

Universal Periodic Review
(16th session, spring 2013, from 22 April – 3 May 2013)
Contribution of UNESCO

(The countries to be reviewed are, in this order: Turkmenistan, Burkina Faso, Cape Verde, Colombia, Uzbekistan, Tuvalu, Germany, Djibouti, Canada, Bangladesh, Russian Federation, Azerbaijan, Cameroon, and Cuba. Each submission should refer to one country only)

Colombia

I. BACROUND AND FRAMEWORK

1. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Acceptance 24/05/1983			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratified 19/03/2008			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Not state party to Convention			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

Right to education¹

Normative Framework:

2. **Constitutional framework:** The Constitution of Colombia (1991) as amended in 2009², recognizes the right to education in its Article 67, which states that “Education is an individual right and a public service that has a social function. [...] The State, society, and the family are responsible for education, which will be mandatory between the ages of 5 and 15 years and which will minimally include one year of preschool instruction and nine years of basic instruction. Education will be free of charge in the state institutions, without prejudices to those who can afford to defray the costs. It is the responsibility of the State to perform the final inspection and supervision of education in order to oversee its quality, for fulfilling its purposes and for the improved moral, intellectual and physical training of those being educated, to guarantee an adequate supply of the service, and to guarantee for minors the conditions necessary for their access to and retention in the educational system. The nation and the territorial entities will participate in the management, financing, and administration of the state educational services within the limits provided in the Constitution and the law.”

3. According to Article 27, “The State guarantees the freedom of teaching at the primary and secondary level, apprenticeship, research, and professorship.”

4. Article 41 provides that “In all educational institutions, public or private, the study of the Constitution and civics will be mandatory. In this way, democratic practices and the value of the citizen’s participation will be promoted through the teaching of principles. The state will publicize the Constitution.”

5. In regard with lifelong learning, Article 64 provides that “It is the duty of the state to promote the gradual access for agricultural workers to (...) services involving education, (...) with the purpose of improving the incomes and quality of life of the peasants.”

6. According to Article 68, “Individuals may create educational institutions. The educational community will participate in the management of the educational institutions. Education will be in the care of individuals of recognized ethical and pedagogical principles. The law guarantees the professionalism and dignity of the teaching profession. Parents have the right to select the type of education for their minor children. In state institutions, no individual may be obligated to receive religious instruction. The members of ethnic groups will have the right to schooling that respects and develops their cultural identity. The eradication of illiteracy and the education of individuals with physical or mental limitations or with exceptional capabilities are special obligations of the State.

7. Article 69 grants the autonomy of universities. “The universities will be able to administer and govern themselves through their own bylaws, in accordance with the law.”

8. In regard to the principle of equality; Article 5 states that “The state recognizes, without any discrimination whatsoever, the primacy of the inalienable rights of the individual

¹ *Sources:*

² http://wsp.presidencia.gov.co/Normativa/Documents/ConstitucionPoliticaColombia_20100810.pdf (in Spanish) ; http://confinder.richmond.edu/admin/docs/colombia_const2.pdf (in English)

and protects the family as the basic institution of society”. Article 13 provides that “All individuals are born free and equal before the law and are entitled to equal protection and treatment by the authorities, and to enjoy the same rights, freedoms, and opportunities without discrimination on the basis of gender, race, national or family origin, language, religion, political opinion, or philosophy. The state will promote the conditions necessary in order that equality may be real and effective will adopt measures in favor of groups which are discriminated against or marginalized.”

9. In regard to gender equality, Article 43 specifies that “Women and men have equal rights and opportunities. Women cannot be subjected to any type of discrimination...The state will support the female head of household in a special way.”

10. In regard to languages and ethnic minorities, Article 7 states: “The state recognizes and protects the ethnic and cultural diversity of the Colombian nation.” Article 10 adds: “Spanish is the official language of Colombia. The languages and dialects of ethnic groups are also official in their territories. The education provided in communities with their own linguistic traditions will be bilingual.”

