the part of those personnel (Ministry of Women and Vulnerable Populations, 2014).

436.

There has similarly been historic discrimination against Afro-Peruvian women. According to the Ministry of Women and Vulnerable Populations (2014), during the first years of the decade at least 206 newscasts were racist and sexist, in which Afro-descendant women were animalized [or] sexualized, or their role in society questioned.

437.

This symbolic and structural violence mentioned previously has historically pressed down on the bodies of Afro-Peruvian women and additionally has an impact on direct violence. The abuse of Afro-descendant women's bodies is oftentimes concealed beneath prejudices such as that they are hypersexualized or violent women: "Old and deeply-rooted stereotypes describe these women as violent or hypersexual, which produces an important impact: while women of other ancestries are more accepted as victims, Black women are frequently portrayed as the aggressors" (Lewis, 2020, parag. 2).

438.

In the case of Afro-descendant lesbian and trans women, there are no disaggregated records that provide accurate information. Generally speaking, it can be said that the figures of homicides of LGBTI persons in Peru are lower than in other countries in the region, but that makes it no less alarming for any hate crime to be committed. While there are no exact figures on the percentage of this population that is Afro-descendant, 4.9% of the persons who sat for the Virtual Survey of LGBTI Persons (INEI, 2018b) identified themselves as Afro-descendant or mulatto, 21.4% as lesbians, and 2% as trans women.

439.

In 2019, the LGBTI Human Rights Observatory identified 17 assassinations of members of this population group; however, underreporting is presupposed (Ferrari, 2020). In the same way, in terms of the various forms of violence suffered by sex-gender diverse persons in Peru, they do not trust State entities, given that “our principal abusers are the police or municipal patrol guards” (Ferrari, 2020, parag. 11). Given the lack of an official record of these crimes, there is no certainty regarding the number of lesbian and trans victims of hate crimes or the race of these persons; nonetheless, according to Promsex (2018), in 2016 seven trans women and three lesbian women were assassinated, which seems to show that the regional trend of vulnerability experienced by trans women continues.

440.

In addition, in terms of the regulatory progress made in the rights Afro-descendant cisgender, lesbian, and trans women’s rights, Legislative Decree 1323 of 2017 seeks to create effective measures against gender-based and family violence and femicide, as well as addressing hate crimes based on sexual orientation or gender identity. Similarly, out of a need to recognize the historic and structural violence that has been committed against Afro-descendant bodies, Bill 4795 of 2019 was passed, which declares July 25th to be the National Afro-Peruvian Women’s Day. In terms of some challenges in the area of equality, abortion is considered illegal with the exception of when the mother’s life is at risk. Also, same-sex marriages are not legally recognized.

441.

Based on the foregoing, one can say that Peru is a country that has progressed differently than the rest of the region, as it has shown interest in reporting on the state of the Afro-descendant population and redeeming, through symbolic acts, the historic violence that has been inflicted upon their bodies. However, a much greater effort is needed on the part of the State to know the realities, experiences, and needs of Afro-descendant lesbian and trans women. While little by little Afro-descendant cisgender women have been visibilized thanks to their efforts at recognition, today the challenge is attaining a disaggregated visibility in the statistical data and a guarantee of Afro-Peruvian lesbian, cisgender, and trans women’s rights and equality.

## 8.2 Reports from the Peruvian State to the Committee

442.

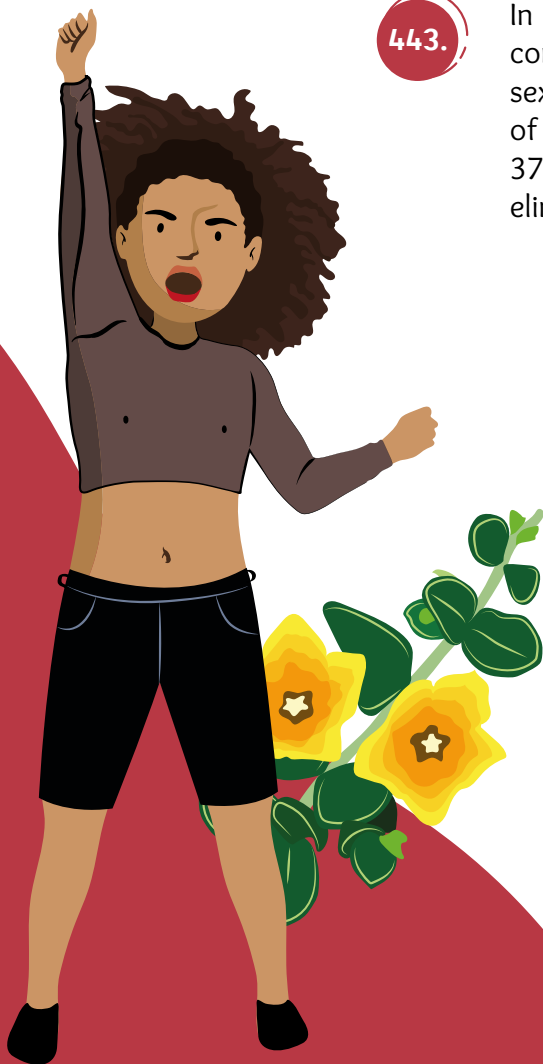
For the 58th session held in 2014, the State of Peru jointly presented its seventh and eighth reports, covering the period 2003-2011. The Peruvian State declares in its report that despite the decrease in poverty in recent years, it continues impacting woman-headed households, especially in rural areas, where 49.9% of households live in poverty; likewise, 30.2% of the families with heads-of-household who are Black, mulatto, or 'zambo' [of mixed African and indigenous parentage] live in poverty.

443.

In terms of the regulatory framework, the State ratified the constitutional right to equality and non-discrimination based on sex. In time, in 2006 the Criminal Code established the crime of discrimination, whether for racial or other reasons. Likewise, 37% of regional governments have implemented ordinances for eliminating discrimination.

444.

Peru reaffirms its commitment to international treaties to eliminate violence against women, not only CEDAW but also the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women; International Covenant on Civil and Political Rights; International Covenant on Economic, Social, and Cultural Rights; International Convention on the Elimination of All Forms of Racial Discrimination; Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; Convention on the Rights of the Child and its Optional Protocols; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; ILO Convention 169 on Indigenous and Tribal Peoples; Beijing Declaration and Platform for Action; Millennium





Development Goals; Cairo International Conference on Population and Development Programme of Action; Quito Consensus, with the commitment to promote and adopt measures to ensure women's parity in political participation; Brazilia Consensus; and Andean Charter for the Promotion and Protection of Human Rights.



445.

According to the State Party, one of the central challenges currently faced by the country is the need for institutional strengthening so as to guarantee the principle of non-discrimination based on sex, gender, ethnicity-race, sexual orientation, and others. For that reason, it is necessary to coordinate national, regional, and local policies while expanding the budget for these issues. Among the institutional aspects that should be highlighted, the government emphasizes that between 2006 and 2011 an Afro-descendant woman for the first time held a ministerial portfolio, the Ministry of Culture.

446.

Regarding the issue of employment, the State affirms it has implemented obligatory-compliance measures in the public entities to eliminate discrimination between men and women, specifically to eliminate discrimination based on race, among others. With regard to access to education, the State held encounters with female leaders and women in Afro-descendant and indigenous communities with an eye to improving the quality of education. Likewise, male and female rural teachers were trained in matters of gender equity, diversity, cross-cultural relations, and bilingual education. Lastly, the State recognizes, with regard to access to justice, the guarantee of non-discrimination that is constitutionally enshrined, including based on gender [and] race, among others. Therefore, the country's legislation recognizes equality of rights between men and women.



### 8.3 Alternative Reports presented by civil society

447.

Despite the fact that various reports were presented that addressed aspects such as sexual violence, LBT women, domestic work, [and] indigenous women, among others, only two reports briefly mentioned some problems specifically confronted by Afro-descendant women.

448.

The report presented by the *Comité de América Latina y El Caribe para la Defensa de los Derechos de las Mujeres* [Committee of Latin America and the Caribbean for the Defense of Women's Rights] (CLADEM-Peru) emphasizes that access to justice is one of the greatest debts the country has to women. The Law on Equality of Opportunities Between Women and Men (2007) establishes equitable forms of access to justice, including the elimination of all types of impediments to accessing justice, especially for rural, indigenous, Amazonian, and Afro-Peruvian women. Notwithstanding, this law has a delimited implementation, given the non-existence of a framework law on gender-based violence. The *Confederación Nacional de Personas con Discapacidad del Perú* [National Confederation of Handicapped Persons of Peru] (CONFENADIP) attests that women in Peru are affected by various factors of discrimination, not only for being women but also their ethnicity, whether that be indigenous or Afro-descendant, educational level, etc.

## 8.4 Observations of the Committee

449.

For this session, the Committee highlighted various actions carried out by the State of Peru to guarantee equality between men and women; for example, implementing laws and institutional instruments in favor of women's rights. However, it also indicated aspects that should be improved. For this section, only the comments and recommendations made explicitly about Afro-descendant women are considered.

450.

Firstly, the Committee, while recognizing the initiatives implemented by the State to guarantee access to justice, was concerned about the barriers that might be confronted by women from marginalized social groups, such as Afro-Peruvian women. In this sense, the Committee expressed its concern regarding the ignorance of CEDAW on the part of the persons in charge of enforcing the law.

451.

Secondly, the Committee indicated the persistence of gender stereotypes that grow with other forms of discrimination that Peruvian women might experience, including due to their race. Therefore, the Committee asked the State to create and implement educational and awareness-raising campaigns that promote equality and help eliminate discrimination and stereotypes due to any reason, including race.

452.

Thirdly, the Committee included a section entitled “Disadvantaged Groups of Women” in which it bemoaned the lack of concrete information and actions to manage the problems of Peruvian women living in complex conditions, such as indigenous and Afro-Peruvian, migrant, [and] LBT women, among others, who experienced different types of interrelated discrimination. Faced with this, the Committee recommended that the State include in its future reports data about these groups of “disadvantaged” women. It further urged the State to pay greater attention to women belonging to minority ethnicities and issued a call to guarantee their presence in decision-making spaces and their “full access to justice, basic services, land tenure, and credit mechanisms” (p. 13).

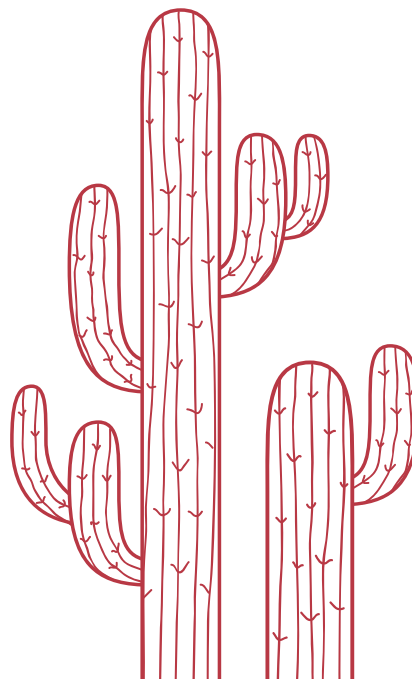
## 8.5 Considerations of civil society

453.

Cecilia Ramírez is a member of the *Centro de Desarrollo de la Mujer Negra Peruana* [Center for the Development of Black Peruvian Women] (CEDEMUNEP), an organization that works primarily with Black women in this country and with allies against racism. CEDEMUNEP focuses on strengthening capacity and advocating at the national level. At the same time, it performs international advocacy hand-in-hand with the *Red de Mujeres Afrolatinas, Afrocaribeñas y de la Diáspora* [Network of Afro-Latina, Afro-Caribbean, and Other Women in the Diaspora] and organizations such as the International Institute of Race, Equality, and Human Rights.

454.

Despite not having had the opportunity to appear before the Committee, Cecilia has strengthened her professional and personal capacity to carry out advocacy in this space. She believes this is very important in order to visibilize the problems of Afro-Peruvian women and create spaces of dialogue with the State.



I am in a process at the personal level as well as institutionally. The first experience we had was to get to know a bit more about how it works, it was when the Institute gave us the opportunity to participate in the review they did in Geneva of the State of Colombia.  
(Cecilia Ramírez)

455.

Despite not having participated in the drafting of Alternative Reports or attending sessions in person in which the Peruvian State has appeared, Cecilia and CEDEMUNEP have performed various analyses regarding how the Afro issue has been addressed in these spaces; however, this has not lived up to her expectations.

At some point, we were performing a brief review of the CEDAW documents which absolutely, the fact is that we did not find much that was related to Afro-Peruvian women. Furthermore, in Peru's report, I've not seen the latest one, but the last one I was able to see, I found no reference to Afro-Peruvian women. This made me anxious. (Cecilia Ramírez)

456.

This invisibilization occurs due to various factors, including a lack of political will on the part of the State; ignorance of Afro-descendant issues on the part of the women's movement; and even the little participation in these scenarios of the Afro-descendant movement itself. With regard to the latter, Cecilia feels there exists great ignorance on the part of Afro-descendant women's groups about international advocacy spaces such as the Committee.

[There is a] lack of information regarding what CEDAW is, how CEDAW helps us. We in some way have been, one way or another, seeing but not monitoring. One of the principal rules is that you won't do advocacy for something you know nothing about, if you don't even know it exists. Or, maybe you don't even know how to do it. (Cecilia Ramírez)

457.

In terms of the relationship with the White/mestiza women's movement, Cecilia says her organization is not close to that movement. In the apparent absence of overlapping interests, it is understandable why White/mestiza women have not heightened the visibility of matters related to Afro-Peruvian women.



We maintain a kind of distance [from the White/mestiza women's movement]. I'm not sure if that's good or bad, we've participated in few spaces ... Nor do we have work in common with the feminist movement. We in CEDEMUNEP have yet to find points of overlap on which we can dialogue, of which there should be some. (Cecilia Ramírez)

458.

Thus, the need for differentiated actions is essential. The historic violence from which Afro-descendant women have suffered due to structural racism has made it impossible for them to fully enjoy their rights. In the face of this, it is greatly relevant to employ a truly intersectional perspective to understand Afro-Peruvian women's problems, which have historically been rendered invisible.



The Peruvian State does not have any policy for improving Afro-Peruvian women's living conditions. All of its policies are aimed at women. ... It's not the same being a woman, it's not the same being an Afro-descendant woman, it's not the same being an indigenous woman, or a handicapped woman. It's not the same, because we face different problems and different situations and there are particularities for us. That's why the best thing the State could do would be to have differentiated policies. (Cecilia Ramírez)

For this reason, structural racism is a problem that should be addressed directly by the Peruvian State. That racism, together with a machistic system, poses significant challenges for Afro-descendant women in exercising their rights. If the State continues invisibilizing the realities of these women, it will be very difficult to eradicate all forms of discrimination against all Peruvian women.

The cradle of discrimination that is the greatest and most virulent and hasn't been able to be diminished even the teeniest bit is ethnic-racial discrimination, which particularly affects us Afro-descendant women. The path is still extremely long there . . . We always say we are third-class citizens. The State doesn't see us. For the Peruvian State, we don't exist. (Cecilia Ramírez).





460.

Lastly, Cecilia calls on the State to recognize Afro-Peruvian women. While some progress has been made, such as the inclusion of the variable of race in the census or regulatory progress in gender equality, the State should jointly analyze the variables of race and gender. The issues of intersectionality and multiculturalism should be considered in light of the issues of women and Afro-descendants.

I would tell the Peruvian State to not forget that Afro-Peruvian women are a part of the country, and that while we have the same rights as other women, we don't have the same opportunities, nor are we given equal treatment and therefore, differentiated work is needed on public policies in order to close the gaps of inequality. (Cecilia Ramírez)

## 8.6 Final reflections: much more than “disadvantaged”

461.

Despite the fact that the last time Peru appeared before the Committee was more than six years ago, as of when this report was completed, it had provided a considerable analysis of Afro-descendant women's living conditions, wherein it affirmed that this population group generally continues to live in poverty. Faced with this, the State has sought to implement actions such as guaranteeing access to justice, quality education, access to employment, and legislation promoting equality.

462.

Nonetheless, despite these efforts, the State does not go into depth on the structural problems that have kept Afro-descendant women trapped in this spiral of poverty and marginalization. While it presents data on poverty levels, it does not provide information

on opportunities for accessing higher education and incentives for these women to obtain decent work.

463.

Furthermore, no accurate information is provided on how the actions the report mentions have been monitored. As such, questions arise, such as: What conclusions were given in the meetings held to improve the quality of education in Afro-descendant communities? Will efforts continue aimed at accessing higher education? How many Afro-Peruvian women drop out of school, and why? It is therefore important for the State to go into depth on these problems and provide specific responses to Afro-descendant women.

464.

Similarly, while it mentions that for the first time there was an Afro-descendant woman holding a ministerial portfolio, it is not made clear what benefits that contributed to Afro-Peruvian communities beyond greater visibility. This illustrates that while the State has made a series of declarations in favor of non-discrimination, it has not gone beyond that to measure the impact of these measures.

465.

