

Law in Brief

ISSNe: 2745-1879 | No. 24 | January 2026 | Bogotá D.C.

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INTERNATIONAL GUIDELINES ON
Human Rights + Drug Policy





Rights-Based Alternatives to Incarceration for Women: Lessons from Colombia's Public Utility Law and the International Guidelines on Human Rights and Drug Policy

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Introduction

On a cold morning in Bogotá, at the gates of El Buen Pastor—Colombia's largest women's prison, incongruously nestled between a Catholic church and a military academy—we waited with Claudia Cardona of the nongovernmental organization Mujeres Libres for permission to enter. That day, we convened one in a series of workshops that, over the course of 2023 and 2024, would extend to eight other prisons across the country and two detention centers in Bogotá and Cali.

During these visits, we met with women serving sentences for low-level offenses, including drug-related crimes, to talk to them about a new

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opportunity created by Law 2292 of 2023 (commonly known as the Public Utility Law). This reform allows certain women heads of household living in conditions of marginality to exchange their prison terms for community service carried out in freedom (Congreso de Colombia, 2023). Despite the law's potential to benefit nearly 6,000 women and to serve as a pioneering example for the Latin America region, its uptake and implementation has been slow. By early 2024, only twenty women had been granted the benefit; by the end of November 2025, almost three years after the law's adoption, 210 women were serving their sentences through this mechanism (Ministerio de Justicia y del Derecho, 2025).

In the same year that Law 2292 was adopted, the government also launched an ambitious national drug strategy that embedded the International Guidelines on Human Rights and Drug Policy (hereinafter the Guidelines) as its operational framework for rights-based implementation (United Nations Development Programme et al., 2019; Ministerio de Justicia y del Derecho, 2023). The Constitutional Court and the Council of State had already used the Guidelines to inform their human rights analyses in cases concerning drug use and the aerial fumigation of illicit crops (Corte Constitucional de Colombia, 2019a, 2019b; Consejo de Estado, 2020). The Guidelines hence carried both political and judicial authority and offered a common language and technical framework to guide more effective implementation of Law 2292. This created new opportunities to advocate for institutions to ensure a human rights-based response in operationalizing the law.

This paper documents how *Mujeres Libres*, *Dejusticia*, and the International Centre for Human Rights and Drug Policy at the University of Essex came together to use the Guidelines as a shared advocacy and technical framework to strengthen the implementation of Law 2292. Aimed at policy makers, judges, public defenders, and civil society in Latin America and beyond, the paper offers a practical account of our efforts: how our partnership formed, how we engaged strategic actors and identified key pathways for change, what tools we produced, what results we are beginning to see, and what should happen next.

The paper first introduces Law 2292 and the gendered context of women’s incarceration in Colombia. It then describes how our collective formed and how we used the Guidelines to structure our implementation strategy. Subsequent sections describe how this strategy has been put into practice: informing and supporting women in claiming their rights under Law 2292; working with judges and their staff to interpret and apply it; partnering with institutions such as the Ombudsperson’s Office and the Ministry of Justice; and documenting implementation through participatory research and learning exchanges. The paper concludes with lessons and recommendations for actors in Colombia, across the region, and in other jurisdictions developing or implementing similar reforms, while underscoring the Guidelines’ potential to catalyze sustained institutional responses.

Nearly three years after we first entered El Buen Pastor, tangible gains give reason for optimism as implementation efforts accelerate. But releasing women from prison is only the first step. Unless we address the structural inequalities that led them into prison in the first place, as well as the discrimination and structural exclusion they face upon release, the promise of Law 2292 as a transformative, rights-based reform will remain incomplete.

Setting the Context: Women’s Incarceration and Law 2292 in Colombia

Since 2015, Dejusticia, together with the Washington Office on Latin America and the International Drug Policy Consortium, has co-led the Working Group on Women, Drug Policies, and Incarceration (hereinafter the Working Group), a network of activists and experts engaged in research, policy analysis, and advocacy at the national, regional, and international level to address the crisis of women’s incarceration in Latin America.¹ For more than twenty years, the number of women in prison in the region has risen sharply—by more than 200% since 2000 in most countries (Fair & Walmsley, 2025). A considerable proportion of these women—between

1 More detailed information about the group is available at <https://womenanddrugs.wola.org/>.

35% and 70%, depending on the country—are incarcerated for drug-related offenses (Youngers et al., 2020).

Researchers across the region have found that punitive responses to low-level involvement in the drug trade, combined with women’s disadvantaged socioeconomic status and their caregiving roles, have disproportionately criminalized women, especially those who are poor and heads of households.² As documented by the Working Group and its members, drug policies in Latin American countries have a harsher toll on women compared to men: women are more likely to be placed in pretrial detention for drug-related offenses, to receive lengthy prison sentences, and to face barriers to alternatives to incarceration and benefits such as parole (Youngers, 2023).

As a result, few places so starkly illustrate the feminization of poverty and care and the injustices of gender-blind policies as women’s prisons.

In Colombia, more than 16,000 women are currently deprived of liberty, including more than 6,400 in intramural facilities and more than 9,600 under house arrest or electronic surveillance (Giraldo et al., 2024).³ As of November 2025, 34% of women incarcerated in Colombian prisons were either convicted of or awaiting trial for drug-related offenses (Instituto Nacional Penitenciario y Carcelario, 2025). Findings from the Working Group, the United Nations Office on Drugs and Crime (UNODC), the Colombian Ministry of Justice, and Colombia’s Constitutional Court suggest that in most instances, these offenses involved low-level, nonviolent acts and no significant role within a criminal organization (United Nations Office on Drugs and Crime & Ministerio de Justicia, 2019; Corte Constitucional de Colombia, 2022; Uprimny et al., 2017).⁴ These low-level roles place women

2 A wealth of research on this topic is available on the website of the Working Group on Women, Drug Policies, and Incarceration: <https://womenand-drugs.wola.org>.

3 Note that this does not include those held in police stations or other transitory detention areas.

4 These data suggest that there is a criminal policy aimed at capturing and prosecuting low-level actors in the drug trafficking chain. It should be noted that the deprivation of liberty of these women, who fulfill easily replaceable

closest to the drugs and therefore carry greater risk of arrest than do higher positions in the drug trade.⁵ Most women incarcerated for drug-related offenses come from low-income backgrounds, have low levels of education, face chronic economic insecurity, enjoy few job opportunities, and report committing their crimes due to a lack of resources to meet basic household needs (Centro de Investigación y Docencia Económicas et al., 2019). The majority are heads of household and mothers caring for children or others who depend on them financially and emotionally (ibid.).

