“Sexual Violence in the Contemporary Colombian Armed Conflict: Gender, Power and Calculated Violence”
Acknowledgements

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1. INTRODUCTION

This paper is a direct adaptation of the author’s 2011 graduate thesis, submitted to the Fletcher School of Law and Diplomacy (Tufts). The paper has not been updated to consider dynamics in the Colombian armed conflict since the thesis was completed in May 2011.

A. PRESENTATION OF STUDY

All armed actors in the Colombian armed conflict commit crimes of sexual violence against civilian women and girls. In the complex environment of the contemporary internal armed conflict, civilians are at risk of being manipulated to serve the interests and strategic needs of the armed actors. One method of doing so is sexual violence. Colombian armed actors use rape, groping, sexual slavery, forced abortion and forced pregnancy as tools of war, principally to demonstrate their entitlement and power. Armed actors select the form of violence, the context in which to use it, and whom to target with calculation. They consider their individual and their group’s intent, and what they perceive they can and should do. Sexual violence in the armed conflict does not occur randomly. Rather, it is conducted with a whole host of gendered considerations of power, privilege and purpose.

Colombia has endured more than fifty years of armed conflict. The civilian population has suffered terribly. It has been directly targeted for violence, and is often caught in between armed actors that seek to establish and maintain territorial control. Even conservative figures show that Colombia has the second highest number of Internally Displaced Persons (IDPs) in the world, at between 3,600,000 and 5,200,000.¹ Colombian citizens who are victims of crimes by armed actors are regularly unable to access effective State protection. In this context and continuum, women and girls have disproportionately suffered the direct and indirect consequences of the conflict.

This report examines the forms of sexual violence that armed actors use in the armed conflict. It looks at the contemporary phase of the conflict, from the 2006 demobilization of the United Self Defense Forces of Colombia (AUC) to January 2011. Sexual violence in this period is presently the least well understood yet it is the most relevant to policy makers, human rights and humanitarian organizations. Nonetheless, the paper also includes reflections of how current practices are a continuum of the sexual violence perpetrated by AUC paramilitary forces prior to their demobilization.

The paper analyzes the types of sexual violence that armed actors perpetrate, which armed actor uses each type, the reasons for which specific armed actors use them, whom they target and why. Particular attention is given to the age, gender, and ethnic dimensions of this violence. This format is the most appropriate means of presenting the information, given the nature of the data retrieved in the exploratory study and the relative dearth of this sort of analysis in existing literature. The approach reveals how armed actors calculate their use of sexual violence, how it affects the victims, and what the violence says about the perpetrator and about the armed group or force through which he derives power.

There are many ways to approach the study and analysis of this topic, and many aspects that this paper cannot examine in depth. These include the effects on victims, and
the difficulties in accessing justice, health services, and other forms of protection. The paper dedicates as much attention to these aspects as appropriate to contextualize the findings, however the author hopes that readers will pursue these topics in reports prepared by other researchers and organizations.

B. STUDY RATIONALE

The author determined to pursue this study together with a senior researcher at the Consultancy for Human Rights and the Displaced (CODHES) in Bogota, Colombia. The author consulted with staff of CODHES to identify a human rights issue to research that would be beneficial to CODHES for their work in verification of human rights violations, and advocacy before the Colombian government. Together they decided that he should research sexual violence in the contemporary armed conflict, given that it is a serious problem that is also under-researched and insufficiently visible within Colombia and internationally.

C. STUDY DESIGN

The report is based on primary data that the principal researcher gathered between May and July 2010 in Colombia. Furthermore, it includes data gathered from supplementary interviews conducted by telephone between August 2010 and March 2011, and a second trip to present and validate findings with informants and local human rights groups in Colombia in March 2011.

A selective literature review of information regarding sexual violence in the Colombian armed conflict was conducted prior to field research. This review laid the groundwork for understanding the fundamentals of the violence, and helped guide the contextualization of interview questions. Given the dearth of qualitative and quantitative information on and analysis of the contemporary use of sexual violence, the field study was designed to be exploratory. The question framework was designed to be broad enough to gather as much data as possible about the motivations behind the violence, its forms and its effects. The parameter questions were 1) Which armed actors commit acts of sexual violence? 2) Whom do they target and why? 3) Why do they choose to use sexual violence in particular? 4) In which contexts do they use sexual violence?

Relative to the scale of the issue, the principal researcher faced challenges to conducting a comprehensive study of contemporary sexual violence in the armed conflict. Limiting factors included his time availability (two and a half months), and security obstacles such as a heightened risk of public disorder in the context of national elections. Given these limitations, the principal researcher determined that the best means of accessing the greatest and highest quality information was to interview key actors in conflict-affected areas, and at sites within regions that experience characteristic complexities of the armed conflict.

With the help of CODHES and through snowball sampling, the principal researcher selected key actors in seven study sites: Bogota, Quibdó in the Chocó department, and five sites in Nariño department. Each of these sites is affected by violence of the conflict, receives IDPs, and is proximate to more intensely conflict-affected zones. The principal researcher interviewed 56 adult key actors who are familiar with the use of sexual violence in the armed conflict were interviewed. These included human rights activists, IDP and community leaders, health care providers, lawyers, and
humanitarian and development workers. One former AUC paramilitary member, who because of his experience and current professional study of the armed conflict and demobilization could provide authoritative information on the issue, was also interviewed. Finally, the research also included two focus groups with adult women who live in conflict-affected areas, and as such could speak to the dynamics they have observed. The semi-structured interviews were conducted in Spanish, using the guiding questions as leads.

The report draws extensively from primary data gathered during field research. This presents a limitation, in that the analysis will not be exhaustive relative to the entire reality of the incidence of sexual violence in Colombia. Nonetheless, this report is as exhaustive as possible in the presentation and analysis of the information encountered in the research and is thus as faithful as possible to what interviewees felt they should and could share.

Due to confidentiality and security concerns, and as specified in the Institutional Review Board (IRB) application, the principal researcher did not record identifying information about the interviewees. This report will cite interviewees by their profile, and the region in which they were interviewed.

**D. DATA ANALYSIS AND VALIDATION OF FINDINGS**

The data was analyzed using deductive coding, which separated information into forms of violence. These forms of violence are the foundation of this report. In addition, data that was shared in interviews was coded into categories such as “conflict dynamics”, “effects of the violence”, “access to State services”, and “individual and group protection methods”. Information under these latter codes is not presented in the report as such, but rather informs the contextualization of the information on forms of violence.

The preliminary findings were presented in March 2011 to a portion of the interview participants in three study locations, in private and group meetings. These presentations served to share, and to validate the research findings; comments from these meetings were considered in the final version of the report.

**E. KEY TERMS**

1) “Female” will refer to both women (18+ years) and girls.
2) “Armed Actor” will refer to all armed parties to the conflict (guerrilla, paramilitary, Armed Forces of Colombia).
3) “Paramilitary Forces” will refer to the United Autodefense Forces of Colombia (AUC) paramilitary forces, and regional self-defense forces of which these were composed.
4) “Paramilitary Groups” will refer to contemporary paramilitaries that have emerged following the demobilization of the AUC paramilitary forces.
5) “Guerrilla Groups” will refer to the Revolutionary Armed Forces of Colombia (FARC), unless otherwise specified.

**F. SELECTIVE LITERATURE REVIEW**

Crimes of sexual violence in the contemporary Colombian armed conflict have received little attention and visibility relative to other forms of violence. Nonetheless, there have been a number of valuable reports, studies, and articles published on the issue. The main authors of this literature include national and international NGOs, civil society
organizations, international organizations and the Inter-American Commission on Human Rights. These bodies have done an excellent job of analyzing and bringing to the fore an issue that receives little attention nationally and internationally, continues to be socially and politically sensitive, and needs to be dealt with tactfully in order to not put the affected females, their families, and their communities at further risk. Following is a selective review of this literature.

The reports of **Oxfam International** are helpful to understanding the scope and parameters of the use of sexual violence by armed actors. Oxfam’s reports, particularly its “First Survey of Prevalence…” help the reader understand the place of sexual violence in the conflict. The report’s attention to the responsible actors, which forms of violence they use, the disproportionate affect on Afro-Colombian and Indigenous females, and an approximation of the regularity with which the violence occurs in the broader conflict, were particularly helpful to understanding the foundations of this violence in Colombia.

The **Interamerican Commission on Human Rights (IACHR)** report “Violence and Discrimination against Women in the Armed Conflict in Colombia”, based on the 2005 visit to Colombia by the Commission’s Special Rapporteur on the Rights of Women, provides a strong analysis of the purpose of the sexual violence that the Colombian armed actors commit. The Report goes into greater detail regarding the tactical reasoning behind the armed actors’ use of sexual violence than any other encountered in the literature review. The report explicitly looks at how the Colombian government fails to protect its population, and pays particular attention to the State’s responsibility as one of the perpetrators of sexual violence. It also emphasizes the government’s weaknesses in preventing it and in responding to the needs of victims. This report was prepared at a point in the armed conflict at which there was an urgent need for a call to attention to sexual violence. Its perspective helped the PR to understand the history of sexual violence in the Colombian armed conflict, and prepared him to look at whether certain forms of violence continue, and in what form, in the post-demobilization contemporary period of the armed conflict.

The reports of the **Working Table on Women and Armed Conflict**, a body composed of Colombian organizations, associations and collectives concerned with human and women’s rights in the armed conflict, bring to the fore diverse issues related to gender and armed conflict. Their eighth and ninth reports cover issues related to sexual violence in the armed conflict, including sexual violence against Afro-Colombian and Indigenous women, sexual violence in specific regions, the use of rape as torture in the course of the armed conflict, and the weaknesses of the transitional “Justice and Peace Law” (975 of 2005) for examining and prosecuting sexual violence committed by members of the AUC paramilitary forces. Each of these articles could be expanded into a book unto itself, and the topics deserve to be examined in greater depth. They were helpful to the PR insofar as they allowed a sense of the breadth of issues related to sexual violence in the armed conflict, and the many different angles and elements to consider. The articles were also helpful insofar as they indicate the number and diversity of organizations, and their represented demographic, that are attuned to and concerned about sexual violence in Colombia.