It is undeniable that the achievements vis-à-vis the State have been the result of the struggle of Afro-Peruvian women to make themselves visible and known, an effort whose first triumph was the insertion of the variable of race into the national census. The recognition and possibility of being named in the report presented by the State are the result of historic struggles that have brought to the attention of Peru and the world the fact that Afro-Peruvian women are subjects of rights. Notwithstanding, this is an ongoing struggle, as the State has not been capable of recognizing the existence of the structural racism that makes it impossible for women to fully exercise their rights.

466.

Despite the existence of State recognition that has sought, to some degree, to show the realities and experiences of Afro-Peruvian women, civil society does not appear to have appropriated it. An exhaustive review of the various Alternative Reports presented on said date to the Committee shows that only two mentioned Afro-descendant

women. Those two reported on the barriers to accessing justice faced by Afro-descendant women, among other population groups, and the many forms of discrimination faced by women in Peru for various reasons, among them race.

467.

Therefore, one sees that in the civil society reports presented on that date, the civil society organizations did not take into account interseccionality as seen in a complex manner as a relevant element. As such, it is important that civil society itself recognize their struggles and needs, especially when due to reasons of resources (whether human or financial) they are unable to participate in international spaces such as the Committee. The networks of sisterhood among Peruvian women should be based on recognition and respect for differences.

468.

Civil society must actively commit to participating in international spaces such as the Committee to communicate its problems. Similarly, these organizations of Afro-descendant women should take actions to track, accompany, and monitor how and whether the State is implementing the [Committee's] recommendations. While the interview pointed up the reiterative nature of how the State ignores Afro-descendant women's problems, these women

should advocate at the national level and take advantage of international spaces wherein to make their voices heard.

469.

When making its recommendations and Final Observations, the Committee dealt with Afro-descendant women as simply one more of many identity-based minority groups who live in Peru. One section entitled “Disadvantaged Women’s Groups” discussed Afro-descendant women together with other women, without taking into account their particularities. That section includes general recommendations that ignore the structural violence suffered by Afro-Peruvian women due to a racist and misogynist system. It also ignores the spaces for agency and resistance wherein Afro-descendant women have had to fight for in order to be visible to the State.

470.

The women who have been marginalized in Peru for whatever reason do not comprise a large homogeneous group but to the contrary, are greatly diverse. Similarly, the Committee did not take into account the many intersectionalities that can come together in the bodies of Afro-descendant women and therefore, the many forms of discrimination to which they can be exposed, such as for example LBT women.

## 8.7 Recommendations

### 8.7.1 Recommendations to the State

a. The Peruvian State should present disaggregated information on the realities of Afro-descendant women.

b. The recommendations and comments issued by the Committee should be socialized among the country’s civil society.

c. Promote spaces for dialogue with civil society in order to understand their needs and problems.

d. When affirming the persistence of inequality between Afro-descendant and non-Afro-descendant women, the State should analyze why this problem exists.

e. The State should concretely inform on how the national and regional budgets have increased for policies related to matters of gender, and how much of this budget has been earmarked for Afro-descendant women.

f. Demonstrate political will to ensure Afro-Peruvian women are able to participate in the country’s public life and fully enjoy their rights.

g. Position more women in high positions in governmental ministries and entities.

**h.** Work with Afro-descendant civil society organizations, especially with women, to specifically address their problems and ensure equity in access to rights.

**f.** Recognize that when speaking about “women” in general, other women are being ignored who have suffered differentiated and structural violence, such as racism.

**i.** Socialize what CEDAW is and the recommendations that the Committee has made to the Peruvian State.

**g.** Afro-Peruvian women should utilize the disaggregated information they have to demand guarantees of their rights and differentiated attention to their problems in national and international arenas.

### **8.7.2 Recommendations to civil society**

**a.** Strengthen the capacity of Afro-descendant women’s organizations to make known what CEDAW is and the recommendations the Committee has made to the Peruvian State.

**h.** Include in the organizational guidelines the monitoring of the Committee’s recommendations and comments to the State.

**b.** Actively participate in the spaces offered by the Committee, to ensure their observations are taken into account.

**c.** Advocate for the State to visibilize their realities in international bodies, such as the Committee.

**d.** Organizations of White/mestiza women should implement a complex intersectional vision of the realities of Afro-descendant women.

**e.** Generate intersectional, cross-cultural spaces in which to respectfully share experiences with different groups of women.

### **8.7.3 Recommendations to the Committee**

**a.** The Committee should address Afro-descendant issues from a complex intersectional perspective and not fall prey to reductionism by including Afro-Peruvian women in the category of “Disadvantaged Women.” By categorizing them thusly, it does not take into account the particularities that affect Afro-descendant women.

**b.** The Committee should name, in a differentiated manner, the violence experienced by Afro-descendant women and offer specific recommendations for Afro-Peruvian women.

**c.** The Committee should mention the topic of structural racism in its recommendations to the Peruvian State, as the latter has made it impossible for Afro-descendant women to exercise the same rights as the rest of the population.

9

CEDAW in  
**the Dominican**  
**Republic**



## 9.1 Introduction

471.

The Dominican Republic is a country located in the Antilles in the Caribbean Sea on the island of Hispaniola, which it shares with Haiti. It measures 48,310 km<sup>2</sup> and has an estimated population of 10,358,320, 50.05% of whom are women (ONE, 2018). According to activists, it is estimated that 70% of the population is Afro-descendant (Thomas, 2020). In a *Latinobarometro* survey in 2011, 26% of those surveyed identified themselves thusly, while according to the United Nations (2007), 80% of the Dominican population is Afro-descendant. However, given there are no official tools, such as a census, that measure that population, there is no certain way of knowing the number of residents in that identity-based group (World Bank, 2018; EFE, 2020d). This reveals a historical debt to Afro-descendants residing in the country.

472.

In this country, where a significant portion of the mixed Afro-descendant population is identified as “Indian” despite the fact that a wide sector of this population group holds important positions in society and politics, behaviors that exclude based on race continue to exist (World Bank, 2018). For example, the coloniality of power has permeated aspects such as the Dominican aesthetic, which views Afro hair as less formal than straight hair (EFE, 2020d). The foregoing is possibly due to a collective imagination that associates Afro-descendants with Haitian immigration, rather than with Dominican national life (World Bank, 2018).

473.

With regard to the violence committed against women, between 2010 and 2018 847 Dominican women were victims of femicide, not counting the cases that were not classified as such; if one counts the victims of femicide and homicide, there would be an average of 187 women assassinated annually in this country (*Participación Ciudadana* [Citizen Participation], 2019). Likewise, 35% of Dominican women attest they have been victims of violence inflicted by their partners; one out of every 10 women said they were victims of sexual violence at some point in their lives; 60% of the women said their partners controlled them; and women’s partners inflicted 80% of the violations on their bodies (UNFPA, 2017). Furthermore, the Dominican Republic is one of the five countries in the region with the greatest number of femicides, representing 50% of the cases of violent deaths of women (UNDP, 2020). This reveals the patriarchal relations that can exist within Dominican couples: heterosexual men feel it is their right to control their female partners.



474.

While the Dominican government has taken some immediate actions against these types of violence, such as the 212 hotline for females who are victims and those who have been threatened, which seeks to reduce the number of femicides, these efforts are not sufficient. In 2016, this hotline received 22,652 calls, and in just the first half of 2019 5,567 calls came in; of these, 600 women were in danger of being killed and were aided (*El Dinero* [The Money], 2020). The foregoing is a product of the lack of a culture of denunciation and normalization of intimate violence: “The figures of violence that are reported constitute the tip of the iceberg that is concealed behind social tolerance and impunity regarding violence against women” (ONE and UNFPA, 2014, p. 13).

475.

The violence inflicted on Dominican women is not only physical but also structural, psychological, and symbolic. For example, by mid-2019, it was found that “71.1% of female victims of violence attended to by the Ministry of Women this year were victims of psychological assaults; verbal assaults (70.9%); physical assaults (50.6%); financial assaults (18.2%); asset-related assaults (14.7%); and sexual assaults (13.7%)” (*El Dinero*, 2002, parag. 4). Following the foregoing, according to data from ONE and UNFPA (2014), women in the Dominican Republic have primarily been victims of psychological violence (80%), followed by physical violence (59.8%), and sexual violence (3.3%).

476.

The women in this country are the ones who dedicate the greatest degree of time to caring for their nuclear families, investing in such work approximately 31.2 hours, while men only invest 9.6 (*El Dinero*, 2020). One out of every 10 Dominican women does not have access to any form of birth control (CEPAL, 2018). In terms of schooling, there is less female attendance in primary school (UN Women and CSW, 2015). Likewise, the majority of women who say they are victims of intimate gender-based violence say theirs is a “regular” economic situation and as such, they are dependent on their partners for their subsistence (ONE and INFP, 2014). Lastly, it is estimated that more than 70,000 women have been victims of human trafficking over the last 20 years (UN Women and CSW, 2015).



477.

As was said earlier, given there is no institutional measurement of gender-race intersectionality in national censuses, not only is the number of Afro-Dominican women unknown, but also their principal needs and realities. In 2015, for example, the majority of femicides were of poor Afro-Dominican women (UN Women and CSW, 2015).

478.

Similarly, the overlap of vectors of intersectionality such as race, gender, sexual orientation, and gender identity within a context such as the Dominican Republic is synonymous with violence. Lesbian and trans women in this country attest they have been victims of societal and familial discrimination, and have had to deal with social stereotypes and prejudice (*Caribe Afirmativo and Fundación Triángulo* [Triangle Foundation], 2018). One of the many types of violence targeting lesbian and trans women in this country is what is known as ‘corrective rape’ (FUNCEJIL, 2018), which affects these women’s physical and psychological integrity. Notwithstanding, no disaggregated information exists on the specific violence that Afro-Dominican lesbian and trans women might suffer, although it can be inferred from the country’s classist and racist logic that lesbian and trans women experience differential violence (*Caribe Afirmativo and Fundación Triángulo*, 2018).

479.

Despite the historic and structural violence experienced by Afro-descendant women in the Dominican Republic, they have made significant efforts to make themselves visible, as in the case of the First Encounter of Afro-Latin American and Afro-Caribbean Women held in 1992 in this country. That event gave rise to the *Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora* [Network of Afro-Latin American, Afro-Caribbean, and the Diaspora Women] (RMAAD), with July 25th being recognized as International Day of Afro-Latin American, Afro-Caribbean, and Diaspora Women (CEPAL, 2018; *Mujeresafro* [Afro Women], 2020).

480.

Additionally, the Dominican State has exerted moderate effort to create an institutional framework that prevents violence due to gender-based or sexual prejudice. Article 366 of the Constitution and the Dominican Criminal Code, by defining discrimination and seeking to mitigate it, include among their categories sex, race, and (in the Criminal Code) sexual orientation. Likewise, while Article 100 of the Criminal Code typifies femicide as a crime, it is limited to romantic relationships. Nonetheless, there are still a series of legal impediments that preclude women's free development; for example, the criminalization of abortion, which violates women's sexual and reproductive rights.

481.

Without legal instruments centered on guaranteeing decent lives, together with State ignorance and societal exclusion, there is no accurate information available on what their needs are and as a result, precise actions are not taken to guarantee their wellbeing. In addition, it can be inferred from the information available that Afro-descendant cisgender, lesbian, and trans women confront situations of poverty and dependence on other persons, who in many cases are their violators and commit sexual violence against them. This violence, committed in a context of no access to sexual and reproductive healthcare and in the midst of a criminal system that criminalizes abortion, is practically a death sentence for an endless number of Dominican women.

## 9.2 The Dominican State before the Committee

482.

Over the course of the decade, the Dominican State twice appeared before the Committee: in July 2013 and July 2020. On both occasions, the State Party reported on the progress made in guaranteeing the rights of all women residing within its territory. This section presents the progress made and challenges confronted by the State with regard to Afro-Dominican women's rights.



### 9.2.1 The State before the Committee in the 55th session (2013)

483.

For this session, the Dominican State declared that the Ministry of Women is the body charged with complying with CEDAW and therefore, the author of the report. The report highlights the 2010-2030 National Development Strategy, which has a cross-cutting focus on gender equity. Likewise, it indicates that Article 39 of the Constitution establishes the principles of non-discrimination and equality before the law. It affirms that constitutionally, the State must guarantee equity between men and women in gaining access to popularly elected positions. Another aspect noted by the report is the implementation of the 2007-2017 National Plan on Equality and Gender Equity. In addition, the new text of the Constitution grants constitutional hierarchy to international treaties ratified by the State.

484.

Nonetheless, throughout the text, the State completely ignores the realities and problems of Afro-descendant women. This serves to completely invisibilize their experiences by failing to mention them in the report. The only point where these matters are briefly addressed is when it indicates the 66-97 General Law on Education, which promotes education without any form of discrimination, including of a racial nature.

### 9.2.2 The State before the Committee in the 76th session (2020)

485.

At the session held in July 2020, the State presented its eighth periodic report to the Committee, comprised of data from the Ministry of Women and the Directorate of Human Rights of the Ministry of Foreign Affairs (MIREX), with a review performed by the Inter-Institutional Commission on Human Rights and other State institutions. The report recognizes that while political and regulatory efforts have been made, the State has yet to achieve the degree of equality between men and women that were expected.



486.

The State highlights the actions performed in 2019 within the framework of the 2020-2036 PLANEG III promoted by the Ministry of Women, actions in accord with the National Development Strategy, Sustainable Development Goals (SDGs), and other instruments favoring gender equity. The foci of this plan, linked to the SDGs, are as follows: education for equality; comprehensive healthcare for women; financial autonomy; citizenship; democracy; societal and political participation; gender equality and environment; gender-based violence; and technology for women's autonomy. This plan has received support from UNDP, UNFPA, and UN Women. Together with UNDP, the State has promoted 'Sello de Igualdad Sector Público y Privado: Igualando RD' [Public and Private Sector Seal of Equality: Equaling RD], which seeks to incentivize best practices in the area of gender equity. In addition, thanks to a joint resolution of the Ministry of Women and Ministry of Public Education, Gender Equality Units have been created in various public administration organs.

487.

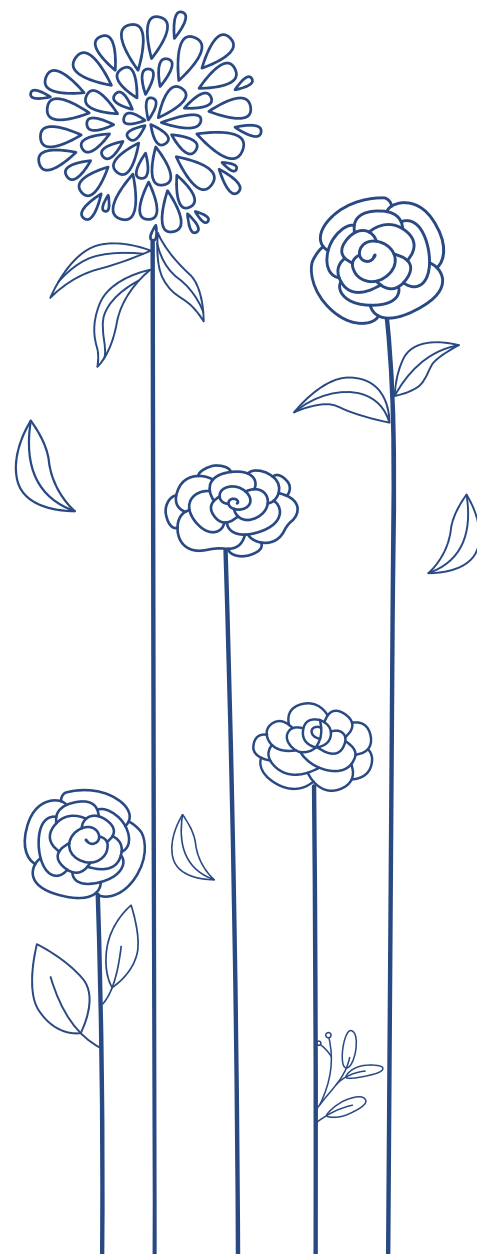
Nonetheless, once again this report (similar to the one presented in 2013) does not mention the reality of Afro-descendant women, who are eliminated and invisibilized by the Dominican State. Likewise, when making reference to matters of migration, it does not specify that in most cases, it is referring to Afro-descendant-Haitian women.

### 9.3 Alternative Reports presented by civil society

#### 9.3.1 Alternative Reports presented by civil society in the 55th session (2013)

488.

Only two of the reports presented by Dominican civil society specifically addressed Afro-descendant matters or problems related to structural racism. Open Society's report makes reference to the structural violence experienced by immigrant Haitian women in the Dominican Republic. These women must confront machistic, racist, and xenophobic structures.



489.

