Colombia: Scarred bodies, hidden crimes: Sexual violence against women in the armed conflict - Facts and figures

Background: 40 years of armed conflict
Colombia's internal armed conflict has pitted the security forces and army-backed paramilitaries against guerrilla groups in a struggle for territory and economic resources.

Civilians have not simply been "caught in the crossfire", but have routinely been directly and deliberately targeted by the parties to the conflict. Violations and abuses committed against civilians have included extrajudicial executions, arbitrary detention, torture, "disappearances", kidnappings, forced displacement and sexual abuse. Civilians have been targeted in order to, for example, eliminate those deemed to be supporting the "enemy" or to create terror in order to "cleanse" territories of economic or strategic interest to the armed groups and their backers.

Parties to the conflict
Military and Paramilitaries
The paramilitaries have their origin in legal, civilian "self-defence" groups created by the army in the 1970s and 1980s to act as auxiliaries during counter-insurgency operations. Their legal basis was removed in 1989 but little effort has been made to disband them. In the last 10 years, the paramilitaries have grown in size and extended their presence in the country.

The AUC (Autodefensas Unidas de Colombia), the main paramilitary umbrella group, is believed to have around 10,000 - 20,000 fighters.

Their main role has been to carry out the "dirty war" tactics of the armed forces' counter-insurgency strategy, which is characterized by the systematic and widespread violation of human rights. The use of paramilitaries has helped the armed forces avoid increasing international pressure to respect human rights.

The armed forces continue to coordinate and support paramilitary structures as part of their counter-insurgency strategy. AI continues to document human rights violations by paramilitaries carried out with the support or acquiescence of the armed forces.

Although the paramilitaries announced a self-declared ceasefire at the end of 2002, and are engaged in "peace talks" with the government, they continue to commit widespread human rights violations against the civilian population, including women and girls.

Guerrillas
There are two main guerrilla groups in Colombia: the FARC (Fuerzas Armadas Revolucionarias de Colombia) -- with around 20,000 combatants -- and the ELN (Ejército de Liberación Nacional) -- with some 4,000 combatants.

Over the last 40 years the guerrillas have created extensive strongholds in many rural areas of the country where they effectively determine local government policies and exercise significant control over the local population. Since the 1990s, the FARC has sought to significantly increase attacks in urban areas, and civilians have increasingly borne the brunt of guerrilla attacks in these areas.

Guerrilla groups are responsible for repeated and serious breaches of international humanitarian law, including hostage-taking and the abduction and killing of civilians. They have also carried out attacks using disproportionate and indiscriminate weapons which has resulted in the death of numerous civilians.

**Government**

President Álvaro Uribe Vélez took office on 7 August 2002. On assuming office, President Uribe introduced a series of hardline security measures encapsulated in the so-called Democratic Security Doctrine. This sought to "consolidate" and "recover" territory from guerrilla control. But rather than boost the security of the civilian population the Democratic Security strategy has made it more vulnerable than ever to abuses from illegal armed groups and the security forces.

The government is pursuing policies which are contrary to its obligations under international human rights law and repeated UN human rights recommendations. These policies are dragging civilians further into the conflict and strengthening impunity.

**No improvement in the human rights crisis**

The Colombian government argues that its policies have improved the human rights situation. Some key indicators of politically motivated violence, such as kidnappings and numbers of new internally displaced people, did indeed fall in 2003. But this masked some significant regional variations. The human rights situation in the special security areas -- Rehabilitation and Consolidation Zones (RCZs) -- which covered several departments, deteriorated during the period these zones were in operation, as did the situation in several conflict zones. In Colombia as a whole, human rights abuses committed by all parties to the conflict remains widespread:

- The figures for politically-related non-combat killings, massacres and "disappearances" for 2003 remain higher than the average for the 1991 - 2002 period.

- The organization has also continued to document an increase in particular types of abuse in recent years -- for example, forced "disappearances" and cases of torture.

- Over 70% of massacres and politically-motivated killings are committed by paramilitaries; the figure increases to over 90% in the cases of "disappearances".

