



Monthly Report

Women's Rights Team

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Abbreviations

CAT	Convention against Torture and Other Cruel Inhuman or Degrading Treatment
CEDAW	Convention on All Forms of Discrimination Against Women
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights

Aim of the Monthly Report

This monthly report aims to present an overview of the evolution of women's rights and the violations of the rights worldwide during the month of February 2022. This report also seeks to raise awareness about these violations, while also recognising the new developments in various parts of the world. Moreover, it also aims to ensure that women's voices are heard, so that they are not left in the dark or forgotten.

Addressing the promising developments in women's rights in different parts of the world and the violations against women can pave the way for creating a more equitable and just environment for women by pushing states to recognise gaps in their systems and law. Moreover, addressing both positive and negative developments addresses gender gaps in decision-making processes while engaging stakeholders to foster cultural and institutional changes in gender.

This report has focused on several countries such as Afghanistan, India, France, and Columbia, where women were subjected to different types of violations, due to internal politics. Addressing the political developments that are intersected with culture and geopolitics helps address obstacles to gender equality. Additionally, it also highlights some significant improvements in women's fight for gender equality that occurred in the month of February 2022.

Chapter 1: Afghanistan (Asia)

1.1. Background

Afghanistan is an Islamic Emirate in the continent of Asia. Up until recently, Afghanistan was an Islamic Republic. However, this changed when the former government of the country, the Taliban, retook power on August 15, 2021, and proclaimed Afghanistan to be an Islamic Emirate.

The Taliban, an Islamic militia, rose to power and took over Afghanistan in 1995. Upon its emergence to power, it banned the education and employment of women. It also had, in effect, ruled without a constitution. After almost six years in power, in December of 2002, the Taliban was defeated and removed from power after a war with the United States. An interim government led by Hamid Karzai then took over Afghanistan. In 2004, Afghanistan reclaimed its long constitutional history and adopted a constitution. In the same year, a presidential election was held in the country, and the interim leader Karzai was elected as a president. The following year, parliamentary elections were held after more than 30 years. (PBS NewsHour, 2021)

However, Taliban continued to pose a threat during this time as it still had strongholds within Afghanistan. On July 5, 2021, the United States troops which had remained in Afghanistan after the 1995 war (albeit with various reductions) withdrew from Bagram airfield without informing the base's new Afghan commander. This was carried out despite the US's previous statement that the troop withdrawal would be carried out gradually until September 11, 2022.

On August 15, 2021, the Taliban took over, and the Afghanistan government collapsed. (PBS NewsHour, 2021). Fearing for their lives, tens of thousands of Afghans fled the country (Al Jazeera, 2022). After the takeover, the Taliban has put various restrictions on women's rights and on the media. (Human Rights Watch, 2022).

1.2. Constitution

Despite having a long constitutional history, Afghanistan does not currently have a constitution de facto due to the Taliban's takeover. Although the Taliban has not explicitly repealed the 2004 Constitution of Afghanistan, it seems that they have set the Constitution aside. The first reason relates to their consideration of the 2004 to be against Sharia even before retaking power. (Hazim, 2022). They

have also previously mentioned that they may temporarily implement the monarchy era constitution adopted in 1964 (Khan, 2022).

1.3. Ratification of International Human Rights Instruments

Afghanistan has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment (CAT), Optional Protocol of the Convention against Torture, International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), International Convention on the Elimination of All Forms of Racial Discrimination (CERD), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Rights of the Child (CRC), Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and Convention on the Rights of Persons with Disabilities (CRPD). Afghanistan has even gone further and accepted the individual complaint procedure and inquiry procedure of CRPD (UN Treaty Body Database, 2022).

Despite these ratifications, the fate of these human rights treaties is currently at stake as a result of the takeover of the country by the Taliban. Taliban has claimed to respect international law and international treaties. However, as can be understood from the Taliban's statements, this respect is dependent on the alignment of international law and international treaties with Sharia law and the Islamic Emirate's principles. Additionally, as can be observed from the situation in the country, Taliban does not seem to have the intention to comply with these laws and is, in fact, seen to be violating various human right treaties. (Hazim, 2022)

1.4. Women's Rights Situation in Afghanistan

The situation regarding the respect for women's rights in Afghanistan was not ideal even before the Taliban takeover. In 2019, Afghanistan was ranked 166 out of 167 on the Gender Development Index. Various issues, such as gender violence and early marriage, persisted in the country (UN Women, 2021). However, it should be admitted that the respect for women's rights in the country had shown significant improvement after the ousting of the Taliban in 2001. Several reports noted that 3.3 million girls could go to school, and Afghan women had taken up roles in various professions.