The selective literature review, and in particular the above-mentioned publications, helped the PR understand the challenges to assessing the frequency and nature of sexual violence through statistics. The materials presented different suggestions of the number of incidents, but consistently explain that these crimes are under-reported.
and assess some of the reasons for which this is the case. The IACHR report, in particular, touches on many of the reasons that the PR would later hear evoked in interviews. These include the fact that criminal investigations and forensics reports do not regularly assess sexual violence; females do not know their rights; victims fear repercussion by their aggressors; and stigmatization by families and communities can serve as a disincentive to seeking support and protection. The reports present statistics that are obviously lower than actual incidence, thus further making the point of the inadequacy of statistics to portray the extent of this violence. For example, the report of the National Institute of Legal Medicine and Forensic Science for 2004-2008 shows that 8 cases during this period were reported to have been committed by paramilitary groups, 35 by guerrilla groups, and 105 by the Armed Forces, Police, Intelligence Service and State guardians. Oxfam International, for its part, conducted a joint survey to assess the incidence of sexual violence in areas where regular and irregular armed actors have been present. It shows that females perceive a link between the presence of armed actors and the occurrence of sexual violence, and that they feel sexually intimidated by these actors. However, the report fails to reach a statistic that attributes the forms and frequency of sexual violence to the armed actors collectively or to any one in particular. The study finds that the prevalence of sexual violence in municipalities with the presence of armed actors was 17.58%, which breaks down to one incident of sexual violence every six hours. This is important, as it begins to draw a link between the context of the conflict and the prevalence of sexual violence. Nonetheless, the finding is not presented in such a way as to distinguish which armed actor was responsible, or even if an armed actor was responsible. Finally, in the context of the Law of Justice and Peace (975 of 2005), the National Attorney General’s Office received 133 reports of incidents of sexual violence against women up to 2008, out of 25,324 total acts of violence against women. This aspect of the literature review was helpful for the PR to familiarize himself with existing statistics. Nonetheless, it also helped to clarify the fact that analyzing reported statistics is in no way the most appropriate manner to analyze and understand sexual violence in the Colombian armed conflict.

G. THE ARMED CONFLICT IN COLOMBIA

I. OVERVIEW

Colombia has endured periods of armed conflict for over a century. Beginning in the early 20th century, ideological divides over economic and social inequity, and access to land and natural resources set the country into what would become a long and dynamic armed struggle. The armed forces and groups have changed and evolved quite dramatically through the decades, as their ideologies changed, allegiances and approaches to armed struggle shifted, and military and political pressure variously caused them to weaken or allowed them to strengthen. Throughout all of this, the civilian population has been caught in the middle of the armed actors’ visions for Colombia, their ambitions for control, and the violence that they perpetrate in order to achieve their goals.

Presently, while portions of Colombia are safe for civilians, tourists, businessmen and Government officials, others are not. Even within the capital city Bogotá or the regional capital Medellin, there are neighborhoods in which life proceeds as safely as in upscale portions of New York City, while in other neighborhoods and in abutting municipalities, armed groups exert a control over residents that reflects a lack of State
presence and protective capacity. In the places that armed actors control, whether urban or rural, remote or central to the nation’s economic and political image, irregular armed groups intimidate, kidnap, recruit, kill, rape and torture civilians. Members of the Armed Forces also commit crimes that are no less illegal or abhorrent. This reality is not well understood by many people in Colombia, and much less so by many beyond the country’s borders. Following is an introduction to the armed conflict in Colombia, and the main irregular armed actors that have been and currently are central players in it.

II. HISTORY OF GUERRILLA GROUPS

The Fuerzas Armadas Revolucionarias de Colombia (FARC) has been the largest and most powerful guerrilla group in the Colombian armed conflict. The group formed following massive violence in the 1940s and 1950s between the elite-interested Conservative Party, and the peasant-focused Liberal Party. Three hundred thousand people died during this period of conflict, which is known as “La Violencia”. The violence ended in 1958 with a power sharing agreement, but not everyone was satisfied with this resolution. Holdouts from rural “Independent Republics” which peasants had formed during this period in order to defend themselves against wealthy landowners, continued to fight the Government until most of them were suppressed. In 1964, a group of 48 men and women who had resisted until then formed the FARC. They went underground, and based upon a Marxist ideology, declared a goal of taking control of state power and establishing an equitable society and system of government. In 2011, the FARC remains the most powerful guerrilla group in the Colombian armed conflict. The ranks of FARC combatants have varied significantly since the group’s founding in 1964. Combatant membership was approximately 4,000 in the mid-1980s, peaked at 17,000 in 2002, and has declined in 2010 to an approximate 7,000.

The 1960s and 70s saw the creation of a number of other leftist guerrilla groups. The Ejercito Nacional de Liberación Nacional (ELN) was founded in 1964 based upon liberation theology and Cuban revolutionary theory, and the Ejercito Popular de Colombia (EPL) and M-19 groups followed. Of these groups, only the ELN remains active at present with significant numbers. The Colombian government estimates their current size to be 1,500. The ELN’s ideology and allegiances have shifted, and at present they are understood to have made strategic (possibly location-specific) allegiances with the Rastojo paramilitary group, and the Colombian Armed Forces.

III. HISTORY OF PARAMILITARY FORCES

Colombia has a long history of paramilitary forces operating in contexts where the State is absent. Historically and in contemporary times, the weaknesses of the Colombian state particularly in rural areas has inspired the logic of both needing and allowing paramilitary forces. The paramilitary forces of the last decades, including the umbrella group “Autodefensas Unidas de Colombia” (AUC) or United Self Defense Forces of Colombia, have their roots in private security forces that citizens established to protect their interests. These include the forces that in the 19th century helped wealthy families

1 Calculating and interpreting estimates of the ranks of irregular armed groups is difficult, due to such factors as government incentives to minimize estimates, as well as the importance of considering the role played by informants and other non-combatant supporters. I consider current GoC numbers conservative.
establish large coffee plantations by displacing small farmers, and the forces that landowners established to combat the above-mentioned peasant organizations in the “La Violencia” period.

Regional Self Defense forces developed around the country, particularly in the 1970’s and 1980’s. These forces were initially financed in part by such interest-based groups as cattle ranchers’ associations and drug traffickers, each of which had a motive in keeping their territories free of guerrilla groups. As the FARC and other guerrilla groups gained strength and territorial coverage, regional “Self Defense” paramilitary forces assumed a more overtly counter-insurgency purpose. By their strength, and because they served the Government’s counter-insurgency interests particularly in areas where there the Armed Forces presence was weak, these Self Defense forces gained stature before, influence with, and the tolerance of local and regional Government officials. Members and leaders of the Self Defense groups also had personal motivations to cleanse their regions of guerrilla groups. Sometimes these motivations were self-servient, as the members of these Self Defense forces were often the sons and family members of ranch and farm owners in each specific region. In other cases, the members or leaders had specific ideological reasons as well, as in the case of the leader of the Self Defense Forces of Cordoba Carlos Castaño, whose father was assassinated by the FARC. Castaño later became the head of the United Self Defense Forces of Colombia (AUC) umbrella group.

In 1997, the regional Self Defense forces attempted to unite under one umbrella organization, the AUC. In this period, many of the regional Self Defense forces deepened their allegiances with the drug traffickers and with the traffickers’ private armies. The AUC’s regional forces fortified the combating of guerrilla groups. Their counter-insurgency ideological motivations were alternately mixed with and/or dominated by economic motivations related to the drug trade. The expansion was in large part oriented by the regional Self Defense forces and the AUC’s comprehensive interests in expanding coca cultivation and ensuring control of drug trafficking corridors. Indeed, not all paramilitary groups under the AUC umbrella had strong counter-insurgency purposes, as some focused principally on the drug trade and other criminal activity. This combining and blending of forces and interests between Self Defense forces and drug traffickers and their private armies, represented a general shift away from uniquely Self Defense forces and into what is known in Colombia as paramilitarismo, or paramilitarism. As scholar Kimberly Theidon explained, this is:

“The fusion of paramilitary organizations and drug trafficking gave rise to the phenomenon known as paramilitarismo—the transformation of paramilitary groups into an economic, social, and political force, that has infiltrated Colombian society. Beyond the individual combatants that collectively organize into armed and lethal groups, paramilitarismo has become a corrosive and insidious institution.”

The AUC was an illegal institution made up of illegal regional self-defense forces. Nonetheless, the activities of these forces exceeded the effective control capacity of the Colombian Government. Furthermore, many of their activities and actions were outwardly tolerated and even encouraged by the government. The anti-insurgency interests of the AUC forces were of particular utility to the State. This is because the forces had expansive territorial coverage, their anti-insurgency interests were complementary to the State’s, and their brutality made them effective in a way that the Armed Forces could not be legally. Informally, the AUC paramilitary forces became
collectively known in the late 1990’s and early 2000’s as the “Sixth Division” of the Colombian Armed Forces. Effectively, the legal and illegal forces were integrated. The AUC operated of its own accord, but its forces also coordinated actions and strategies with the Armed Forces, and provided logistical and armed support to each other.\textsuperscript{XV}

The AUC paramilitary forces were brutal in their control of civilians in society, and in their combat and anti-insurgency efforts in which they brutally routed out actual and perceived guerrilla members, supporters, and sympathizers. The AUC forces systematically violated human rights and international humanitarian law, as they killed civilians, committed massacres, torture, sexual violence, and pillaged, looted and destroyed civilian property and infrastructure. The Colombian Armed Forces did not systematically combat the paramilitaries or prevent their abuses, even when they knew in advance of likely violence against civilian populations.\textsuperscript{XVI} Rather, in apparent coordination with the AUC, if the Armed Forces arrived on the scene of civilian massacres it was regularly only after the atrocities. They documented and assessed the harm, and conducted basic criminological tasks.\textsuperscript{XXVII} In other situations, the Armed Forces collaborated with the paramilitary forces in their massacres.\textsuperscript{XXVIII}