The *Movimiento Socio Cultural para los Trabajadores Haitianos* [Socio-Cultural Movement for Haitian Workers] (MOSCTHA), *Movimiento de Mujeres Dominicano Haitianas* [Movement of Dominican-Haitian Women] (MUDHA), *Fundación Étnica Integral* [Comprehensive Ethnic Foundation] (FEI), *Asociación Pro Desarrollo de la Mujer* [Association in Favor of Women's Development] (PRO-DEMA), and *Comisión Nacional de los Derechos Humanos* [National Human Rights Commission] presented a report addressing the depth of the problems facing Afro-Dominican women, Haitian immigrants, and their descendants.

490.

This report indicated firstly that the modification of the Immigration Law creates structural discrimination, given that the sons and daughters of people of Haitian descent cannot obtain Dominican nationality; for this reason, in 2005 the Inter-American Court [of Human Rights] condemned the Dominican State.<sup>55</sup> Additionally, other laws have been created that discriminate against Afro-descendant women, such as Law 285-04, which mandates that only the father can hold nationality and, in the event a boy or girl is born without the mother having the necessary residency permits, a pink live-birth certificate will be issued, which can complicate the eventual processes required to obtain citizenship. The lack of documentation for female migrants of Haitian descent exposes them to endless vulnerability such as lower salaries, difficulty accessing employment, gender-based violence, and inaccessibility to decision-making spaces.

491.

In the specific cases of Afro-Dominican women, the report indicates that they are the targets of discrimination due to the color of their skin – which makes it

impossible to access certain social circles or culturally express themselves – being women, and the poverty to which they are exposed because they are unable to access well-remunerated employment. Furthermore, greater notice is taken of darker skin in the women than the men when attempting to access education or formal employment.

492.

Likewise, there is a collective imagination surrounding Afro-descendant women, who are associated with “ugliness, mudholes, poverty” (p. 6). This has led Afro-Dominican women to repudiate their own roots and seek to become a part of the aesthetically White society. The report noted how some public establishments deny entry to Afro-descendant women, as “women of color are only good for prostitution, domestic work, or the informal economy” (p. 6).

493.

With regard to employment, the report indicated that the need to fit in with what is deemed to be presentable weighs on women's bodies, a matter Afro-descendant men do not face. Despite the fact that Afro-Dominican women have a higher level of schooling than do Afro-descendant men, they face greater hurdles when trying to gain access to formal work.

<sup>55</sup> In August 2020, the Dominican State, in response to the Court's ruling, awarded nationality to 750 Haitian descendants.

494.

In the Dominican Republic, the report continues, there are dynamics of ‘otherness,’ wherein those ‘others’ (Afro-descendants, indigenous people, or migrants) are viewed as inferior to the rest of society. Despite the Durban Declaration and Programme of Action (2001), the Dominican State continues to ignore the realities of Afro-descendant populations in the country.

495.

In light of this context, the signatory organizations asked the Committee to recommend to the State that it create an organ to monitor the Committee’s recommendations; change its discourse on discrimination; launch a national campaign to promote respect for original peoples; designate a Human Rights Ombudsman; and gather disaggregated data to understand the reality of the country’s Afro-descendants.

496.

### **9.3.2 Alternative Reports presented by civil society in the 76th session (2020)**

For this session, various organizations discussed how structural racial violence impacts Afro-Dominican women’s full development. In its report, CLADEM exposed how marriage at a very young age violates girls’ rights and exposes them to greater gender-based violence in the home; the report noted that this practice is common in poor families in marginalized areas and Afro-descendants, who see girls as a financial burden and exchange them for money. Furthermore, it noted that Afro-descendant women and girls are the targets of discrimination in academic and work spaces due their curly hair. Lastly, it affirmed the discrimination suffered by the few women who are in decision-making spaces, such as Congress, which is experienced the most by rural and Afro-descendant women.

## **9.4 Observations of the Committee**

### **9.4.1 Observations of the Committee in the 55th session (2013)**

497.

For this session, the Committee recognized the efforts of the State Party to comply with CEDAW, such as approving regulations and the new Political Constitution, as well as implementing the 2007-2017 National Plan for Equality and Gender Equity.

498.

While the Committee did not comment on Afro-descendant women in the Dominican Republic, it expressed concern regarding the State’s denial of the various forms of discrimination that weigh on Haitian women, including due to sex and race. Therefore, it recommended to the State to foster a public debate that promotes respect for and the rights of migrant Haitian women.



#### 9.4.2 Observations of the Committee in the 76th session (2020)

499.

As of the date this report was completed, the Committee's Final Observations had not yet been published.

### 9.5 Considerations of civil society

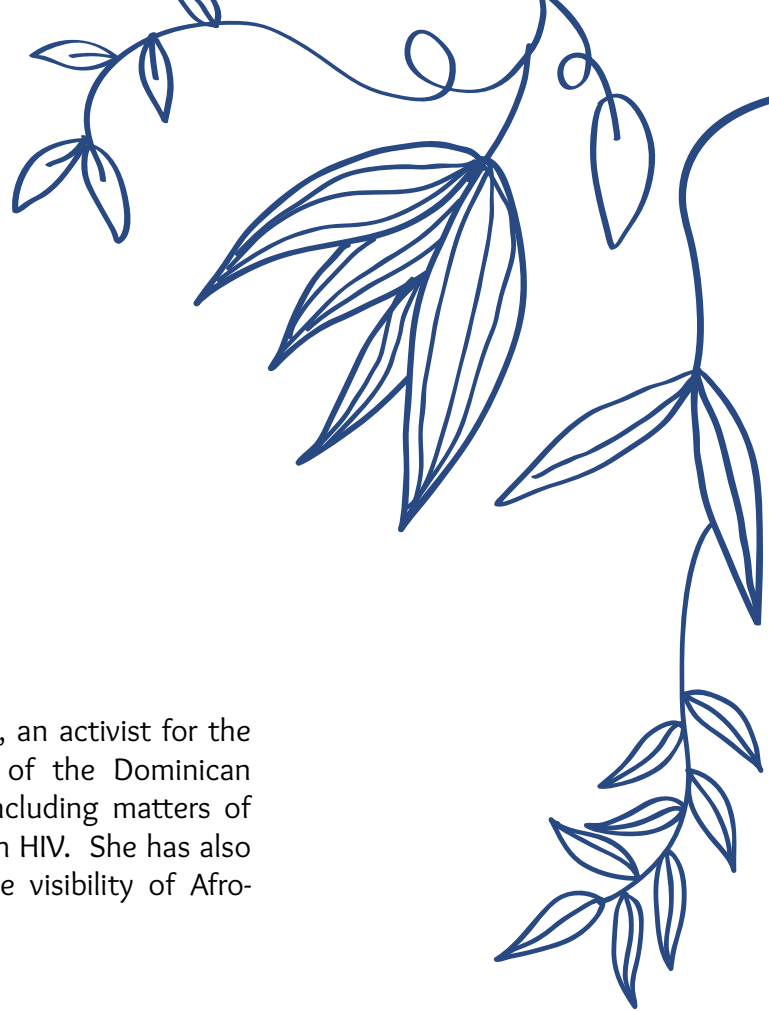
500.

This section's protagonist is María Martínez, an activist for the rights of the Afro-descendant population of the Dominican Republic. Her work spans several areas, including matters of health and accompanying persons living with HIV. She has also sought throughout her life to heighten the visibility of Afro-descendants and Haitian immigrants.

501.

Despite the fact that she has not yet had the opportunity to appear before the Committee, she has helped develop two reports calling on the State to protect the rights of Afro-descendant and migrant women. Nonetheless, she believes that though the experience has been positive, the State is not complying with the Committee's recommendations.

The experience has been amazing. We did the first report individually; the other one we did with another organization turned out very well. Virtually none of the recommendations related to the matter of female migrants have been followed. (María Martínez)



502.

The recommendations to which María was referring center on providing guarantees of decent lives for women and their sons and daughters, as well as eliminating all forms of discrimination against them. While it is understandable that these recommendations focus on Haitian, poor, and Afro-descendant women, at no point do the Committee and/or the State explicitly refer to this, instead only speaking about female migrants.

503.

For this activist, the importance of these spaces resides in the possibility of doing advocacy. She feels, likewise, that recently the State has expressed more concern for complying with international treaties than it has in the past. However, as was noted earlier, all of the recommendations issued by the Committee have yet to be fully followed.

Since 2013, the Dominican Republic has become fearful of international bodies, and despite the fact that it doesn't comply with the recommendations, yes, at least it reacts and issues a public statement ... Although the State does not comply with recommendations, being in those spaces always produces pressure.  
(María Martínez)

504.

This activist, who recognizes the importance of participating in these international spaces, knows that many Afro-descendant women from the Dominican Republic do not attend these encounters because it is very expensive. Furthermore, institutional capacity is needed to be able to raise those needed funds.

One of the principal reasons for the lack of attendance is the financial aspect. For us, who live on this side of the Caribbean, traveling to Geneva is super expensive. ... For me to travel to Geneva, I have to do so under the aegis of the Institute, which primarily hosts me, positions me in the process. ... It is a matter of resources. (María Martínez)

505.

Participating in these spaces is of the utmost importance, given the various forms of violence experienced by Afro-descendant women in this country. A clear example is the institutionalized discrimination and xenophobia against migrant Haitian women, whom the government and media tend to blame for the economic crises the country experiences.

The government has done nothing in the media; in fact, the xenophobia and discrimination in the media is super high, it's grotesque. It's not punished. Here everyone does and says what they want. (María Martínez)

Despite the country's Afro-descendant women's commitment to socialize the recommendations, without State support it is not possible to widely do so. According to the activist María Martínez, the State not only does not comply with the Committee's recommendations, neither does it socialize these comments, such that ignorance of the matter is widespread in the country.

506.

The government has never socialized the Committee's comments. . . . When we submit a report, we issue a short press release and disseminate it to the general public along with a short summary of what has transpired and an abstract of the report. (María Martínez)




507.

Similarly, there are no guarantees for a decent life for migrant women. These women not only are symbolically violated in the media, but also confront violations of their rights when giving birth in the Dominican Republic. Female migrants, who suffer triple discrimination due to being migrants, women, and Afro-descendants, must accept humiliating living conditions in order to survive: “There are unfortunately women who must live with a man they do not love in exchange for a plate of food” (María Martínez).

508.

Afro-descendant women also confront direct and symbolic violence in their daily lives. An example of this is assimilating western aesthetics which are more accepted than Afro-descendant aesthetics. This can be seen in the barriers and discrimination Afro-Dominican women can experience by wishing to honor their roots by, for example, maintaining Afro hair styling, or the discrimination faced by the former Miss Dominican Republic due to her race.



Less than a year ago we participated in the Miss Universe pageant. There was an Afro girl who participated on behalf of the Dominican Republic. That was dreadful, because they offended her every which way, because they felt she did not deserve to be the representative of the Dominican Republic because of her physical traits. . . . In fact, there were journalists who questioned why, with so many beautiful women, she was the one who was representing the Dominican Republic.  
(María Martínez)

509.

The foregoing reveals that the efforts of the Dominican State to eliminate all forms of discrimination against women have been insufficient. Afro-descendant women continue being victims of a machistic, racist system that discriminates against and systematically violates their rights, despite the signing of national and international agreements in favor of equality and non-discrimination related to gender: “Discrimination has a significant cultural element and honestly, the government has not tried hard. Because it should launch education [about this] in schools, but hasn’t done so.” (María Martínez)

510.

In the midst of the COVID-19 pandemic, Afro-Dominican women have had to deal with a double workday: their remunerated work [outside the home] and their non-remunerated work in the home. The economy of caregiving is in the hands of these women, who must fully bear this double burden, despite earning less income than men.

Women in the Dominican Republic receive smaller salaries than men.... We do double the work: we have to do all the housework, and now even more during the quarantine, and we must also do actual office work. We have to put forth double the effort.  
(María Martínez)

511.

In the face of this complex context, María calls for unity among the country’s women’s groups to continue developing international reports and thereby be able to exert pressure on the State to comply with the international commitments to which it has agreed. This activist believes that united, continuous work can be part of the solution for improving Afro-Dominican women’s quality of life: “Drafting more reports and exerting a bit more pressure, working in a united manner, which is a disadvantage we have, as we only join together when producing a report” (María Martínez).



## 9.6 Final reflections: what goes unnamed does not exist



512.

When women's groups have insisted on being named, it has been due to the fact that in linguistics, what goes unnamed does not exist. This can be seen in the reports presented to the Committee by the Dominican State: a negation of the existence, needs, and capacity of Afro-descendant women. By not mentioning them in its reports, and therefore in State actions, it cannot recognize their specific problems.

513.

Afro-descendant women are the targets of some forms of violence due to their gender and race, which in machistic, racist, and sexist contexts represent barriers to accessing their basic rights. Thus, while the State continues to deny these women's experiences, their situations of vulnerability will continue to increase.

514.

Similarly, the violence against these women includes symbolic violence, an example being the discrimination based on a person's type of hair. The civil society reports that address matters regarding Afro-descendant women revealed an aesthetic colonialism that deems certain types of hair as being better than others. In this case, straight hair is synonymous with being beautiful and professional, while Afro or curly hair symbolizes the opposite.

515.

Within these dynamics of aesthetic and colonialist representations, it becomes impossible for Afro-descendant women to proudly show their African inheritance. These cultural dynamics and racial stereotypes, which at first blush could be seen as something superficial, in reality represent systematic violence that is direct and symbolic and seeks to eliminate Afro-descendant women from the Dominican social realm. Along with this, it can be seen that the Dominican State does not exert efforts to fully comply with CEDAW, given that cultural discrimination is not being eliminated.

516.

Another significantly important aspect is the disparity in rights between men and women. This is palpable when it comes to the official recognition of the nationality of the sons and daughters of immigrants, as men are the ones who have the power to grant the right to nationality. This impacts women of Haitian descent, as they are the ones who are unable to pass on nationality to their sons and daughters. Likewise, if a female immigrant gives birth and does not have a male Dominican partner, her son or daughter will have greater difficulty obtaining nationality.



517.

With regard to the foregoing, a huge problem posed by the State and some civil society organizations is that they do not see that violations of the rights of Haitian women are not only a matter related to xenophobia, but also to the structural racism that is predominant in the Dominican Republic. The question then becomes, are Haitian women the target of discrimination only because they are immigrants, or because they are Afro-descendant immigrants? In order to respond to this, it is necessary [to analyze] the overlap of vectors of intersectionality.

518.

Given the foregoing, beyond merely seeing this problem as much more complex than migration, one must observe the various vectors of intersectionality that overlap in immigrant women: poverty, gender, and race. Furthermore, neither civil society, nor the State, nor the Committee are taking into account the many other intersectionalities that can weigh heavily on the bodies of not only Haitian immigrant women, but also Dominican Afro-descendant women.

519.

An example of the foregoing is what might be happening to sex-gender diverse women in this country. If Afro-descendants in the country are rendered invisible, [and] if there are also machistic and sexist structures, what can happen to lesbian, bisexual, and trans women? Who looks out for them and guarantees their rights? How do they survive on a daily basis? All of these issues could receive responses if the State were to provide disaggregated information regarding race, and if civil society organizations were to ask about these women's quality of life.

520.

The Dominican State should not only comply with the recommendations issued by the Committee, but also socialize them. By not offering civil society the chance to have a deep understanding of what the Committee is and what it says to the country, the State violates one of the commitments it assumed by signing on to CEDAW. Without dialoguing with the civilian citizenry, it would be practically impossible to make any progress toward eliminating all forms of discrimination against women. In the same way, civil society's commitment should continue to be widely disseminating the Committee's comments.

The marginalization is affecting Afro-Dominican women's access to rights, who must practically fight every day to guarantee their existence. The absence of guarantees for accessing basic rights such as education or work, together with structural racism that prevents them from freely enjoying their ancestral traditions and inheritance, violates these women's quality of life. If effective transformations are not made – which should be guided by an active civil society, the oversight of international organs such as the Committee, and political will – the spiral of violence that impacts Afro-Dominican women will continue.

## 9.7 Recommendations

### 9.7.1 Recommendations to the State

**a.** The State should include in its reports the reality of Afro-Dominican women. It should also recognize their existence and contributions to Dominican society.

**b.** The State should present the problem of migration from a complex perspective; that is, it should reference a series of types of structural discrimination experienced by these women, not only due to being immigrants but also for being Afro-descendants and poor.

**c.** Accept the existence of racist and classicist structures that differentially impact Afro-Dominican [and] Haitian women and Haitian women's descendants.

**d.** Create and implement regulations and policies that promote equality and non-discrimination against Afro-descendant women.

**e.** Promote campaigns that highlight the Afro-descendant aesthetic and generate illustrative punishments for people or businesses that commit discriminatory acts against that aesthetic.

**f.** Provide disaggregated data on the reality of Afro-descendant women in the country.

### 9.7.2 Recommendations to civil society

**a.** Recognize the reality experienced differentially by Afro-descendant women in the country.

**b.** Frame the migration problem as an issue not only of xenophobia, but also of racism, machismo, and classicism.

**c.** Create strategies for institutionally strengthening Afro-descendant women to enable them to access spaces such as the Committee.