A UNODC-Ministry of Justice survey of 2,058 women incarcerated for drug offenses in Colombia found that 80% of them belonged to the lowest socioeconomic stratum; 58% were heads of household; and 58% identified household needs as their primary motive for committing the crime (United Nations Office on Drugs and Crime & Ministerio de Justicia, 2019). A previous study noted that the work these women performed in the drug trade was typically flexible or informal enough to fit around childcare responsibilities and other unpaid care work (Uprimny et al., 2017).

Colombian law, with few exceptions, limits or excludes drug offenses from alternative sanctions.⁶ For years, civil society has advocated for alternatives for drug offenses in order to reduce incarceration and alleviate the crisis of overcrowding (see Uprimny et al., 2016). Law 2292 is a significant reform in that it introduces an alternative to incarceration for women, and crucially, includes drug offenses.

Law 2292 allows women to serve their sentence in liberty by providing unpaid community service. To qualify, a woman must meet three conditions:

roles, does not significantly affect the operation of drug trafficking networks.

- 5 Women have reported engaging in low-level roles such as answering phones and handing over packages without knowledge of their contents.
- 6 For a deeper description of how this works, see Uprimny et al. (2017). See also Congreso de Colombia (2000), art. 68A (current exclusions under the law).

- be a head of household (i.e., economically, socially, and emotionally responsible for another person, such as a child, an adult, or a person with disability);
- have been convicted of a crime enumerated in the law, or of another crime carrying a sentence of no more than eight years; and
- have committed the crime in conditions of marginality that affect the maintenance of her household.

The measure also applies to women serving their sentences under house arrest. The law requires the Ministry of Labor—in coordination with the Ministry of Education and the Ministry of Commerce, Industry and Tourism—to design (within two years of its enactment) a public policy to support employability, education, and entrepreneurship in prisons for women heads of household, with the aim of facilitating their transition to the labor market upon release. It also requires the Ministry of Health and Social Protection to design and implement, within one year of its enactment, a comprehensive mental health policy in all prisons. As of this writing, the responsible ministries have yet to develop either policy.

Law 2292 is significant in several ways, including its inclusion of drug offenses and the degree to which it was shaped and co-produced by women’s lived experiences. By opening up alternatives to incarceration for drug-related offenses, it marks a departure from decades of punitive criminal policy that denied such options despite the well-documented harms to women and their families.

As reflected in the aforementioned survey by the UNODC and Ministry of Justice, women perceive incarceration to cause a significant breakdown in family structures, particularly mothers’ bonds with their children (United Nations Office on Drugs and Crime & Ministerio de Justicia, 2019). It is not unusual for women to choose to hide their imprisonment from their families—especially their children—and community members to protect themselves from rejection and judgment (*ibid.*). Moreover, prisons in Colombia harm women’s integrity and health in multiple ways, including through inadequate sanitation, deficient infrastructure, scarce food,

violence by prison guards, and the deterioration of their health due to a lack of specialized services.⁷

Law 2292 reflects years of sustained advocacy by civil society actors, key among them Mujeres Libres, which worked alongside the International Committee of the Red Cross and Colombia's Congress to ensure that the law reflected the lived experiences and challenges faced by women deprived of liberty. This civil society-driven, multi-stakeholder process offers a powerful model for progressive prison reform in Colombia and beyond.

Law 2292 emerges at a critical moment. It responds to Colombia's prison overcrowding crisis and the gendered human rights impacts of criminalization while opening space for a different kind of public policy rooted in women's social, economic, and political realities. Its adoption also coincides with a rapidly eroding global consensus in support of punitive drug prohibition as rights-based, person-centered approaches to drug policy gain ground. In the next section, we situate Law 2292 within this broader normative shift.

Law 2292: An Example of the International Guidelines on Human Rights and Drug Policy in Action

Law 2292 forms part of a broader constellation of initiatives in Colombia and beyond that are beginning to operationalize international human rights law within drug policy and related criminal justice reform processes. Within these processes, the International Guidelines on Human Rights and Drug Policy play a catalytic role, supporting the translation of international human rights law into practice. Published in 2019, the Guidelines are a soft-law instrument that emerged from a three-year, multi-stakeholder process

7 These situations are documented in the book *Oscuridad mágica* (Mujeres Libres, 2022), a collection of testimonies from women with lived experience of imprisonment, viewed through the lens of the Bangkok Rules. See also Congreso de Colombia (2000), art. 68A; Giraldo et al. (2024).

involving communities most adversely affected (including women incarcerated for drug-related offenses), as well as government officials, United Nations and regional entities, civil society actors, independent experts, and scholars. They consolidate and reaffirm existing international law, clarifying what human rights law requires of states in their drug laws, policies, and practices. Importantly, the Guidelines are endorsed by the United Nations Development Programme, the World Health Organization, the Office of the United Nations High Commissioner for Human Rights, the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the International Centre on Human Rights and Drug Policy at the University of Essex.

This section highlights how Law 2292 closely reflects the Guidelines, offering a concrete example of how international human rights law can be implemented in domestic law reform processes.

Recognizing Women’s Roles and Caretaking Responsibilities

Law 2292 embraces the analytical framework set out in the Guidelines, which are based on empirical evidence indicating that women’s participation in illicit drug economies tends to occur in the low-profit, high-risk segments of the drug trafficking chain and is driven by poverty, caretaking responsibilities, and the lack of licit economic alternatives. One chapter of the Guidelines focuses specifically on women, highlighting the multiple, intersecting forms of discrimination faced by women who use drugs, are involved in the drug trade, or are otherwise dependent on illicit drug economies (United Nations Development Programme et al., 2019, guideline III.2).

The Guidelines recommend that states adopt gender-sensitive measures to divert women who commit drug offenses from entering the criminal justice system and to address the underlying factors that lead them to commit crimes. They also urge states—as does Law 2292—to ensure that courts have the power to consider women’s caregiving responsibilities and other mitigating factors at sentencing (United Nations Development Programme et al., 2019, guidelines III.2.2.iv, III.2.2.v, III.2.2.vi).

The Guidelines further emphasize that all women have an equal right to an adequate standard of living, including the right to food, clothing, and

housing. To this end, they recommend that states “[d]evelop specific, viable, and sustainable economic alternatives for women who are particularly at risk of exploitation in the illicit drug economy” and “[t]ake all necessary legislative, administrative, and policy measures to ensure that women’s specific needs and circumstances are taken into account in efforts to address involvement in the drug trade and dependence on illicit drug economies” (United Nations Development Programme et al., 2019, guidelines III.2.2.i, III.2.2.ii). These same recommendations are reflected in Law 2292.