Upon the Taliban takeover in August 2021, the situation regarding the respect for women's rights in Afghanistan has become even more dire. Various fundamental human rights of women have been either restricted or outright denied. These include the prohibition of women from returning to work or travelling in public without being accompanied by a male guardian (except for certain occupations such as health care workers and a few others) (Amnesty International, 2021). In addition, as a result of the restrictions on their mobility as well as their participation in the public sphere, several women have lost their jobs (UN Women, 2021).



A Woman Holding a Banner with "Protect Afghan Women" Written on it

Photo by Gettyimages, (n.d)

Source: <https://www.bbc.com/news/world-asia-60239525>

Restrictions have also been placed on the right to education of Afghan women. The Taliban has allowed women to continue their education under certain conditions, including gender segregation, mandatory hijabs (head coverings) and a black abaya (full length robe/clothing worn by some Muslim women). Education shall also be carried out based on Islamic Principles and others (Al Jazeera, 2022).

Women have also been pushed out of the media, with less than 100 out of 700 women journalists remaining in the sector within a short time after the Taliban takeover. According to a media restriction policy passed by the Taliban in November, women actresses were prohibited from acting on television

dramas (UN Women, 2021).

The situation is even worse when it comes to the participation of women in public and political life. Before the Taliban takeover, 28 percent of members of parliament were women; this number has now dropped to zero. Taliban has also dismantled the Ministry of Women's Affairs and all its directorates (UN Women, 2021).

The right of demonstration has also been severely restricted, with the Taliban banning unsanctioned protests. On several occasions, the Taliban intervened to block protests. Despite this, there were various demonstrations protesting reported extrajudicial killings as well as the various restrictions on women's rights. This was followed by the arrest of various female rights activists (Kumar and Noori, 2022).

The above-indicated incidents and rules are in violation of the various International Human Rights instruments to which Afghanistan is a party.

1.5. Women's Rights Development in February 2022

1.5.1 Right to Education

On February 2, 2022, Afghanistan reopened public universities for both female and male students. Women were allowed to go back to classes on the precondition that they were separated from male students. Female students were seen entering certain universities on that day (Greenfield, 2022). Previously, the Taliban had said that women would be allowed to attend classes as long as they were separated from men, and the curriculum incorporated the "Islamic Principles" (DW, 2022).

However, by February 26, 2022, the number of women who returned to universities was not significant, possibly due to the uneasy and restrictive environment created by the Taliban (Al Jazeera, 2022).

The restrictions placed on the right to education of women are in violation of the right to education of women enshrined under Article 13 of the ICESCR, Article 10 of the CEDAW, and Article 28 of the CRC to which Afghanistan is a member. The restrictions can also be said to violate the right to freedom of religion enshrined under Article 18 of the ICCPR. This is because they have incorporated Islamic Principles as part of education and made the wearing of head coverings (hijab) and full-length robe (abaya) mandatory thereby ostracizing non-Muslim students.

1.5.2 Right to Protest



Afghan women activists protesting against Taliban's discriminatory policies against women

Photo by Wakil Kohsar/AFP/ Getty Images, January 16, 2022

Source: <https://www.theguardian.com/world/2022/jan/16/taliban-forces-pepper-spray-women-rights-protesters-kabul>

As indicated in the section regarding the situation on women's rights, various female activists were detained both officially and unofficially as a result of participation in protests and marches. Another activist, Mursal Ayar, is also reported to have been taken from her home on February 2, 2022 (BBC, 2022).

On February 12, 2022, a female activist Tamana Zaryabi Paryani who was detained on January 19 by the Taliban for participating in women's rights protests, was released (BBC, 2022). The UN reported that along with Ms Paryani, three other female activists were also released (Alarabiya News, 2022). These released activists did not reveal details of their detention to the media even after their release. According to their relatives, this is due to pressure from the Taliban (The Print, 2022).

Less than ten days later, on February 21, the Taliban Interior Ministry released a video that showed various female activists saying that they protested as foreign-based activists encouraged them to do so by offering them the chance to relocate or send their children abroad. This has sparked anger with many people accusing the Taliban of using duress to extract these statements (Esfandiari, 2022).