**d.** Groups of White/mestiza women should support the process of visibilizing Afro-descendant women by recognizing their needs and particularities.

e.) Find points of encounter with the movements of White/mestiza women.

f. Include in the organizational guidelines the monitoring of the recommendations and comments the Committee offers to the State.

### 9.7.3 Recommendations to the Committee

a. The Committee should ask the State for information on the condition of the country's Afro-descendant women.

b. The Committee should provide reflections on how immigrant women's problems are not only due to their status as immigrants, but also because they are Afro-descendants and poor.

c. The Committee should provide disaggregated data on Afro-Dominican [and] Haitian women and Haitian women's descendants.

d. The Committee should ask the State about the regulations it has implemented to guarantee dignity, respect, and non-discrimination against Afro-descendant women.





## 10. Final reflections



## 10.1 What is happening in the region?

522.

The realities experienced by Afro-descendant women in Brazil, Colombia, Cuba, Mexico, Nicaragua, Peru, and the Dominican Republic are primarily a product of the intersection of race and gender. This discrimination derives from structural racism and a coloniality of gender and race. The overlap of these variables has led the violence which these women confront to be differentiated and specific. Nonetheless, Afro-descendant women in these countries have demonstrated their capacity resist and overcome [challenges, and] their determination to attain equality for and recognition of their communities, all of which has entailed the States taking gradual steps on behalf of their rights.

523.

Throughout this investigation, the goal has been to provide a specific vision of the dynamic relations between each State Party [and] civil society in that State, as well as the specific observations the Committee has made to each State. This information has allowed for an individual analysis to be made of each of the seven States analyzed. Even so, it is possible to glimpse some general patterns that enable us to provide a broader vision.

524.

Below is a table with a comparative view of some key aspects of the reports presented by State, Alternative Reports submitted by civil society, and lastly, the Committee's recommendations.

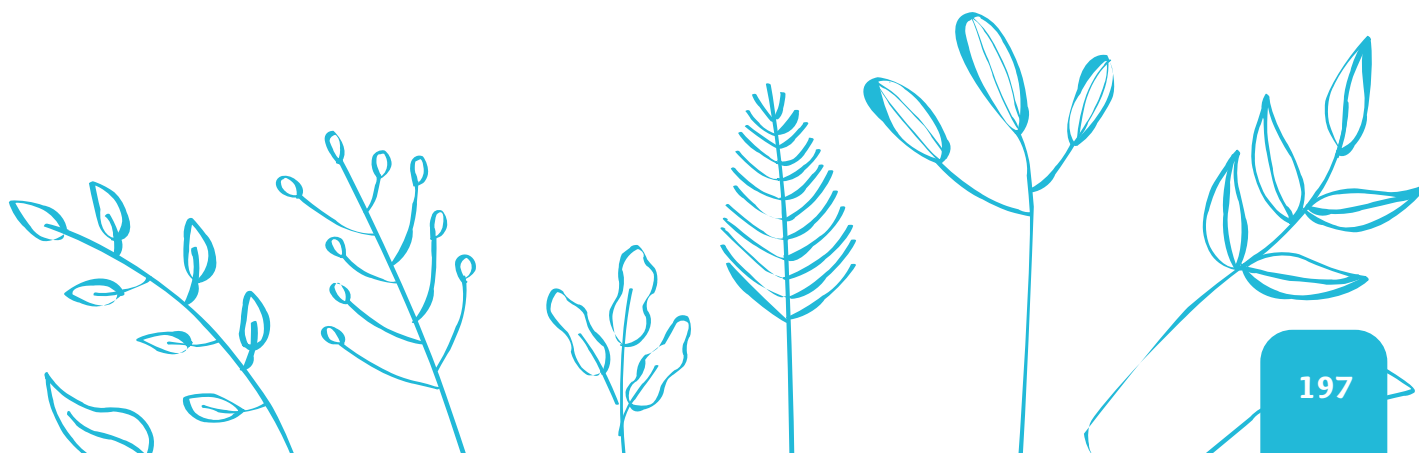


Table 1: Basic aspects of each country studied

Organ	Basic Aspects	Brazil	Colombia	Cuba	Mexico	Nicaragua	Peru	Dom. Rep
The State	Inclusion or mention of issues regarding Afro-descendant women in all of the reports presented to the Committee over the course of the decade	×	×			×	×	
	Inclusion or mention of issues regarding Afro-descendant women in some of the reports presented to the Committee over the course of the decade				×			
	Intersectional perspective regarding the issues of Afro-descendant women	×	×					
	Individually addresses the problems of Afro-descendant women	×	×					
	Inclusion of Afro-descendant problems as those of the “other” women or minorities					×	×	
	Was presented to the Committee twice or more		×		×			×
	Inclusion of disaggregated data	×	×					
	Includes the problems of Afro-descendant lesbian, bisexual, and trans women							
	The report resembles in certain points what is proven by the Alternative Reports of civil society that discuss Afro-descendant issues.	×	×				×	
Civil Society	Appearance before the Committee of Afro-descendant women’s groups	×	×			×		×
	Extensive presence before the Committee of Alternative Reports mentioning the problems of Afro-descendants in all of the sessions held during the decade	×						
	Extensive presence before the Committee of Alternative Reports mentioning the problems of Afro-descendants in some of the sessions held during the decade		×					



Organ	Basic Aspects	Brazil	Colombia	Cuba	Mexico	Nicaragua	Peru	Dom. Rep
Civil Society	Organized and harmonious coordination among the groups of Afro-descendant women and White/mestiza women							
	One or more reports reference(s) Afro-descendant lesbian, bisexual, and trans women.			×				
	Afro-descendant women feel the State has complied with the Committee's recommendations and their living conditions have improved.							
The Committee	The Committee has employed a complex and intersectional perspective in its recommendations that has enabled all of its recommendations to provide specific responses to Afro-descendant women's needs in the [respective] country.							
	The Committee has employed a relatively complex and intersectional perspective in its recommendations that has enabled one of its recommendations offered over the course of the decade to address some of the needs of the Afro-descendant women of the [respective] country.	×	×					
	The Committee has issued specific recommendations to help eliminate intersectional discrimination by race and gender.							
	The Committee employs a general vision and includes recommendations on Afro-descendant women as a part of a series of minorities who do not have much in common.	×	×	×	×	×	×	
	The Committee's recommendations reference the structural racism that differentially affects Afro-descendant women.							

Source: Developed by author

525.

An analysis of this table shows that in those countries in which the States include more issues related to Afro-descendants in their official reports, the Committee in turn makes its recommendations in that regard more specific. In those that do not mention issues of race, the Committee ignores those topics. Thus, it is of the utmost importance for the States to reflect in their reports the reality of Afro-descendant women, by including disaggregated data.

526.

It is also important to mention that in general one sees three basic issues. Firstly, the States should increase their efforts to include an intersectional vision of the realities impacting Afro-descendant women. Secondly, civil society is not including in its reports the racial diversity that exists: lesbian, bisexual, and trans women tend to be omitted in these reports. Lastly, one sees that the Committee is not making recommendations from a rigorous intersectional perspective in which Afro-descendant women's problems can be highlighted, so as to enable the States to best channel their actions to fight race- and gender-based discrimination.

## 10.2 In the words of the Afro-descendant women and women's organizations of the region

527.

A series of surveys were administered to civil society organizations, academia, leaders, and other sectors in order to understand the real impact of CEDAW and the Committee. Two surveys were administered: one to organizations allied with or beneficiaries of the International Institute of Race, Equality, and Human Rights and another to organizations that are not allied with or beneficiaries of the International Institute of Race, Equality, and Human Rights that work in the areas of gender and race. A total of 45 responses were obtained, 15 of which were from organizations allied with the Institute and 30 from organizations that were not.

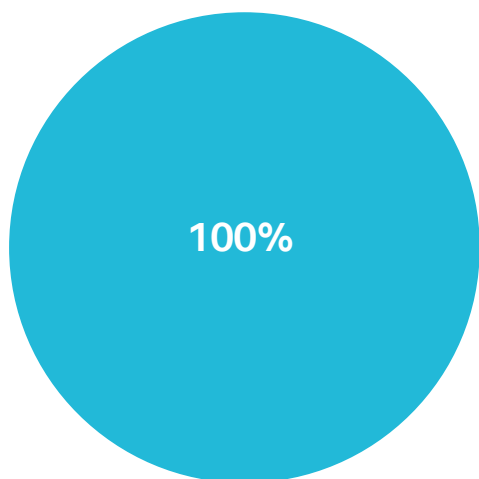
528.

CEDAW as an international instrument represents an opportunity to increase the visibility of their realities; nonetheless, given the dissimilar processes that are underway in the region on behalf of the rights of identity-based groups that have historically been violated, one sees that taking advantage of this space has transpired unequally in the seven countries studied. As such, participation in these spaces is a long-term process requiring time and resources. In general one sees that Afro-descendant women who do not participate in these spaces have not done so due to two barriers: ignorance and lack of resources.

**Graphic 1: Knowledge of CEDAW by organizations allied to the Institute**

**Do you know what CEDAW and the Committee are?**

*15 responses*



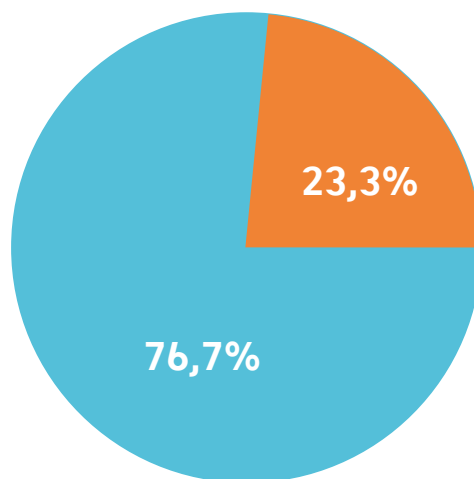
● YES ● NO

*Source: Developed by author (2020)*

**Graphic 2: Knowledge of CEDAW by organizations not allied to the Institute**

**Do you know what CEDAW and the Committee are?**

*30 responses*



● YES ● NO

*Source: Developed by author (2020)*

529.

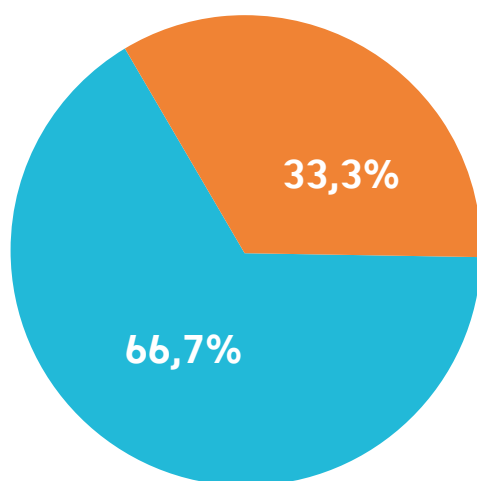
The graphics above show that the accompaniment of an organization seeking to strengthen the capacity of other organizations, as does the Institute, enables civil society to have greater knowledge of international instances such as CEDAW. Furthermore, it is concerning that 23.3% of the social institutions that specifically work on matters of gender know nothing about CEDAW.

When they were asked how many people/organizations have participated, the trend we had already observed repeated itself: there is little participation by Afro-descendant organizations and those allied to Afro-descendant women. This is due to the reasons we have already mentioned: ignorance and a lack of resources.

**Graphic 3: Participation in Committee sessions by organizations allied to the Institute**

Have you actively participated in any of the Committee's sessions?

15 responses



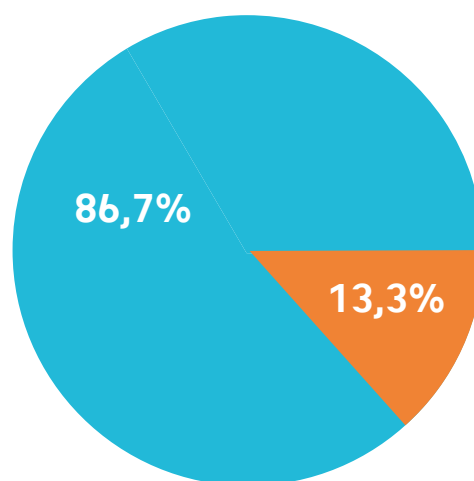
● YES ● NO

Source: Developed by author (2020)

**Graphic 4: Participation in Committee sessions by organizations not allied to the Institute**

Have you actively participated in any of the Committee's sessions?

30 respuestas



● YES ● NO

Source: Developed by author (2020)

531.

The foregoing once again provides evidence of the fact that those Afro-descendant civil society organizations that receive support from another organization seeking to buttress their capacity have a greater presence in spaces such as the Committee. Aid entities must provide assistance to enable these social organizations to internationally advocate and dialogue with the State and Committee, to provide evidence of Afro-descendants women's realities.

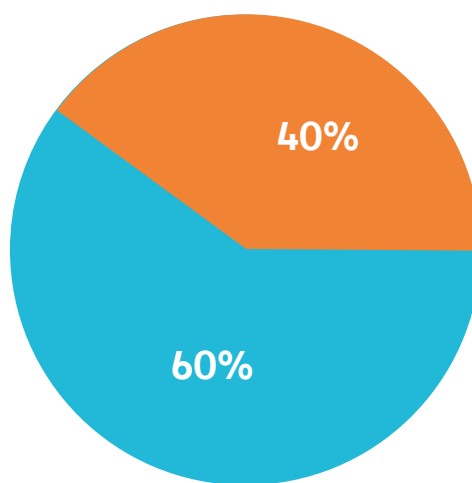
532.

Another aspect that was frequently found throughout the analysis is that Afro-descendant women, despite recognizing the importance of participating in these spaces, feel that at times the recommendations issued can be of a very general nature. It was for this reason that we decided to ask about the real impact of the Committee's recommendations on the lives of Afro-descendant women in the region.

### Perception of the impact of the recommendations on Afro-descendant women, according to organizations allied to the Institute

Do you believe these recommendations have an impact on the lives of Afro-descendant cisgender, lesbian, and trans women?

15 responses



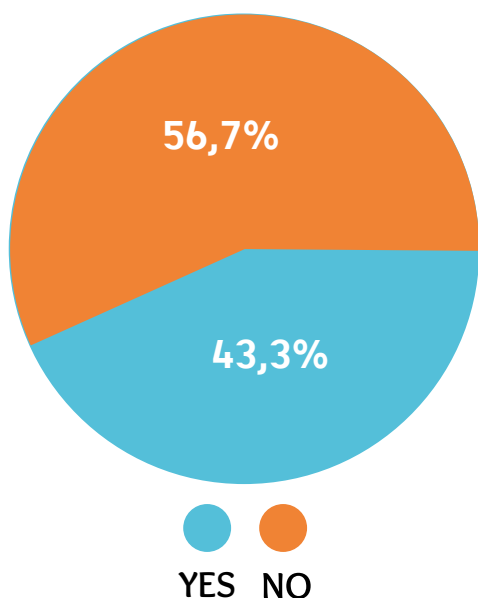
YES NO

Source: Developed by author (2020)

**Graphic 6: Perception of the impact of the recommendations on Afro-descendant women, according to organizations not allied to the Institute**

**Do you believe these recommendations have an impact on the lives of Afro-descendant cisgender, lesbian, and trans women?**

*30 responses*



*Source: Developed by author (2020)*

533.

These pie charts reveal that a significant number of organizations working in the fields of gender and race do not see any impact of the Committee's recommendations. This perhaps might be due to the fact that the Afro-descendant women's organizations that have participated in this space believe that the simple fact of being able to attend and confront the States is already an important element. Likewise, some organizations affirm that it represents a huge first step to making these issues visible to international bodies. Nonetheless, the problem lies in complying with those recommendations.

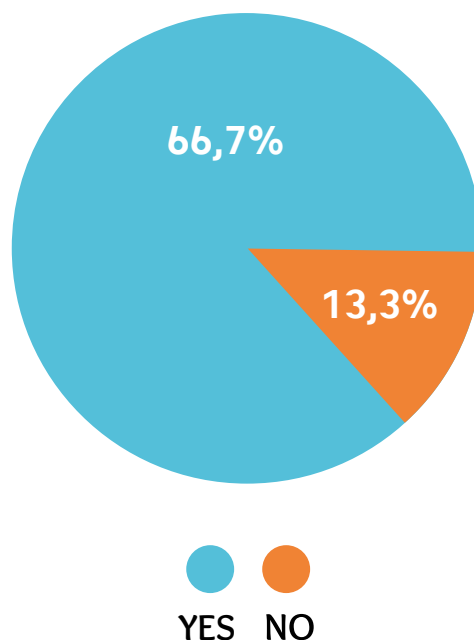
534.

The foregoing is directly related to the fact that the women interviewed believe the States have not taken their needs into account. As such, the women were asked in the survey if they believe that the States have incorporated the Committee's recommendations. The answers they gave were close to those given previously in the in-depth interviews.