Expanding Alternatives to Incarceration for Drug Offenses

As noted above, Colombian law has historically limited or excluded drug offenses from alternatives to incarceration available for other crimes. By contrast, the Guidelines recommend that states guarantee that people arrested, detained, or convicted for drug offenses benefit from alternatives to incarceration available for other crimes and that states prioritize non-custodial measures, particularly for minor, nonviolent drug offenses (United Nations Development Programme et al., 2019, guidelines II.7.iii, II.7.v). Law 2292 directly incorporates this recommendation by extending the application of alternatives to incarceration to drug offenses. In doing so, it operationalizes an important provision of the Guidelines.

Sustainable Alternatives: Strengthening Economic and Social Rights

The Guidelines emphasize that women involved in the drug trade have “the equal right to an adequate standard of living” and recommend that states “[d]evelop specific, viable, and sustainable economic alternatives” for women at risk of exploitation in the illicit drug economy (United Nations Development Programme et al., 2019, guideline III.2.2.i). Law 2292 moves in this direction by mandating the development of a public policy on employability, education, and entrepreneurship in prisons for women heads of household and requiring that the community service performed contribute to women’s professional and educational development. The law thus provides opportunities to develop viable, sustainable pathways to social and economic inclusion for women, beginning in prison, strengthening the potential for the realization of their social and economic rights.

Beyond Release: Addressing the Adverse Consequences of Conviction

The Guidelines highlight the state's obligation to take measures that address the adverse human rights consequences of prior convictions (United Nations Development Programme et al., 2019, guideline I.4.iii), which is essential to ensure women's rights to equality and nondiscrimination, to participation, and to an adequate standard of living (ibid., guidelines I.3, I.4, II.3).

In this regard, Law 2292 takes an important first step by providing for women's release from prison and by mandating the development of a policy on employability and entrepreneurship. However, fully aligning with the Guidelines will require the Colombian state to take additional affirmative actions to address the distinct forms of discrimination and other factors that impede women with criminal records from successful reentry upon release from prison. These include measures to remove or mitigate the harmful collateral consequences of prior convictions, such as disqualifications from employment and public life; discriminatory practices that impede access to housing, the financial system, and employment in the private sector; and steep fines that effectively bar women with prior convictions from opening bank accounts and securing employment in the formal sector.

Colombia might look to Mexico and Costa Rica as examples better aligned with the Guidelines. Mexico's Amnesty Law extinguishes criminal proceedings and penalties for certain drug offenses for specific populations in situations of vulnerability (Congreso General de los Estados Unidos Mexicanos, 2020, art. 5). Costa Rica's Judicial Archives and Registry Law allows sentencing judges to eliminate criminal records upon completion of a sentence for offenses committed by people in conditions of vulnerability who have dependent family members (Asamblea Legislativa de la República de Costa Rica, 1982, art. 11(f)). Colombia can also build on the recommendations in the National Drug Policy, which recognizes the human rights harms caused by prior drug convictions and recommends the elimination of prior convictions and sanctions (civil and administrative) for certain minor drug convictions (Ministerio de Justicia y del Derecho, 2023).

Despite some shortcomings, Law 2292 represents a globally significant, pioneering criminal policy reform. As with any law, its transformative potential will depend on how it is brought to life in practice. Given that its implementation is still in an early phase, there is a critical window to shape the law's trajectory so that women's lived experiences and their rights remain at its center. The following sections describe how our team came together in this context and how we used the Guidelines as a practical framework to support and strengthen the implementation of Law 2292.

How We Came Together

This collaboration emerged from a convergence of long-standing relationships and shared advocacy goals and was explicitly designed as a participatory action research collective. For five years, Mujeres Libres, an organization made up of formerly incarcerated women, and Colombian human rights organization Dejusticia have worked together to change Colombia's approach to the incarceration of women, combining the lived experience and organizing capacity of the women of Mujeres Libres with Dejusticia's legal and policy expertise. Additionally, since 2016, Dejusticia and the International Centre on Human Rights and Drug Policy have collaborated on the drafting and implementation of the International Guidelines on Human Rights and Drug Policy. In 2023, Dejusticia and the Centre formalized a partnership to develop strategic research and advocacy to advance the Guidelines' implementation in Colombia, just as a new presidential administration created space for rights-based drug policy reform.⁸ From the outset, all three organizations understood that the strength of our combined efforts lay in a participatory approach.

The existing work and institutional openness of Mujeres Libres created ideal conditions for this approach. Mujeres Libres was a driving force behind the development of Law 2292 and brought a reflective, pedagogical

8 This partnership was formalized under Open Society Foundations grant number OR2022-87589, "Participatory Research and Advocacy in Action: Implementing the International Guidelines on Human Rights and Drug Policy in Latin America."

lens to that experience, deepening our shared understanding of the law, strategic advocacy pathways, and how to build on the joint trajectory of Mujeres Libres' and Dejusticia's earlier work. We invested time in building relationships together, as well as developing a shared understanding of research methods and ethics, Law 2292, and the Guidelines.

Over the last few years, Mujeres Libres has established a strong track record of work within women's prisons in Colombia. This experience includes the delivery of workshops on the Bangkok Rules, sexual and reproductive rights, gender-based violence, and other themes for both incarcerated women and officials and guards of the National Penitentiary and Prison Institute. Because the organization has carried out this work with respect, consistency, and commitment, it has been able to strengthen dialogue between nongovernmental organizations and the National Penitentiary and Prison Institute and facilitate access to prisons. Women who have experienced incarceration generate a closeness and trust that no "expert" organization can offer. The presence of Mujeres Libres thus opened up space for honest conversations, allowed participants to feel safe to speak, and created a bond among peers that gave each encounter a different meaning.

There were also moments when Mujeres Libres was able to reach women who do not normally participate, to mediate with officials who respect the organization's history of work on women in prison, and to enter spaces where outsiders are often met with mistrust. Lived experience not only accompanies the process but also makes it more real, more accessible, and more effective.

At the same time, this work is emotionally taxing. For the Mujeres Libres team and their allies, returning to prison, reliving memories, and listening to women's stories of pain can be exhausting. Despite this, they continue their efforts, driven by the conviction that these spaces for training, dialogue, and support are essential for guaranteeing rights and transforming the lives of incarcerated and formerly incarcerated women.

Our Approach: Using the Guidelines to Structure Implementation

Our work on Law 2292 took shape at the intersection of several parallel processes. As mentioned above, in 2023, Colombia adopted a new national drug strategy that embraced the Guidelines as its operational framework, and Colombian courts had previously used the Guidelines to support their human rights analyses in drug-related cases. The Ministry of Justice was seeking to strengthen Law 2292's implementation as part of the new administration's legacy. At the same time, Mujeres Libres and Dejusticia were entering a new phase of work, having moved from securing the law's adoption to ensuring that it worked in practice. The Centre, as one of the stewards of the Guidelines, had also formalized a partnership with Dejusticia to identify strategic opportunities to implement the Guidelines in Colombia. Hence, we used the Guidelines to consolidate and synchronize these parallel efforts.

