

AMNESTY INTERNATIONAL

MEDIA BRIEFING

Index: AMR 23/028/2011

EMBARGO: 21 September 2011, 05:01 Hs GMT (01:01 Hs Bogotá Time)

Colombia: Impunity for conflict-related sexual violence against women Facts and Figures

Human Rights in Colombia

Millions of women, men and children have been forcibly displaced, unlawfully killed, tortured, raped, taken captive or been the victims of enforced disappearances during Colombia's 45-year-long conflict.

According to Colombian human rights organization CODHES, more than 280,000 people were forcibly displaced in 2010.

Amnesty International estimates that over the last 25 years, between 3 and 5 million people have been internally displaced in Colombia.

The Office of the Attorney General is investigating more than 27,000 cases of enforced disappearance committed during the course of the hostilities, although the true number of enforced disappearances is thought to be significantly higher

Human rights defenders, community leaders, trade unionists, peasant farmers, Indigenous Peoples and Afro-descendent communities, and those living in areas of strategic importance to the warring parties or of interest to national and multinational mining, agro-industrial or energy concerns, have been particular targets of abuse.

Parties to the conflict

For more than 45-years Colombia's internal armed conflict has pitted the security forces and paramilitaries against a range of left-wing guerrilla groups. All the warring parties continue to be responsible for widespread and serious crimes under international law and human rights violations, many of which amount to war crimes or crimes against humanity. The deliberate and systematic failure to distinguish between civilians and combatants has been one of the hallmarks of the conflict.

Guerrilla groups continue to commit serious human rights abuses and violations of international humanitarian law, including unlawful killings, hostage-taking and the recruitment of children into combat units.

The Revolutionary Armed Forces of Colombia (FARC) is estimated to have 9,000 combatants in many parts of the country but particularly in the eastern departments of Meta, Guaviare, Vichada, Casanare and Arauca, as well as in the southern departments of Caquetá, Putumayo, Valle del Cauca, Cauca and Nariño.

The National Liberation Army (ELN) is estimated to have 2,500-3,000 combatants, and a similar number of militia members. This guerrilla group is strongest in the eastern departments of Arauca, Casanare and Boyacá but also has a presence in other parts of the country, such as Norte de Santander, Cesar, Santander, the Magdalena Medio region, Chocó, Nariño and Cauca.

Paramilitary groups, which continue to operate despite government claims to the contrary, and sometimes in collusion with the security forces, are responsible for committing serious human rights violations, especially against human rights defenders, community leaders and trade unionists.

They are also responsible for “social cleansing” operations in poor urban neighbourhoods, where the victims are often young people accused of being petty criminals, drug addicts or sex workers. Lesbian, gay, bisexual and transgender people are also targeted.

There is strong evidence that the number of combatants participating in these groups is increasing, that such groups are becoming more violent, and that they are undergoing a process of consolidation, with smaller groups being swallowed up by larger ones.

Paramilitary groups have increased their presence across the country in the last three years and now operate in most of Colombia's departments (provinces). Research suggests these groups now have some 7,000 combatants and a support network of between 8,200 and 14,500, and that they have in recent years undergone a process of consolidation (Instituto de Estudios para el Desarrollo y la Paz, INDEPAZ)

Sexual violence against women and girls

In 2010, the National Institute of Legal Medicine and Forensic Science carried out 20,142 examinations into suspected cases of sexual violence, compared to 12,732 in 2000.

Women and girls accounted for 84% of the total. Of the more than 20,000 examinations carried out, 17,318 (over 85 %) were on those under the age of 18. However, only 109 of all the examinations carried out in 2010 were thought to be conflict related. Given the likelihood of serious under-reporting this number is certainly considerably higher.

73% of physically ill-treated women did not report the violence they suffered (National Demography and Health Survey on all cases of sexual violence against women, May 2011).

70% of women victims of physical violence and 81.7% of victims of sexual assault did not go to any institution to make a complaint about the attack (Colombia's Ombudsman's Office, report on all cases of sexual violence, 2010).

82.1% of victims of conflict-related sexual violence don't report it (Oxfam and Casa de la Mujer).

Of 183 cases of sexual violence which the Constitutional Court ordered the Attorney General to investigate in 2008, guerrilla groups are thought to be the perpetrators in 8.5 per cent of cases, the security forces accounted for 19.4 per cent, paramilitaries for 45.8 per cent, unidentified illegal armed groups for 4.5 per cent, common criminals for 4 per cent and a family member for 1.5 per cent, while in 16.4 per cent of cases the group to which the alleged perpetrator belonged could not be ascertained.

Very few cases are investigated. According to statistics from the Office of the Attorney General, in addition to the 183 cases of sexual violence which the Constitutional Court ordered the Attorney General to investigate, only a further 68 cases of conflict-related sexual violence are under investigation.

Justice and Peace Process

Under the terms of the “Justice and Peace Law”, some 10 per cent of the more than 30,000 paramilitaries who supposedly demobilized in a government-sponsored process that began in 2003 qualify for significantly reduced prison sentences in return for laying down their arms, confessing to human rights violations and returning stolen land and property.

It purportedly resulted in tens of thousands of front-line combatants laying down their arms, but left untouched the extensive and powerful political and economic structures built up over decades by the paramilitaries and their allies in business, politics and the military.

Some 90 per cent of the tens of thousands of paramilitaries who supposedly demobilized were never investigated for human rights violations and were thus free to return to their communities.

By the end of March 2011, paramilitaries in the Justice and Peace process had admitted to more than 57,000 crimes; only 86 of these were crimes of sexual violence.