11. Article 356³ establishes that the resources of the General System of Shares of the departments, districts, and municipalities will be destined to the financing of their respective competences, giving priority to health and preschool, primary, secondary and middle education, in order to guarantee and expand access to these services.

Legislative framework:

12. The legal Framework for education is provided by Law No. 115⁴ on General Education (Ley General de Educación) of 8 February 1994, according to which, the school system is divided into five levels of education (preschool education, primary education, secondary education, media education and higher education). The right to education for indigenous people is protected by the Law. It establishes, inter alia, the right to a bilingual education with the use of mother tongue languages (Articles 57 and 199).

13. Law No. 30/1992 on Higher Education⁵ (Ley de Educacion Superior No.30/1992) regulates and establishes the Colombian higher education system as a “cultural public service” (Article 2). Article 5 establishes that higher education will be accessible to all on the basis of individual capacity.

14. Law No. 749/2002 on Higher Technical, Professional, and Technological Education⁶ (Ley de Educación Superior Técnicas Profesionales y Tecnológicas N° 749/2002) organizes and regulates higher education as a public service, in particular through institutionalizing technical, professional, and technological formation.

³ Article 356 of the Constitution was emended by Law No. 1176 on December 27th, 2007: http://www.mineducacion.gov.co/1621/articles-146175_archivo_pdf.unknown

⁴ http://www.mineducacion.gov.co/1621/articles-85906_archivo_pdf.pdf (Accessed 30/04/11)

⁵ http://www.oei.es/quipu/colombia/Ley_educ_superior.pdf

⁶ http://www.oei.es/quipu/colombia/Ley_educ_tecnica_superior.pdf

15. Law No. 1324 of July 13th, 2009⁷: through which parameters and criteria are elaborated in order to organize the system of result evaluation in the quality of education. Moreover, norms are established for the promotion of a culture of evaluation in order to facilitate inspection and monitoring of the State. The implementation of this law will be carried out by the Colombian Institute for the Evaluation of Education⁸ (Instituto Colombiano para la Evaluación de la Educación; ICFES).

16. Law No. 1297 of April 30th, 2009⁹: through which the requisites and procedures for admissions to the educational services of the State are regulated, especially for zones that have difficult access, special populations and areas that specialize in technical formation or that are deficient.

17. Law No. 1295 of April 6th, 2009¹⁰ : through which the comprehensive care of children in early childhood is regulated (sectors ranked 1, 2 and 3 by the SISBEN – the Identification System of Potential Social Programs Beneficiaries - Sistema de Identificación de Potenciales Beneficiarios de Programas Sociales).

18. Law No. 1286 of January 23rd, 2009¹¹: the general of this law is to strengthen the National System of Science and Technology and to promote science, technology, and innovation, in order to favour the Nation's economic and industrial system (Article 1). Moreover, the law develops the rights and duties of citizens and the State concerning the development of scientific knowledge, technological development, innovation and research.

19. Law No. 1145 of July 10th, 2007¹² : through which the National System of Disability is established. The objective of this law is to promote and guarantee the fundamental and human rights of people with special needs and disabilities, by eliminating the barriers that limit the disabled to access physical, environmental, social, economic and cultural opportunities, and that impede them from enjoying their rights.

20. Law No. 1084 of August 4th, 2006¹³: through which the State strengthens higher education in remote and inaccessible zones in the Colombian territory

21. Law No. 1064 of July 26th, 2006¹⁴ : through which norms for the support and strengthening of work-oriented education and human development (non-formal education according to the General Law of Education) are established.