Our theory for this work was that the Guidelines could function as

- an authoritative tool to convene diverse actors;
- a way to understand Law 2292 as a practical expression of existing human rights obligations;
- an accountability framework to guide and monitor implementation;
- a structure for qualitative research centered on beneficiaries' experiences of Law 2292; and
- a shared language to exchange methods across a wider network of advocates.

Operationally, the Guidelines served as the architecture of our work, ensuring that international human rights law grounded the shared goals we built across institutions and beneficiary communities. While familiarizing stakeholders with the Guidelines was as an important component, it was only one part of our approach. We also focused on co-production,

developed iterative and pathway-specific strategies with different stakeholder groups, and generated evidence and feedback loops enabling us to rapidly capture barriers and solutions from each encounter and relay them to decision-makers. This helped the work evolve more coherently and efficiently. In this way, the Guidelines were not just a reference document but a living framework that shaped how we convened, co-produced, and learned across institutional systems.

Putting Our Implementation Strategies for Law 2292 into Action

When we began this work in 2023, fewer than twenty women had obtained the benefit under Law 2292. This early stage of the law's implementation exposed clear gaps: low numbers of applications, inconsistent judicial outcomes, practical obstacles for women applying from prison, and a lack of coordination among institutions. To engage key stakeholders to commit to the law's success, we developed a set of linked strategies to make the law work in practice. These included informing women about the benefit and supporting them in applying for it; working with judges to identify and address conceptual challenges; partnering with public institutions such as the Ombudsperson's Office and the Ministry of Justice to tackle systemic barriers; and documenting the lived experiences of implementation while fostering learning among these stakeholders and beyond. Throughout this process, we have worked closely with the Ministry of Justice to share rapid alerts about what we are witnessing inside prisons and what we are learning from key actors, including women deprived of liberty and those who have been granted the benefit. This section explores how these strategies have contributed to strengthening the application of Law 2292.

Informing and Empowering Women Deprived of Liberty

A core priority is to ensure that women eligible for the benefit under Law 2292—whether they are deprived of liberty or involved in criminal proceedings—have clear and accessible information about the law, including who qualifies, how to apply (and what documents to gather), and what the required community service entails.

Once the law's implementing regulations were adopted in September 2023, Dejusticia and Mujeres Libres published *Alternatividad penal para mujeres cabeza de familia: Conoce sobre el servicio de utilidad pública de la Ley 2292 de 2023*, a booklet that lays out in plain language the law's main elements and the step-by-step process for requesting the benefit. The organizations also designed a strategy to disseminate the booklet in women's prisons (Cardona et al., 2023).

A key factor enabling access to women inside prisons was the central role of Mujeres Libres. As a member of the Constitutional Court–mandated civil society mechanism for monitoring prison conditions, Mujeres Libres has broad authorization to enter any prison or detention center in the country. Once inside each prison, the organization's lived experience helped build trust with women deprived of liberty, enabling open, horizontal dialogue. The combination of this lived-experience bridge with formal institutional access meant that our collective was uniquely positioned to disseminate information on the law and to engage more broadly on human rights and drug policy in carceral settings.⁹

In 2023 and 2024, Dejusticia and Mujeres Libres held a series of workshops on Law 2292 in nine prisons with more than 540 women participants. Dejusticia, Mujeres Libres, and the International Centre on Human Rights and Drug Policy also convened two workshops in the women's prison in Bogotá, using the Guidelines to frame discussions about human rights and drug policy in general, and about women, drug policy, and incarceration in particular. Through both the dissemination of information on Law 2292 and our Guidelines-focused workshops, we learned about some of the challenges that women face in applying for the community service option.

9 The Civil Society Monitoring Commission was created in 2015 to oversee Colombian Constitutional Court Sentence T-388 of 2013, in which the court declared a state of unconstitutional affairs in matters of criminal and penitentiary policy and issued orders to redress the situation. Mujeres Libres and Dejusticia are members of this commission, which monitors the implementation of the court decision, including through prison visits and submitting follow-up reports on the unconstitutional situation and recommendations and observations in relation to the country's criminal and prison policy. See <https://www.mujereslibres.co/comisiondeseguimiento>.

In particular, it became clear how hard it is for women to meet the law's evidentiary requirements. Applications for community service must include proof that the woman is a head of household and that the offense was committed while living in conditions of socioeconomic vulnerability. During the workshops, women told us about the difficulties they were having in tracking down the necessary documentation. Many had lost their support networks upon incarceration, making it challenging to gather the required evidence. Even those who maintained connections and communication with family members often lacked the resources to collect the necessary information. Additionally, the law's implementation process did not initially include specific support mechanisms to assist women in collecting this information.

These exchanges with women have informed our discussions with judges, the Ministry of Justice, the Ombudsperson's Office, and others regarding strategies to improve women's access to the benefit.

Working with Judges to Interpret and Apply the Law

Law 2292 provides that, with the consent of the person convicted, the trial judge (*juez de conocimiento*) or the judge responsible for enforcing sentences and ensuring their correct application (*juez de ejecución de penas*) may substitute a prison sentence for community service, either at the time of handing down the sentence or at any moment during which it is being served.

Our focus to date, consistent with that of the Ministry of Justice and the Ombudsperson's Office, has been on working with sentencing judges to release people already incarcerated (i.e., in intramural facilities, as compared to house arrest). More work needs to be done to engage trial judges in the process.

Between February and May 2024, we held three workshops with sentencing judges and their staff—social workers and judicial assistants (lawyers and paralegals)—in collaboration with the National Gender Commission of the Judicial Branch. The aim was to present the Guidelines as a tool to support the implementation of Law 2292 and to initiate a discussion about these actors' experiences in reviewing women's applications for the benefit,

including the challenges they faced in granting it. We sought to understand, from their perspective, the barriers to implementation and solutions they had developed. We introduced the Guidelines as both an interpretive tool and a framework for grounding Law 2292 in the state's human rights obligations. The fact that the Guidelines have been taken up by the country's highest courts helped facilitate this discussion.

Two of the workshops were held in person in Bogotá and Medellín, and a third was held virtually for judges throughout the country.¹⁰ Each workshop began with presentations of the Guidelines and on the broader context of women, drugs, and incarceration in Colombia. Participants were then divided in smaller groups to discuss their experiences implementing Law 2292. We later reconvened as a whole group to share what we learned in the small groups.

