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Colombian authorities fail to stop or to punish sexual violence against women

The Colombian authorities have failed to make real progress in bringing to justice those responsible for conflict-related sexual crimes, said Amnesty International in a new report today.

The report "[Colombia: Hidden from justice. Impunity for conflict-related sexual violence, a follow-up report](#)" examines efforts made by the authorities over the past year to ensure those suspected of criminal responsibility for sexual violence in the country's long-running armed conflict face justice.

"By failing to investigate effectively sexual violence against women, the Colombian authorities are sending a dangerous message to perpetrators that they can continue to rape and sexually abuse without fear of the consequences," said Marcelo Pollack, Colombia researcher at Amnesty International.

"Respect for human rights must be at the top of the agenda in the forthcoming peace talks between the government and the Revolutionary Armed Forces of Colombia (FARC). Without a clear commitment from all the parties to the conflict to end sexual violence and other human rights abuses there can be no lasting and stable peace in Colombia."

In the context of Colombia's armed conflict, women are targets of sexual violence to sow terror within communities to force them to flee their land, wreak revenge on the enemy, control the sexual and reproductive rights of female combatants or exploit women and girls as sexual slaves.

An increasing number of women human rights activists working to denounce and fight abuses have themselves been targets of threats and attacks.

Sexual violence, particularly in the context of the conflict, is often not reported to the authorities as women are frequently too scared to talk, fear the stigmatization attached to being a survivor of sexual violence or believe the crime will not be effectively investigated.

Obstacles to justice include a lack of effective security for survivors and for those involved in legal proceedings; discrimination and stigmatization of women survivors by judicial officials; and the lack of a comprehensive strategy to combat impunity in such cases. Bureaucratic inefficiencies, underfunding and the infiltration of local state institutions by illegal armed groups also impede the ability of the civilian justice system to deliver justice.

"The problem in Colombia has not primarily been the lack of relatively good laws, resolutions, decrees, protocols and directives, these exist in abundance, but rather the failure to implement them effectively and consistently across the country," said Pollack.

A number of high level officials – including Vice-President Angelino Garzón and the Attorney General – have publicly expressed their commitment to find justice for the survivors of conflict-related sexual

violence.

Several legislative initiatives have also been presented over the past year that could, if implemented effectively, have a positive impact with regards to victims' right to truth, justice and reparation.

Earlier this year, Colombian legislators Iván Cepeda and Ángela María Robledo, with the support of Pilar Rueda, the Human Rights Ombudsman's Delegate for Children, Youth and Women, presented a legislative bill in Congress to combat impunity in cases of conflict-related sexual crimes.

If approved, this legislation will, among other things, amend the Criminal Code to reflect international standards by making conflict-related sexual violence a specific criminal offence under national law.

A number of legislative projects, however, threaten to undermine further efforts to bring to justice those suspected of responsibility for crimes under international law.

One of the bills currently being debated in Congress will strengthen the military justice system's role in investigating and prosecuting crimes under international law in which members of the security forces are implicated. Although the proposed law states that conflict-related sexual crimes are excluded from military jurisdiction, it gives the military justice system greater control over the initial and, therefore, crucial stage of the investigation.

Another legislative initiative, known as the "legal framework for peace", was passed by Congress in June 2012 and was signed into law by President Santos soon after. The law could allow human rights abusers, including members of the security forces, to benefit from de facto amnesties. It will give Congress the power to suspend the prison sentences of members of the warring parties, including of the security forces.

"The only way of ending sexual violence against women and girls in Colombia is by ensuring that those suspected of criminal responsibility face justice," said Pollack.

"If Colombia continues to be unable or unwilling genuinely to bring to justice those responsible for conflict-related sexual crimes, then this could require the International Criminal Court to step in."

Amnesty International called on the Colombian authorities to develop and implement an effective, comprehensive inter-disciplinary plan of action to address sexual violence against women and to support the bill before Congress "to guarantee access to justice for victims of sexual violence, especially sexual violence in the context of the armed conflict."

[Facts and Figures on Sexual Violence against Women in Colombia's armed conflict.](#)