\textbf{IV. PARAMILITARY DEMOBILIZATION}

In 2003, the Colombian government signed a peace deal with the AUC paramilitary forces, which set a demobilization process into effect. During the 2003 to 2006 demobilization, 31,671 AUC fighters laid down arms individually and collectively with their regional forces. Despite this high official number for the demobilization, the process was ineffective at putting an end to the activities and capacities of paramilitary forces in Colombia. One reason for this failure is that the government granted pardons to the majority of the forces’ members, in exchange for renouncing their activities and participating in certain reintegration programs.\textsuperscript{XXIX} This allowed some paramilitary members to assume a civilian identity, while remaining of service to paramilitary or other criminal structures. A second reason is that the demobilization process did not effectively scrutinize those who presented themselves as having been members of the AUC. Minimal requirements for proving AUC membership allowed the Forces (and the government) to boost the number of Program participants, even while maintaining paramilitary membership in the field. Therefore there was little guarantee that those who demobilized were actually members of the forces, or that the demobilization was complete relative to those combatants who never approached the Program.\textsuperscript{XXX} Only a small portion of the AUC forces was tried in courts, and another 1,800 of those who were responsible for the worst crimes provided testimony in exchange for maximum sentences of five to eight years in prison. This process did not effectively demobilize, disarm, or reintegrate the AUC forces nor did it prosecute persons who had carried out grave crimes.\textsuperscript{XXXI}

\textbf{V. POST-AUC PARAMILITARY GROUPS}

Since demobilization of the AUC, many armed groups that possess a capacity, purpose and function that allows them to be qualified as paramilitary groups have emerged in Colombia. There is great debate in Colombia as to the identity of these groups, their purpose, the extent of their armed capacity, who their membership consists of, and what they should be called. The Colombian Government calls them “Emerging Criminal Bands” (“BACRIM” by their acronym in Spanish). This term denies the groups a significant combatant identity or capacity. This report will use the term “paramilitary” for
these groups, because their membership includes former AUC leaders and fighters and because of their combative nature and their de facto ability to exceed law enforcement. Finally, there are strong patterns between the violence and social control methods of these groups and those of pre-demobilization paramilitary forces. Multiple organizations that monitor the armed conflict and human rights and humanitarian law abuses therein, recognize the extent and nature of these groups’ power:

“Some of the successor groups could be considered armed groups for the purposes of the laws of war (international humanitarian law, IHL). Several successor groups appear to be highly organized and to have a responsible command and control structure, and an involvement in the conflict, such that they qualify as armed groups under IHL.”

Similarly, the well-respected Colombian organization Corporación Nuevo Arco Iris, which monitors and analyzes the conflict, uses the term “neoparamilitary” for groups such as Aguilas Negras, Rastrojos and ERPAC:

“…groups that reorganized after the AUC demobilization, in different areas of influence of that organization. Old members of the different AUC fronts participate in this reorganization, non-demobilized (members), and new enlistees. Even if the groups do not have a central control…and they are linked to narcotrafficking, they also fulfill functions of local social and political control very similar to the old paramilitaries congregated under the AUC.”

At present there are six principal paramilitary groups, and at least a half dozen others that possess similar capacities at a lesser scale. As the groups emerge, are combated by opponents, and ally with other groups, their presence, membership and strength shift. This adds to the complexity of the armed conflict, and indeed contributes to the degree and ferocity of violence. Following is a calculation by the well-respected Colombian Institute for Study of Development and Peace “INDEPAZ”, of the presence throughout Colombia of these paramilitary groups.

<table>
<thead>
<tr>
<th>Narcoparamilitary Group</th>
<th>Number of Departments (32 total nationally)</th>
<th>Number of Municipalities (1,102 total nationally)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Rastrojos</td>
<td>22</td>
<td>185</td>
</tr>
<tr>
<td>The Urabeños</td>
<td>17</td>
<td>160</td>
</tr>
<tr>
<td>Aguilas Negras</td>
<td>20</td>
<td>99</td>
</tr>
<tr>
<td>Los Paisas</td>
<td>9</td>
<td>63</td>
</tr>
<tr>
<td>ERPAC</td>
<td>14</td>
<td>36</td>
</tr>
<tr>
<td>Oficina de Envigado</td>
<td>6</td>
<td>16</td>
</tr>
<tr>
<td>Other groups**</td>
<td>10</td>
<td>33</td>
</tr>
</tbody>
</table>

*INDEPAZ uses term “Narcoparamilitaries”, whereas I use “Paramilitary” in this report

This figure suggests the extent of the distribution of paramilitary groups throughout Colombia. The groups coexist in many departments and municipalities. In some
situations they struggle for control with each other, and in others to varying degrees they may coordinate and strike allegiances. INDEPAZ estimates that these groups have 7,100 armed members in their ranks. When including the groups’ support networks, this number rises to 14,000.xxxv

The groups have direct links through their leadership and their membership, to previous AUC paramilitary forces. Human Rights Watch (HRW) observes that “Based on police reports about the structure of the successor groups, it appears that most are led by former mid-level commanders of the AUC who either never demobilized or simply continued their operations after supposedly demobilizing.”xxxvi The links to AUC paramilitary forces are also evident in the membership of their ranks. The groups are composed of former paramilitary force members, and new voluntary and forced recruits.xxxvii

The contemporary paramilitary groups are different from the forces that operated prior to demobilization. Perhaps most significant is their lower prioritization of counterinsurgency operations. The paramilitary groups continue to fight the guerrilla groups and persecute sympathizers in areas where this is strategically important for them, but in other areas they have made strategic alliances to facilitate their control of territory and the drug trade. At the time of this research, for example, there is discussion of region-specific alliances between the Rastrojos and the FARC, and the Rastrojos and the ELN guerrilla group.xxxviii xxxix

A second difference is that while the groups’ violence remains very high, violence against the civilian population in the form of massacres, homicides and forced disappearances has reduced in scale since the 1998-2004 AUC activities.xl This may be because there is less of an organized operation between paramilitary groups, and because there is less complicity of the Government, which minimizes the permissive environment that previously existed. A third difference is that the groups operate independently from each other, and in fact in competition with each other.xli This dynamic of division and competition between paramilitary groups continues at present, as groups compete with each other in certain areas where control is not fixed. These differences, as well as a changed context in which the Colombian Government has a formal policy of combating these groups, combine to set a new and different stage for the conflict.xlii

In spite of contemporary paramilitary groups’ differences with AUC paramilitary forces, there are clear similarities in the fight for territorial control, the forms and motivations for violence that they employ, and their influence over and collaboration with certain State actors, namely local government and local law enforcement officials. These would seem to be influenced in large part by similarities in purpose between the paramilitary groups and their predecessors, and the very continuity in leadership and membership. As explained by INDEPAZ:

“among the similarities are the territories of operation, the [participation in] the drugs and arms businesses, and the forceful privation of lands. They continue to be connected to megaprojects; to the capturing of public funds through contracts and corruption, and to politics…” xliii

In spite of their region-specific accords with the FARC and ELN, the paramilitary groups continue to engage in combat with the FARC, and to persecute civilians whom they perceive to be FARC supporters or sympathizers. Their violence against civilians is especially prevalent in areas 1) that they seek to control, 2) have recently taken control of and 3) where they control the territory and establish their rule through regulations as well
as terrorizing acts. As Human Rights Watch explains, indeed their violence is reminiscent of the AUC’s, and nothing short of abhorrent:

“The successor groups are engaged in widespread and serious abuses against civilians in much of the country. They massacre, kill, rape, torture, and forcibly ‘disappear’ persons who do not follow their orders. They regularly use threats and extortion against members of the communities where they operate, as a way to exert control over local populations. They frequently threaten, and sometimes attack, human rights defenders, trade unionists, journalists, and victims of the AUC who press claims for justice or restitution of land.”

The paramilitary groups are not merely thugs, drug traders, or common criminals. Rather, they are irregular armed groups that dedicate deep financial and human resources to achieving their criminal goals at the expense of the civilian population. They employ control tactics that the AUC perfected, and do so with similar calculation and cold-bloodedness.

Finally, it is important to look at the relationship between the paramilitary groups and the Colombian State. As explained, the Colombian government has an expressed policy of combating the groups that it calls BACRIM “Criminal Bands”. The National Police has the primary responsibility for this task, with allowance for Armed Forces’ assistance in certain circumstances. These circumstances include when the Police requests support and an Advisory Group grants it, and when the Armed Forces must engage in combat with the groups in their own self defense. Despite this mandate, neither the Police nor the Armed Forces effectively or consistently combat the paramilitary groups. A series of factors complicate the National Police’s effective actions against the paramilitary groups. Among others, reasons for this State ineffectiveness include limited territorial coverage by the Police, paramilitary infiltration within the Police, and paramilitary complicity with political and security bodies of the State.

II. TYPES OF SEXUAL VIOLENCE

This chapter examines the forms of sexual violence that occur in the armed conflict. Each form will be analyzed separately, while also showing links between them. The chapter will present the information as it was gathered during field research, preserving details of how and why it occurs. Sexual violence is an extremely harsh form of violence. Wherein graphic details are incorporated, this is done with the express purpose of illustrating the form of violence and related analysis.

A. RAPE

This report will use the definition of rape within the Rome Statue Article 8 (2) (b) (xxii)-1. As explained in the ICC Elements of Crime, this Article defines rape as:

1. The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body.
2. The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive
environment, or the invasion was committed against a person incapable of giving genuine consent.

This definition allows contemplation of the nuances that affect what rape consists of in terms of the physical invasion, and under what circumstances this may occur. As this report will analyze, the details such as how, when, why and under what conditions members of armed groups in Colombia commit rape, are essential to understanding its occurrence. Indeed, it is the breadth of means and manners by which these men are able to commit rape and other forms of sexual violence that contribute to making it so pervasive in the internal armed conflict.

This section will also explain and analyze the three different forms of rape that the research determined occur in the Colombian armed conflict: Punitive, Mass, and Individual Initiative. Among these, there are nuanced differences as to the purpose the rape served for the perpetrator, the time and context in which the rapes occur, who is targeted, and the degree to which the acts are sanctioned by the armed group or force to which the perpetrator(s) belong. As we will see, according to the data from this research, the paramilitary groups are the most frequent perpetrators of rape against civilian females. Members of the FARC guerrilla group and the Armed Forces of Colombia also commit rapes, though with much less frequency. Just as it is important to understand why and how the paramilitary groups commit so many rapes, it is essential to understand when and why the FARC and the Armed Forces deviate from their regulations and do commit rapes.

