

A. Cover Page

Colombia

**Child Protection
Thematic Report**

January - December 2016



Legal Working Group on the Amazonian Tri-Country Border, with staff of Brazil, Colombia and Peru
Photograph by Liliana Forero, UNICEF Consultant, 2016

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C. Abbreviations and Acronyms

CPD: Country Programme Document

CSEC: Commercial Sexual Exploitation of Children

ECOPETROL: Colombian Petroleum Company

ELN: National Liberation Army, non-state armed group

FARC-EP: Revolutionary Armed Forces of Colombia, non-state armed group

GBV: Gender-Based Violence

ICBF: Colombian Institute for Family Welfare

SDGs: Sustainable Development Goals

SNBF: National System for Family Welfare (run by the ICBF)

SRPA: System for Adolescent Penal Responsibility (Juvenile Justice)

D. Executive Summary

This report details the implementation of protection activities financed by Thematic Funds during January-December 2016 (USD 36,917.49). The funds were granted to support UNICEF Colombia's activities under the following outcome: "By 2019, children and adolescents from priority geographic areas have access to protection systems that allow them to live away from violence, abuse and exploitation, with special emphasis on gender-based violence (GBV)."

In Colombia's CPD 2015-2019, one of the issues prioritized by UNICEF was the protection of children and adolescents against violence, with emphasis on the prevention of gender-based violence and the strengthening of a relevant response to victims, including their access to justice. With regard to the latter issue, the Colombian programme prioritized the strengthening of access to justice for both girls, boys and adolescents who are victims of crime, as well as those who come into conflict with criminal law. These issues are decisive in the current post-agreement process between the Government and the FARC, in which there is a high risk of exacerbation of violence against children, especially sexual violence, as well as of the use of children and adolescents by new criminal organizations.

Along this line, thematic funds for 2016 have been used by UNICEF Colombia to strengthen the entities of the Colombian Family Welfare System in the prevention of violence against children, with emphasis on Sexual Exploitation, and in guaranteeing access to justice for both child and adolescent victims, as well as those that come into conflict with criminal law.

UNICEF has provided inputs for the construction of public policy on commercial sexual exploitation of children (CSEC) and for the revision and adjustment of juvenile justice policy. In similar fashion, UNICEF has strengthened institutional actors (judges, prosecutors, police, family defenders and public defenders) to better implement the Juvenile Justice System and to better coordinate on the response to CSEC, especially in the Amazon border region.

These advances are part of a process that will continue throughout the 2015-2019 CPD and are vital in the current country situation, in which the Colombian State must be prepared to respond to the still greater challenges that lie ahead in the context of peacebuilding, in terms of inclusion, protection and justice for children and adolescents.

E. The Strategic Context of 2016

In 2016, the Colombian government has signed a peace accord with the main non-state armed group, the FARC-EP. This agreement represents an historic opportunity to end a protracted conflict, associated with 8.3 million registered victims of which 31% are children and adolescents. The Government has also begun negotiations with the second-largest non-state armed group, the National Liberation Army (ELN, according to its acronym in Spanish).

However, this important step does not necessarily mean the end of the conflict nor the end of violence against children and adolescents in Colombia. The poorest regions of the country--where most rural, indigenous and Afro-descendant communities live--face, in addition to the presence of non-state armed groups, a high presence of organizations or groups engaged in illegal economic activities (including the sexual exploitation and trafficking of children and adolescents), which exercise control over the territories, use children and adolescents for the commission of crimes and may likely expand their power in the post-accord scenario. Therefore, great efforts are needed to avoid the risk of exacerbating gender-based violence that affects the child and adolescent population disproportionately in post-conflict settings, as experiences in other countries have shown. One must

be aware, additionally, that the impact of the conflict on children and adolescents complements other forms of violence in the home, school, community and at the institutional level.

The strengthening of protective, non-expulsive and non-stigmatizing environments for children and adolescents constitutes a key factor in preventing their involvement and use in other forms of violence and enhances their participation in reconciliation and peace-building for the country. The success of the country's transition to peace will depend to a large extent on the younger generations. Young people must have access to quality services in health, education, culture, recreation, as well as in protection and justice, to ensure they develop into productive members of a peaceful society.