The above-mentioned detentions are in violation of the right of demonstration/ peaceful assembly enshrined under Article 21 ICCPR. The detention of the activists without the proper procedures as well as later disappearance is in violation of Article 9 of the ICCPR, which states that persons shall not be arbitrarily deprived of their liberty.

Chapter 2: India (Asia)

India is the world's second-most populous country, with more than a billion inhabitants (Worldometers, 2022). Modern India is referred to as a state-nation that is beyond a territorial concept; instead, it is a cultural one that embodies similar “traditions, values and aspirations” (Sarangi and Pai, 2020).

2.1 History

Like many countries, India's politics is shaped by the memory of the past (Khilnani, 2004). The landmass, often referred to as the Indian subcontinent, is the home of one of the oldest and most influential civilisations known as the Indus Valley Civilisation (Britannica, 2022). During the years leading up to India's independence, Hindu-Muslim riots became increasingly prevalent as the two communities had different plans for the country after the British empire was ousted. After the end of the Second World War, the British parliament passed the Indian Independence Act of 1947, which demarcated the separation and creation of the two new states: India and Pakistan (Britannica, 2022). As it is known today, India was created to be different from other countries. The idea of India is not homogenous or explicit.

After the Partition in 1947, for a year, migration between the newly formed countries resulted in bulk “ethnic cleansing” (Raghavan, 2019). Hindus and Sikhs left West Punjab (now in Pakistan), while Muslims left East Pakistan (now in India). Memories of the demographic upheaval led to massive trauma for anyone involved in the migration.

2.2 Religion

India boasts a diverse religious population. The majority of the population belongs to the Hindu community (81 per cent), while the Muslim population (12.9 per cent) is the second-largest in the country (Pew Research Center, 2021). According to a Pew Research Center (2021) survey, Indians claim that 'religious tolerance' is essential.

2.3 Laws and Conventions signed to protect Women's Rights.

India ratified the CRC in 1992 (UNICEF, 2019) and the CEDAW in 1993 (Sankaran and Madhav, 2011). Moreover, India was also a signatory to the Beijing Declaration and the Platform for Action 1995

(Nakray, 2009). While the Indian government has expressed its commitment to women's empowerment through numerous international conventions, the progress has been slow.

Nonetheless, India has ensured numerous national laws like the Dowry Prohibition Act 1961 (Ghosh, 2013) and the Protection of Women from Domestic Violence Act 2005 (Ghosh, 2013). Despite the numerous amendments and inclusions to the Indian Penal Code (IPC) that aims to protect women from physical and sexual violence, there has been a backward trend primarily due to the pandemic Covid-19. In 2021, India fell 28 ranks to become ranked 140 on "the Global Gender Gap Index 2021".

2.4 Violations Against Women in February 2022

2.4.1 Hijab Controversy

The most significant debate that arose in India during February was regarding the right to wear a Hijab. The question of whether Muslim girls and women in Karnataka have the right to wear the hijab is a women's rights issue. Additionally, the Indian Constitution guarantees all its citizens the 'Freedom of Religion' (Article 25) which guarantees its citizens the right to declare or propagate their religion freely.

An incident that initially took place in Karnataka, India, in December 2021 ignited the debate on the issue. Three girls at a government-run college in the state of Karnataka were demanded to remove their 'hijab' before entering the classroom (Khan, 2022). After the incident, other students were asked to remove their hijab. Despite being threatened by school administrators, the girls refused to concede and they protested the unfair treatment. The girls petitioned to overturn the ban on hijab imposed by the college.



The Dispute over Hijab erupted last month when a college in Karnataka barred hijab wearing students from wearing attending classes. Photo by Anushree Fadnavis (Reuters). Source: Aljazeera, 12 February 2022. <https://www.aljazeera.com/news/2022/2/12/us-expresses-concern-over-india-hijab-row>

However, before the Karnataka High Court could issue a verdict, the state government prohibited Muslim girls from wearing the hijab at the beginning of February (Parashar and Vishwanath, 2022). The state government argued that “clothes which disturb equality, integrity and public law and order should not be worn”. Some lawmakers and politicians in Karnataka claimed that the girls were mere pawns for religious organisations (Shyama, 2022). Such a sentiment implies Muslim women's lack of agency to decide for themselves. As Abu-Lughod (2002) rightfully pointed out, the rhetoric of saving people, especially Muslim women, from the 'veil' projects a level of superiority. The Hijab Ban, as many have rightfully pointed out, is an infringement of the rights endowed to every citizen while also targeting Muslim girls for their choice to wear a hijab.