I. PUNITIVE RAPE

Rape is frequently used as a means to punish civilians who do not behave as an armed group would like them to. Punitive rape is rape that the perpetrator(s) commit as a form of punishment against the victim, or someone associated with her. It is a reasoned and calculated act, which may occur in a context of broader intimidation and punishment, or may be isolated. The physical and emotional consequences of rape go far beyond the female victim, as they have profound effects on the victims’ husbands, fathers, and other family members. A common threat from irregular armed groups in Colombia is “we’ll get you where it most hurts”. This seems in effect to be a well-contemplated threat. Whether the “getting” is raping a man’s wife or other relative, or killing a close family member, the armed group calculates how they can most feasibly and most effectively intimidate and punish their opponent. The rape is not the end unto itself, but rather is a means of communicating a specific and directed message.

Paramilitary groups strategically target their rape victims according to the specific circumstances. Determining whether to use rape, and what form the rape will take, depends on a number of variables: whom they are seeking to intimidate; the gender, race, age, and class of their target; and to what degree they can politically afford to persecute the target directly. Thus, depending on these factors, it is not always the individual target of their punishment that they rape, but it may be the target’s wife, daughter, sister or another female family member. Whether the rape victim is the target, or she is a family member of the person that the armed group wants to intimidate and punish, the body and mind of the woman or girl who is raped is the vehicle to deliver the punishment to the target.
The data from this research indicates that paramilitary groups are the most frequent perpetrators of rape for punitive reasons. For this reason, and unless specified, armed actors referred to in this section will be paramilitary groups.

**1. RAPE FOR RESISTING SEXUAL AND OTHER GENDERED DEMANDS**

Paramilitary groups rape women and girls who refuse to follow the group’s requests and demands. The paramilitary groups frequently interact with civilians and demand their cooperation on specific tasks or services. Paramilitary groups, as does the FARC, consider these to be not only material requests, but also tests of allegiance. In the dynamic context of conflict, the armed groups seek to ensure that the civilian population is on their side, and that they can count on them as much to cook a meal as to not provide intelligence to the group’s opponents. Civilians are regularly persecuted for such acts as answering questions that opposing armed actors ask about the group’s activities or location, allowing opposing armed actors to camp on their farm, or selling them goods from a store. When the armed groups make requests of females, both the object of the request and the punishment in case of refusal may take on a gendered quality.

Paramilitary members may rape women and girls who refuse to have sex with them or to enter into an intimate relationship with them. In a sense, this can be understood as an opportunistic rape, because the armed actor is having sex on his own forceful terms with the woman he had previously sought to engage with voluntarily. When such a request is denied, the paramilitary soldier may rape the female as punishment because she refused to have sex with him. In essence, the man is responding to the initial (voluntary) inadequacy of his appeal and power, by ultimately employing his physical power. However, paramilitary members use more than their physical might to overpower their rape victims. In their threats they also wield the backing of their armed group, their understanding of how difficult it is for rape victims to access effective State protection, and their confidence in benefitting from impunity for their crimes.

In other situations, paramilitary members have used rape as a means of punishment after women refuse to cook for them. In cases that this research documented, the paramilitary group first responded to the women’s refusal by ordering the offending women and their families to leave town. When they failed to do so in the allotted time, paramilitary members raped the women. In other instances, members of the Armed Forces raped women who refused to cook for them. This appears to essentially be an opportunistic assault, as the soldiers – one or two men in these situations - took advantage of the woman’s resistance to their request, and the solitary context in which it occurred, to justify raping them.

It is noteworthy that in these instances rape is directly tied to the victim’s refusal to comply with a gender-based demand. Her refusal to behave as they believe a woman should (to cook and serve them as males), led to their selecting to punish her in a way that is specific to her sexual and gendered being.

**2. RAPE FOR DEVIANT INDIVIDUAL BEHAVIOR**

Paramilitary groups use rape as a means to punish individual civilians or families that refuse to use their land as the armed group demands of them. The punishment sends a message to the victim and her family that the group will not tolerate their resistance and disobedience. Nonetheless, the group also intends for the message to reach other community members who may at that point or later contemplate behaving similarly.
Such rape may occur, for example, if the paramilitary group wants the family to sell their land to an individual or a company seeking to buy up properties in the area. Another situation is if the group wants the family to grow an illicit crop, and they refuse. In many rural areas men own and are responsible for the land, and the men decide what the family will do with the land. The man of the family, therefore, frequently becomes the fulcrum in efforts to force decisions related to land use. Rape as a punishment does not appear to occur frequently against men. Paramilitary groups have raped men, although these incidents appear to occur less frequently, and are much less likely to become publicly known. Rather, it is the man’s wife or daughter that is raped. As an informant familiar with challenges to rural communities shared:

“They [rape female family members] because the man is the one who has the land titles and he knows how many hectares of land they have. We women hardly occupy ourselves with that; and that is why they use that [rape] to intimidate the man. And because the man does not give in, they grab his wife, and they take her and rape her, and they turn her into nothing. And they say ‘now we raped your woman, (or) we raped your daughter, (or) we killed them. So who are you now?’ In some situations, they may take (the victim) back home or they leave them there, and they throw them at the man to show him that by raping his woman, and killing her, they dominated him. And the family in the end will go, or they will have to sell, because for men it is an embarrassment that another man raped his woman, or that they killed her.”

In one situation that this research recorded, a man in Nariño department refused to grow coca on his family land for the paramilitary group. The paramilitary group pressured him continually, demanding that the family stop growing their subsistence and commercial crops, and switch to the crop that the group needs for their drug trade. After the man repeatedly refused to switch crops, the paramilitaries finally ordered him, and his wife and children to abandon their property. In spite of the order and accompanying threat of violence, the family did not leave. After a period of time, the local paramilitary commander and three of his group members accosted the family at their home. The man argued with the commander, and insisted that they were not harming anyone. In this moment, the paramilitary commander and three men raped the man’s wife, his daughter, and another woman family member who lived with them. The man and his son were forced to watch the rapes. The paramilitary members hardly exchanged words with the family following the rape, instead letting the acts convey the group’s final message. The family left their community soon thereafter.

This progression of intimidation and gendered punishment reflects the paramilitary commander’s understanding of the different modalities of violence that could achieve his goal of swaying the family’s decision to leave. Clearly, when the family refused to leave, the paramilitary commander and his men ratcheted up the level of their violence, as the family successively resisted their demands. As it turned out, rape was the final straw. Had they not left after this, the paramilitary group would likely have continued to increase the lethality of their violence.

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2 The issue of paramilitary rapes of males will be addressed in greater detail in the section below on “Rape of Female Family of Community Leaders and Activists”
3. RAPE TO PUNISH DEVIANT COMMUNITIES

Paramilitary groups use rape to pressure entire communities when they present resistance. Particularly in smaller communities, paramilitary groups may commit punitive rape when the group is first establishing control. The groups use rape to emphasize to the population that it must obey the group’s demands. In some situations the paramilitary groups perform these rapes publicly, and in others they gather a key group of community leaders and force them to watch the rapes. The paramilitary group transmits its intentions and demands both through the act of rape, and through words of warning. The following is an explanation of how paramilitary groups choose their targets for punitive rape in resistant rural communities:

“[They select a female] because she is a relative, daughter, or sister of one of the most resistant to give up territories, land, or to go work with them; that is who they choose. They oblige the population to watch in some cases, and in others they take the ones who they want to dominate [to watch the rape]. In a community there is a group that is like the dominant one, they vote on community decisions. So when they want to dominate a territory they grab one of those women and they take her to rape her. And they take the leaders of the community so that they will see, in some cases. And they say, ‘This is what we do, and if you do not want this to happen to you, you have to give in to our requests of you.’ So (after the rape) these people go and talk with their community, and tell them what happened. And they say [to the community] that if we do not give in, our daughters and wives will be affected. That is their method of domination.”

As this explanation makes clear, the paramilitary groups select rape victims and forced witnesses in such a way as to punish any resistance that the community has shown, and to send an unmistakable message of how they will continue to punish them if the group encounters any further resistance. By using public rape as one of their first tools of violence, the paramilitaries establish rape as a standard response to disobedience, and imply that insofar as the community obeys their demands, they can continue to live in the exception.

The paramilitary groups also rape community members when the population begins to resist the group’s methods of control. This occurs for example in small communities where the paramilitary group exercises full control, and where the armed actor has cohabited with the population for a relatively long period of time, which may range from many months to multiple years. In such areas, paramilitary groups exert a certain level of control over community members’ daily lives. Control methods range from restricting entrance and exit to the villages or towns, to imposing curfews, to regulating and taxing crops. These invasive and controlling measures, especially over longer periods, at certain times cause communities to act out against the armed actor. The paramilitary group may respond by using rape to send a suppressive message to the community, to remind the population of their control and authority. As this was explained to me,

“The people in one way or another begin to get tired of the situation. And the people begin to talk, and to say things, or to tell the actor they do not agree [with how they are treated and controlled]. So when the armed actors see a community reaction that is not in line with what they say, they take revenge. And one form of revenge is [to
rape a leader’s daughter], or sometimes they kill three or four members of the community. Or...they rape the women in front of their husbands and families." The paramilitary groups shape their pressure to break communities’ resistance. In some such cases the punitive rapes are private, and targeted against key figures in the community and the resistance. Private rapes seem to occur when paramilitary groups do not want to cause public outrage, or where there is a risk that they would draw the attention of law enforcement. In other cases the rapes occur in public, and may target many females from the community; for example, all of the young women or all women and girls. The paramilitary groups force the families to watch these rapes. The groups go to significant effort to ensure that each targeted woman and girl personally experiences the punishment, and that she and her family physically and emotionally understand the message. The research data suggests that attention to this detail is so important to the armed groups that in some circumstances paramilitary groups have subsequently persecuted and raped any targeted female from the community who was not present at the time of the rape. The rapes thus carry a message to a wider audience beyond the targeted victim, and seek to illustrate to the community and to each family, their common vulnerability.