The protection of people between the ages of 0 and 18 against all forms of violence is a key element in building a more equitable society, not only for them but for the country as a whole. Equally important is to strengthen an effective State response when children and adolescents come into contact with the justice system, either as victims or as alleged perpetrators of a crime, to ensure respect for their rights and their ability to continue or resume their life away from violence. The strengthening of the response of the existing Juvenile Justice System in the country is a crucial element to adequately address and prevent the use of adolescents for different illegal activities.

The Sustainable Development Goals (SDGs) include as part of their objectives:

- "to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual exploitation" (5.2);
- "to end abuse, exploitation, trafficking and all forms of violence against and torture of children (16.2);
- "to promote the rule of law at the national and international levels and guarantee equal access to justice for all" (16.3); and
- "to take immediate and effective measures to eradicate forced labour, end contemporary forms of slavery and human trafficking, ensure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms." (8.7)

In order to achieve these goals and their corresponding objectives, it is fundamental to confront the false beliefs that justify, naturalize and maintain violence against children and gender-based violence in family, institutional and community settings. It is also necessary to understand the differential impact of these types of violence on girls and boys and on their opportunities to develop their potential, capabilities and life projects. UNICEF-Colombia believes that the CPD developed with the Colombian Government offers sufficient framework to advance not only actions, but processes towards the fulfillment of these objectives under the SDGs.

F. Results in the Outcome Area

In the causal analysis carried to develop the theory of change for the current CPD, the Country Office identified that one of the principal obstacles to the effective protection of children and adolescents against violence lies in institutional capacity and the mechanisms to guarantee effective implementation of the country's laws, policies and programmes, in the capacity to coordinate existing agencies to ensure a comprehensive response, and in social norms and practices at community and institutional levels, which naturalize and justify various forms of violence against children and likewise promote the stigmatization of adolescents, particularly in those in contexts of vulnerability.

The protection component in Colombia has proposed an outcome within the 2015-2019 CPD that "by 2019, children and adolescents in targeted geographical areas have access to protection systems that allow them to live far away from violence, abuse and exploitation, with special emphasis on gender-based violence (GBV)".

In the analysis of determinants carried out in the construction of the theory of change for the current CPD, it was evident that the main obstacles for the effective protection of children and adolescents against violence are: i) the institutional capacity and the mechanisms to guarantee the effective

implementation of laws, policies and programs in the country, ii) the capacity for articulation and coordination of existing entities and institutions to ensure a comprehensive response, and iii) the social norms and practices, at institutional and community levels, that naturalize and justify different types of violence against children and that promote a stigmatization of adolescents, especially in situations of vulnerability, in the country.

Within this framework, UNICEF Colombia advanced in the following achievements:

Sexual Exploitation:

1. UNICEF delivered inputs for the preparation of the Public Policy for the Prevention and Eradication of CSEC and for the design and implementation of the 2016 Work Plan of the National Committee in charge of the topic: A basic document on public policy for the prevention and eradication of the sexual exploitation of children 2017-2027 is finished.
2. UNICEF developed inputs for the design and implementation of the coordination mechanisms for the prevention and response to CSEC and trafficking for the purposes of CSEC in the Amazonian tri-country border (Brazil, Colombia and Peru). There is now guidance (in the process of validation) on procedures for sharing information on cases of sexual exploitation of children, between police and judicial authorities of the three countries at the border. The Action Plan for the local Working Group on protecting children against sexual exploitation along the triple border is likewise formulated and currently being put into practice.
3. UNICEF promoted the agreement on the prevention of CSEC on the roadside with the tanker-truck companies contracted by ECOPETROL; following a campaign of sensitization and awareness raising, 26 tanker-truck companies signed a pact and drafted an action plan for the protection of children from sexual exploitation on roads.
4. UNICEF trained key actors to protect children against GBV with an emphasis on CSEC; 500 public servants from Amazon region and the central Government were sensitized and informed about the normative framework and strategies for protecting children from sexual exploitation.
5. UNICEF carried out specific advocacy on the legislative agenda with regard to the National Police Code and other child-related bills. While not all of UNICEF's recommended modifications of the draft police code were taken up, some proposed modifications were included, such as limitations on the power of mayors to impose curfews that restrict the mobility of persons under 18 years.