**Graph 7: Perception of compliance with the Committee's recommendations by organizations allied to the Institute**

**Do you believe the government in your country incorporates the recommendations offered by the Committee?**

*15 responses*

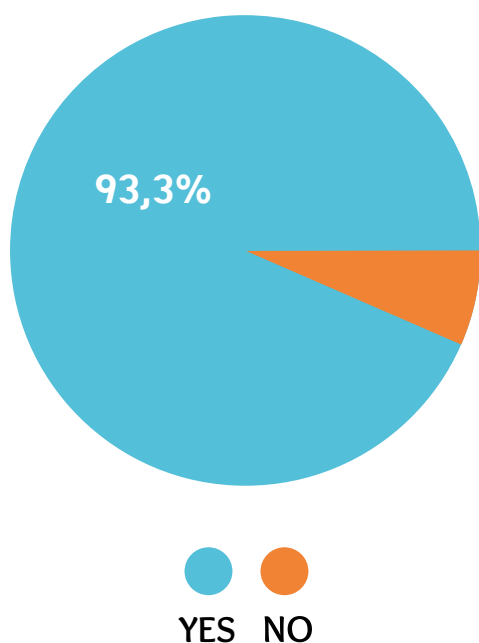


*Source: Developed by author (2020)*

**Graph 8: Perception of compliance with the Committee's recommendations by organizations not allied to the Institute**

**Do you believe the government in your country incorporates the recommendations offered by the Committee?**

*30 responses*



*Source: Developed by author (2020)*

**535.**

These pie charts demonstrate that in both cases, organizations of Afro-descendant women and those allied to these women that responded to the survey feel the States are not complying with the Committee's recommendations. For this reason, the States should work hard to comply with the Committee's recommendations and communicate the actions they take and their real impact.

## 10.3 Reflections of the Network of Afro-Latina, Afro-Caribbean, and Other Women in the Diaspora

**536.**

The Network of Afro-Latina, Afro-Caribbean, and Other Women in the Diaspora is a "space for coordinating and empowering Afro-Latin American, Afro-Caribbean, and other women from the diaspora to build and recognize democratic, equitable, just, multicultural societies that are free from racism, racial discrimination, sexism, and exclusion, and promote cross-culturalism" (Mujeresafro, 2020b). For Paola Yañez, the General Coordinator of the Network, one of the most significant advances made by this network is positioning the Afro-descendant issue in various United Nations spaces "without exerting pressure," as she herself puts it. However, she notes that "sometimes this advocacy does not transpire as expected," because according to her, there is no understanding of issues regarding Afro-descendants. "When viewing Afro-descendant issues as being cross-cutting, one leaves to the side the true problem of racism" (Paola Yañez).

**537.**

This Afro-descendant women's rights defender and activist affirms that addressing the matter of Afro-descendants from the perspective of *minorities* produces an erroneous vision of the issue. As such, there is a need for greater capacity-building in these spaces regarding Afro-descendant matters, due, in the words of Yañez, to "the hegemony of White and mestiza women in these spaces," and that furthermore, "White women do not see the problem of structural racism" (Paola Yañez).



538.

Similarly, Yañez feels there are fewer financial resources earmarked for Afro-descendant women and therefore, their activism is occasionally less visible or confronts greater barriers. Thus, she feels there is a disparity between Afro-descendant women's access to resources as compared with their White/mestiza counterparts, who tend to have greater institutional capacity to formulate projects and obtain funding.

539.

The Coordinator of the Afro-descendant Women's Network feels that the outlook for the region's Afro-descendant women is complex due to the COVID-19 situation. Moreover, historic problems Afro-descendant women have experienced in Latin America and the Caribbean are becoming evident. Notwithstanding, Paola is an optimist and believes that this "is an adverse moment, though also represents a future opportunity."

540.

When asked for recommendations, Paola said the Committee should observe and visibilize what is happening nowadays with regard to COVID-19 and request information from the States about the actions they have taken to mitigate the effects of this illness on Afro-descendant women. She also feels civil society should increase the visibility of what they [Afro-descendant women] are experiencing nowadays in that international space.

541.

In the same way, she asks the women's movement to include Afro-descendant women on their agendas. She notes that there are some common regional topics, such as abortion, to give but one example. Paola calls for the ability to also address the issue of Afro-descendant women's rights as a part of the regional agenda of feminist and women's movements.

542.

In addition, she calls on Afro-descendant women to participate in spaces such as the Committee, given that, as she puts it, "States respond to pressure." She attests that in recent years, thanks to the pressure exerted by women's groups, violence against women has decreased and is more visible when it does occur.

543.

Despite this, she is a realist and believes that for this to occur, it will be necessary for Afro-descendant women to have preconditions. For example, Paola affirms that Afro-descendant women who undertake activism in Latin America and the Caribbean oftentimes do not receive a salary for their work in activism and human rights defense. Due to the foregoing, they are unable to perform their monitoring work which requires time. Afro-descendant women leaders and human rights defenders want this work to be a profession, not just a vocation, in order to be able to carry out the comprehensive work of advocacy, monitoring, accompaniment, and evaluation of State actions.



# 11. Conclusions

544.

After performing an exhaustive analysis of CEDAW's impact on the lives of Afro-descendant women in seven countries in Latin America and the Caribbean regarding which the States report on to the Committee, civil society presentations, the Committee's recommendations, and perceptions of civil society, we present a few conclusions.

545.

Firstly, we can affirm that the possibility of submitting reports and confronting the States is greatly important for Afro-descendant women, in that they are able to discuss their realities in an international space. Nonetheless, the State, civil society, and Committee should adopt a complex intersectional perspective. The recommendations issued by the Committee will not achieve the objective if they continue to view Afro-descendant women as the others, minorities, vulnerable women, etc.

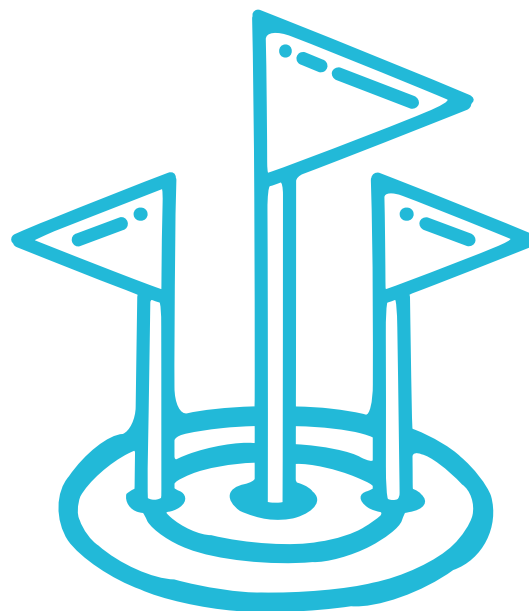
546.

Secondly, it is a condition sine qua non that the Committee name the problem besetting women due to their origin: structural racism. Likewise, the States must commit to implementing commitments to the non-discrimination of women within their territories to which they have agreed, because no

woman is more important than any other.

547.

Thirdly, civil society organizations should commit to monitoring the way in which States comply or fail to comply with their commitments to the Committee, while institutionally strengthening themselves to be able to participate in these spaces. Only in this way will Afro-descendant women be able to fully access their rights and live lives free from discrimination.



548.

Fourthly, States cannot continue signing laws, decrees, international treaties, etc., if they do not comply with those they already have. Civil society in general calls for the materialization of the agreements that already exist. Furthermore, States should ensure the socialization of the Committee's recommendations and comments. It is the responsibility of the States to provide information to civil society on what the Committee is, why CEDAW is a tool to employ against the discrimination against women, and how to utilize this tool for the purposes of advocacy.

549.

Fifth, without State will, the Committee's recommendations become inoperative. It is thus that the active participation of civil society is essential, to be able to monitor and accompany the way in which the State is or is not complying with said recommendations.

550.

Sixth, given that the possibility exists that the Committee is not an expert on matters of intersectionality, the groups of experts belonging to the United Nations system should provide support to the Committee in the form of knowledge and reports they produce. Using this information, the Committee can issue more precise recommendations and differentially and appropriately address the problems confronted by Afro-descendant women.

551.

Seventh, as has repeatedly been stated throughout the report, participation in spaces such as the Committee is essential for Afro-descendant women to visibilize their problems. Nonetheless, being in those spaces is expensive and requires a series of institutional, organizational, and economic skills. In many contexts, Afro-descendant women have not been able to actively participate in these processes; as such, it is important for them to be able to develop strategic alliances [and] learn about and socialize these international instruments.

552.

Eighth, the crisis produced by COVID-19 has brought to light the many forms of violence and marginalization to which Afro-descendant women can be subject. Without guarantees of access to basic services and fundamental rights, an increase in intimate violence, and a double and triple workload (remunerated [work], caregiving, and sometimes, activism), Afro-descendant women call for States to safeguard their rights and those of their families. In these moments of crisis, States cannot ignore matters of gender, not to mention those related to intersectionalities such as gender and race. On the contrary, concrete actions must be generated and resources provided for decreasing the gaps between Afro-descendant and White/mestiza women.

553.

The impact of the Committee's recommendations on the lives of Afro-descendant cisgender, lesbian, bisexual, and trans women has not been effective or efficient, due to the little political will that exists to implement these matters and the insufficient technical capacity of some civil society organizations to urge the States to comply. The Committee, States, and White/mestiza civil society itself should take a deep, complex dive into intersectional matters so as not to address them as "other women." As long as minorities are viewed as a homogeneous mass and their particularities are not respected, State responses will continue to not be concrete.

554.

Despite Afro-descendant civil society's conviction that participating in Committee sessions is a way to make known their problems in the international sphere, it is necessary to create measures for monitoring and evaluating national governments. Without this, the recommendations issued by the Committee will remain only in the form of discourse.





## 12. Final recommendations

555.

In conclusion, based on the analysis performed in the foregoing pages, we present a series of general recommendations. These recommendations are the result of a dynamic analysis of the States, Committee, and civil society in seven countries in Latin America and the Caribbean. Given that a series of patterns was discovered in that analysis, it is possible that these recommendations may be useful to other States in the region.

### 12.1 Recommendations to States Parties

- a. States have the obligation to socialize the reports and Final Comments made by the Committee among their citizenry. As such, it is recommended that they completely fulfill this commitment.
- b. Create spaces for dialogue with civil society, with an eye to coordinating actions, complying with recommendations issued by the Committee, and hearing civil society's view on that compliance.
- c) The States Parties should differentially implement and reflect on the realities of Afro-descendant women. The experiences of Afro-descendant women differ in large measure from those of White/mestiza women, and even more so when other vectors of vulnerability come together (being sex-gender diverse, living with HIV, being handicapped, etc.). Therefore, these problems should be understood from a complex perspective; Afro-descendant women should not simply be referenced holistically or as if they were a uniform unit
- d. It is of great importance that States recognize and comply with the Committee's recommendations. In many comments from interviews presented in this report, civil society repeatedly complained that States do not comply with these recommendations.
- e. In the midst of the crisis produced by COVID-19, when States present future reports to the Committee, they should explain the measures they have implemented to guarantee the wellbeing of Afro-descendant women, especially those living in marginalized areas of society.
- f. The States should present disaggregated data on Afro-descendant women, specifying, for example, access to education, healthcare, employment, etc., while also informing about the other identities or subjectivities that overlap in those women.
- g. When presenting reports to international bodies such as the Committee, or developing national policies, programs, and projects, States should also address the realities of Afro-descendant lesbian, bisexual, and trans women.

**h.** States should ensure the guarantee of Afro-descendant women's basic rights. To that end, they should take into account the recommendations of international bodies such as the Committee, which seek to hear various voices in order to issue their concepts. They should also utilize documents from United Nations thematic experts and especially, the demands of civil society.

**i.** States should develop their reports together with civil society.

## 12.2 Recommendations to the Committee

**a.** The Committee should provide an in-depth differential look at Afro-descendant matters.

**b.** The Committee should differentially address the realities impacting lesbian, bisexual, and trans women.

**c.** The Committee should rely on documents developed by the thematic experts when providing specific, wise recommendations to the States Parties.

**d.** When issuing its recommendations, the Committee should include an intersectional perspective of women's realities, in this case, of Afro-descendant women. As such, when making recommendations regarding Afro-descendant women, it should understand the complexity of this identity and the other identities that might comprise a female subject.

**e.** The Committee should undertake a complex intersectional analysis of the rights contained in CEDAW for Afro-descendant women. When doing so, it should cease its discussion of "other women" and understand their realities from a differential perspective.

**f.** While it goes without saying that the States Parties have a commitment to complying with the [Committee's] recommendations, the Committee should remind the States about that commitment.

**g.** We recommend fostering spaces wherein Afro-descendant lesbian, bisexual, and trans women can participate.

**h.** We urge the Committee to undertake detailed monitoring of compliance with Afro-descendant women's sexual and reproductive rights.

**i.** When analyzing the violence against Afro-descendant women, the Committee should make reference to the root of the problem, which is the structural racism that continues to permeate the societies of Latin America and the Caribbean.

**j.** Place all means within their reach so as to guarantee compliance with their mandate in the midst of the crisis produced by COVID-19, and seek creative solutions, assessing the temporary use of technology. It should also make use of a contingency plan for this crisis, wherein civil society is apprised of the decisions with sufficient advance notice.

**k.** Bring the Committee's work closer to the organizations working in the field through visits of experts; holding online meetings with the organizations that participate in the reviews; and consulting with civil society organizations on current matters that merit a detailed analysis, such as intersectionality.



## 12.3 Recommendations to civil society

- a.** Civil society should urge States to disseminate and comply with the Committee's recommendations.
- b.** The creation of spaces for disseminating the Committee's recommendations to the States should be a *sine qua non* condition for civil society to be able to publicize those recommendations to women and organizations that do not have the capacity to attend the interactive dialogues.
- c.** Civil society should implement strategies for monitoring and evaluating the way in which States Parties do or do not comply with the Committee's recommendations. Likewise, it is necessary to include some actions to measure the way in which the States Parties do or do not socialize those recommendations.
- d.** White/mestiza women and civil society organizations should not speak on behalf of Afro-descendant women or other minorities, as by doing so, they take part in various forms of epistemic violence and the invisibilization of subordinate Afro-descendants, for example.
- e.** White/mestiza women and civil society organizations should create spaces for Afro-descendant women to speak about their experiences with their own words and not through others' voices.
- f.** Women's civil society organizations should undertake campaigns explaining what CEDAW is, how to participate in the Committee's sessions, how to perform advocacy through these international instances, etc. This would entail the participation of many different women. These campaigns should focus on regional women's organizations.
- g.** It is of significant importance that civil society organizations be able to help strengthen the capacity of smaller organizations, historically violated groups, and/or regions far from the capital cities, in light of the fact that one reason organizations have not participated in spaces such as the Committee is that they do not have the tools to do so.
- h.** Civil society organizations, especially those representing Afro-descendants or LGBTI persons, should include in their reports Afro-descendant lesbian, bisexual, and trans women.
- i.** Civil society organizations should continuously document violations of Afro-descendant women's rights that are a result of the structural racism that continues to prevail in the region, such that the information presented to the Committee reflects that.
- j.)** Civil society should create strategies for incorporating into their plans of action measures for tracking and actively participating in the Committee's spaces.