⁷ http://www.mineduccion.gov.co/1621/articles-210697_archivo_pdf_ley_1324.pdf

⁸ <http://www.icfes.gov.co/>

⁹ http://www.mineduccion.gov.co/1621/articles-191904_archivo_pdf_ley1297.pdf

¹⁰ http://www.mineduccion.gov.co/1621/articles-187668_archivo_pdf_ley_1295_2009.pdf

¹¹ http://www.mineduccion.gov.co/1621/articles-186955_archivo_pdf_ley_1286_2009.pdf

¹² http://www.mineduccion.gov.co/1621/articles-146166_archivo_pdf.unknown

¹³ http://www.mineduccion.gov.co/1621/articles-105594_archivo_pdf.pdf

¹⁴ http://www.mineduccion.gov.co/1621/articles-104704_archivo_pdf.pdf

22. Decree No. 804 from 18 May 1995 regulates special needs education for the indigenous groups present within the national territory and develops the provisions of Law No. 115. The Law also provides some provisions for disabled people (Title I, Chapter I).

23. Decree No. 2082 from 18 November 1996 establishes the basic principles and guidelines that provide for special curricular attention, the general rules for organizing the service, and contains guidelines for teacher training and provides criteria for the financial support of programs. Article 14 of Law No. 115 provides for compulsory sexual education. According to Article 17, one year of preschool education is compulsory for children under 6 years old. Basic education is divided into primary and secondary education and it provides for 9 years of education (Article 19).

24. In 2006, Law No. 1098 implemented the constitutional right to education to children before 6 and sets a system of fines for persons who refrain from receiving a child in public education (Article 28). The code also enshrines the “right to development in early childhood” which includes intangible rights to education (Article 29), and explicitly prohibits cruel, degrading or humiliating sanctions in the premises of the school (Article 45).

25. Regarding non-formal education, two texts provide a framework for institutions that offer educational services with respect to work and human development : Law 1064 (2006) and Decree 2888 (2007) They both intend to promote training in the practice of working through the development of expertise, skills and training to perform handmade, artistic, recreational and occupational therapy, protection and exploitation of natural resources and public participation and community development specific job skills, as well as contribute to right to lifelong learning.¹⁵

26. The 1997 Law No. 387 on Internal Displacement¹⁶, is the law under which displaced children are now eligible for free education, and schools must accept them without requiring previous proof of education.

27. Decree No. 2247 of September 11th, 1997 establishes the norms relative to the service provision of education at the preschool level.

28. Resolution No. 2343 of June 5th, 1996 provides for the general guidelines of curricular processes of the public service of education, and establishes indicators that can measure curricular progress in formal education.

29. Decree No. 2082 of November 18th, 1996 regulates special needs education for persons with disabilities or gifted skills. It establishes its underlying principles, provides special curricular guidelines to offer special attention, stipulates the general rules for the organization of the public service of education to offer such attention and the guidelines for teacher training, and formulates the criteria for the financial support of special needs educational programs.

30. Resolution No. 2707 of June 26th, 1996 defines the general criteria for the evaluation of institutions and State teachers linked to the provision of quality incentives.

¹⁵ “El Desarrollo de la Educacion, Informe National de Colombia”, 2008, <http://www.ibe.unesco.org/en/ice/48th-session-2008/national-reports.html>

¹⁶ <http://www.disaster-info.net/desplazados/legislacion/Ley387de1997.pdf> (Accessed 30/04/11)

31. Decree No. 804 of May 18th, 1995 regulates the special needs education for ethnic groups.
32. Law No. 188 of 1995 defines the Pluriannual Plan of Investments that establishes the stability of the financial resources for the education sector.
33. Decree No. 1860 of August 1994 partially regulates Law No. 115 concerning pedagogical and general organization aspects.
34. Decree No. 2886 of December 29th, 1994 regulates the necessary procedures and formalities that should be met by local authorities in order to obtain the certification of compliance with the requirements that shall enable them to manage the administration of fiscal resources and the provision of the education service.
35. Law No. 60 of 1993 concerns the distribution and competences and resources among the different territorial areas of the country.
36. Law No. 30 of 1992 organizes the public service of higher education.
37. Decree No. 88 of 1976 restructures the education system and reorganizes the Ministry of National Education.
38. Law No. 43 of December 11th, 1975¹⁷ nationalizes primary and secondary education (service which was provided by the Departments, the Special District of Bogota and the municipalities).