The Juvenile Justice System:

1. UNICEF provided inputs to the Ministry of Justice and other entities of Juvenile Justice System to prepare and implement the Work Plan of the Juvenile Justice Coordination System in context of the MOU signed between UNICEF and the Ministry. These inputs have contributed to the consolidation of the coordination mechanisms of the System, which has led to the issuance of institutional guidelines, decrees and specific programs aimed at improving the situation of adolescents linked to the Juvenile Justice System: 27 territorial committees have been installed and 18 have drafted action plans, with effective accompaniment of the Juvenile Justice Coordination System entities at the national level.
2. UNICEF developed proposals and inputs for the design, adjustment and implementation of the Plan of Action of the Executive Committee of the Global Program for the Protection of Children and Adolescents against Violence in their Contact with Justice System.
3. UNICEF prepared a document addressed to the Juvenile Justice System entities, with observations and recommendations on the reports of the Commission to Monitor the Situation of Human Rights of Adolescents Deprived of Liberty, whose evaluation missions to centres where children are detained UNICEF had accompanied during 2015.




4. UNICEF accompanied the Ministry of Education and Pedagogical University in the training process for teachers and educational administrators in order to increase action aimed at guaranteeing the right to education of adolescents and young people linked to the juvenile justice system outside the capital.

5. UNICEF developed recommendations and proposals on the appropriate legal response for adolescents used by non-state armed groups who fall into the juvenile justice system.

6. UNICEF contributed to the design, implementation and adjustment of the advanced course on juvenile justice, coordinated by the ICBF and supported by, in addition to UNICEF, the Judicial School, the Office of the Attorney General and the Ombudsman's Office in different departments from the country. During 2016, some 900 public servants were trained through the courses and workshops.

Efforts in these two areas have been complemented by additional funding, which has allowed permanent dialogue with indigenous authorities and ordinary justice authorities to strengthen mechanisms of exchange and complementarity between the two legal systems, in order to eliminate the bottlenecks for the access to justice by indigenous child and adolescent victims of violence. UNICEF CO also accompanied the dissemination of the UN Guidelines on Alternative Modalities of Care, which constitute a platform and an opportunity for the Colombian state to review, adjust and strengthen its Legal Protection System. At the same time, UNICEF CO has initiated a study of best practices in information management specifically to identify ways to improve the gaps in information systems on violence against children.

Results Assessment Framework:

INDICATOR	TARGET for 2019	PROGRESS in 2016	STOPLIGHT
Child Protection networks			
Number of new technical tools (e.g., protocols and routes) for child protection against violence that are aligned with international standards and validated by national committees and prioritized local committees.	4	1 / The CO has designed one tool: a guide for procedures to share information on cases of commercial sexual exploitation between border authorities (police and investigating attorneys) of Colombia, Brazil and Peru in the Amazon Region.	
Protective Environments			
Percentage of key stakeholders of the private and community sectors in priority areas who improve their knowledge and practices of child protection against violence.	Increase by 20 % in priority areas	While the baseline has not yet been established, CO has trained 600 public servants of the SNBF and private sector managers (in the petroleum sector) on GBV. In addition, 100 officials of the juvenile justice system have been trained to prevent violence against children in their contact with the legal system.	
Child Protection against GBV			
Number of public servants in prioritized areas who increase their knowledge on protection of children against violence, adjusted to international standards	150	UNICEF has prioritized the Departments of Chocó, Putumayo and Amazonas for GBV training. Training of public servants has already begun in all three departments, with pre- and post-tests. In addition, UNICEF has worked with various partners in juvenile justice to develop a training course for public servants, and trainings were conducted in seven departments.	

Case Studies:

Below are the links to a news article about the dismantling of a gang of traffickers of girls and adolescents for the purpose of sexual exploitation in the tri-nation Amazon border region. This operation was the result of the coordination and articulation of authorities of the three border countries on the investigation and prosecution of sexual exploitation in the Amazon region, promoted by UNICEF and its partners since 2014.