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# Annexes

## COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW) MEMBERS OF THE COMMITTEE AMERICAS REGION 1982-2019

COMMITTEE MEMBER	COUNTRY	YEARS OF SERVICE
Ms. Elsa Victoria Muñoz-Gómez	Colombia	1993-1996
Ms. Dora Gladys Nancy Bravo Nuñez de Ramsey	Ecuador	1991-1994
Ms. Lia Patiño de Martinez	Panama	1982-1984
Ms. Lily Pilataxi de Arenas	Ecuador	1987-1990
Ms. Silvia Pimentel	Brazil	2005-2008, 2009-2012, 2013-2016
Ms. Zelmira Regazzoli	Argentina	1999-2002
Ms. Rhoda REDDOCK	Trinidad and Tobago	2019-2022
Ms. Glenda P. Simms	Jamaica	2005-2008
Ms. Esther Veliz Diaz de Villalvilla	Cuba	1982-1988

**COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW)**  
**MEMBERS OF THE COMMITTEE**  
**AMERICAS REGION**  
**1982-2019**

COMMITTEE MEMBER	COUNTRY	YEARS OF SERVICE
Ms. Gladys Acosta Vargas	Peru	2015-2018
Ms. Ana María Alfonsín de Fasan	Argentina	1989-1992
Ms. Magalys Arocha-Dominguez	Cuba	2005-2008, 2009-2012, 2015-2018
Ms. Barbara Bailey	Jamaica	2009-2012, 2013-2016
Ms. Desirée Patricia Bernard	Guyana	1982-1992, 1995-1998
Ms. Marion Bethel	Bahamas	2017-2020
Ms. Marie Caron	Canada	1982-1988
Ms. Graciela Escudero-Moscoso	Ecuador	1982-1984
Ms. Ruth Escobar	Brazil	1987-1990
Ms. Miriam Yolanda Estrada Castillo	Ecuador	1995-1998
Ms. Yolanda Ferrer Gómez	Cuba	1997-2004
Ms. Shirley Field-Riley (deceased after election)	Guyana	1982
Ms. Norma Mónica Forde	Barbados	1987-1994
Ms. Evangelina García-Prince	Venezuela	1993-1996
Ms. Aída González Martínez	Mexico	1982-1992, 1997-2004
Ms. Liliana Gurdulich de Correa	Argentina	1993-1996
Ms. Raquel Macedo de Sheppard	Uruguay	1982-1986
Ms. Alma Montenegro de Fletcher	Panama	1985-1998



	NAME OF OUTGOING MEMBER		COUNTRY		TERM EXPIRES	TERM DURATION	NOMINATION DEADLINE	ELECTION DATE	ELIGIBILITY FOR RE-ELECTION	GENDER DISTRIBUTION OF SEATS
CCPR	Ms. Tania Maria ABDO ROCHOLL	1	Paraguay	GRULAC	31/12/2020	4 years			Re-election possible if nominated	Total number of members: 18
CCPR	Ms. Ilze BRANDS KHERIS	1	Latvia	Eastern European	31/12/2020	4 years				8 out of 18 female members (44%)
CCPR	Mr. Ahmed Amin FATHALLA	3	Egypt	African	31/12/2020	4 years				including 4 female outgoing 2020
CCPR	Mr. Christof HEYNS	1	South Africa	African	31/12/2020	4 years				10 out of 18 male members (56%)
CCPR	Mr. Bamariam KOITA	1	Mauritania	African	31/12/2020	4 years				including 5 male outgoing 2020
CCPR	Ms. Marcia V. J. KRAN	1	Canada	WEOG	31/12/2020	4 years				
CCPR	Mr. José Manuel SANTOS PAIS	1	Portugal	WEOG	31/12/2020	4 years				
CCPR	Ms. Anja SEIBERT-FOHR	2	Germany	WEOG	31/12/2020	4 years				
CCPR	Mr. Yuval SHANY	2	Israel	WEOG	31/12/2020	4 years				
CEDAW	Ms. Rosario G. MANALO	3	Philippines	Asia-Pacific	31/12/2020	4 years			Re-election possible if nominated	Total number of members: 23
CEDAW	Ms. Marion BETHEL	1	Bahamas	GRULAC	31/12/2020	4 years				22 out of 23 female members (96%)
CEDAW	Ms. Bandana RANA	1	Nepal	Asia-Pacific	31/12/2020	4 years				including 9 female outgoing 2020
CEDAW	Mr. Gunnar BERGBY	1	Norway	WEOG	31/12/2020	4 years				1 male member (4%)
CEDAW	Ms. Wenyan SONG	1	China	Asia-Pacific	31/12/2020	4 years				including 1 male outgoing 2020
CEDAW	Ms. Aicha VALL VERGES	1	Mauritania	African	31/12/2020	4 years				
CEDAW	Ms. Dalia LEINARTE	2	Lithuania	Eastern European	31/12/2020	4 years				
CEDAW	Ms. Nicole AMELINE	3	France	WEOG	31/12/2020	4 years				
CEDAW	Ms. Hilary GBEDEMAH	2	Ghana	African	31/12/2020	4 years				
CEDAW	Ms. Nahla HAIDAR	2	Lebanon	Asia-Pacific	31/12/2020	4 years				

	NAME OF OUTGOING MEMBER		COUNTRY		TERM EXPIRES	TERM DURATION	NOMINATION DEADLINE	ELECTION DATE	ELIGIBILITY FOR RE-ELECTION	GENDER DISTRIBUTION OF SEATS
CEDAW	Ms. Esther EGHOBAMIEN-MSHELIA	1	Nigeria	African	31/12/2020	4 years				
CERD	Mr. Alexey AVTONOMOV	1	Russian Federation	Eastern European	19/01/2020	4 years			Re-election possible if nominated	Total number of members: 18
CERD	Mr. José Francisco CALI TZAY	3	Guatemala	GRULAC	19/01/2020	4 years				7 out of 18 female members (39%)
CERD	Ms. Fatimata Binta Victoire DAH	3	Burkina Faso	African	19/01/2020	4 years				including 5 female outgoing 2020
CERD	Ms. Yanduan LI	1	China	Asia-Pacific	19/01/2020	4 years				11 out of 18 male members (61%)
CERD	Mr. Nicolás MARUGAN	1	Spain	WEOG	19/01/2020	4 years				including 4 male outgoing 2020
CERD	Ms. Gay MCDUGALL	1	USA	WEOG	19/01/2020	4 years				
CERD	Ms. Yemhelhe Mint MOHAMED TALEB	1	Mauritania	African	19/01/2020	4 years				
CERD	Mr. Pastor Elias MURILLO MARTINEZ	3	Colombia	GRULAC	19/01/2020	4 years				
CERD	Ms. Verene Albertha SHEPHERD	1	Jamaica	GRULAC	19/02/2020	4 years				
CESCR	Mr. Mohamed Ezzeldin ABDEL-MONEIM	4	Egypt	African	31/12/2020	4 years			Re-election possible if nominated	Total number of members: 18
CESCR	Mr. Shiqiu CHEN	2	China	Asia-Pacific	31/12/2020	4 years				5 out of 18 female members (28%)
CESCR	Ms. Laura-Maria CRACIUNEAN TATU	1	Romania	Eastern European	31/12/2020	4 years				including 3 female outgoing 2020
CESCR	Mr. Zdzislaw KEDZIA	3	Poland	Eastern European	31/12/2020	4 years				13 out of 18 male members (72%)
CESCR	Ms. Sandra LIEBENBERG	1	South Africa	African	31/12/2020	4 years				including 6 male outgoing 2020
CESCR	Mr. Mikel MANCISIDOR	1	Spain	WEOG	31/12/2020	4 years				
CESCR	Ms. Lydia Carmelita RAVENBERG	1	Suriname	GRULAC	31/12/2020	4 years				
CESCR	Mr. Waleed SADI	1	Jordan	Asia-Pacific	31/12/2020	4 years				
CESCR	Mr. Michael WINDFUHR	1	Germany	WEOG	31/12/2020	4 years				

	NAME OF OUTGOING MEMBER		COUNTRY		TERM EXPIRES	TERM DURATION	NOMINATION DEADLINE	ELECTION DATE	ELIGIBILITY FOR RE-ELECTION	GENDER DISTRIBUTION OF SEATS
CRPD	Mr. Ahmad AL SAIF	1	Saudi Arabia	Asia-Pacific	31/12/2020	4 years			Re-election possible once	Total number of members: 18
CRPD	Mr. Monthian BUNTAN	2 consecutive	Thailand	Asia-Pacific	31/12/2020	4 years			Already served two consecutive terms, re-election not possible.	1 out of 18 female members (6%)
CRPD	Mr. Imed Eddine CHAKER	1	Tunisia	African	31/12/2020	4 years				17 out of 18 male members (94%)
CRPD	Mr. Jun ISHIKAWA	1	Japan	Asia-Pacific	31/12/2020	4 years				including 9 male outgoing 2020
CRPD	Mr. Samuel Njuguna KABUE	1	Kenya	African	31/12/2020	4 years				
CRPD	Mr. Lazslo Gabor LOVASZY	1	Hungary	Eastern European	31/12/2020	4 years				
CRPD	Mr. Robert George MARTIN	1	New Zealand	WEOG	31/12/2020	4 years				
CRPD	Mr. Martin Babu MWESIGWA	2 consecutive	Uganda	African	31/12/2020	4 years				
CRPD	Mr. Valery Nikitich RUKHLEDEV	1	Russian Federation	Eastern European	31/12/2020	4 years				
SPT	Mr. Malcolm EVANS	2 consecutive	United Kingdom	WEOG	31/12/2020	4 years			Re-election possible once	Total number of members: 25
SPT	Mr. Satyabhooshun Gupt DOMAH	1	Mauritius	African	31/12/2020	4 years			Already served two consecutive terms, re-election not possible.	13 out of 25 female members (52%)
SPT	Ms. Maria Dolores GOMEZ	1	Argentina	GRULAC	31/12/2020	4 years				including 4 female outgoing 2020
SPT	Mr. Petros MICHAELIDES	2 consecutive	Cyprus	WEOG	31/12/2020	4 years				12 out of 25 male members (48%)
SPT	Mr. Kosta MITROVIC	1	Serbia	Eastern European	31/12/2020	4 years				including 8 male outgoing 2020
SPT	Ms. Zdenka PEROVIC	1	Montenegro	Eastern European	31/12/2020	4 years				
SPT	Mr. Abdallah OUNNIR	1	Morocco	African	31/12/2020	4 years				
SPT	Ms. June Caridad PAGADUAN LOPEZ	2 consecutive	Morocco	Asia-Pacific	31/12/2020	4 years				
SPT	Mr. Victor ZAHARIA	2 consecutive	Moldova	Eastern European	31/12/2020	4 years				

	NAME OF OUTGOING MEMBER		COUNTRY		TERM EXPIRES	TERM DURATION	NOMINATION DEADLINE	ELECTION DATE	ELIGIBILITY FOR RE-ELECTION	GENDER DISTRIBUTION OF SEATS
SPT	Ms. Margarete Suzuko OSTERFELD	2 consecutive	Germany	WEOG	31/12/2020	4 years				
SPT	Mr. Hans-Jörg Viktor BANNWART	2 consecutive	Switzerland	WEOG	31/12/2020	4 years				
SPT	Mr. Haimoud RAMDAN	1	Mauritania	African	31/12/2020	4 years				

MARCA TEMPORAL	16/06/2020 1:00:32 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Comité Ciudadanos por la Integración Racial	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Co.Directora	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Cuba
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	En el Instituto Inter Americano de Derechos Humanos Costa Rica en Cursos de Observación Electoral siempre como participante		No	Sí	Porq es muy difícil trabajar en con un país el cual no nos hace legal como organización y no quiere tener diálogo alguno con La organizaciones de la sociedad civil	No	Primeramente explicar q Cuba fue país firmante de CEDAW y realmente son muy aliados al Estado Cubano y cuando Representates de CEDAW han hecho vista formal a Cuba no se entrevistan con miembros de la Sociedad civil De hecho cuando participé antes la conferencia en Costa Rica en IIDH nos costaba trabajo explicar sobre la situación real de la Mujer Afro en Cuba porque teníamos cierta resistencia por parte de La miembro de CEDAW en escuchar	Sí	No	Primeramente porque vivimos en un país donde no existe una Ley de Protección de Genero, no hay políticas públicas que vayan en total beneficio de la Mujer cubana, las mujeres Afrodescendientes viven en situacion de precariedad, existe una pobreza extrema en los Asentamientos poblacionales habitados por estas poblaciones. En cuanto a la Lucha de Defensa de Derechos Humanos existe un constante acoso, hostigamiento y violencia política hacia las activistas de Derechos Humanos dejándonos así sin posibilidad de ejercer nuestros derechos y participar de la vida pública de nuestro paísDe hecho cuando participé antes la conferencia en Costa Rica en IIDH nos costaba trabajo explicar sobre la situación real de la Mujer Afro en Cuba porque teníamos cierta resistencia por parte de La miembro de CEDAW en escuchar	No

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
No tienen impacto	Sí	Nosotros desde la sociedad civil independiente no podemos Tener acceso a muchos de los informes o muchos de los seguimientos q el pais realiza por primeramente no somos reconocidos legalmente como organizaciones q trabajamos independiente todo lo q se haga fuera de los marcos del único Partido Comunista es ilegal y se actúa con total represión para con los y las Activista. Vivimos en un país donde no se transparentan los datos, donde con claridad no sabemos la realidad de los asuntos. Vivimos en un país donde la Federación de Mujeres Cubanas firmante en 1961 de CEDAW no tiene suficientes políticas públicas que vayan en beneficio de las Mujeres y principalmente de las mujeres afrodescendiente, las cuales son las q más desventajas presentan dentro de ese segmento poblacional que vive en condiciones pésimas de insalubridad, y total pobreza. No hemos realizado	No cuenta con mecanismos para hacer este tipo de seguimiento	No	No tenemos apoyos desde la sociedad civil es decir desde las organizaciones independiente	La pregunta principal sería cuando el Gobierno cubano va colocar la Añorada Ley de Genero la cual en Crinograma Legislativo que se hizo recientemente hasta el próximo 2028 no se tomaría en cuenta esta Ley. En un país donde existe una estructura totalmente patriarcal, donde escogen feminincidios reconocidos por el propio Estado pero aún así no hay una Ley de Protección de Genero, un país donde la feminización de la pobreza está latente, un país donde existe además un racismo estructural donde las mujeres Afrodescendientes dentro de la pirámide social son uno de los grupos más desfavorecidos. Un país donde abiertamente no se puede disentir. Un país donde la econmia no es buena amiga para el desarrollo sostenible de nosotros las mujeres, donde el seguimiento además de la Agenda 2030 no se toma en cuenta es solo letra Muerta

MARCA TEMPORAL	16/06/2020 7:55:30 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	MOSCTHA	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Coordinadora del Dpto. de Derechos humanos e incidencia política	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	República Dominicana
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Elaboración de informe		Sí	No		Sí	El Visado en la embajada suiza y muchas veces la limitación de recursos	Sí	No	Porque las incorporaciones son mínimas	No

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
	Sí	Monitoreando las recomendaciones y su cumplimiento, además de colocarla como recomendatorios en los procesos de consultas.	Hace parte de los planes de acciones generales	Sí	El apoyo del instituto, ha sido fundamental, debido a que el instituto no solo ha asistido técnicamente a nuestra organización, sino que también a financiado la presentación de dicho informe.	la pregunta estaría en; porque solo han cumplido con la mínima parte de las recomendaciones?



MARCA TEMPORAL	22/06/2020 11:59:18 a. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Enlace de Mujeres Negras de Honduras “ENMUNEH”	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Directora Ejecutiva	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Nicaragua
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	No		No he tenido la oportunidad para participar.	No	Sí	En obtener información del Gobierno porque no se cuenta con datos desagregado de la situación real de las mujeres afrodescendientes.	No	No he tenido la oportunidad de participar en la elaboración de los informes.	No	Sí	Porque contamos con la Ley contra la Violencia Doméstica desde 1998.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
La Ley contra la violencia domestica	No	No hemos dado seguimiento	No cuenta con mecanismos para hacer este tipo de seguimiento	No	No hemos recibido apoyo	Que acciones realiza en favor de las mujeres afrodescendientes

MARCA TEMPORAL	23/06/2020 10:12:50 a. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Corporación Caribe Afirmativo	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Director	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Colombia
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Presentando informes en las evaluaciones periódicas al país y haciendo seguimiento a las recomendaciones		Sí	No		Sí	El poco margen de tiempo entre la publicación de fechas y la entrega de insumos, para hacer un mejor ejercicio de recolección de información.	Sí	No	Hubiese querido una casilla de parcialmente, pues en términos teóricos son recogidas, pero en la práctica y su acatamiento no es efectivo.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
Ha logrado proponer acciones en interseccionalidad y es un punto de entrada para que el Estado incorpore acciones con mujeres de manera integral.	Sí	solicitando información oficial y participando en reuniones donde el Estado interviene.	No es un plan de trabajo integral pero lo incluimos como acción política estratégica. Lo activamos cuando hacemos seguimiento a la atención de los estados a los derechos LBT.	Sí	Asertivo, pues logra fortalecer la interseccionalidad en los informes.	Que presente los planes de acción, los indicadores transformativos de medición y los resultados alcanzados a escala territorial y poblacional.

MARCA TEMPORAL	23/06/2020 5:53:40 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Fundación Afrodescendiente por las Diversidades Sociales y Sexuales - SOMOS IDENTIDAD	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Representante Legal	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Colombia
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	No		Hemos buscando y enviado información al comité y jamás hemos recibido respuesta alguna. Consideramos que importante visibilizar las violencias que a diario sufren las mujeres negras lesbianas, trans y las personas negras con cuerpos feminizados.	No	Sí	Si no se cuenta con apoyo técnico y logístico es muy difícil. Además siendo una organización que no tiene como objetivo primario la realización de informes aún más, pues nosotros nos enfocamos en otras vulneraciones de Derechos.	No	El apoyo técnico y logístico	Sí	No	Pues justamente en está época de pandemia se han incrementado los feminicidios, las acciones de violencia contra las mujeres se viven cada día y las acciones políticas para proteger la vida de las mujeres	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
Visibilidad	Sí	Hemos participando apoyando a grupos de mujeres trans en el seguimiento de las recomendaciones y en la búsqueda de nuevas recomendaciones. También se participó en los debates previos para la aprobación de las Políticas Públicas LBGT y Afro en Santiago de Cali el año pasado.	No cuenta con mecanismos para hacer este tipo de seguimiento	No	Enormemente, aunque estamos estamos trabajando en la elaboración de informes sobre la vulneración de Derechos Humanos a personas negras/afro LBGT en el marco del conflicto armado colombiano.	Cuales son los avances en materia de restablecimiento de Derechos Humanos para las mujeres, especialmente en relación a las mujeres negras, lesbianas, trans y los cuerpos negros feminizados.

MARCA TEMPORAL

24/06/2020  
6:55:55 p. m.

¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?

Proceso de Comunidades Negras

¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?

Activista

¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?

Colombia

¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Presentando informe.		Sí	Sí	por la ausencia de datos desagregados para mujeres, niñas y adolescentes negras por parte del estado colombiano, por la ausencia de trazabilidad de la oferta institucional con la que el estado colombiano (responde?) a las recomendaciones del comité, y finalmente, por los malos hábitos y costumbres de ong con experticia en lobby e incidencia internacional que se asignan portavoces de mujeres y organizaciones de mujeres mixtas, negando la interlocución directa especialmente de las voces de mujeres étnicas.	Sí	costos de transporte, de estadía, protocolos de acceso a las sedes de naciones unidas.	Sí	No	porque las que tienen que ver con mujeres afrocolombianas, en situación de desplazamiento, de violencia como defensoras de derechos humanos, de información desagregada, especialmente de información desagregada y de respuesta institucional, para mujeres, niñas, adultas mayores, en conducciones de discapacidad y disidentes sexuales.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
Posicionar medidas antirracistas en las políticas dirigidas para las mujeres	No	Faltan condiciones materiales y humanas	Hace parte de los planes de acciones generales	No	No tengo conocimiento de que en los últimos tres años hallamos recibido apoyo por parte del instituto, entiendo que sí.	Podemos enviar el informe que se presento en la sesión 72.

MARCA TEMPORAL	24/06/2020 11:30:10 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Centro de Desarrollo de la Mujer Negra Peruana (CEDEMUNEP)	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Directora Ejecutiva	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Perú
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	En la revisión de Colombia e Ginebra como observadora		No	No		No	Tiempo y recursos	Sí	No	Porque aún hay temas pendientes por resolver principalmente en temas de violencia y discriminación	No

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
	No	Estamos en el procesa	Hace parte de los planes de acciones generales	Sí	Importante, valioso, necesario y oportuno	Porque no incorpora a las mujeres afroperuanas

MARCA TEMPORAL	29/06/2020 7:39:09 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Unidad Para El Progreso De Oaxaca A C UNPROAX	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Consejo Directivo	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	México
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	No		La falta de información sobre los tiempos y las formas de hacerlo	Sí	No		No	Una de las. Principales barreras para hacerlo es que la información sobre los mecanismos y las fechas no se comparten con todas las organizaciones. Y desde mi organización nos hemos enfocado en los procesos sobre derechos del Pueblo Afromexicano, si con énfasis en las mujeres pero también creemos que no somos visibles para que quienes hacen los informes nos tomen en cuenta	Sí	No	Las recomendaciones sobre mujeres afromexicanas aún son limitadas y hasta cierto punto enunciativas y esto es producto de que no se ha hecho escuchar nuestra voz ante el Comité	No

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
	No	Nuestra incidencia a nivel internacional es relativamente reciente, participamos en los informes alternos ante EL EPU y el CERD con especial atención a las Mujeres considero que nos hace falta conocer todos los mecanismos internacionales de los cuales podamos echar mano para que el Estado Mexicano garantice los derechos de las mujeres afromexicanas	No cuenta con mecanismos para hacer este tipo de seguimiento	No	El apoyo logístico, financiero y sobretodo técnico en los informes del EPU y el CERD así como en las audiencias ante la CIDH fueron fundamentales para que nuestra voz se escuchara y fuera tomada en cuenta en las recomendaciones al Estado Mexicano, por ello valoramos mucho el apoyo que desde el Instituto se nos proporciona. Mantenernos informados sobre los mecanismos disponibles y las fechas es de vital importancia.	¿Cuáles son las acciones específicas dirigidas a las mujeres afromexicanas para dar cumplimiento a las observaciones CEDAW y los resultados cualitativos y cuantitativos obtenidos?



MARCA TEMPORAL	30/06/2020 12:48:57 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Afrodes	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Secretaria General, coordinadora genero	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Colombia
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Con presentacion de informes		Sí	No		Sí	Hemos contado con el apoyo del instituto raza, igualdad y derechos humanos	Sí	No	No hay voluntad politica	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
Ningun impacto porque no se han aplicado	Sí	Generando alianzas con otras organizaciones y haciendo comunicados al respecto	Hace parte de los planes de acciones generales	Sí	Super importante	Necesitamos que el gobierno adopte las recomendaciones y las implemente

MARCA TEMPORAL	30/06/2020 6:39:32 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Asociación de Mujeres Afrocolombianas- AMAFROCOL, adscrita a la Tonga Afrovallecaucana por la vida CNOA	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	secretaria, vocera y coordinadora de proyectos en Amafrocol y secretaria operativa de la Tonga afrovallecaucana CNOA	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Colombia
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Socializando la situación de las Mujeres negras en diferentes aspectos		Sí	No		Sí	La dinámica tan rígida de la estructura	No	No	No se evidencian avances en la conquista de espacios ni derecho de las mujeres negras.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
Creo que ahora hay más libertad para ejercer lobremente diferentes opciones sexuales.	No	Perdimos la articulación con el tema	Hace parte de los planes de acciones generales. No se cuenta con mecanismos para hacerle seguimiento	No	Necesario	¿Por qué no ha reglamentado lo de la ley de cuotas?

MARCA TEMPORAL	3/07/2020 4:10:12 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	FUNDACIÓN AFROCOLOMBIANA ARCO IRIS	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Coordinador General	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Colombia
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUÍZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUÍZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	No		En realidad no hay desmotivación, las situaciones actuales nos han obligado a estar constantemente ajustando actividades y objetivos de la fundación, lo que en ocasiones a parte del desgaste administrativo y laboral provoca un cruce de agendas, que nos ha impedido participar en algunos espacios muy importantes como lo es el comité de la CEDAW	Sí	No		No	No se ha presentado el momento entre Race & Equality y Fundación Afrocolombiana Arco Iris, para desarrollar un informe exclusivo para el Comité de la CEDAW en Suiza	No	No	Las exorbitantes cifras de hechos de violencias contra las mujeres (muchas de estas ocasionadas por hechos discriminatorios) demuestran que la aplicación de las recomendaciones que se hayan realizado, no han tenido un impacto inmediato y verificable.	No

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
	No	Considero que nos ha faltado priorizar este tipo de actividades.	No cuenta con mecanismos para hacer este tipo de seguimiento	No	El apoyo del Instituto Race & Equality ha sido de vital importancia para el fortalecimiento de la Fundación y para ir concretando sus objetivos en defensa y promoción de los derechos de la población LGBT, en la que por supuesto se han beneficiado los subgrupos poblacionales de mujeres lesbianas, mujeres bisexuales y mujeres trans, sin embargo este apoyo no ha estado dirigido exclusivamente a participar en el Comité de la CEDAW	¿Cómo ha cambiado la situación que viven las mujeres afrodescendientes, cisgénero, lesbianas y trans en el país después de las recomendaciones realizadas por el Comité de la CEDAW?

MARCA TEMPORAL	5/07/2020 12:49:49 a. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	OMAN	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Presidenta	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Nicaragua
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	No		Nunca me han invitado	No	Sí	No hay datos estadísticos en el país a la hora de llenar los informe . Las instituciones del estado no te brindan información .	No	Costo de movilización	Sí	No	Por la falta de voluntad política	No

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
	No	Porque desconoce del informe	No cuenta con mecanismos para hacer este tipo de seguimiento	No	Más o menos	¿ cuál es el motivo porque no adoptan las recomendaciones al los informes?

MARCA TEMPORAL	5/07/2020 10:13:40 p. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Movimiento Autonomo de Mujeres (MAM)	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Directora Ejecutiva	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Nicaragua
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Elaboración de informes alternativos y participación en presiones de OSC.		Sí	No		No	Limitaciones de costo para participar.	Sí	No	Porque en Nicaragua es Estado evade el cumplimiento, negando la realidad de los derechos de las mujeres.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
Visibilizar el estado de los derechos y contradecir los informes oficiales.	Sí	Monitero de los derechos de las mujeres y copromisos de la CEDAW.		Hace parte de los planes de acciones generales	Sí	Que informen sobre los retrocesos relacionadas a la violencia de género. Reformas de Ley integral contra la violencia (779), femicidios y el uso de la violación como metodo de tortura contra activistas y defensoraes de derechos humanos que han sido encarcelas y el cierre de l programa de las comisarias de la mujer.

MARCA TEMPORAL	6/07/2020 10:55:09 a. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	Ipas Centroamérica y México	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Consultora Regional	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Nicaragua
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Elaborando informes alternativos y participando en la pre sesión		Sí	No		Sí	Ninguno, Ipas ha presentado informes por más de 10 años al comité y ha participado en 1 pre sesión y una sesión del comité, Ipas considera que es clave la presencia de la voz de las OSC, y hace esfuerzos por gestionar recursos para garantizar la presencia.	Sí	No	Estamos ante un gobierno dictatorial, donde los derechos humanos de la ciudadanía están en peligro constante, no hay garantías de nada y en el caso de los DH de las mujeres, desde que este gobierno regreso al poder le declaro la guerra a la lucha por os derechos sexuales y reproductivos y no hace ningún esfuerzo por proteger a las mujeres ante la violencia, las niñas son las mayores víctima de la violencia sexual en Nicaragua.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
En Nicaragua aspiramos a avanzar por lo menos en denunciar lo que ocurre en el país, sabemos que mientras estemos en dictadura difícilmente podremos contar con un impacto positivo en materia de reparaciones y cambios estructurales importantes e institucionales en el país.	No	El gobierno actual no permite ninguna interlocución con las organizaciones de sociedad civil, no contamos con información sobre el seguimiento, ni claridad de qué ente estatal garantiza la aplicación de las recomendaciones.	Hace parte de los planes de acciones generales	Sí	Ha sido clave en a revisión de las cartas sombras y en la preparación para la participación en la pre sesión. Considero que la asistencia técnica por su experiencia y manejo de estos espacios ha facilitado que los informes sean fluidos, actualizados y claros.	¿Cuándo decidirá devolver los derechos humanos a la ciudadanía Nicaragüense? cuando responderá como Estado y no como una dictadura familiar a las problemáticas del país?

MARCA TEMPORAL	6/07/2020 11:21:01 a. m.	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	CEJUDHCAN	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	Coordinadora de proyecto	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	Nicaragua
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¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	SI SU RESPUESTA ANTERIOR FUE NO ¿QUÉ LE HA DESMOTIVADO A PARTICIPAR?	¿DESDE SU ORGANIZACIÓN SE HAN REALIZADO INFORMES ALTERNOS?	¿CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	SI SU RESPUESTA ANTERIOR FUE SÍ, ¿POR QUÉ CONSIDERA QUE ES DIFÍCIL REALIZAR INFORMES ALTERNOS?	¿SU ORGANIZACIÓN HA PRESENTADO INFORMES AL COMITÉ EN SUIZA?	¿CUÁLES CONSIDERA QUE SON LAS PRINCIPALES BARRERAS O DIFICULTADES PARA PRESENTAR INFORMES AL COMITÉ CEDAW EN SUIZA?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?
Sí	Sí	Enviando informe alternativo y participando en la pre-sesión celebrada en el mes de marzo 2020.		Sí	Sí	como organización es nuestra primera experiencia enviando informe alternativo al comité y estamos en proceso de fortalecimiento de nuestras capacidades para elaborar informes alternativos de impacto.	Sí	Las principales barreras para presentar informas al Comite de la CEDAW, es interno, porque nuestra país por tener un sistema de control absoluto de las instituciones, nos dificulta obtener de datos oficiales para analizar el impacto de las violaciones a los derechos de la mejer en el país.	Sí	Sí	Porque hemos visto que el Estado de Nicaragua en años anteriores ha incorporado algunas de las recomendaciones que ha ofrecido el comité de CEDAW, como por ejemplo la creación de las comisarias de las mujeres.	Sí

SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?		¿SU ORGANIZACIÓN HA RECIBIDO APOYO DE EL INSTITUTO PARA PARTICIPAR EN EL COMITÉ CEDAW?	¿CÓMO VALORARÍAS ESTE APOYO?	¿QUÉ PREGUNTA LE REALIZARÍAS AL GOBIERNO SOBRE LA FORMA EN QUE SE HAN ADOPTADO LAS RECOMENDACIONES QUE EL COMITÉ LE HA REALIZADO?
1. Porque de esa forma, puede haber algunos cambios dentro de la legislación interna del país, que beneficia a las mujeres afrodescendientes, cisgénero, lesbianas y trans. 2. Aun cuando el Estado de Nicaragua no cumple con las totalidad de las recomendaciones, existe el mecanismo de los informes alternativos que la sociedad civil utiliza para las incidencias internacionales y de esa forma provocar los cambios sociales en favor de la protección de los derechos humanos de las mujeres.	No	1. Porque aun el Comité no ha enviado sus recomendaciones al Estado de Nicaragua en este periodo de sesiones del año 2020. 2. Nuestra organizacion participa por primera vez enviando su informe alternativo al CEDAW-	No cuenta con mecanismos para hacer este tipo de seguimiento	Sí	1. El apoyo que nos ha brindado el Instituto, es de vital importancia, porque nos ha estado fortaleciendo nuestras capacidades humanas, para poder tener las herramientas metodológicas necesarias para elaborar informes alternativos de impactos. 2. nos brinda asesoría permanente en aspectos de recomendaciones para los procesos de elaboración de los informes alternativos y en los procesos de participación de las pre sesiones y las sesiones que se han llevado.	Que el Estado de Nicaragua informe públicamente sobre los métodos o mecanismos para verificar, así como medir los avances y desafíos en cuanto a la implementación de la Convención de Belém do Pará y los compromisos internacionales adquiridos en relación al derecho de todas las mujeres a vivir libres de violencia



MARCA TEMPORAL	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	¿SU ORGANIZACIÓN CUENTA CON UN PLAN DE ACCIÓN FOCALIZADO EXCLUSIVAMENTE EN REALIZAR SEGUIMIENTO AL CEDAW O ESTO HACE PARTE DE ALGUNO DE SUS PLANES DE ACCIÓN GENERALES?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?
6/22/2020 11:30:27 a.m.	Afroyoga	Coordinadora	Colombia	No	No		No	No	Realmente no sé de qué se trata	No		No	No cuenta con mecanismos para hacer este tipo de seguimiento	No
26/06/2020 10:31:08 a. m.	Afroamerica XXI Guatemala	Representante legal	Guatemala	Sí	Sí	Informe sombra sobre situación de mujeres afroguatemaltecas	Sí	No	Porque las organizaciones de mujeres no están representados en las esferas gubernamentales específicamente en la secretaría presidencia de la mujer	Sí	La defensa de los derechos humanos de las mujeres, se ha logrado impactar y sensibilizar a las mujeres afros no callarse cuando son víctimas de cualquier tipo de violencia, y se ha logrado la cultura de la denuncia	Sí	Hace parte de los planes de acciones generales	No se cuenta con recursos financieros
6/26/2020 11:02:15 a.m.	Movimiento Nacional Cimarrón	Vicepresidente Nal.	Colombia	Sí	No		Sí	No		Sí	El nivel de conciencia para reclamar políticas en estos aspectos	Sí	No cuenta con mecanismos para hacer este tipo de seguimiento	Hace seguimiento observando al gobierno y al Estado en el cumplimiento o no de los mismos en Plan Nacional y territoriales de gobierno y en políticas públicas, lamentablemente no es prioridad para estos.
26/06/2020 11:36:17 a. m.	Conferencia nacional de organizaciones afrocolombiana	Consultor profesional en equidad de género y diversidad sexual	Colombia	Sí	No		Sí	No	El gobierno es muy superficial a la hora de tomar verdaderas acciones en pro de eliminar la discriminación hacia las mujeres de nuestro país	Sí	Pues se pronuncia en diferentes caso los derechos hacia las mujeres que permiten visibilizar en gran manera las violaciones y abusos que sufren en cada territorio del país. Pero también hace falta que el gobierno tome en cuenta las mujeres trans y lesbianas para que sus derechos puedan ser respetados y no sufran tantos casos de abuso que va en contra de llevar una vida digna.	No	No cuenta con mecanismos para hacer este tipo de seguimiento	No contamos con un sistema para esto.
26/06/2020 1:36:54 p. m.	Colectiva Guerreras	Coordinadora	México	Sí	No		No	No	No, dado que no las conocemos	No		No	Hace parte de los planes de acciones generales	Porque desconocemos ese material