- Since 1985, more than 70,000 people have been killed in the conflict, while more than 3 million have been internally-displaced. Over half of the displaced are women.

- Since 2000, more than 10,000 people have been kidnapped, more than half of these by guerrillas or paramilitaries, while at least 1,500 have "disappeared", mostly at the hands of paramilitary groups often acting in collusion with the security forces".

**Violence against Women**

Violence against women, in particular sexual violence -- including rape and genital mutilation -- forms an integral part of the armed conflict and continues to be widespread. It is perpetrated by all parties to the conflict.
Women are targeted by the armed actors for a variety of reasons:

- to sow terror within communities making it easier for military control to be imposed
- to force people to flee their homes to assist acquisition of territory
- to wreak revenge on adversaries
- to accumulate "trophies of war"
- to exploit them as sexual slaves
- because they have not conformed to their "gender role"
- because they have challenged prohibitions imposed on them by the armed groups
- because they are perceived as a target through which to inflict humiliation on the enemy.

The 2000 UNDP Human Development Report -- the latest for which figures are available -- estimates that 60-70% of women in Colombia had been the victims of some form of violence (physical, psychological, or sexual). However, less than half seek help and fewer than 9% make an official complaint.

According to figures from the 2003 UNDP Human Development Report on Colombia, El Conflicto, Callejón con Salida (Solution to Escape the Conflict’s Impasse), the number of women killed for conflict-related reasons outside of combat increased by 20% between 2000-2001 and 2001-2002. During this period, women accounted for 6% of all deaths in and out of combat and forced "disappearances", 10% of torture, 11% of all land mine-related deaths and 18% of kidnappings. Moreover, 17% of the human rights defenders killed were women, as were 16% of all trade unionists and 16% of people from indigenous communities.

Last year, over 220 women were killed for socio-political reasons outside combat -- in the street, home or workplace -- and more than 20 "disappeared". The security forces were reportedly directly responsible for around 5% of these killings, army-backed paramilitaries for 26% and the guerrilla for 16%. In the rest of cases, those responsible were not identified.

Health policies in Colombia have failed to protect and support women’s sexual and reproductive health. Access to the main reproductive health services in Colombia is not free, restricting access to women from poor communities and the internally displaced.

Women human rights defenders and health workers trying to fill in the gap in relation to health and other issues have been targeted because they are often seen as helping "the enemy".

**Sexual violence**

Official figures do not reflect the scale of the problem of sexual violence. Rape is thought to be significantly under-reported. Despite the often unequivocal evidence left on victims’ bodies, sexual violence is rarely recorded in autopsy reports.

Sexual violence and exploitation against women and girls takes a variety of forms:

- **Terror Tactics**: Rape and other sexual crimes, such as mutilation, are frequently carried out by the security forces and their paramilitary allies as part of their terror tactics against communities they accuse of collaborating with guerrilla forces.

- **Codes of Conduct**: In parts of the country they effectively control, paramilitaries and guerrillas seek to interfere in the most intimate aspects of people's lives. They set rules, curfews and dress codes, intervene in family and community disputes, and inflict punishment, including torture, killings and other forms of cruel and degrading treatment. In recent years there has been an increase in such reports.

- **Social Cleansing**: The "elimination" of beggars, thieves, prostitutes, gay men and lesbians and people living with, or believed to have, HIV/AIDS has become part of the strategy of armed groups to demonstrate how effective they are at "establishing order" and "cleansing the community of undesirables".
Other forms of sexual violence include:

- Women sexually abused while in detention by the security forces
- Women kidnapped to provide sexual services to guerrilla or paramilitary commanders
- Women sexually abused by combatants after they have been recruited.

Guerrilla groups have also forced their female combatants to have abortions and use contraception. Sexual violence against women in areas disputed militarily by the armed groups has been particularly prevalent. Those sectors most at risk have included Afro-descendent and indigenous women, the internally-displaced, peasants, and shantytown dwellers on the outskirts of cities, many of whom are already displaced.