4. RAPE FOR ATTEMPTED ESCAPE FROM GROUP CONTROL

Paramilitary groups have raped women and girls who attempt to flee a situation in which the group is conducting an activity to control the community. An example of this that the research recorded was a situation in Nariño in which a paramilitary group entered a community to steal foodstuffs and animals. They corralled the population into one spot, and stood guard over them while other soldiers looted. When one woman attempted to escape, she was dragged back to the scene where the people were gathered, and raped in front of them all. This rape can be understood as a punishment for her disobedience of orders, and for publicly challenging the group’s authority and power. The woman suffered the violence, but the message was to both her and her community.

When communities and families attempt to protect women and girls from exposure to potential physical harm by paramilitary forces, this may in fact motivate the armed groups to rape them. An example of a context in which this might occur is when communities find out that a paramilitary group is going to enter their village. Knowing that they are going to enter, but unsure of what they will demand or the sort of violence they will commit, families may try to evacuate females in order to protect them from rape, or other sexual and physical violence. The community cannot evacuate all females, and in fact must be selective in order to attempt to not call attention to their protection efforts. These evacuees may be women or girls that the community thinks will be at particular risk for rape, based upon their attractiveness, their age, and other risk factors. If however, upon entering the village the paramilitary group finds out that community members have tried to trick them and undermine their authority by sending females away, they may force the women and girls to come back in order to be raped. Paramilitary groups do this by seizing other female family members, for example the mother and sisters, and telling the family that they will hold them hostage, or as a bond, until the escaped girl returns. The family then has to locate the girl, and convince her to return so that the paramilitaries will spare her captive family members. The family understand that she will be raped as a punishment, but that there is no other way to spare the captives from rape, murder, or whatever other violence the group would commit against them.
When the girl returns to the community, her family is released, and she is raped. This method of control sends the message directly to the girl, her family and her peers, that the paramilitary group is the highest authority. It communicates that she cannot leave the territory without their permission, that she cannot avoid their authority, and that they will do with her as they please physically and sexually.\textsuperscript{lvii}

Paramilitary groups may also commit punitive rapes when they think that a community has debilitated or challenged their capacity as an armed group. One such scenario is when a group suspects that a community had something to do with their losing a battle. In 2009, for example, the Rastrojo paramilitary group raped women and girls in an indigenous Chocó community. This occurred after Rastrojos members were killed in a nearby battle with a guerrilla group. The paramilitaries faulted the community for not advising them that the guerrilla was present in the area, and hence blamed them for the deaths of Rastrojo group members.\textsuperscript{lvii} These rapes, and the accompanying beating of male community members, instilled great fear in the community. Long after these violent acts, the community feared that the paramilitaries would return to commit more rapes. This is likely the impact that the Rastrojos sought. Their use of rape can be understood both as punishment, and as a warning against future violations of the paramilitary group’s trust or interests.

5. RAPE OF FEMALE FAMILY OF MALE COMMUNITY LEADERS/ACTIVISTS

One way in which paramilitary groups punish male community leaders is by raping their wives and daughters. They do this for various reasons that hinge upon an interest in refuting and destroying the power and voice that the leader holds in the community, leadership which they consider to detract from their authority. In reaction to the leader’s activities and influence, the armed groups seek to force the man to give up his activity, and maybe to displace, thus leaving an example behind and restoring the armed group’s control over the leadership space that he had occupied. The paramilitary group might have to use these methods of violence because of a calculation that it cannot kill the leader. In this sense, we see that paramilitary groups must make a political calculation as to how they can stop the activities of the leader, without drawing excessive negative attention to their activities or causing the community to reject them en masse. A former AUC paramilitary member explained these considerations, based on how the AUC operated:

“Generally when they did that [rape female family members of leaders] it was because the guy was causing some type of bother for the group. And killing him was not an option...For example, I arrive in a region and I am going to kill the leader of that region, but it turns out that if I kill the leader of that region I throw the whole community on top of me. And without the community, you cannot do absolutely anything. You can be very ‘paraco’, you can have all the guns and absolutely anything, but you would have to kill everyone; and the interest is not to be left alone.”\textsuperscript{lviii}

As the informant explains, and as will be seen in the section on Individual Initiatives rape regarding indigenous communities, armed groups in fact need a degree of cooperation or tolerance from the host community. Although they operate in the context of a weak state, and they generally function with impunity, the groups have to make calculations regarding how to best further their armed cause through persecution while retaining the
The informant proceeded to explain how rape was a strategic response to the “obstacles” that community leaders presented to them:

“For example...If I kill that person I get in a hell of a problem, I cannot kill him. So I have to find another way to make him not bother any more. So how do I do it? I exercise some sort of physical or sexual violence on the family, on the daughters, on his woman. Because there is nothing that a person values more than their family, their daughters, sons or wife... the woman is raped by nine or ten men, or I don't know, an entire squadron of twelve or fifteen, and the daughters are raped too. It does not create as much resentment as guilt; for not having done anything, or for having involved their family in that sort of spectacle... When that sort of event occurs, generally the person leaves. They do not continue [with their resistance].”

As the informant explains it, the AUC paramilitary forces understood exactly what effect their acts of sexual violence would have on the rape victims, and on the male family members who were their strategic target. Raping a female injures and affects her personally. It also hurts the victim’s male family members, who by cultured understanding and by personal conviction feel a sense of duty to protect them. The rapes challenge the males’ gender identity; and hinges upon an understanding of this social identity that the paramilitary groups understand very well. Practically speaking of course, in this situation a man could not do anything to stop the rape. But recognizing his failure, and the fact that he is ultimately the reason for which this happened, may cause him to break down and to cede to the armed group’s demands. The informant spoke of the calculations that the AUC made, because that is what he is familiar with. Judging by the cases that the research documented however, it appears that contemporary paramilitary groups employ these same tactics, for these very same ends.

In a context in which an armed group has full control, but due to the man’s profile it must be strategic in its violence against him, raping his family members suggests that the paramilitary group has reached a tipping point and that their persecution thereafter will only be more violent and injurious. This methodology is illustrated in the case of a leader in Southern Colombia, whose daughter was raped by a paramilitary group after a long process of intimidating him. Prior to the rape, the intimidation was nonviolent and at times subtle, yet he understood what the armed group wanted of him. Nonetheless he did not relent and his daughter was raped in order to punish him. A colleague of his explained:

“There are a lot of forms of pressure, for example, they inspect his boat all the time, ask him where he is going. What they want to do is to kill him, because he is one of the leaders who has made the greatest number of reports [to authorities]...who had most resisted the pressure. He is cool and calm; he has assumed a policy of not letting himself be questioned too much by them. So, for example, if they ask him to transport something in his boat, he does. They have not found the excuse to kill him, because he operates within their rules, and this makes it more difficult for them. So the way they pressure him is through the family, and they raped his daughter, out in the rural zone. This situation created much more pressure in the matter.”

The paramilitary group’s intimidation changed when it raped his daughter, as the pressure shifted to be more explicitly targeted and violent. The woman was twenty-three years old and married, and had a child of her own. She was raped on multiple occasions, by a group of paramilitary members that included the commander. Finally, the leader managed to
evacuate her from the community. As this example shows, rape as a means of violence transmits an injurious and powerful message. When done privately, as was the case for this man’s daughter, the violence and the message is brought clearly home without creating a public outcry that could be counterproductive for the armed group. This man has not relinquished his leadership. Having evacuated his daughter, he continues to exercise his responsibilities as a leader. He is committed to his and his community’s purpose, even in spite of the grave danger and violent consequences.

The paramilitary groups place great importance on ensuring that the male family member of their victim knows about the rape, so that he will feel like his ability to act and live in the community has been broken. The paramilitary groups ensure that their message is clearly transmitted to their ultimate target. They often commit these rapes in the leader’s home, and force him to watch. If they rape the woman or girl elsewhere, they make sure that the man hears about his wife or daughter’s rape. A community activist told me:

“They tell her that they raped her because they want her to tell her husband. That she was raped because of him. And when they dominate, they go themselves and they spread the news, to the population and to the best friend of the husband, so that he will tell the husband and then the woman will have to tell him about it. So then the man gives in, or he gives up his land and leaves.”

One of the most powerful weapons in this scenario is the telling of the story. The rape would not be as effective an attack against the leader if he did not hear about his family member’s rape. His knowing about this violence, and having to grasp its implications on his personal and private life, is one degree of the punishment against him. On an internal level, it may affect the man’s sense of masculine pride as he is shown to be incapable of protecting his wife, and of being the only man to have sexual relations with her. But making this public, and letting everyone else know about it, is a deeper punishment. In cases where they dominate, and the victim and her family do not have the political power to retaliate, the armed group purposefully spreads word of the rape, spreading the information as widely as its leadership sees fit and possible. This is illustrated in the explicit effort that the group might take to locate and tell the man’s best friend. The shame and defeat for both the man and his wife, as well as the heightened physical danger, may in effect cause them to not only give in to specific demands but also to abandon their community entirely.

Given social dynamics of shame regarding sexual violence, and conflict-related fears of reporting crimes to Colombian authorities, rape is in a sense a perfect crime to carry the message of threat. Even when communities have established lines of communication with human rights organizations, through which they can share information and strategically report abuses by armed actors, they are extremely hesitant to report rapes by armed actors. An example of this dangerous reality can be seen in the case of a remote community where a paramilitary group committed a mass public rape in 2010. Soon after the mass rape occurred, a community leader confidentially reported the violation to a civil society human rights group. This organization transmitted the information to officials in the government human rights agency and the national Army, whom they trusted to maintain confidentiality and to respond by strengthening military presence in the area. Despite these precautions, accounts of the report leaked back to the armed group. The paramilitary group returned to the community and in retaliation for their denunciation, raped the leader’s wife and daughter in their home, in front of him.
The armed group later returned to the community at least twice to conduct mass public rapes. The leader and his community were thus forced to live with this violence and to accept that they do not have access to any law enforcement or other agency that can help them. They now maintain their reserve in sharing information, out of fear for their lives. As of the time of this research, the community is isolated and under complete control of the paramilitary group. Even if they wanted to, the leader and his family might not be allowed to leave.

In all of the contemporary cases that this research documented of armed groups using sexual violence to punish a community activist or leader, the victim was female. The principal researcher did not ask questions about armed actors’ raping males, however he consistently heard references to paramilitary groups raping male civilians. In particular, these male victims of rape were community leaders or were otherwise prominent in their communities. The principal researcher did not document any contemporary incidents of armed actors’ raping males, but only instances of AUC violence. Although this is the only data that the research gathered, it is important to understand one of the reasons for which the AUC committed these abuses.