Policy measures:

39. The New Educational Policy of Colombia's Ministry of Education¹⁸ ("Educación de Calidad. Camino para la Prosperidad") focuses on, inter alia, the quality of education, preschool education and the use of NTIC in schools.
40. In its Education Sector Plan 2010-2014 ("Plan Sectorial de Educación 2010-2014"), the government aims to advance the achievement of inclusive quality education, in collaboration with the private sector as well as civil society. In the Sectorial Plan 2010-2014, the policy establishes 5 strategic themes that seek to improve educational strategies:
 1. Quality basic education with special attention to pre-school education.
 2. Improve the quality of education at all levels.
 3. Reduce the gap that exists within the rural-urban population, diverse and vulnerable populations, and by regions (expansion of coverage).
 4. Innovation in education.
 5. Strengthen the management of the education sector in order to make it an effective and transparent model.
41. The Decennial National Plan of Education 2006-2016¹⁹ (Plan Nacional Decenal de Educación 2006-2016; PNDE) contains a "social contract" for the right to education which

¹⁷ <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=288>

¹⁸ http://www.mineduacion.gov.co/cvn/1665/articles-237397_archivo_pdf.pdf

identifies and establishes the decisions that are crucial for the advancement of education in Colombia. This plan is to be implemented within the Sectorial and Territorial educational development plans throughout Colombia.

42. National Development Plan 2006-2010²⁰ (Plan Nacional de Desarrollo 2006-2010) was released by Law No. 1151 of July 24th 2007. The plan has education as a pillar for development. The central themes are combatting poverty and improving the condition of the most vulnerable populations. One of the means to achieve this is through education. Below are some of the provisions of the plan that relate to education:

- i) Combatting poverty and improving the condition of the vulnerable through a quality education.
- ii) Increase the number of school places for displaced population. Goal by 2010 was: 400.000 places. General goal is to expand access to education, i.e. achieve universal coverage until secondary school, especially for the most vulnerable populations.
- iii) Expand access to higher education and combat illiteracy. Increase registration in technical and technological subjects.
- iv) Promote and teach Human Rights through education, for which the National Human Rights Education (PLANEDH) was developed and implemented.
- v) Improve information systems and the monitoring, including the Human Rights Observatory of the Vice Presidency of Colombia, as well as institutional opportunities for coordination and monitoring public policies, in order to ensure the Economic, Social and Cultural Rights.
- vi) Educational integration of students with special needs and disabilities.
- vii) Increase and strengthen the relation between the education sector and the economy, technology and companies, e.g. through the promotion of ITC in education.
- viii) Investment of 45.572.379 million Pesos for the education sector.

43. The Ten Year Plan established by Article 72 of the General Law of Education and the regulation of Decree No. 1719 of 1995, aims to make education a State policy priority. The Plan is a guideline that attempts to define the goals for education in Colombia during 10 years, as well as provoke institutional and social mobilization around education.

Inclusive Education

44. To implement the project “Quality Inclusive Education in Colombia” (“Educación Inclusiva de Calidad en Colombia”), the IBE is providing expertise to support the strengthening of the national policy on quality inclusive education, with the Ministry of National Education of Colombia (MEN), the Organization of Ibero-American States (OEI), United Nations Population Fund (UNFPA), the Saldarriaga Concha Foundation and the Empresarios por la Educación (EXE) Foundation.²¹

45. The first stage of this project includes a national workshop on inclusive education entitled “Workshop for the Participatory Construction of Inclusive Education Policy in

¹⁹ <http://www.plandecenal.edu.co/html/1726/w3-propertyvalue-43510.html>

²⁰ http://www.mineduccion.gov.co/1621/articles-146170_archivo_pdf.unknown

²¹ <http://www.ibe.unesco.org/en/global-news-archive/single-news/news/quality-inclusive-education-in-colombia-initiative/106.html>

Colombia” (“Taller para la Construcción Participativa de la Política de Educación Inclusiva en Colombia”), held in Bogotá in early May 2012. Regional, national and international participants analysed the current policy framework on inclusive education and proposed to the Colombian Minister of Education a series of recommendations for its revision.