These informal, open discussions with judges and their staff about their roles, approaches, and challenges created a space for reflection and peer learning on how to implement this novel law. They also allowed us to identify judges from different parts of the country who were pioneering in their understanding of Law 2292 and committed to supporting its dissemination and implementation. We have continued to work with several of them, including by sharing updates from the Ministry of Justice and the Ombudsperson's Office on interpreting the law, joining them in workshops on the law, and including them in our research on beneficiaries' experiences. Some of them have become champions of the law and serve as spokespeople promoting it for the Ministry of Justice.¹¹

10 Twenty-two people from the sentencing courts of Bogotá attended the Bogotá workshop; sixty-five people from the sentencing courts and service centers of Medellín and Antioquia attended the Medellín workshop; and between eighty and one hundred people connected to the national online workshop. The latter included judges from Bucaramanga, Calarcá, Cartagena, Cúcuta, Medellín, Montería, Popayán, and Valledupar.

11 For example, see the interview with Mónica Londoño, a sentencing judge from Medellín, about her experiences in applying the law: https://es.linkedin.com/posts/dejusticia_8m-activity-7304214337387134976-OSJW.

Participants in the workshops identified multiple obstacles to granting the community service benefit, including problems with the law’s concepts of “woman head of household” and “marginality”; questions about the law’s applicability to certain crimes; evidentiary and procedural challenges; and bureaucratic and other hurdles.

Conceptual Challenges

The concept of “woman head of household”

According to Law 2292, a “woman head of household” (*mujer cabeza de familia*) is emotionally, economically, and socially responsible for the care of minor children or persons with disabilities. Unlike previous, rigid legal definitions requiring that heads of household have exclusive caretaking responsibilities, Law 2292 offers a more contextual definition that focuses on the lived experience of care responsibilities, allowing a less restrictive assessment of who qualifies as head of household.

A number of judges reported difficulty establishing whether a woman was head of household, given that they continued interpreting this term in light of the definition in prior laws, which required her to be the sole provider for her family due to the permanent absence or disability of her spouse or partner or due to the “substantial deficiency” of assistance from other members of her nuclear family (see Congreso de Colombia, 1993, art. 2). Applying this restrictive definition led some judges to deny the benefit when they found that others—such as the grandmother, father, siblings, or even the Colombian Institute of Family Welfare—had assumed childcare responsibilities. Social workers (whose interviews with families support judicial decisions) also reported that applications for the benefit were denied where it was found that others were providing financial support for the applicant’s dependents.

Some judges expressed concern that disregarding precedent (i.e., prior judicial decisions corresponding to more restrictive definitions of head of household) would expose them to disciplinary or criminal sanctions for the crime of prevarication.

Other judges insisted that the term should be applied strictly according to the definition in Law 2292, noting significant distinctions between the definition in Law 2292 and prior law, including that the new law expressly leaves out the requirement of the absence of spouse or partner support or substantial assistance from family members, as well as the requirement of a behavioral assessment. These judges also emphasized the importance of interpreting this term in light of its objective to guarantee women's rights.

Marginality

The law requires that women show, “by any means of proof,” that the commission of the crime was associated with conditions of marginality affecting the maintenance of the household. It states that demonstrating marginality does not depend on proving any of the mitigating factors set out in prior laws; it further notes that if the condition of marginality was not established at the time the sentence was issued, this could be addressed at the time the benefit is being considered.

A number of judges and their staff reported interpreting the law to require a link between the woman's marginality and the commission of the crime—a requirement that goes beyond what Law 2292 actually provides. Some also expressed concern about the vagueness of the term and questioned whether there is a distinction between marginality and poverty or extreme poverty.

Others, however, reported applying a broader notion of marginality that includes not just economic factors but also level of education, family relationships, place of origin, health care affiliation, and history of victimization.

Scope of application

Some judges raised concern about the scope of Law 2292 and whether it applies in cases where women had been convicted of crimes contemplated under article 26 of Law 1121 of 2006, which excludes certain crimes—such as terrorism, financing of terrorism, kidnapping for ransom, extortion, and

related crimes—from alternatives to incarceration. Some judges noted that they had denied the benefit in such cases.

Evidentiary and Procedural Challenges

Evidentiary challenges

As noted above, women deprived of liberty face significant difficulties in collecting the information and documents needed to support their applications for community service. Some judges reported that when they receive incomplete applications, they simply deny them. Other judges, however, acknowledged their affirmative obligations to facilitate women's access to the benefit; they noted that their social workers often work to collect information to support the determinations of head of household and marginality—including by drawing on trial court files, testimony from family members and others close to the applicant, and government databases.

Another evidentiary challenge is the fact that when sentences are delivered orally or resolved through plea agreements, there is often no detailed written record of the case facts available to the sentencing judge.

Procedural challenges

There is some confusion about whether the trial judge must recognize a woman's condition of marginality, and the consequences of doing or failing to do so. Some sentencing judges consider that the failure to do so means that the condition did not exist and that the sentencing judge has no power to recognize it. Some also consider that had the trial judge recognized that a woman was living in conditions of marginalization and had people in her care, in principle, the woman would have been sentenced to house arrest. Other judges noted that trial judges were obligated to evaluate conditions of marginality to determine whether to mitigate penal responsibility, which was distinct from the determination of marginality required by Law 2292.

Institutional and Other Challenges

Bureaucratic challenges

Judges identified several bureaucratic challenges, including heavy workloads; reliance on overburdened social workers to carry out significant work to establish applicants' eligibility; and uncertainty regarding their role in supervising beneficiaries' compliance with obligations under the law.

A number of workshop participants recommended stronger coordination and clearer delineation of roles among the Superior Council of the Judiciary, the Sectional Councils of the Judiciary, the Ministry of Justice, the National Public Defender Service, and trial and sentencing judges nationwide. Participants also expressed concern about the very low number of women applying for the benefit, seeing this as evidence of inadequate awareness-raising around the law, and emphasized the need for more active engagement by the Ombudsperson's Office, the Ministry of Justice, and other actors to support women's applications.

In Medellín, the Inter-American Development Bank introduced a pilot project to provide support to women both during the application process and while they are carrying out the community service. Some participants expressed a desire for the bank to continue this work in the long term and to extend it to other productive work initiatives following the completion of community service.