MARCA TEMPORAL	¿CUÁL ES EL NOMBRE DE SU ORGANIZACIÓN?	¿CUÁL ES SU CARGO AL INTERIOR DE LA ORGANIZACIÓN?	¿DE QUÉ PAÍS ES TU ORGANIZACIÓN?	¿CONOCE QUÉ ES LA CEDAW Y EL COMITÉ CEDAW?	¿HA PARTICIPADO ACTIVAMENTE EN ALGUNA DE LAS SESIONES DEL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿DE QUÉ FORMA HA PARTICIPADO?	¿CONOCE LAS RECOMENDACIONES QUE HA REALIZADO EL COMITÉ CEDAW A SU PAÍS?	¿CONSIDERA QUE EL GOBIERNO DE SU PAÍS INCORPORA LAS RECOMENDACIONES QUE OFRECE EL COMITÉ CEDAW?	SI SU RESPUESTA ANTERIOR FUE SÍ O NO ¿POR QUÉ?	¿CONSIDERA QUE ESTAS RECOMENDACIONES TIENEN IMPACTO EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	SI SU RESPUESTA ANTERIOR FUE SÍ ¿CUÁL HA SIDO EL IMPACTO DE ESTAS RECOMENDACIONES EN LA VIDA DE LAS MUJERES AFRODESCENDIENTES, CISGÉNERO, LESBIANAS Y TRANS?	¿SU ORGANIZACIÓN HA REALIZADO SEGUIMIENTO A LA FORMA COMO EL GOBIERNO DE SU PAÍS ADOPTA LAS RECOMENDACIONES DEL COMITÉ CEDAW?	¿SU ORGANIZACIÓN CUENTA CON UN PLAN DE ACCIÓN FOCALIZADO EXCLUSIVAMENTE EN REALIZAR SEGUIMIENTO AL CEDAW O ESTO HACE PARTE DE ALGUNO DE SUS PLANES DE ACCIÓN GENERALES?	SI LA RESPUESTA ANTERIOR FUE SÍ ¿CÓMO LO HA REALIZADO? SI LA RESPUESTA ANTERIOR FUE NO ¿POR QUÉ?
26/06/2020 1:38:57 p. m.	Mano Amiga de la Costa Chica	Presidenta	México	Sí	No		Sí	No	Nunca incluye a las mujeres afromexicanas en sus planes	Sí		No	Hace parte de los planes de acciones generales	Tenemos un plan estratégico general para empoderar a las mujeres afromexicanas
26/06/2020 1:39:48 p. m.	Obatala	Representante	Ecuador	Sí	No		Sí	No	No se respetan los derechos de los afrodescendientes y se dio poca importancia al decenio en relación a los derechos de las mujeres	No		No	No cuenta con mecanismos para hacer este tipo de seguimiento	No se cuenta con los mecanismos y falta de presupuestos
26/06/2020 2:10:59 p. m.	Escuela de Pensamiento Crítico 'Juan García'	Coordinador	Ecuador	No	No		No	No	No sé si hay CEDAW	No		No	Si conociéramos se apoyaría y se colaboraría.	No tengo información sobre CEDAW
26/06/2020 6:38:49 p. m.	Fundación Trashumante	Socia	Chile	Sí	No		Sí	No		No		No	Hace parte de los planes de acciones generales	Fortaleciendo la participación de mujeres en distintos espacios educativos, políticos, de participación local, entre otros.
26/06/2020 10:23:36 p. m.	Voces de Mujeres Afrodescendientes en Panamá	Presidenta	Panamá	Sí	No		Sí	No	Consideramos que ha habido retrocesos en esta materia. No ha habido voluntad político de los gobiernos	Sí	Evidencia los problemas en la aplicación de políticas que garangticen en todos los planos de la vida de la mujer, la equiad	Sí	Hace parte de los planes de acciones generales	Participamos en convocatorias al respecto pero en los últimos años no se convocó, sin embargo recientemente se ha convocado
28/06/2020 1:30:27 a. m.	Centron de Asesoría Investigación y Promoción Humana-CAIPH	Presidenta	Perú	Sí	No		Sí	No	Porque la mujer en mi país, sigue siendo objeto de discriminación en todas sus formas.	No	Porque aún somos invisibilizadas, agredidas. Aún no somos iguales ante la ley, ni la sociedad. Por lo que se nos cierra muchas puertas perdiendo la oportunidad de acceder a una mejor calidad de vida.	No	No cuenta con mecanismos para hacer este tipo de seguimiento	Porque el objetivo de la organización es el desarrollo humano de poblaciones vulnerables, y trabajamos con niños básicamente.

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28/06/2020 9:40:43 a. m.	Cané Roots sociation	Presidenta	Colombia	Sí	No		No	Sí	Aunq no conozco las recomendaciones para Colombia es claro q para nuestro país es un tema bandera la lucha contra la violencia contra la mujer y de género diverso con resultados medio bajos pero con evidencia de generación y ejecución de propuestas para tal fin. Gran falencia es q muchas de las acciones encaminadas a mitigar son realizadas por mostrar interncionalmente gestión y no realmente por combatir este flagelo. El tema de violencia en Colombia aunq este desbordado sigue viéndose desarticulado por las diversas instancias del estado dando recursos y potestad a una entidad para dar resultados cuando es un tema de nacion	Sí	No las tengo claras pero se q siempre hay enfoques diferenciales en este tío de recomendaciones. Porq no conozca no significa q no existan	No	Hace parte de los planes de acciones generales	Realizamos acciones para promover equidad y empoderamiento a mujeres y población afro desde distintas áreas donde el tema de violencia claramente está incorporado
29/06/2020 7:19:45 a. m.	Voces de Cambio	Presidenta	México	Sí	No		No	No	Porque en informes públicos no es un referente o se le menciona como argumento para la toma de decisiones	No		No	No cuenta con mecanismos para hacer este tipo de seguimiento	Porque la agenda de la organización se centra en las recomendaciones del Comité de los Derechos del Niño

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29/06/2020 10:38:33 a. m.	Internacional de Servicios Públicos ISP a	Representante Andina y Coordinadora de Comité Interamericano de Combate al Racismo, la xenofobia y todas formas conexas de discriminación e intolerancia cis	Colombia	Sí	Sí	Como observadora	Sí	No	Porque sigue la violencia hacia las mujeres trans, lo cual se refleja en el número de asesinatos y agresiones que sufren en diferentes partes del país	Sí	La ley 1257 de 2008 para prevención de todas las formas de violencia contra las mujeres	Sí	La organización cuenta con un programa exclusivo para realizar este seguimiento	A través de los Comités nacionales de mujeres y comités de LGBTQI+ en los diferentes países de interaméricas.
29/06/2020 1:29:25 p. m.	Coordinadora Nacional de Organizaciones de Mujeres Negras-CONAMUNE	Coordinadora nacional	Ecuador	Sí	No		Sí	No	Porque tenemos políticas que no se implementan, no se asigna presupuesto	No	No, todo se cumple	No	Participamos con otras organizaciones para elaborar el informe sombra	Aportes al informe sombra
29/06/2020 3:25:17 p. m.	ASICAM	Secretario general	RDC	No	No		No	No	No se menciona estos nombres	No		No	No cuenta con mecanismos para hacer este tipo de seguimiento	Nunca se ha tratado del tema en la asociación
29/06/2020 10:30:34 p. m.	Sin nombre	sistemas de información y creador de contenido	México	Sí	No		No	No	Se realizan acciones sin impacto ni perspectiva de género. Estigmatizan a las víctimas	Sí	Se visibilizan la problemática y así como las mujeres marginadas y olvidadas	No	No cuenta con mecanismos para hacer este tipo de seguimiento	Se tiene poco conocimiento del tema
30/06/2020 10:35:27 a. m.	Identidad Afro Rivera	Participo en la comisión directiva	Uruguay	No	No		No	No		No		No	no lo sé	No conozco a la organización por lo tanto tampoco sé si se cumplen sus recomendaciones
30/06/2020 12:47:13 p. m.	ASOUNIDAS GUACHENE	Representante legal	Colombia	Sí	No		Sí	No	Porque cuando las mujeres denunciemos la vulneración de nuestros derechos la mayoría de instituciones desconocen la ruta y además nos victimizan más	Sí	Estamos mucho más empoderadas aun que falta mucho	Sí	No cuenta con mecanismos para hacer este tipo de seguimiento	Por falta de fortalecimiento de la institución u organización, en la mayoría de los casos trabajamos de manera desordenada
30/06/2020 2:06:30 p. m.	Fundación sky	Co director	Colombia	Sí	No		Sí	No		Sí	Visibilización de la denuncia	No	Hace parte de los planes de acciones generales	Porque desde la organización trabajamos desde la ciudadanía para la ciudadanía y la falta de credibilidad del actual gobierno

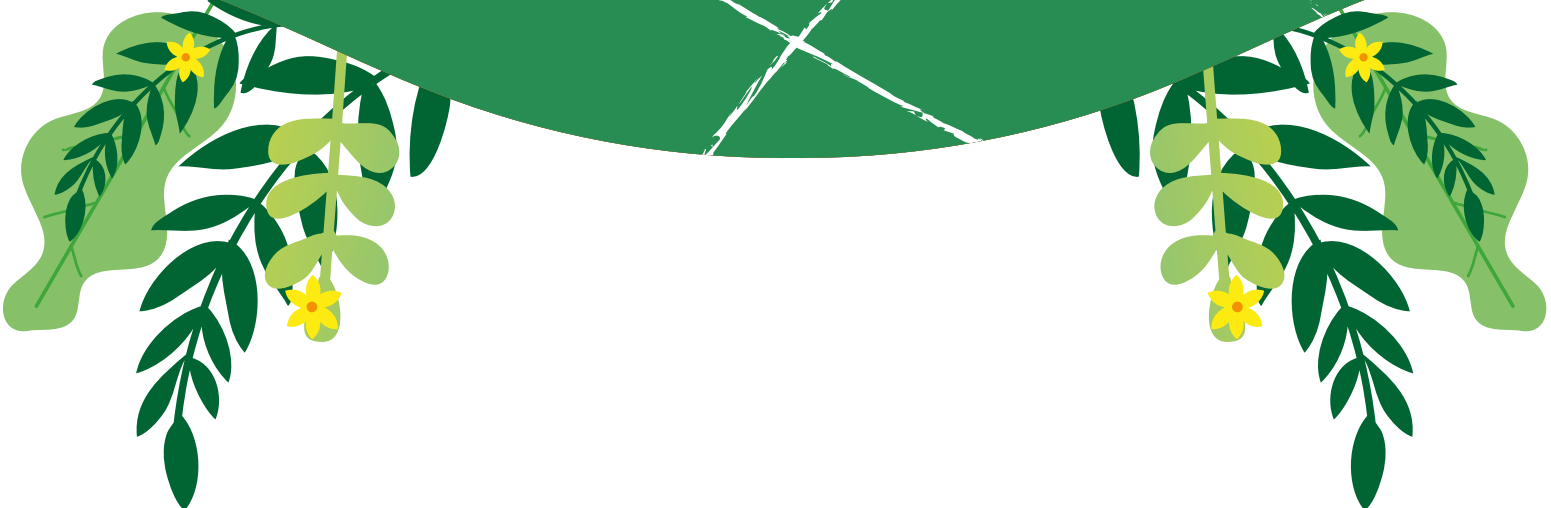
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30/06/2020 2:11:20 p. m.	La Agenda CG	Cocreadora	Colombia	Sí	No		No	No		No		No	No cuenta con mecanismos para hacer este tipo de seguimiento	No
30/06/2020 2:12:18 p. m.	Universidad del Norte	Comunicadora social, docente e investigadora social	Colombia	No	No		Sí	No	Insistir en acciones de igualdad dentro de las organizaciones es fundamental para garantizar entornos más saludables e integrales para todos y todas	Sí	Nos permiten vivir mejor y sentirnos más seguras, dignas y protegidas	Sí	Nos permiten vivir mejor y sentirnos más seguras, dignas y protegidas	Quizá tienen otras prioridades
30/06/2020 2:38:22 p. m.	Proyecto Afrodescencia México	Dirección	México	No	No	Aún no sé nada sobre esta organización, me gustaría aprender.	No	No	Aún no sé nada sobre esta organización, me gustaría aprender.	No	Aún no sé nada sobre esta organización, me gustaría aprender.	No	Aún no sé nada sobre esta organización, me gustaría aprender.	Aún no sé nada sobre esta organización, me gustaría aprender.
30/06/2020 2:56:49 p. m.	Afrodescendencias México	Colaboradora	México	No	No		No	No	No conozco las recomendaciones. Este formulario debe tener la opción "no sé" o "no aplica"	No	No puedo responder sí o no si no conozco ni la org. ni sus recomendaciones. Tienen un cuestionario mal formulado	No	No conozco ni CEDAW ni sus recomendaciones	No conozco CEDAW ni sus postulados. No puedo afirmar o negar que haya seguimiento de sus políticas
30/06/2020 4:33:15 p. m.	Colectiva de Mujeres Afromexicanas en Movimiento MUAFRO	Enlace de Comunicación	México	Sí	No		Sí	No	Las recomendaciones son generales y no han tenido un impacto real en políticas públicas hacia mujeres afromexicanas	No		No	Hace parte de los planes de acciones generales	Somos una colectiva de reciente creación, por ello aún nuestra incidencia es limitada
30/06/2020 8:48:27 p. m.	Conferencia Nacional de Organizaciones Afrocolombianas C.N.O.A.	Parte del Equipo Técnico	Colombia	Sí	Sí	Elaborando y presentando informes sombras ante el Comité	Sí	No	Para dar dos ejemplo, no se ha llevado a cabo la ejecución del plan nacional de salud rural, ni reforzado la aplicación del modelo de seguridad para la atención de la emergencia obstétrica, entre otras medidas. Por otro lado, el acceso a la justicia no es garantizado, entre otras cosas porque existe una impunidad de cerca del 94%. Las recomendaciones en cuanto a la participación política no son tenidas en cuenta, y así la lista de incumplimientos continúa.	Sí	Para los procesos de defensa y reivindicación de Derechos es importante que las voces las mujeres afrodescendientes en su diversidad sean atendidas en el ámbito internacional sin embargo, pese a algunos avances logrados, la mayoría de las recomendaciones son recurrentes, y terminan siendo las mismas cada 4 años. Se requiere una disposición por parte del Estado, y mayor apoyo a las organizaciones de base sobretodo, para avanzar en la garantía de los derechos humanos de las mujeres Afrodescendientes.	No	Hace parte de los planes de acciones generales	Porque no contamos con los recursos humanos y financieros para lograr hacerle seguimiento eficaz a las recomendaciones, y lograr a partir de estas, estrategias de Incidencia contundentes



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3/07/2020 9:30:47 p. m.	Movimiento Nacional Por la Salud Sexual y Reproductiva en Colombia. Las Bien Paridas	Mensajera linea de Incidencia	Colombia	Sí	No		Sí	No	En terminos de Violencia Ginecobstetrica claramente la Cedaw ha instado el gobierno nacional a que legisle y actue a traves de investigaciones, politicas publicas, cambios estructurales en el sistema sanitario sobre el tema. Al dia de hoy no hay nada	Sí	En el respeto a parir como, donde y con quien se nos de la gana, sin sufrir violencia y ser dueñas de las decisiones sobre nuestro cuerpo	Sí	No cuenta con mecanismos para hacer este tipo de seguimiento	Por que no sabemos muy bien como hacerlo, por que no hay voluntad politica para sentarse con las organizaciones de base y por que en esa linea la CEDAW para estos gobiernos y en especial este no ven como algo serio esta instancia. Llevamos dos años de conformadas en movimiento así que hasta ahora estamos armando la ruta de litigio estrategico y esto esta en una linea que nos gustaria que fuese puesta en accion con mas herramientas e insumos para hacerlo
6/07/2020 1:43:31 p. m.	Comunicación e Información de la Mujer, A.C. (CIMAC)	Directora	México	Sí	Sí	desde 2012 he estado presenta en los informes de mi país	Sí	No	Si bien es cierto que se retoman algunas recomendaciones, hay varias pendientes, Parcialmente retoma las recomendaciones	No		Sí	Hace parte de los planes de acciones generales	Participamos en coaliciones de organizaciones para elaborar informes alternos al oficial, tenemos comunicación directa con algunas expertas del comité, para mantener información sobre la situación de las mujeres periodistas en México y América Latina.
23/07/2020 11:02:54 a. m.	Colectiva Juntanza Feminista Decolonial	Miembra	Colombia	Sí	No	Presupuesto y no he estado pendiente de los tiempos	No	No	No se ven avances en el tema de género, al contrario, hay retrocesos con este gobierno ultraconservador.	No	Ninguna, estas mujeres siguen en la inmundia, nadie vela por ellas.	No	No cuenta con mecanismos para hacer este tipo de seguimiento	Porque no sabemos de esto.



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14/08/2020 11:48:14 a. m.	Soacha Alcaldía- Gerencia de Víctimas	Soacha Alcaldía- Gerencia de Víctimas	Colombia	Sí	No		Sí	No	No hay respuestas efectivas a la violencia que sufren las mujeres en el país.	No		No	No cuenta con mecanismos para hacer este tipo de seguimiento	A pesar de que es una organización que atiende mujeres afro e indígenas víctimas del conflicto armado, no conoce las recomendaciones ni las implementa. Muchas de estas mujeres, además, son víctimas de violencia intrafamiliar, comunitaria y del conflicto armado.



**CEDAW and its Impact  
on Women's Lives:  
An Intersectional Perspective**

*Brazil, Colombia, Cuba, Mexico, Nicaragua,  
Peru, and the Dominican Republic*

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