46. Aligned with the IBE’s strategy 2008-2013, this project implies two inter-related components:

1. Revision and adjustment of the national policy framework on inclusive education through evidence-based policy dialogue, engaging diverse stakeholders; and,
2. Implementation of regional capacity-development programs to refine institutional and curricular capacities to implement inclusive education practices at the school level.

47. Students from displaced populations: According to the EFA Global Monitoring Report, 2011, after Sudan, the world’s largest displaced population is in Colombia, with more than 3 million people (out of a population of 42 million). However, the 1997 Law on Internal Displacement and subsequent actions by the Constitutional Court have strengthened IDP entitlements to education.²² The Colombian case therefore demonstrates that legal provision can play a role in extending opportunity and empowering IDPs. Colombia has probably the strongest legislative framework for protecting displaced civilians and providing access to basic services, including education. Under Colombian law, displaced children are now eligible for free education, and schools must accept them without requiring previous proof of education. These enhanced entitlements have had an impact. The Ministry of Education data shows a steady increase in the proportion of IDPs aged 5 to 17 attending school, from 48% in 2007 to 86% in 2010. Despite these gains, however, Colombia’s IDPs continue to face immense difficulties. While they enjoy strong legal protection, there have been problems in translating nominal rights into real entitlements. Planning in many municipalities suffers from poor coordination, weak capacity and in some cases limited political will. The new government elected in 2010 has pledged to strengthen support but faces considerable political and administrative challenges. Some of these challenges relate to the difficulties IDPs face in registering their status. They often struggle to demonstrate their eligibility for targeted programs, including those in education. Moreover, legal entitlements do not automatically override the effects of poverty and marginalization. Many IDPs start school late, repeat grades and drop out early. One study estimates that 51% of IDP youth attend secondary school, compared with 63% of non-IDP youth.²³

48. Students from rural or remote areas: From 1999 to 2007, the share of students reaching the last grade of primary education in Colombia increased by twenty-one percentage points. Part of the improvement may be attributed to the “Rural Education Project” (Proyecto de Educación Rural). The PER, which started in 2002 and by 2006 covered more than 435,000 students in about 6,500 rural schools. Working through municipal authorities, the program assessed the needs of each school. Teachers were given specialized training in one of nine flexible educational models targeting disadvantaged students. An evaluation based on a large number of schools carried out from 2000 to 2005 found that 14% of rural schools had been covered by the project. While the project had no significant impact on enrolment, increases in

²² EFA Global Monitoring Report, 2011, p.20, <http://unesdoc.unesco.org/images/0019/001907/190743e.pdf>

²³ Ibid. p.216.

language test scores and the share of students passing examinations were significantly larger in the schools covered. Dropout also decreased in PER schools by 3.2 percentage points more than in schools that were not part of the program. While demand-side interventions such as conditional cash transfers have received much attention as a way to reduce school dropout, the evaluation of PER is part of a growing body of evidence on the importance of supply-side strategies that make schools more efficient and attractive to students.²⁴

Curriculum

49. Human Rights Education: In regard with violence in schools, the Colombia's National Program of Citizenship Competencies, launched in 2004, aims to equip teachers, students and education managers with skills and attitudes that might reduce violence. The Classrooms in the Peace Initiative, part of the program, combines a classroom curriculum reaching all grade 2 to grade 5 students with targeted workshops and home visits for those with the highest aggression scores in teacher or peer surveys. The initiative aims to reduce aggression, conflict and bullying by developing skills including empathy, anger management and active listening. Initial evaluations point to impressive results, including a sharp reduction in aggressive and anti-social behaviour. The program is currently being extended to areas with high levels of violent political conflict.²⁵ Additionally, another program has been launched, called "Eduderechos" "Programme of Education for the exercise of Human Rights" ("Programa de educación para el ejercicio de los Derechos Humanos"²⁶).