Other challenges

Several judges expressed concern that women who return to their old neighborhoods to perform unpaid work might face heightened risks of reoffending; that ineligible women might attempt to exploit the law; and that the law does not address structural barriers to reintegration post-incarceration, including those arising from prior convictions and discrimination. For some judges, these factors doomed the law to failure. For others, this situation pointed to the need for the state to be more proactive in supporting women both during their community service and following its completion (for example, by providing financial assistance for transportation to

and from placements, ensuring internet access, verifying that placements meaningfully contribute to women’s development, providing other support to help women develop income-generating work, and adopting sustainable policies to address barriers to employment posed by criminal records).

What Changes We Have Seen

In August 2024, we shared our findings from the judicial dialogues—including preliminary reflections and recommendations—with the Superior Council of the Judiciary, the Advisory Commission on Criminal Policy, the Ministry of Justice, the Ombudsperson’s Office, and other government agencies responsible for implementing Law 2292 (Dejusticia et al., 2024).

Since then, a number of our recommendations have been adopted. In December 2024, the Ombudsperson’s Office issued a resolution expressing concern about the very low number of petitions granted relative to the broader universe of potential beneficiaries (Defensoría del Pueblo, 2024). The resolution also clarified the meanings of “head of household” and “marginality” under Law 2292. It made clear, for example, that requiring women to have sole caregiving responsibility in order to qualify as head of household contradicts the text of the law. The resolution further explained the distinct concept of “marginality” under Law 2292 and recommended strategic litigation to challenge restrictive interpretations (ibid.). As discussed below, we have been working with the Ombudsperson’s Office to support these litigation efforts.

Moreover, in 2025, the Ombudsperson’s Office launched a pilot project at El Buen Pastor prison in Bogotá to assist women in submitting their applications for the community service benefit. Mujeres Libres has contributed its experience to this effort, working closely with the Ombudsperson’s Office to identify cases and help women gather the documentation necessary to demonstrate marginality and head-of-household status. Staff at El Buen Pastor are also participating in the pilot.

In addition, a team of university social psychology interns is now working with Mujeres Libres to conduct psychosocial interviews with women deprived of liberty. These interviews reconstruct women’s life histories to

document their status as heads of household, the conditions of marginality they have faced, and other relevant factors to support their applications for community service under Law 2292. The interview summaries are then shared with public defenders, who use them to strengthen individual applications, ensuring that each case is analyzed with a gender perspective and grounded in the applicant's specific circumstances.

Judges have also become advocates for the Guidelines and Law 2292. As observed by one judge who participated in the judicial dialogues, “The Guidelines have been extremely useful in understanding the purpose of the Public Utility Law in light of the application of human rights for women, taking a differential and gender-based approach” (Dejusticia, 2024). A judicial assistant similarly promoted the Guidelines when speaking about Law 2292 at an international symposium on justice, democracy, and law in Mexico and Colombia. Since the judicial dialogues, we have also seen judicial interpretations of “head of household” and “marginality” evolve in ways more consistent with Law 2292. This includes, for example, recognizing as “heads of household” women who shared caregiving responsibilities with others (and therefore were not sole providers) and considering broader contextual factors beyond poverty in order to establish marginality.

Furthermore, the Constitutional Court's Special Monitoring Chamber on the Unconstitutional State of Affairs in the Prison and Penitentiary System has requested that the country's judicial training school—the body responsible for initial and continuing education for judges—incorporate the application of Law 2292 into its curriculum and has urged the Ombudsperson's Office and the Superior Council of the Judiciary to convene biannual conferences, discussion forums, and academic training sessions for lawyers, judges, and the general public on Law 2292 (Corte Constitucional de Colombia – Sala Especial de Seguimiento, 2025).

Importantly, and thanks to our collective work within these processes, Mujeres Libres is now firmly positioned as a trusted intermediary between women and institutions, facilitating processes, clarifying doubts, and strengthening women's understanding of Law 2292.

Partnering with Oversight and State Institutions

As with any public policy process, the implementation of Law 2292 is led by key institutions and oversight bodies, which are crucial for ensuring that all of the provisions of the law are realized.

We partnered with the Ministry of Justice, which has a team within the Directorate of Criminal Policy specifically tasked with leading the law’s implementation. This partnership is based on the ministry’s formal mandate as lead implementing institution for Law 2292, as well as on the commitment of career civil servants likely to remain in their posts beyond any executive transition following upcoming presidential elections in Colombia. The ministry’s team has facilitated our qualitative research documenting the experiences of beneficiaries of Law 2292.¹² We regularly share rapid alerts on what we are witnessing inside prisons and hearing from key stakeholders, collaborating with the ministry to address problems as they arise.

Our engagement with the Ombudsperson’s Office is similarly strategic. This entity—which has a constitutionally protected mandate to protect human rights across the country—will remain a critical institutional actor even if a new executive brings shifts in policy priorities. The implementation of Law 2292 is a key focus of the Ombudsperson’s Office, in line with its 2024–2028 priorities on women’s rights and equality and the rights of persons deprived of liberty.

To support this work, we have disseminated the Guidelines among key officials within the Ombudsperson’s Office, focusing in particular on the National Directorate of Public Defenders and the Offices for Criminal and Penitentiary Policy for Women’s Rights and Gender and for Legal and Constitutional Affairs. We are also developing a tailored training package on how to use the Guidelines to support the implementation of Law 2292 and advance the Ombudsperson’s Office broader institutional priorities.

12 See section below on “Monitoring Implementation and Fostering Learning.”

The Ombudsperson's Office's commitment to this policy is reflected in its resolution regarding Law 2292, which, as noted above, resolves to promote strategic litigation to address representative cases in which the community service benefit has been wrongfully denied (Defensoría del Pueblo, 2024). In particular, it directs the National Directorate of Public Defenders and other relevant offices to develop litigation strategies to address cases where the benefit is denied because of faulty interpretations of the law.

We also consider that strategic litigation is needed to create precedent at a higher level and to clarify conflicting concepts and interpretations. In this regard, we are collaborating with both the Ombudsperson's Office and the Ministry of Justice to analyze denials and identify key problems and emblematic cases for strategic litigation. On November 28, 2025, the Constitutional Court decided to review the Ombudsperson's Office's challenge to a denial of the community service benefit based on a judge's restrictive interpretation of "woman head of household" and "marginality," recognizing both the urgency of protecting a fundamental right and the novelty of the issues raised (Corte Constitucional de Colombia, 2025). In a joint intervention submitted by the Centre, Temblores, and Mujeres Libres in support of the Ombudsperson's Office's lawsuit, we highlighted the urgency of protecting the fundamental right of access to justice and the need for the court to examine the case given its novel aspects. Together, our ongoing collaboration on strategic litigation and capacity-building around the Guidelines is beginning to show how an institutional approach can secure immediate gains in the implementation of Law 2292 while laying the foundations for rights-based implementation that can endure future political change.