<https://www.leticiahoy.com/justicia/captura-11-personas-parecer-trafficaban-menores-201611-8019>

<http://www.noticiasrcn.com/nacional-regiones-sur/desarticulan-red-trata-personas-operaba-el-trapecio-amazonico>

G. Financial Analysis

- [Table 1: Planned budget by Outcome Area](#)
- [Table 2: Country-level thematic contributions to outcome area received in 2016](#)
- [Table 3: Expenditures in the Outcome Area](#)
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Table 1: Planned budget by outcome Area 06- Child Protection (in USD)

INTERMEDIATE RESULT	FUNDING TYPE	PLANNED BUDGET
06-04 Justice for Children	Other Resources - Regular	1,500,000
	Regular Resources	20,750
Unknown	Other Resources - Regular	4,995,500
	Regular Resources	92,750

Grand Total

Table 2 : Country Level Thematic Contributions Received for Outcome Area 06- Child Protection (in USD)

Donors	Grant Number	Contribution Amount	Programmable Amount
German Committee for UNICEF	SC1499060103	54,950.80	57,698.34
Total		54,950.80	57,698.34

Table 3: Expenditures in the Outcome Area 06-Child Protection (in USD)

Organizational Targets	Expenditure Amount*			
	Other Resources - Emergency	Other Resources - Regular	Regular Resources	All Programme Accounts
06-01 Data and Child Protection	\$ -	\$ 1,105	\$ 4,274	\$ 5,379
06-02 Child Protection systems	\$ 26,056	\$ 506,727	\$ -	\$ 532,783
06-03 Violence, exploitation and abuse	\$ 93,477	\$ 127,790	\$ 53,992	\$ 275,259
06-04 Justice for children	\$ 14,380	\$ 540,923	\$ 13,133	\$ 568,436
06-06 Child Protection and emergencies	\$ 51,676	\$ 199,924	\$ 7,528	\$ 259,127
06-07 Child Protection # strengthen families and communities	\$ -	\$ 39,009		\$ 39,009
Total	\$ 185,589	\$ 1,415,478	\$ 78,927	\$ 1,679,994

Table 4: Thematic Expenses by programme area (in USD)

Row Labels	Expense
Other Resources - Emergency	120,075
06-02 Child Protection systems	26,056
06-03 Violence, exploitation and abuse	93,477
06-06 Child Protection and emergencies	542
Other Resources - Regular	29,875
06-02 Child Protection systems	6,805
06-03 Violence, exploitation and abuse	13,294
06-04 Justice for children	9,776
Grand Total	149,950

**Table 5: Expenses by Specific
Intervention Codes
(in USD)**

Row Labels	Expense
06-01-01 Child Protection and violations # periodic data collection and analysis	2,856
06-02-01 Child Protection systems strengthening	350,331
06-03-01 Violence against children (general)	32,899
06-03-03 Prevent and address gender based violence, sexual abuse and sexual exploitation	49,987
06-03-04 Prevent incidences of armed violence against children and children's involvement in armed violence	98,907
06-04-01 Access to justice (for all children)	283,646
06-04-02 Diversion programmes and other alternatives to detention of children	89,048
06-06-06 Prevent and address child recruitment in armed forces and combat groups	125,601
06-06-07 Prevent and address impact of use of landmines and other explosive remnants of war and weapons	4,099
06-06-08 Child Protection monitoring and reporting in armed conflict (SCR 1612 1882, 1888 and 1960)	7,704
06-07-04 Child Protection to promote Safe Migration (incl. Child trafficking)	25,094
08-01-01 Country programme process	6,902
08-01-06 Planning # General	62,829
08-02-08 Monitoring # General	5,711
08-04-02 Community based child care	4,152
08-04-03 Early Childhood Development # General	405
08-09-06 Other # non-classifiable cross-sectoral activities	1,689
08-09-10 Brand building and visibility	4,682
09-01-08 RO technical support to Cross-sectoral areas	36,987
12-02-01 Private sector fundraising (Offset budget)	430,974
4012 Support to strengthen laws, policies, standards, regulations and budget analysis of child protection systems	13
4055 Prevent and respond to violence against children	92
4071 Child Protection # preparedness plan in humanitarian action	47,967
7941 PFP # private sector fund-raising	-128
7971 Communication (DOC)	7,548
Grand Total	1,679,994