50. Sexual education: The Ministry of Education launched the Program of Education for Sexuality and Citizenship Construction (Programa de Educación para la Sexualidad y Construcción de Ciudadanía²⁷). Sexual education is enshrined within the General Law on Education. However, it seems that not enough schools actually teach students about it. Only 3,135 institutions out of 14,000 have an educational program on sexuality.²⁸

51. Preschool curriculum: Some curriculum have been delivered to preschool institutions, so as to improve education of children under 5 years old.²⁹

52. Education in conflict areas: Colombia's Constitution establishes that "The rights of children have priority over the rights of others" (Art. 44).³⁰

²⁴ Ibid., p.52.

²⁵ EFA Global Monitoring Report, 2011, p.249, <http://unesdoc.unesco.org/images/0019/001907/190743e.pdf>

²⁶ <http://www.mineduacion.gov.co/1621/propertyvalue-44605.html> (Accessed 30/04/11)

²⁷ <http://www.mineduacion.gov.co/1621/article-172105.html> (Accessed 30/04/11)

²⁸ http://www.eltiempo.com/vida-de-hoy/educacion/colombia-sigue-rezagada-en-proyectos-de-educacion-sexual_8489240-4 (Accessed 30/04/11)

²⁹ <http://elnuevosiglo.com.co/bogota/metropolitana/30554-nueva-guia-de-educacion-infantil.html> (Accessed 30/04/11)

³⁰ Schools and Armed Conflict, Human Rights Watch, July 2011, p.65 :

<http://www.hrw.org/sites/default/files/reports/crd0711webwcover.pdf>

53. Colombia covered by the Human Rights Watch survey³¹ is classified as a Country with Explicit Prohibitions or Explicit Restrictions on the Use of Schools.

54. Colombia is all involved in prolonged internal armed conflicts against rebel groups. This country with these experiences has opted for such explicit restrictions against the use of schools may reflect certain lessons from these conflicts. It certainly demonstrates a belief that their armed forces can fight successfully without having to resort to the use and occupation of schools. The Ministry of Defence for Colombia told Human Rights Watch that “the General Command of the Military Forces has issued different instructions which target all the military units. The aim of these is to remind the military units that the occupation of civilian goods, and in particular, of schools and educational centres, is prohibited, because it will mean a violation of [international humanitarian law].” As an example of such directives, the Ministry cited a July 2010 order of the Commander General of the Military Forces, which states that “it is a serious offence, [if] a commander occupies or allows the occupation on the part of his troops of ... public institutions, such as educational establishments, including colleges, schools, and community halls, which causes an imminent risk for the protection of minors, noticeably affecting the guarantee of the fulfilment and respect of their rights.” The order also notes that “since the use of civilian and public property has historically triggered other accusations against troops, such as forced displacement, theft, indiscriminate attacks, and both physical and verbal abuse against minors, who are subject to special protection...it is required to undertake disciplinary investigations where possible and to carry out ... monitoring in order to avoid a repetition of [such] behaviour in operation areas”.³²

Cooperation:

55. Colombia is not party to 1960 UNESCO Convention against Discrimination in Education; however, it reported to UNESCO in 1998 and 2006 on the measures taken for the implementation of the 1960 UNESCO Recommendation against Discrimination in Education within the framework of the sixth and seventh consultation of Member States for the periods 1994-1999 and 2000-2005, respectively.

56. Colombia is not party to 1989 UNESCO Convention on Technical and Vocational Education.

57. Colombia reported to UNESCO in 2009 within the framework of the fourth consultation of Member States on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008).

³¹ *Ibid.*, p.52-54.

³² Order of the Commander General of the Military Forces, July 6, 2010 (No. 2010124005981 / CGFM-CGING-25.11), cited in letter to Human Rights Watch by Elena Ambrosi Turbay, Human Rights Director, Ministry of National Defense, September 22, 2010.