Prior to its demobilization, AUC paramilitary groups committed sexual violence against certain male figures in communities they sought to dominate. In some cases, the targets were men whose profile was comparable to females that the AUC raped. For example, an informant referenced one case in which the AUC raped an indigenous leader to punish his vocal community advocacy.

“He is indigenous, he is a leader from Cumbal [Nariño Department]. He was [targeted] because he was a leader, because he had made many pronouncements...He was tortured, and they killed his compañeros and dismembered them in front of him. They left him alive but abused him, various men. [They raped] him, and his two compañeros that they killed...He has very difficult psychological problems, now he is in the psychiatric hospital. Actually he is in his home, but he is medicated.”

The fact that the paramilitary members did not kill the man after raping him seems to suggest that they saw value in letting him survive. As assessed in the section on Rape of Female Family of Male Community Leaders/Activists, the paramilitary group may have considered that they could not kill the leader without drawing excessive negative repercussions. Further, they may have calculated that by letting him live, they would ensure that his story and the meaning of his rape would endure and spread, thus serving as an example and a warning.

The other dynamic of sexual violence against males that the research revealed is that the AUC raped males who derived their prominence within the community from their sexuality. The AUC raped men whose civilian stature was a challenge to the armed group’s monopoly on control. The challenge in this context was sexual, as the paramilitary group sought to make it publicly clear that it was the most masculine force in the community, and that it can derive and exercise its power through sexuality but civilian members of the community could not. A former AUC paramilitary member explained this to me:

“Something we have not talked about is that [the AUC] raped men too. This was a recurring practice, and it happened with the purpose of creating repugnance and shame in the guy. It is to say, [for example, they identified a] guy who was the most macho, and on top of that he had four or five women. A ‘comandante’ [would arrive] and say ‘No! How can it be that this son of a bitch has four women, or five women? How can
it be that I as Comandante, having fought with the guerrilla, only have two? And this guy is better looking...no way, you can’t continue like this!’ So basically what he did is they grabbed the man, and [the comandante] gave the man to the troops for them to rape him. And this generated a type of shame and repugnance, because it was not only a private act, but a public one that the people heard about. Or they told people, so that they would know. It was to destroy the self esteem of the guy, to make him leave, basically, to finish his morale.”

As explained by the informant, the commander perceived a challenge not only to his group, because this was a man who held stature in the community, but also to himself personally. Given the sexual nature of this challenge, the commander elected a form of punishment that would deeply impact the victim physically and psychologically, but also vis a vis the community. By raping the man, the commander debased the man’s sexual reputation. This reasoning is based on the AUC’s supremely machista attitude and their understanding of the negativity and fear with which Colombian society generally perceives homosexuality and homosexual acts.

6. RAPE FOR TAKING ON ACTIVIST AND LEADERSHIP ROLES

At both a local and national level, paramilitary groups use rape to punish and threaten female community leaders and activists. These rapes serve as both punishment and warning. The rapes punish the leaders and activists for assuming a leadership position, and for their activism that questions the group’s authority and challenges practices that are vital to its control of the population. Although it may be easier for paramilitary groups to control and intimidate populations that resist them locally, activists working on a national level pose a different type and scale of threat and also must be controlled. When this threat or impediment to the paramilitary group reaches a certain (but not static) level of seriousness, it uses rape as a tool of intimidation and punishment.

In certain situations, woman leaders that paramilitary groups target for rape may not perform an activist function. An example of this is women who work for Government-sponsored child daycare programs. They are naturally in a position to provide leadership, due to their regular contact with members of the community, and the respect and trust that their role earns them. Insofar as a paramilitary group thinks that these women oppose the group’s authority, they may be perceived as a potential challenge to its power, and a threat to the armed group’s interests. Paramilitary groups have raped such women leaders as a punishment for their expressed or perceived opposition and as a means to encourage them to lower their profile and tone down their critique.

Woman human rights and IDP leaders are severely threatened by armed actors in Colombia. While both guerrilla and paramilitary groups object to such civilian leadership, this research only gathered data on paramilitary groups committing sexual violence against women of this profile. Armed groups threaten woman activists who work on local and national levels in person, by phone and by pamphlet. The women understand the strength of the threats, and that rape is one of the forms of violence that the paramilitary group may use against them. As one key informant explained to me, woman activists and leaders have to live with constant threats and intimidation:

“Although it is more [commonly known] that they kill...they [armed actors] are permanently following them, telling them ‘we are watching you’, ‘we know where you have been today’. They change tactics, and these are things that they have refined.
a lot... Murders are still common, and sexual aggression, but the intimidation is high.\textsuperscript{lxvi}

In the context of regular intimidation, rape can be understood to be a punitive call to attention, and a warning to activists and leaders as a group. Their prominence does not seem to shield women activists. High profile female human rights and IDP leaders who work at a national level have been raped in the last two years in Bogotá. This occurred as the activists gained momentum and visibility in their efforts to ensure that persecution of women in the armed conflict is understood, and as they took an active part in debates around national polices for IDP protection. One women’s rights activist and leader explained:

“Here in Bogotá we are threatened by these Aguilas Negras...here they created a Block, the Metropolitan Block of the Aguilas Negras...we haven’t seen and no one has seen that they [paramilitaries] have reinserted [following demobilization]...They have us threatened. Many human rights organizations are threatened, many women have been mistreated for example here in the capital, raped by the armed actors, because when we report them they feel afraid, and they intimidate in that manner. Of our compañeras, four have been raped...That’s the angle the threats take, and they are being effective. They know that I have a daughter. They have told me that they are going to hit me where it hurts the most. That they know who I live with, and that I have two daughters.” \textsuperscript{lxvii}

The work of these female activists is a challenge to armed actors because they draw attention to their crimes, and to elements of the conflict that they would prefer to keep quiet. The high profile of the cause, and their political activism, draws persecution similar to that which women operating in local scenarios around the country suffer. However, their persecution deserves special attention because of the boldness of the attacks against them. One such rape occurred after a woman activist left a meeting with national government officials. Her colleague explained:

“Two women’s activists that work with me have been raped. One was leaving the Ministry of the Interior; as she leaves two men grab her and say ‘stay calm or you’ll die here.’ They put her in a taxi and take her to the highway, and submitted her to a series of shocking things. It’s so much that she ends up with infections in her mouth...they put her on her knees, they hit her, they told her that if she remains on the National Women and Armed Conflict Board, demanding rights for women, that she knows what is waiting for her. And that if they don’t get her, she shouldn’t worry, because her family is there too. She’s still suffering.” \textsuperscript{lxviii}

Regardless of the identity of the aggressors and which actor they represented, the women understand that the rape and physical abuse was an illustration of power, and a warning to stop their activities. The rape then grounds and deepens verbal and written threats that they had received earlier. The rapes are intended to show the perpetrator’s seriousness and power, and to evidence the armed actor’s capability and willingness to use sexual violence in order to stop female activists. For every rape, there is one particular victim. However, the intended audience for the message the rape sends should be understood more broadly. The rape and other sexual acts inflict physical and emotional wounds that the woman’s peers hear about and understand. The message is meant to easily reverberate, and even go beyond the women of this profile, to men who are involved in related efforts, and who consider and fear for the safety of their wives and daughters. A
key actor explained that she and her peers are not explicitly threatened with sexual violence, because threats are not necessary:

“They don’t threaten with sexual violence. They practice, they don’t preach. [Rape] is a manner of showing that they are the supreme ones, the ones that can, that dominate, that if you didn’t obey us then now I’ll do this… I, for example, go down the street thinking ‘when will they grab me, and throw me in a car and disappear me?’ … [Rape] is what they have hidden; what we know they have, and what they know that we know they have. It is what they can do with us once we are in their hands…that generates the effect that they want…the terror, the fear, the environment of terror in the women so that they will stop their advocacy work.”

These explanations of rape as a tool of intimidation and punishment clearly reflect the degree to which the violence is calculated in its conceptualization and execution. As women within a local and national community of activists and leaders are followed, threatened, raped, lose their family members to violence, and have their meetings interrupted by armed men, some have decided to stop their work. Nonetheless, in spite of this violence, many others continue to work on behalf of their community and all those whom they seek to benefit.

7. RAPE OF FEMALES FOR RELATIONSHIPS WITH OPPOSING ARMED ACTORS

Paramilitary groups target and rape female family members and sexual partners of members of opposing armed groups. There are indications that the FARC commits sexual violence against these targets as well, though the research encountered very few informants who reported such cases. This section will first examine the behavior of paramilitary groups, and then that of the FARC.

The AUC paramilitary forces developed a practice of raping the wives and girlfriends of the guerrilla members. Their purpose was to punish these women and girls for becoming sexually involved with the armed force’s enemy, and to send a message to the guerrilla. The AUC learned the strategic value of rape, and evolved to apply it regularly. A former AUC paramilitary member explained why and how this occurred:

“We were trained to look for the weakest point of the enemy…is it his wife? His daughter?...it was clearly said that if you want to find the susceptibility of a woman, go for the ‘sexual route’. If you want to cause a trauma, a psychological problem, go for the ‘sexual route’...the women weren’t killed, because this was worse than killing them...If we are going to take a town, we have to identify two people: first the wife, lover, girlfriend, or sister of the guerrilla (commander), and second the president of the Communal Action organization. What are we going to do with these people? We are going to send a message to the community in general so that they will not collaborate with the guerrilla, and we are going to send a message to the woman of the guerrilla commander, and to the rest of the women of the town, that they not get involved with those guerrilla sons of bitches...[in that situation] they grabbed the woman of the guerrillero and they all raped her. All of them did absolutely everything to her. And afterward they sent her away, and said ‘go to your husband, and tell him what we did’.”

It is clear that the AUC understood that by raping the wives and girlfriends, as well as other female family of guerrilla members, they could achieve multiple impacts. First, they punished the woman for her relationship with the AUC’s enemy. They did not want
the guerrilla to have a support network, and they understood that females, and particularly partners, provide intimate support. They transmitted this message by raping specific females, but intended for the message to reach the entire community. Second, they sent a message to the guerrilla member, whether he was a commander or not, that the AUC had taken over that territory and everything in it that was important to the guerrilla. Third, they communicated that they would be exercising an extreme control, which does not permit anything supportive of the guerrilla. As the informant explains, sexual violence against women and girls become the means of communication.