Muslim Women Demonstrating in Bangalore, in the Indian State of Karnataka on Monday by Manjunath Kiran. Source: New York Times, 11 February 2022. <https://www.nytimes.com/2022/02/11/world/asia/hijab-ban-india-karnataka.html>

Owing to the protests that escalated, on February 10th, 2022, the Karnataka High Court placed an interim stay (partial and temporary hold) on all classroom religious clothes (Dharmadhikari, 2022). While the High Court tried to defuse the tension by banning everyone from displaying their religious symbols, by taking such a drastic step, the Court inevitably suspended the fundamental rights for everyone, especially the women. The students' advocates have argued that religious symbols have always been a part of public life in India (Shyama, 2022). India's choice to mention secularism in its Constitution implies that everyone is allowed to wear their religious symbols, including the hijab, in public without any interference. A student told a reporter that the Court asked them to “suspend their faith” by banning their right to wear their religious symbols (Raj and Schmall, 2022).

Meanwhile, during the debate at the bureaucratic level, on the ground, numerous girls were harassed and stopped by boys and men wearing saffron scarves (the colour associated with Hinduism) (Raj and

Schmall, 2022). Al Jazeera (2022) reported a video that showcased a hijab-wearing Muslim student being bullied by a “Hindu far-right mob” in another city of Karnataka. Many Muslim girls in Karnataka felt “threatened, isolated and segregated” due to the protest against the headscarves (Shyama, 2022). For example, the only Muslim girl in her class, Saima, felt extremely isolated as she saw many of her classmates become the protesters against her (Arya, 2022). During the ongoing debate of whether religious clothes should be allowed in the public sphere, minor girls and women bore the consequences as they became targets of attacks. At the same time, their bodies are being used to play religious politics while denying them their freedom rights.

Chapter 3: France (Europe)

3.1 Introduction

France is one of the 27 Member States of the European Union, with a population of 67.8 million (Statista, 2022). Located in Western Europe, the country's capital is the city of Paris, which is the largest and most populous city with around eleven million inhabitants (WorldPopulationReview, add year).

If we analyse the country at the constitutional level, the preamble of the Constitution of October 27, 1946 (IVth Republic), which has constitutional value since 1971, states in its third line that “the law guarantees to the woman, in all the fields, rights equal to those of the man”. Moreover, from Article 1 of the Constitution of October 4, 1958, France has emphasised and defined its State as secular, democratic and social, thus ensuring equality before the law for all citizens.

In France, the parliament is made up of two chambers: the National Assembly and the Senate. The Prime Minister, Jean Castex (Head of Government), was appointed by the President of the Republic, Emmanuel Macron (Head of State), according to Article 8 of the current French Constitution.

3.2 History of Women's Right to Abortion in France

France is a country known for the unwavering belief of its citizens in the uprising and demonstrating for their own rights. While the French Revolution was a source of inspiration for many nations at the time, it also paved the way for the adoption of the Declaration of the Rights of Man and of the Citizen in 1789. Nevertheless, the country did not seek equal protection and rights for both sexes in the late eighteenth century. Thus, in response to women's unequal rights and status in the historic declaration of 1789, Olympe de Gouges, a French activist, published the Declaration of the Rights of Women and of the Citizen in 1791 to emphasise the need for equality regardless of gender. Furthermore, many French women have never ceased to stand up for the right to abortion.

During the Vichy regime in France in 1942, having an abortion was considered a crime against the state punishable by death. Later, in 1955, therapeutic abortion was authorised when there was a risk of death due to pregnancy. However, this was never enough for French women who devoted themselves to the fight for freedom from the political oppression placed on their bodies. The 1970s in France was considered a decade of progress for women as on April 4, 1971, a massive demonstration took place demanding the right to abortion, followed by the headlines of “343 Salopes”, which means “343 Sluts”,

the next day (Diehl, 2020). Moreover, in 1972, the Bobigny affair marked a turning point for the legalisation of abortion where it was revealed that the 16-year-old Marie-Claire Chevallier had been raped and had an abortion with the help of her mother. Marie-Claire Chevallier was accused of illegal abortion, thus lawyer, Gisèle Halimi, signatory of the "Manifesto of 343", agreed to defend her and her mother as well as three adult women accused of complicity or practice of abortion. She strongly criticised the law, which prohibited contraception, abortion, and any "contraceptive propaganda", and said that she dedicated her fight to the cause of women (Fernandez, 2020).