Internally-displaced women are at far greater risk of being sexually abused, raped or forced into prostitution because of their particular social, psychological and economic condition. According to statistics from the Ministry of Social Protection, 36% of internally-displaced women have been forced to have sexual relations with men they did not know.

**Impunity**

Sexual violence against women has long been ignored, not only by the Colombian authorities but by the public, which has viewed sexual violence as belonging to the private sphere.

Often dismissed as "crimes of passion", abuses of a sexual nature are rarely recorded in official statistics. Sexual violence is a particularly perverse form of aggression which is viewed as bringing shame on the survivors rather than on the perpetrators. Survivors are often ostracized and stigmatized by their own communities, while the state has been unwilling to bring those responsible to justice. When a case of sexual violence is investigated by the judicial system the treatment of survivors is often degrading and the perpetrators are very rarely identified, and even less so punished for their crimes.

The Colombian state has a responsibility to prevent and punish the sexual abuse of women. Despite the specific concerns and recommendations raised by international human rights protection bodies, including the UN Special Rapporteur on Violence against Women, the committee which monitors implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women, the UN Committee against Torture, the UN Human Rights Committee and the UN High Commissioner for Human Rights, there is little evidence to suggest that the Colombian authorities have taken sufficient measures to put an end to such abuses, to bring perpetrators to justice, or to tackle their causes.

As long as gender-based discrimination is not addressed, and international norms on violence against women not enforced, the foundations remain in place for gender-based and sexual violence to take on more extreme forms in the context of the armed conflict and to continue to spread to all spheres of society.

The illegal armed groups also have a responsibility to ensure that their members comply with international humanitarian law and prevent them from committing acts of sexual violence against civilians and combatants.

** Amnesty International’s recommendations**

All the parties to the conflict must publicly denounce gender-based violence, whenever and wherever it occurs issuing clear warnings or instructions to their forces that violence against women will not be tolerated and that anyone responsible for any form of violence against women will be held accountable and brought to justice.

Amnesty International calls on the **Colombian government** to:

Implement the recommendations made by the UN Special Rapporteur on Violence against Women, the UN Committee against Torture, the UN Human Rights Committee, the committee which monitors the UN Convention on the Elimination of All Forms of Discrimination against Women and the UN High Commissioner for Human Rights.

Adopt, publish and implement a comprehensive policy to protect the legitimate work of human rights defenders.

Implement a comprehensive policy to ensure that there is a coordinated and adequately-funded institutional response to prevent, punish and eradicate sexual and gender-based violence. Such a response must ensure that survivors have access to the services and resources they need, as well as rehabilitation, and include special measures to protect women and girls from communities at particular risk.

Ensure that demobilization programmes adopt a gender-based approach (eg. providing sexual and reproductive health care and maintaining gender-specific data).

Amnesty International calls on the guerrilla organizations to:

Order all combatants to abide by international humanitarian law, which prohibits parties to an internal armed conflict from targeting civilians.

Issue clear instructions to all combatants under their control not to commit rape and other forms of sexual violence against women and girls, whether civilians, their own combatants, or members of the armed forces and their paramilitary allies.

Make a public commitment not to recruit anyone under the age of 18; stop the use of rape and other forms of sexual violence, and stop the practice of forced abortions and contraception with respect to female members of the guerrilla.

Amnesty International calls on the Colombian government and guerrilla forces to:

Reach an humanitarian accord to ensure that the civilian population is shielded from the conflict.

Amnesty International calls on the international community to:

Urge the Colombian government to fulfil the above recommendations and closely monitor its efforts to fulfil these recommendations and those made by the UN and other inter-governmental bodies.

In their relations with the Colombian government, express concern for its failure to prevent, prosecute and punish sexual violence against women and girls.

Desist from providing military aid and security transfers to the Colombian security forces until it can be demonstrated beyond doubt that this aid is not contributing to human rights violations, including sexual violence against women and girls.

Call on guerrilla groups to publicly commit themselves to respecting international humanitarian standards and to prevent their members from committing abuses, including sexual violence, that breach international humanitarian law.

Provide support to women’s organizations, LGBT organizations, activists and human rights defenders to enable them to carry out their work without fear.
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