Monitoring Implementation and Fostering Learning

To date, there has been no qualitative research capturing how women who have been granted the benefit under Law 2292 experience both the application process and their social integration upon release. In April 2025, we set out to fill this gap by initiating a participatory action research exercise to document the experiences of a group of women beneficiaries across three

cities.¹³ This project seeks to generate evidence that can directly inform judicial practice and policy design to not only strengthen the implementation of Law 2292 but also make it sustainable. If women are granted release only to return to the same lack of opportunities and structural drivers that pushed many toward illicit economic activity in the first place, the spirit of the law—and its viability—is called sharply into question. Our primary aim is to understand, from women’s perspectives, the obstacles and facilitators they encounter in accessing and enjoying the benefits of the law, particularly with respect to their experiences of social reintegration.

Alongside interviews with women, we are also speaking with social workers, judges, and judicial assistants about the legal, administrative, and policy challenges they face in applying Law 2292, how they have tried to address these hurdles, and what additional systems or solutions are needed to make the law work.

We have discovered that these interviews are not just data-gathering exercises; they have become spaces for meaningful exchange where decision-makers and social policy implementers hear directly from formerly incarcerated women who are part of the research team. The interviews have likewise provided an opportunity to hear from decision-makers about their own learning process in implementing the law. The insights generated from our interviews with women also shape our conversations with public actors, helping ground those discussions in lived experience. Together, these exchanges have created an important space for both the research team and informants to reflect on—and in some cases begin to improve in real time—what rights-based implementation looks like in practice.

Although the final research publication is still in progress, this work is already generating results. While progress on granting the benefit under Law 2292 remains slow, the pace of approvals has nonetheless begun to

13 This research was conducted in accordance with an approved ethics application (Julie Hannah, “Participatory Research and Advocacy in Action: Implementing the International Guidelines on Human Rights and Drug Policy in Latin America,” University of Essex, ETH2324-0340, August 2024).

increase, with more than 200 women receiving the community service benefit to date. We have seen judges evolve in their understanding and application of this gender-based affirmative action measure, applying it with a specific and clear intersectional perspective to the benefit of applicants.

Law 2292 has enabled women to resume caretaking responsibilities and strengthen emotional ties with their children and families. It has also helped pave the way for employment and education: some women have been able to study and have learned new skills in their community service that they hope to be able to apply in the workplace, and some have developed supportive friendships during their community service placements. Women have also told us how the law contributes to their reintegration: when they are engaged in formal employment settings during their community service placements and rejoin everyday life outside of prison, they feel that others see them as “normal” people and not as criminals.

However, the fact that the community service is unpaid—and that women must secure resources to travel to and from their community service work, while also providing for themselves and their households—has posed an obstacle to completing community service.

As mentioned above, insights from these exchanges inform our engagements with the Ministry of Justice, the Ombudsperson’s Office, and judges and their staff. We plan to publish this research jointly among *Mujeres Libres*, *Dejusticia*, and the Centre as part of our ongoing collaboration. As this work unfolds, we are learning how documenting lived experience is itself a powerful monitoring tool for shaping how Law 2292 is interpreted, implemented, and strengthened over time.

Binational Meetings

The in-depth collaboration around the implementation of Law 2292 has been a source of learning not only for us but for partners in other countries hoping to follow suit in promoting mechanisms to free women from prison and move toward human rights-based drug policies. In Mexico, where civil society organizations are increasingly focused on strengthening legal and policy reforms on alternatives to incarceration and national and

subnational amnesty laws, we have sought to create space to share key lessons from our experience in Colombia. This includes sharing how the Guidelines informed and strengthened our strategies, which has enabled a common language of rights to further facilitate cross-country exchange.

In August 2024, we held a binational meeting in Bogotá between Colombian national authorities (including the Ministry of Justice and the Superior Council of the Judiciary) and Colombian and Mexican civil society organizations with the aim of exchanging experiences and challenges in developing and implementing laws that promote alternatives to incarceration and the release of women. Elementa DDHH, a Colombian-Mexican human rights organization, and CEA Justicia, a Mexican human rights organization—both long-standing partners in drug policy reform work and women’s criminal justice reform—contributed their expertise on women and drug-related offenses.

We are planning a follow-up binational exchange in 2025 in Mexico focused on alternatives to incarceration for women, specifically in relation to reforms to Mexico’s amnesty laws and regarding Colombia’s Law 2292. Framed by the Guidelines, the meeting will convene Mexican and Colombian national and local authorities, civil society organizations, and women with lived experience of incarceration to discuss the different strategies being pursued in each country to address the crisis of women’s incarceration and the central role of drug-related offenses in this crisis.

| **How We Learned Along the Way**

Learning and reflection were built into our work from the outset. Although our regular team meetings were primarily practical spaces to share updates and plan next steps, they also became informal settings for reflection and for integrating our collective insights. There was no fixed method: meetings ranged from open conversations to interview-training and mapping exercises. Given the participatory action framing of the project, much of our learning happened through action. For example, drafting ethics applications, designing interview instruments, and planning research trips together pushed us to think differently about our engagement. For most of

the team, this was their first experience navigating a formal research ethics process, which prompted deeper reflection on informed consent, data anonymization, how to share findings with women and other informants, and how we would work together as a team. Similarly, writing along the way—whether through briefing papers, internal notes, or formal submissions (e.g., the judicial dialogues)—helped distill these experiences into strategic next steps.

We also utilized more intentional spaces to test and refine our approach, including at a convening with members of the University of Essex Human Rights Centre; at the United Nations Commission on Narcotic Drugs session in 2025; in binational exchanges with partners in Mexico; at the Women in Prison Network’s global convening in 2025; and in exchanges with universities working on drug and prison policy in Colombia, including the University of Los Andes, the University of El Rosario, and Externado University in Bogotá. Early on, we recognized the urgency of the work and established rapid feedback channels with the Ministry of Justice and the Ombudsperson’s Office so that learning from communities and frontline actors could quickly inform national policy discussions and actions. Across these different spaces, learning meant a willingness to adapt and to innovate in how we worked with one another, engaged community actors, and shaped implementation as it unfolded.

Cross-Cutting Lessons and Reflections

This section distills a series of cross-cutting lessons from our work with Law 2292 and may be useful for those undertaking similar efforts in other contexts.

How We Worked Together: Practice and Process

The complementary partnership between the Centre, Dejusticia, and Mujeres Libres shaped our working methods and legitimacy, bolstering our effectiveness and impact.