A demonstration for the right to abortion and contraception in Grenoble, France, by PUECH MICHE, via 20 minutes, 1973.

Source: <https://www.20minutes.fr/societe/1279182-20140123-20140123-ivg-femmes-hommes-prennent-photo-slogan-ivgmoncorpsmondroit>

Furthermore, after two years of resistance and fighting, the National Assembly passed a historic law on January 15, 1975, known as the "Veil Law", which legalised abortion up to 10 weeks on condition of being in a situation of distress (Diehl, 2020). But the text was not considered a "voted law", but rather a provisional text, which suspended the application of the former Article 317 of the Penal Code incriminating abortion for a period of five years. Thus, the final and definitive law was adopted on January 1st, 1980. However, the progression did not stop there, and 16 years later, in 2001, it was extended from 10 to 12 weeks, this time by the "Aubry-Guigou Law" (Diehl, 2020).

3.2.1 Reimbursement and Barrier to Abortion

As abortion became legal in the first ten weeks in 1975, the legislator did not hesitate to put obstacles in the way of women. The possibility to perform the procedure depended on the will of the doctor, who was free to decide whether to do it or not. Only four years later, in 1979, a new law was passed in order to pave the way for the prohibition of obstructing the performance of an abortion, or in French, "IVG", which means "voluntary obstruction of pregnancy". But this did not prevent doctors from having the right to refuse it for reasons of conscience. This so-called justification was thus swept away on January 27, 1993, by the law n°93-191.

On the other hand, the struggle for reimbursement for abortion by social security has not been successful for many years. First, thanks to the "Roudy Law" in 1982, reimbursement was made possible for 75 per cent, and the right to full refund was not acquired until 2013, almost 31 years later (Diehl, 2020).

3.3 National Laws to Protect Women's Abortion Rights

On August 4, 2014, a law was passed to make it an offence to obstruct women's access to information on abortion and to remove the mention of "the condition of being in a situation of distress" (Diehl, 2020). In addition, another law was enacted on March 20, 2017, to extend the offence regarding the aforementioned issue to anti-abortion websites. That is, the new law expands the scope of protection and creates new offence. Thus, currently in France, the offences mentioned above are punishable by two years in prison and a fine of 30,000 euros, according to the Public Health Code, Article L2223-2 (Centre for Reproductive Rights, France's Abortion Rights).

Before the adoption of the victorious law in February, in the French Public Health Code, Second Part,

Book II, Title I, Chapter II, Article L2212-1, it was specified that any woman who does not want to pursue her pregnancy can get an abortion since there is no particular difficulty in doing so. Abortion can only be performed before the end of the 12th week of pregnancy (Centre for Reproductive Rights, France's Abortion Rights). Furthermore, Article L2212-3 continues to say that "the doctor whom a woman asks to terminate her pregnancy must, during the first visit, inform her of the medico-surgical procedures for the termination of pregnancy and the risks and possible side effects " (Centre for Reproductive Rights, France's Abortion Rights).

In addition, France has gone further and aimed to protect girls under 18 who would like to have an abortion, as indicated in Article L2212-7 of the said Code "If the unemancipated minor woman wishes to maintain secrecy, the doctor must endeavour, in her interest, to obtain her consent for the holder(s) of parental authority or, where applicable, the legal representative to be consulted, or must check that this has been done during the interview mentioned in Article L. 2212-4" (Centre for Reproductive Rights, France's Abortion Rights).

Thus, the French provisions relating to abortion are brought together in the Public Health Code.

3.4 Women's Rights Development in February 2022

On February 23, 2022, the French Parliament took an important step for women's rights and passed a law that will extend the legal duration of abortion from 12 to 14 weeks. This victory was voted by 135 votes for, 47 against, and with nine abstentions (TV5 Monde, 2022).

According to the latest reports, each year, between 3,000 and 5,000 French women have to travel to other countries to have an abortion once they have exceeded the legal time limit of 12 weeks in France (TV5 Monde, 2022). The initiative to increase it to 14 weeks was proposed by Albane Gaillot, French MP from the Ecology Democracy Solidarity Party, in October 2020.

Chapter 4: Colombia (South America)

4.1 Introduction

Colombia is a South American country that enjoys a privileged geographical position, being the only country that is surrounded by the Pacific and the Atlantic waters. With a population of about 51,050,000 inhabitants (IDB, 2021), its Constitution, in force since July 4, 1991, defines the country as the Social State of Law, organised as a decentralised unitary republic, with separation of powers, the autonomy of its territorial entities, democratic, participative, and pluralistic society.