Contemporary paramilitary groups rape women and girls to punish them for their relationship, and to punish the opposing armed actor for their affiliation with that community. The targeted woman or girl, whether she is the sister, mother, daughter, wife, cousin or current or ex girlfriend of a man belonging to an armed opposition group, may become the object of punishment primarily because of her relationship to that man. It does not seem to matter to the armed group whether the female victim actively maintains a relationship with their opponent, or even if her sexual relationship with him was coerced. Rather, they seek to send a message to their victim and to the entire community that the armed group does not tolerate supporters - particularly emotional and sexual supporters - of their opponents. And, they seek to transmit a clear message that they will not tolerate this in the future in case the group is absent temporarily or has been pushed out by another armed group. Thus, the sexual abuse and targeting of females by the various armed actors becomes a circle of punishment and sexual appropriation. As each armed actor that takes control, it punishes females who have links to opposing groups. According to informants, particularly in post- AUC demobilization with the evolution, shifts, and increase in numbers of competing paramilitary groups, this is an increasingly common and dangerous form of violence. As a former AUC paramilitary member explained:

“...This is a recurring practice, and it has not changed. It has continued from before, and it continues now; and it occurs more frequently than people think. Except now it happens with the aggravating factor that is that in some places like Santa Marta, the dispute is not between two groups but four. It is the women who face the consequences in this context.”

Rapes of this form seem to occur mostly in contexts of transition between controlling armed forces and groups, when one is competing to control an area or has recently established control. There is a strong “cleansing” component to the rapes, as the paramilitary groups seek to punish the opposing group’s supporters and admirers.

The rape punishes the females and civilians who have or who had emotional and sexual bonds with a member of the opposing armed group. Even women and girls who had involuntary relationships are targeted for rape. This is true, for example, when they are blood relatives, when the woman did not know that her husband or boyfriend was an armed actor, or when the extent of the female’s sexual engagement was that they were raped. The armed groups impose static definition upon these relationships, which defy the extent to which their victims could control their sexual link to the enemy.

“...The paramilitary groups assume that in the territory that they took, there will be girlfriends, daughters, sons or mothers (of the guerrilla forces)...That is why the rape is systematic- because it is not just once, that they raped you and left you in peace. Because when they go in to fight for a territory the group stays three to five days before leaving, during which each day the women are raped.”
Paramilitary groups seem to prioritize targeting the family and sexual partners of commanders of the opposing group. The rapes are a means of communicating and reinforcing the new actor’s control over the individual male member and his armed group that was forced out. There is a degree of wanting to cause humiliation for their inability to protect their loved ones, and anger and shame upon knowing that their opponent has taken the female –his female, as the message would transmit-by force. In a purely combative sense, there may be a certain taunting, as they challenge the man and his armed group to return and try to protect his loved ones.\textsuperscript{lxiv}

Sometimes the paramilitary groups enter with previously gathered intelligence, and sometimes they have to investigate to identify females who have been sexual partners of their armed opponents. They do not seem to demand total accuracy in this regard, which results in women and girls being falsely accused. It may also lend to causing divides within the community, as threatened civilians consider whether to cast attention upon others.\textsuperscript{lxv} An example of this can be seen in two separate situations in which paramilitary members were investigating who had previously engaged in sexual relationships with the guerrillas in a certain town. The accused women argued that this was false, and that raping them would be a misdirected punishment. To bolster their defense, each signaled another woman in town whom they claimed had a guerrilla boyfriend. In one case, the paramilitaries determined that the woman did in fact have a guerrilla boyfriend, and raped her. This freed her accuser of threat. In the other case the paramilitaries determined that the diversion was not true, but raped that woman anyway. They also raped the woman who had accused her, to punish her for attempting to deceive them.\textsuperscript{lxvi} Such actions bolster the notion that the paramilitaries are not just trying to punish individuals. Rather, they are considering the way in which this violence can reinforce their new control, and send a message to actual as well as potential transgressors of their rules.

The FARC has rules that prohibit its members from raping civilians. Nonetheless, the FARC seems to adjust this policy when they identify women and girls that they suspect of having been sexually involved with members of the Armed Forces or paramilitary groups. In August 2010, for example, the FARC killed a teenage girl in Cauca as punishment for her alleged sexual involvement with a policeman. There was evidence of sexual abuse prior to her death. This type of murder-rape would suggest that under the guerrilla group’s analysis, due to her sexual involvement with the policeman the young woman had crossed the line from being a protected civilian, to a female who is party to the conflict and punishable as the group sees fit.\textsuperscript{lxvii} Arguably, the fact that in all other contexts the guerrilla group is so restrictive of its members’ sexual interactions with civilian females, loads each punitive deviation from this standard with an exceptionally powerful message. It says that the FARC monitors females’ behavior, that they are not to violate the group’s rules, and that the group does not tolerate females’ sexual involvement with its armed group opponents.

A key actor explained that specifically in areas in which there is both guerrilla and military presence, the FARC closely observes females’ quotidien interactions with members of the Armed Forces:

“The women who sometimes become victims of sexual violence by the guerrilla, it happens because the Army arrives, or there are military bases. [By guerrilla logic] those military bases are off limits to women…if you do not have a relative there, as a woman you have no reason to go there. Or if they are in the town and you are selling
something and they [soldiers] arrive, the best is for you to gather your things and leave, because there’s nothing to talk about with them… If they see that one of those women is the girlfriend or lover of one of the soldiers, then that is when they do those things to them. They have it clear that they do not touch women within the normal civilian population. But if women are lending themselves to be with the soldiers, then they also take advantage of this and say, ‘If she was with them, then [she must be] with me too’, and that is when what happens, happens. … Later, sometimes they will leave her in the community, and other times they will kill her out there and she disappears. And they tell the family what happened to her…. Interestingly, the FARC does not seem preoccupied with sending a message to opposing armed actors that are or may be involved with civilian women and girls. Rather, the emphasis – as judged by their readiness to kill the victims - is on punishment, and on setting an example for other females and their families.

B. MASS RAPE

Mass rapes by paramilitary groups occur in various contexts. Generally, in planning for and carrying out mass rape, it seems that the perpetrators do not choose to target specific individual females, but rather either select them randomly or in a manner that is randomized but dictated by their sexual preferences. Mass rapes seem to occur both in areas where there is a mixed presence of paramilitary and other armed groups, and where the group is in full control. Whether the group uses mass rape to send a message of domination, or is just exercising their power and entitlement, the message that these massive violent acts transmit is that the armed group member has the power and entitlement to rape whomever they want, whenever, and however they please. Given the nature of the conflict in which paramilitary and guerrilla groups gain, lose, and regain control over territory, it is difficult for local populations to consistently behave as the paramilitary groups would have them behave. Therefore, insecurity and unpredictability regarding being punished by sexual violence can cause civilians a deep degree of fear and uncertainty.

Because of their power and relative impunity, paramilitary groups may commit massive rapes primarily for recreational and bonding purposes. One case is illustrative of the self-serving nature of this form of rape, which appears to be more of a reward to the group members rather than a conscious message to their victims and the community. A key actor explained:

“The indigenous women have been raped, submitted…I’ll tell you something impressive that happened in 2006 in Tolima. The paramilitaries got tired of killing people, of massacring, and they gathered in Tolima for a vacation and rest...There are indigenous communities there, where they went and grabbed by force the young women from there and took them to the place where the paramilitaries were resting…so that [the group members] would feel good. Girls who had never had sexual relations, wives of young men, all of them young women. They keep them during three days, and have a tremendous party. They abuse them and drug them. These are indigenous, who do not even speak Spanish perfectly…they threw them back to the streets, in an impressive state. This case reflects a sense of entitlement on behalf of the paramilitary group to do as it pleases with the civilian population, and the young women within it. The paramilitary group appears to use female bodies as a means of bonding and recreation. About a week
after this incident, the group returned to kidnap another ten to twenty girls. It displayed the same behavior. In this particular case, the female victims were members of an indigenous group that has strong prohibitions against sexual interaction with outsiders. As a consequence of this mass rape, the young women were expelled from their community. This mass rape by the paramilitary group had deep and devastating effects on the victims, and on their community as a whole. In some situations, it appears that the paramilitary groups intend to send a message to the community, but understand that it does not matter whom they rape. This occurs for example with indigenous communities, to which the armed group may want to send a message of threat to remind them of the group’s power and ability to subjugate civilian populations. Or, they may want to raise the level of pressure against the community, to encourage it to splinter and displace. In such cases, paramilitary groups capture young indigenous women and conduct mass rapes in public in these small communities, or in the woods nearby; interviewees spoke of both the paramilitary groups Rastrojos and Aguilas Negras being responsible for such rapes. Sometimes the community is forced to watch, and sometimes the rapes are committed in seclusion; regardless, the group’s power, authority and cruelty are transmitted, and the effects upon the victim and community are ensured. Certain indigenous communities, particularly in remote areas, have strict rules on their members’ romantic and sexual interaction with outsiders. Females who break these, even if by rape, cannot be admitted back into the community and lose their social and spiritual rights. An indigenous leader explained this impact:

“[one of the conflict issues that is most delicate] is the issue of sexual violence for the indigenous communities. That has a repercussion that goes far beyond normal life…culturally that person loses the sense of being indigenous, for the indigenous community. When she dies she will not be able to occupy the indigenous heaven. Among the indigenous people a person who is raped by force has a very large connotation, that everyone finds out that she was sexually violated, so her social life does not have the same level as a normal person…culturally it is not permitted to marry blacks, or whites, only among indigenous, because when they die they lose the heaven. When one dies we have a special space within our cultural cosmovision...[so] if the paramilitaries grab an indigenous woman, and not a single person but thirty or forty men pass over her, that is practically an act of extermination...The person who is raped must leave...She loses all prestige. She knows the culture of the indigenous community, so she feels pressured and has to leave the area, has to go get lost in the city. I say that, because her life is over when she goes to the town.”