Our partnership fused each organization's unique strengths: the Centre's outside independence and academic lens, Dejusticia's national advocacy and institutional standing, and Mujeres Libres' leadership grounded in lived experience of incarceration. This combination created access, trust, and influence that none of us could have achieved alone. The leadership of Mujeres Libres was particularly crucial. The organization's lived expertise deepened our engagement with women and enriched our dialogues with public actors. Further, the organization's active role in decision-making led to concrete changes in the content of our work, our methods, and timelines. As a result, our activities and outputs were more responsive, accessible, and respectful.

The Guidelines as an Implementation Tool

The Guidelines provide a cross-cutting human rights framework for strategic advocacy across institutions and communities and offer a bridge to link Law 2292 to broader regional efforts for reform.

In Colombia, the Guidelines helped bring together judges, the Ombudsman's Office, and other authorities. The Guidelines' high-level endorsement by the United Nations, acceptance by Colombia's highest courts, and inclusion in the national drug strategy gave us the political space necessary to advance our work. Framing Law 2292 as an expression of existing human rights obligations—rather than as a stand-alone innovation—reinforced officials' sense of responsibility toward implementation. For Mujeres Libres and its constituencies, the alignment between the Guidelines, the Bangkok Rules, and Law 2292 provided an accessible rights-based language that translated into concrete discussions about health, livelihoods, and the everyday impacts of drug policy. This alignment also helped shape our research questions. At the same time, the Guidelines provided a shared

vocabulary that enabled us to exchange experiences with colleagues in Mexico working on similar processes at the federal and subnational levels, allowing lessons to travel and be applied transversally.

The Guidelines can play a similar role in supporting advocacy for, and the implementation of, alternatives to incarceration for women in other countries. They can serve as a tool to convene diverse actors; as a framework for presenting law reform initiatives as expressions of existing human rights obligations; and as a common reference point for exchanging methods and experiences across a wider community of advocates. High-level endorsement by United Nations member states, together with national and regional support, can provide additional political grounding for this work (see, e.g., United Nations Human Rights Council, 2025; European Union, 2020; Schleifer et al., 2023).

More than 200 people worldwide—including people formerly involved in the illicit drug trade or incarcerated for drug-related offenses; United Nations officials; regional and national health, human rights, and drug control entities; and civil society actors—participated in consultations during the drafting of the Guidelines. Many of them, along with others in similar roles, have since used the Guidelines to support drug policy reform and to inform judicial training at national and local levels. There is therefore an existing global network of actors who are familiar with the Guidelines, who understand how they articulate human rights obligations in the context of drug policy, and who are well-positioned to support their use in guiding and monitoring law reform.

Implementing Law 2292

Collaborative implementation fosters institutional learning.

Working together with the Ministry of Justice, the Ombudsperson's Office, judges, and the National Gender Commission created a constellation of actors that could actually move Law 2292 in practice. Regular and continuous dialogue and exchanges helped shift judicial interpretations, strengthened engagement by the Ombudsperson's Office, and even led to

concrete initiatives such as pilots in prisons and a shared virtual space for case information and decisions.

Political will exists but is uneven across institutions.

Committed allies inside the Ministry of Justice and the Ombudsperson's Office have been crucial, especially with leadership explicitly prioritizing the rights of women deprived of liberty. The Constitutional Court's October 2025 directive urging regular training on Law 2292 for judges, lawyers, and the public is an important step. However, the absence of similar commitments from other key ministries (such as labor, education, and health) remains a structural barrier to fully realizing the law's promises on social reintegration.

Rapid feedback and research play a crucial role in implementation.

Strengthening existing relationships with institutions meant that the continuous findings from our work—including urgent individual cases, emerging patterns, and practical barriers such as transportation costs—could be communicated quickly to the right decision-makers. Our research with women, judges, and officials shed light on challenges and potential solutions that might otherwise have remained obscure. This real-time feedback loop helped prevent unnecessary revocations and guided more informed institutional responses.

Strategic litigation is a valuable complementary tool.

Strategic litigation is needed to secure progressive, consistent interpretations of “head of household” and “marginality,” and judges themselves have requested guidance from higher courts. Litigation, however, is only one tool. It must work in tandem with ongoing advocacy, knowledge exchange, and accompaniment so that women, judges, public defenders, and prosecutors can support the law's effective implementation while broader precedents are built.

Successful implementation requires supporting women beyond release.

Law 2292 has the potential to support social reintegration, including the realization of women’s economic and social rights. Women gain skills, networks, and recognition through some community service placements; however, these placements rarely connect to sustainable livelihoods. The continued presence of criminal records and attendant penalties—such as disqualification from government employment, discrimination, limited access to banking, and weak links to sustainable employment or training—means that the law often opens a legal door without providing the economic and social support needed to prevent a return to illicit or highly precarious economies. In this context, many women end up back in the same conditions of marginalization that pushed them toward survival-based illegal activities in the first place.

For Colombia and other countries looking to Law 2292 as a model, institutional actors must ensure that legal alternatives to incarceration are concretely connected to guarantees allowing women to build lives with dignity. Eliminating criminal records is critical to protecting the fundamental rights of formerly incarcerated women and enabling them to rebuild their lives after prison. This should be a priority for law reform. Public policies should also offer accompaniment during women’s transition back to the community and provide them with long-term support to address both the root causes of incarceration and the structural barriers they face after release.

Conclusion

Our collaborative work using the International Guidelines on Human Rights and Drug Policy to implement Law 2292 in Colombia demonstrates how human rights law, when used as a framework for advocacy, can be translated into concrete pathways out of prison and toward dignity for women most harmed by punitive drug policies. This work is neither linear nor easy, and success is never guaranteed. As the implementation of Law 2292 continues, and as interest grows from other countries and regions that wish to adopt similar models, the collaboration between Mujeres Libres,

Dejusticia, and the International Centre on Human Rights and Drug Policy will remain a vital source of strength and direction. Our collective brings together grassroots leadership, national social and legal advocacy, and academic stewardship—a combination that has strengthened each organization’s work far beyond what any could have achieved alone.

The reflections in this paper are offered as a practical reference for those seeking to use the Guidelines to design, implement, and monitor alternatives to incarceration in their own contexts. Our learning suggests that when laws, institutions, and social movements align, justice for criminalized women has a genuine chance of moving from aspiration to reality.

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Illustration: Daniela Hernández

Layout: Precolombi EU, David Reyes

<https://doi.org/10.51438/DJcardona2026a>

To cite this book

Cardona, C., Hannah, J., Pereira-Arana, I., & Schleifer, R. (2026). *Rights-based alternatives to incarceration for women: Lessons from Colombia's Public Utility Law and the International Guidelines on Human Rights and Drug Policy*. Mujeres Libres, International Centre on Human Rights and Drug Policy, & Dejusticia.