Freedom of opinion and expression³³

Achievements, best practices, challenges and constraints

58. Legislative framework: The Colombian Constitution guarantees the freedom of expression under Article 20: “*Every individual is guaranteed the freedom to express and diffuse his/her thoughts and opinions, to transmit and receive information that is true and impartial, and to establish mass communications media.*”³⁴ Concerning the right to access information, Article 74 provides the right to access public documents.

59. A freedom of information law has been in place in Colombia as far back as 1888 and is ensured by the *Law Ordering the Publicity of Official Acts and Documents* (1985), yet in reality the access to public information is often difficult and time-consuming.

60. Defamation remains criminalized under Articles 220 and 221 of Colombia’s Penal Code³⁵ with the possibility of imprisonment of up to four years plus a monetary fine. Moreover, during a ruling on 29 February 2012 by the Colombian Cudinamarca High Court upheld the provisions involving a newspaper editor, deeming them constitutional³⁶.

61. Media self-regulation: The Colombian Federation of Journalists (FECOLPER)³⁷ is an independent organization bringing together journalists from all of Colombia’s regions. It works to improve working conditions as well as on several initiatives concerning safety for example.

62. Safety of journalists: Colombia continues to be an unsafe environment for journalists and media workers. UNESCO condemned three killings in the country between 2008-2011 including the murders of journalists, Luis Eduardo Gómez in June 2011³⁸, of Harold Humberto Rivas Quevedo in December 2009 and of Jose Everardo Aguilar in April 2009. Investigations of these killings are ongoing³⁹.

63. It must be noted that in recent years Government is taking pro-active actions to improve the safety of journalists.

³³ Sources :

³⁴ http://confinder.richmond.edu/admin/docs/colombia_const2.pdf

³⁵ http://www.wipo.int/wipolex/en/text.jsp?file_id=190483

³⁶ <http://www.freedomhouse.org/article/colombian-court-upholds-prison-sentence-newspaper-editor>

³⁷ <http://www.fecolper.com.co/quienes-somos/quienes-somos>

³⁸ <http://www.un.org/apps/news/story.asp?NewsID=38984&Cr=journalist&Cr1=>

³⁹

<http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/FED/Safety%20Report%20by%20ODG%202012.pdf>

64. One of the factors for Columbia to be an unsafe environment for journalists is due to the continuing insurgency by rebel groups who kidnap journalists such as the case of French reporter Romeo Langlois held by FARC but recently released in May 2012⁴⁰.

III. RECOMMENDATIONS

Right to education

65. Colombia should be encouraged to ratify the 1960 Convention against Discrimination in Education.

66. UNESCO has recently launched the 8th Consultation on the measures taken for the implementation of the Convention and Recommendation against Discrimination in Education (covering the period 2006-2011), the results of this Consultation will be submitted to UNESCO's governing bodies at the end of 2013. Colombia has not yet reported to UNESCO on the Recommendation and is now strongly encouraged to submit a report.

67. Colombia could be encouraged to adopt further measures (e.g. special laws) which aim to combat discrimination in education, protect minority groups, combat illiteracy in rural areas, and promote gender equality.

Freedom of opinion and expression

68. The Government is encouraged to decriminalize the defamation law and subsequently incorporate it into the civil code in accordance with international standards.

69. The Government is encouraged to continue and strengthen the positive steps undertaken towards ensuring journalist and media worker safety.

70. The Government is encouraged to further improve and simplify the process to obtain public information in accordance with international standards.

The right to enjoy the benefits of scientific progress and its applications (REBSP)

71. The Government of Colombia is encouraged to report to UNESCO within the framework of the on-going consultation with Member States on the monitoring of the implementation of the 1974 Recommendation on the Status of Scientific Researchers.

⁴⁰ <http://www.reuters.com/article/2012/05/31/us-colombia-farc-idUSBRE84T1AE20120531>