**Table 6: Planned Budget for 2016
(INCLUIR PROYECCION DEL AREA
Y AGREGAR O QUITAR OUTPUTS)**

Intermediate Result	Funding Type	Planned Budget ¹	Funded Budget ¹	Shortfall ²
06-01 Data and Child Protection	RR			
06-02 Child Protection systems	ORR			
06-03 Violence, exploitation and abuse	RR			
06-04 Justice for children	ORR			
06-06 Child Protection and emergencies				
06-07 Child Protection # strengthen families and communities				
Sub-total Regular Resources		1,215,000	333,112	881,889
Sub-total Other Resources - Regular		1,565,000	226,143	1,338,858
Total for 2016		2,780,000	559,254	2,220,746

¹ Planned and Funded budget for ORR (*and ORE, if applicable*) excludes recovery cost. RR plan is based on total RR approved for the Country Programme duration

² Other Resources shortfall represents ORR funding required for the achievements of results in 2016.

Funds granted for protection against violence, exploitation and abuse were implemented under two main lines of action: 1) prevention and response to Sexual Exploitation and 2) strengthening the Juvenile Justice System in Colombia. Technical assistance, training and advocacy were carried out through two main consultancies that, in coordination with the Protection staff of the Colombia Office, managed to make a link between the national level and the local level, especially in the departments of Amazonas, Chocó, Putumayo and Cauca.

Activities were all implemented under the Child Protection component. The planned amount for this component for 2016 was USD 6,609,000 and the expenditure was USD 1,679,994.

The thematic contribution in 2016 for the issues of violence, exploitation and abuse was USD 54,950.80. The resources implemented were USD 28,761,47. The unspent balance of resources, rephrased to 2017, will be used to continue with the two consultancies on Sexual Exploitation and Juvenile Justice that produced the results noted above.

Activities and issues related to violence, exploitation and abuse are historically under-financed in Colombia. The timely receipt of thematic resources permitted UNICEF to deliver on key activities, building the basis to the develop actions under the broader component. These resources were complemented by others like the funds from Canada directed through the Together For Girls alliance,

used for knowledge management, specifically on the use of information in VAC programmes. In addition, the strategy “Guest from the Heart” (*Huesped de Corazón*), continues to provide some small quantity of resources for the issue of prevention of sexual exploitation, along with regular resources. The thematic funds provided in 2016 afforded UNICEF the “breathing room” to elaborate additional proposals to private sector partners in Colombia and to seek out other possible funding sources, such as We Protect, among others.

H. Future Work Plan

For the next few years, the protection component plans to focus its efforts on three strategic lines:

1. Demonstrative Projects: A) Development of prevention strategies and comprehensive responses for the protection of children and adolescents against violence, with an emphasis on GBV against children and adolescents, from an intercultural perspective, in three municipalities of Colombia. B) Pilot projects on communication for development, oriented to transform social norms and practices that justify and maintain GBV.

2. Technical Assistance: A) Strengthening the Colombian State to guarantee access to justice for children and adolescents, both when they are victims of crimes and when they are accused of committing crimes (alleged perpetrators). B) Supporting fora for coordination at local and national level on issues of violence against children, especially sexual abuse, trafficking and sexual exploitation of children and adolescents, as well as on the Juvenile Justice System. The departments of Chocó, Putumayo, Cauca, Cordoba and Amazonas will be prioritized.

3. Knowledge Management: Research on adolescents linked to the Juvenile Justice System to identify risk factors for adolescent females and type of criminal behaviour in which they incur as well as the differentiated response of the Juvenile Justice System to the female sex. This research will enable UNICEF to obtain inputs for the elaboration of protocols to care for adolescent women in conflict with the law, especially those who have been victims of crimes, and those who are pregnant or who have babies. This research will be complemented by the exchange of experiences and good practices in relation to adolescents accused of sexual offenses.

UNICEF will continue to do lobbying and partnership work at local and national levels. The Colombian office has so far allocated US \$ 225,326.28 from Global Thematic Funds for 2017 to support these actions.

I. Expression of Thanks

Historically, most donors to Colombia have focused on issues related to the armed conflict and, more recently, the peace process. The thematic funds used in 2016 permitted UNICEF to finance child protection issues not necessarily related to conflict, which are less attractive to donors but tend to be determinant in the lives of children and adolescents and, therefore, in the work of UNICEF in the country. The untied nature of these resources has been most appreciated, in that they have enabled the UNICEF Program to enhance interventions as well as leverage other resources for implementation. We greatly appreciate this flexibility.