Although it is a country at a medium level of development, the indicators do not capture the reality of great inequality that exists in the country between different regions and ethnicities, social classes, and other intersections; all this within the context of a persistent armed conflict that has been going on for more than 50 years, impacting the lives of most of the population, particularly women.

4.2 Women's Rights, Constitution and International Treaties

Colombia has been facing the issue of violence against women for many years. The main advances were observed in the normative field and were influenced by the international mechanisms ratified by Colombia and included in the Constitution. Nevertheless, challenges remain for the implementation of this normative framework, as well as for raising awareness about the influence of the conflict on the dynamics and patterns of violence against women in the private sphere.

The Constitution of 1991 is recognised as the Constitution of Human Rights since it is considered the starting point for recognising women's freedoms and rights. Among the main rights protected by the Constitution are equality of women and men (Article 41); citizen participation (Article 40); autonomy and full capacity to decide on their own actions; the right to work without discrimination against women, and with decent and fair conditions; the protection against violence and discrimination of any kind; maternity protection (Article 43 and 53).

Among the main international treaties dealing with women's rights are the Inter-American Convention on the Grant of Political Rights to Women (1948, ratified by Colombia in 1959), the Convention on the Political Rights of Women (1952, ratified in 1986), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1980, ratified in 1982), the Inter-American Convention on the Prevention, Punishment sanction and Eradicate Violence against Women (1994, ratified in 1996), and

the Beijing Declaration (1995). In addition, it is essential to note that Colombia has also adhered to the mandate of the Rome Statute establishing the International Criminal Court (1998, ratified by Colombia in 2002).

4.3 The Case C-355/06 and the progress made on sexual and reproductive rights

In April 2005, Women's Link Worldwide filed a constitutional challenge with the Colombian Constitutional Court, requesting that it declare unconstitutional the criminal law that established abortion as a crime in all circumstances. On May 10, 2006, the Court ruled that the criminalisation of abortion in all circumstances implies the complete prevalence of the life of the unborn child and the consequent absolute sacrifice of the fundamental rights of the pregnant woman as well as the disregard of her human dignity by reducing her to a mere receptacle of life in gestation (Women's Link Worldwide, 2006).

Decision C-355/06 decriminalised the practice in three cases: in case of pregnancy resulting from carnal access or non-consensual or abusive sexual act, incest, egg transfer or non-consensual insemination; when the fetus is malformed; when it endangers the health of the woman. (C355/06, 2006).

During the COVID-19 pandemic, care for voluntary termination of pregnancy in the cases provided in the Decision C 355/06 was considered an essential service (Colombia, 2020). However, many structural barriers prevented women from having their rights guaranteed.

Among the main obstacles encountered were the lack of knowledge of the legal framework, the lack of information on the routes and channels of care for access to abortion, the restrictive interpretation of the legal framework, and the unconstitutional use of conscientious objection. Some health service providers also did not consider abortion an essential service; while the entities and institutions providing health services (EPS / IPS) were prioritising health services related to covid-19 (CLACAI, 2020)

4.4 Women's Rights Development in February 2022

On February 21, 2021, the Constitutional Court made a historic decision: it eliminated the crime of abortion up to 24 weeks of gestation and maintained the application of the grounds for abortion after that time, in accordance with Decision C-355 of 2006.

The decision represents an advance in recognising reproductive freedom and autonomy and places

Colombia as the country with the broadest time limit model in Latin America and the Caribbean. The decision also benefits health care providers, as they will be able to perform the abortion procedure for up to 24 weeks without facing the threat of criminal prosecution. The decriminalisation was accepted in an extraordinary session by five votes in favour and four against by the judges of the high court, in a process that has been delayed for months by administrative obstacles and impediments to judges



People demonstrate in front of Colombia's constitutional court against and in favour of removing abortion from the penal code, in Bogota, Colombia. Source: Reuters, 22 February 2022/Luisa Gonzalez

<https://www.reuters.com/world/americas/top-colombia-court-decriminalizes-abortion-until-24-weeks-gestation-2022-02-21/>

placed by groups opposed to abortion.

In a statement, the Court urged the Congress and the government to formulate and implement, as soon as possible, a comprehensive public policy that avoids the lack of protection of the dignity and rights of pregnant women and, at the same time, protects the legal right to life in gestation without affecting the guarantees of the citizens.

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