



**INTER-AMERICAN DRUG ABUSE  
CONTROL COMMISSION  
CICAD**

Secretariat for Multidimensional Security

**SEVENTY-FOURTH REGULAR SESSION  
December 11-14, 2023  
Washington D.C.**

**OEA/Ser.L/XIV.2.  
CICAD/doc.2821/23  
December 12, 2023  
Original: Spanish**

**Law 2292 of 2023  
“Creating a mechanism to replace imprisonment  
with publicly useful services for women heads of household”**

# Law 2292 of 2023

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**“Creating a mechanism to replace imprisonment  
with publicly useful services for women heads of household”**

Camilo Eduardo Umaña Hernández  
Vice Minister for Criminal Policy and Restorative Justice  
Ministry of Justice of Colombia



The main objective of the Law on Public Usefulness is the creation of a mechanism for:

an alternative to incarceration (restorative approach)

as an affirmative measure (gender approach),

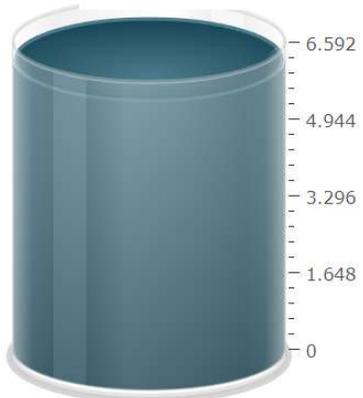
for women heads of household

who have committed certain crimes

in situations of marginalization.

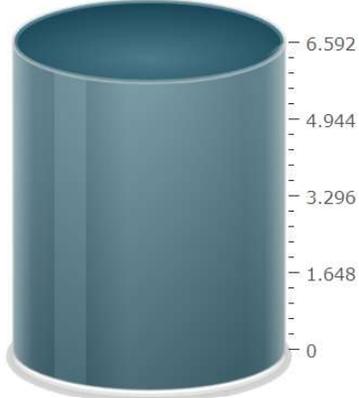


**Capacity**



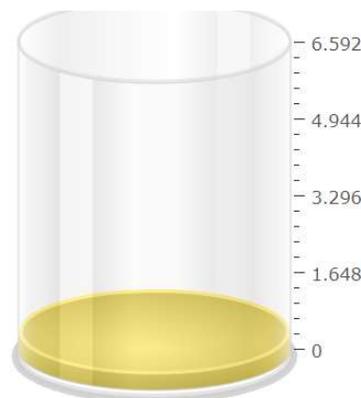
**6,200 places**

**Population**

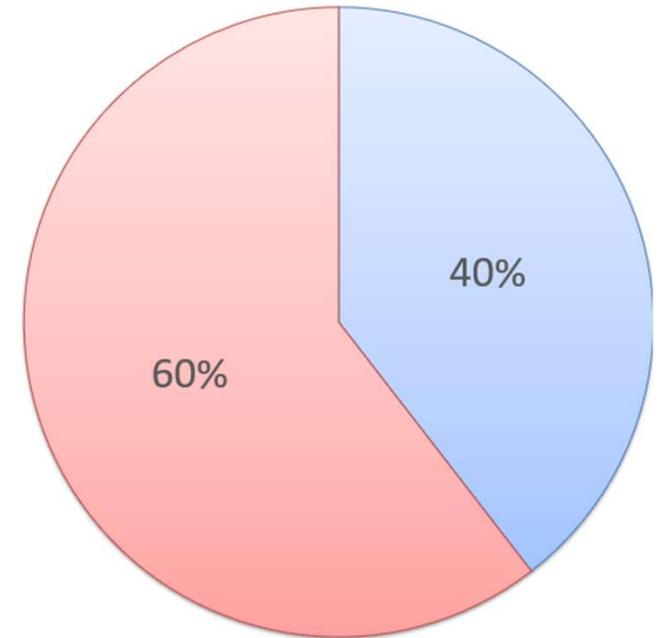


**6,592 women**

**Over-population**



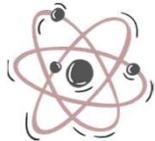
**372 women**



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National capacity is exceeded by 372 inmates. The overcrowding rate is 5.98%.

# Diagnostic Assessment



IDB - CICAD/OAS  
**METHOD**

Interviews with 397 women inmates.  
Qualitative and quantitative.  
91% of the surveys conducted meet the requirements.

## AGE

Nearly 50% of the total number of women interviewed in both modalities are aged between 24 and 33.

## EDUCATION LEVEL

85.9% of the women interviewed have an educational level below high school.

## OFFENSES

- 51 types of offense.
- 83% of the identified offenses are related to: Narcotics, Conspiracy to commit a crime, Robbery, Weapons, Extortion, Counterfeiting.

## WORK EXPERIENCE

- 58% of the total women interviewed have experience in three areas: (i) Cleaning, (ii) Administration, and (iii) Beauty.
- Only 0.8% (three women) said they had no work experience.

## OCCUPATIONAL INTEREST

Variable. Despite this, there is a predominance of Beauty and Cleaning (40%).

## MOTIVATIONS FOR OFFENDING

50% of the women in the intramural modality said that their main reason for committing the crime was: Money needed to cover basic expenses (e.g. food).



**HUMANITARIAN CHALLENGES 2023**  
COLOMBIA



## People deprived of their liberty

- ✓ We appreciate the Colombian state’s endeavours to reform and humanize the penal and prison system. A particularly welcome development was the adoption of draft law no. 093 in 2019, which incorporated our recommendations and established community service for detained women heads of household as an alternative form of punishment.

### Best practices

29. In 1998 the Colombian Constitutional Court declared conditions in Colombian prisons to be unconstitutional.<sup>38</sup> In 2023, the Justice Minister proposed changes to Colombia’s penal code,<sup>39</sup> including a ban on pretrial detention and prison sentences for non-violent crimes and the incorporation of reintegration programmes for prisoners during parole. In certain instances, restorative justice processes will be applied in cases that would ordinarily be dealt with as part of the conventional criminal justice system. This follows the passage of a law in 2022 that limited the incarceration of sentenced women to eight years or less in prison.<sup>40</sup> The law applies to marginalized women who are single heads of households responsible for minor children, older persons or people with permanent disability.

United Nations

A/HRC/53/29



**General Assembly**

Distr.: General  
18 April 2023

Original: English

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**Human Rights Council**

Fifty-third session  
19 June–14 July 2023  
Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

**Deaths in prisons**

Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz



# Tools for implementation

## Regulations

DECREE 1451 of 2023 (September 4)

IDB – CICAD/OAS

Handbook – ABC – Website – Posters – Booklet

1200 women inmates, 90 justice operators (five territorial events), Workshops with Defense Office

1500 places

Three territorial and one national