Indeed, while the victim is expelled the effects of the rape destabilize the community. Some indigenous communities do understand that the paramilitary groups employ rape as a form of ethnocide. They consider this to be evident in incidents of forced pregnancy, and in massive rapes and other intimidation methods that directly contribute to displacement and potential community dissolution. In fact, communities have displaced temporarily when they have heard rumors of paramilitary incursions in the area, in part explicitly to avoid potential rape of their community members.
C. INDIVIDUAL INITIATIVE RAPE

While Punitive and Mass rape have a principally functional purpose for the armed group, rape by individual initiative often occurs independent of group purpose. This occurs when the primary motivation for the rape is the perpetrator’s own initiative. He is empowered by his physical and armed strength, and by his group’s backing. Because he is a member of the group and because he often reveals his identity as such, the rape has the effect of reinforcing the armed group’s control. Nonetheless, the initiative and benefit is primarily his own. Rape by the individual initiative of the armed actor is the form of sexual violence that was most frequently discussed during the research.

Particularly regarding paramilitary groups, the armed group may sanction its members raping civilian females. Nonetheless, in the type of rape that this section analyzes, the female’s vulnerability is to an individual perpetrator. Absent access to an effective protection system, in this context women’s and girls’ vulnerability is maximized, as they are rendered almost defenseless before individual armed actors’ violent and coercive approaches. One key actor graphically expressed her dismay with the fact that women and girls are so consistently vulnerable to rape in the armed conflict, and particularly in remote areas.

“...It is very pathetic to say that one as a woman cannot live in a (remote Afro-Colombian) territory if they want. It is delicate and tough, and many single women without husbands cannot live in territories because if it’s not one it will be the other who is on top of her. If it is not the armed actors, it is the very Army and public forces …If they have a husband they are at risk, if they do not, worse. Because everyone wants her, in order to satisfy their needs.”

The research data suggests that members of paramilitary groups are the most frequently responsible for committing such rapes. However, informants also indicated that members of the Armed Forces and the FARC also commit these crimes. Informants also opined that aggressors from each of these groups selected their target and committed the rape based upon their own decisions and motivations.

The degree to which the armed actor sanctions or otherwise allows its members to commit these rapes appears to directly affect the frequency with which they occur. In the case of paramilitary groups, the armed groups seem to generally be permissive of this practice, although there are particularities to this. Members of the Armed Forces must respect Colombian criminal laws; yet soldiers nevertheless break these laws. In some cases the rape seems to occur with group complicity; in other cases (though these number few, as witnessed by communities and human rights activists) perpetrators are punished. The FARC also has rules against rape and seems to enforce them, particularly when it is clear to the public that a member of their group was responsible. This will be discussed further in the section below on Group-Specific Particularities on Rape.

The following section will analyze situations in which members of armed groups commit individual initiative rapes, and specific methods that they may apply in order to achieve their goal.

I. CIRCUMSTANCE-BASED RAPE

Circumstance-based rape occurs in places and at times that make it easy for the armed group member(s) to commit the violent crime. The armed conflict provides a context in which it is relatively easy for an armed actor to rape a civilian. It appears that circumstance-based rape occurs largely because the aggressor is in a permissive context,
at a time when few other civilians (and possibly armed group members) are present. This form of rape lends to our understanding that to a certain degree, females will always risk being raped by members of armed groups who, given the circumstance, will be inclined to do so. Multiple key informants echoed this reality. The following explanation suggests the great sexual determination, and power to achieve their goals, that the armed groups hold:

“The [armed] groups arrive to the towns, they fall in love with the women, whether they have a husband or not. If they have a husband, they threaten to kill him so that the woman will be with him, so that he can abuse her and have sex with her. In many cases they use direct force. They go to the woman’s house, destroy the door, the walls; they enter, and they force her. They force her.”

When members of armed groups rape civilian females in remote places, the victim cannot attract assistance or attention, and the perpetrator(s) and their fellow group members can hide the incident from their superiors; if need be. These circumstances make for an ideal context for members of the Armed Forces to commit rapes. Informants indicated that indigenous women in remote areas are particularly vulnerable to rape by armed actors.

“The indigenous women are at particular risk. The girls, and the adult women, because of their culture many walk around without their blouses, with their breasts exposed… there have been rapes by the Army, in Choco they rape them in the forest, because the communities are very remote, even farther than the Afro communities. They take advantage of these situations, or for example on the (remote) highways where the indigenous women walk.”

It appears that many of these rapes occur in remote locations, where the population is small and there are few factors to check the power of the aggressors. Even if there are Government institutions, the citizens are afraid to ask for help or report the violence, out of fear that authorities will leak information and/or that they will be seen approaching authorities. In this context, the members of armed groups and the Armed Forces can almost do as they please. Especially in contexts where they are in full control, the paramilitary group members appear to act freely and with a sense of entitlement and impunity. A key informant explained how paramilitary groups can commit this violence, and how this sexual control fits into a broader dynamic of armed control in southern Nariño department:

“There are areas where they maintain control; who leaves, at what time, how they leave. The person that they do not want to leave, cannot. The situation continues [in 2011] insofar as the [paramilitary member] that likes a girl in a town goes to her father and says ‘look, I like your daughter, and I want her’…the situation is very complicated, because the Army knows where they [the paramilitary] are located. In which river they are, how they operate, where they operate. But nothing happens, **nothing happens**. They have maps of the armed groups’ mobility, but they do nothing. The Aguilas Negras and the Rastrojos operate there.”

As explained, there is a very conscious dynamic of control to this sexual violence, and to the form of executing it. The fact that the paramilitary group member—here referring to any member, not just a commander—approaches the father prior to the rape instills the act with a calculated sense of exercised authority. That approach makes the rape

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4 “Comerse”, or “eat for oneself” is a crude slang term in Colombia for a man having sex with someone.
unmistakable for the father, and drives home the man’s inability to protect his daughter. Other rapes in such contexts are more direct, random, and forceful. One person described the conflict environment in a mountainous area of Nariño department:

“There is a complicated situation in Sotomayor now, Los Andes, where there are sexual assaults now particularly by the Rastrojos...In our office, we have received five in the last year...as they explain it to us, the [Rastrojos] arrive and see a girl, and if they like the girl then that’s it...they don’t ask, instead just take the girls as if they were objects.”

Insofar as the aggressors do not feel any restrictions upon them, and the armed group’s social and power dynamics permit, armed actors seem to be able to act on their own initiatives for rape. This means that they choose to rape almost whomever they like, however they like. One indicator of this is the fact that there is no evidence that the aggressors use protection during their raping. As a result, victims become pregnant, and infected with HIV and other sexually transmitted diseases. Another indicator of this is the tendency both of paramilitary and Armed Forces members to pursue girls as victims. An example of this was explained to me:

“I for example lived in the south of Choco department, practically on the border with Valle del Cauca. There, girls of twelve, thirteen years are being raped by the armed actors, and also the Public Forces, whether it be police, soldiers, or whatever...the soldiers, which are supposed to be the Armed Forces of Colombia, do it too. They get out to those remote territories, where there is no underworld [prostitution] as in other places, so they use the girls, the people’s daughters. They catch them coming out of school, and they rape them.”

The picture that the informant paints is one in which the paramilitaries in particular, but also Armed Forces and Public Forces, in remote areas are able to act without inhibition; or for that matter, prohibition. The regularity with which paramilitary members select young girls as rape victims may have something to do with the fact that they are quite concerned about sexually transmitted diseases (STDs). In effect, raping females who because of their young age are likely to have had none or few prior sexual partners, reduces the chance that the aggressor will contract an STD during an unprotected rape. The practice of raping and sexually abusing young girls and women is a devastating act to them and their communities. The apparent frequency with which it occurs drives home to the civilian populations the fact that the armed actors do not respect their lives, their rights, or their wellbeing.

Key informants explained that members of the Armed Forces who rape civilian females seem to display a sense of entitlement in doing so. This sense of entitlement is particularly reflected in remote areas, into which the forces enter briefly and then leave. The research revealed multiple cases of members of the Armed Forces threatening, assaulting, and raping women. These all appear to be acts of individual initiative, although clearly there was a heightened sense of permissiveness within the Armed Forces detachment. According to informants, in this sense it is clear that the Colombian Armed Forces do not systematically enforce control over their members’ criminal behavior, nor do they seem to think that preventing and punishing rape is a priority. As well as communities in which this violence occurs can tell, often the extent of the punishment is to transfer the perpetrators to another duty station. This appears to lend to repeated abuses by offending soldiers.”
As informants explained, the females whom the paramilitary groups and members of the Armed Forces rape are generally those whom they can access and those whom they find attractive. Indeed, many informants told me that the armed actors’ selection of victims seems to be that simple: that they rape the women and girls who they think are pretty. This said, many key actors further explained that there is a common perception that Afro-Colombian females are more at risk of sexual violence by the armed actors. They explained that in addition to their communities being located in remote territory, this is specifically because men seem to be particularly attracted to Afro-Colombian women. As they explained it, the armed actors’ attraction echoes centuries of domination by other races and the sexual subjugation of Afro-Colombian women.

“Something that the armed actors have seen is that the mestiza and indigenous women have a certain physiognomy, that sometimes their behinds are not that big. Afro women have that physiognomy, and because of it they are objects of war booty…they [members of armed groups and Armed Forces] comment on it publicly; they say that with mestizas the vagina is very wet, with indigenous it’s cold, with the afro woman it is very hot, closed; I don’t know exactly what! But because of that, they are focused on it. The guerrilla, the paramilitaries, and the Army talk about it among their warriors, it’s a commentary that they have… They do it, and they spread the word. Because they are Afro, the women are more exposed to being raped and persecuted, this is known throughout the country. So when they come to Afro territories, they see it like a chance to satisfy their desires…”

This is a bracing explanation of a real and dangerous problem of targeted individual initiative rape. The women base this analysis on their observations of the prevalence of rape against Afro-Colombian women and girls, and how they have heard the issue discussed by members of the Armed Forces and armed groups. Regions of Colombia such as Chocó and Nariño provinces, which are gravely affected by armed conflict and a host a weak Colombian state presence, are also home to some of the country’s largest Afro-Colombian populations. Indeed, they told me that the paramilitary and Armed Forces soldiers who are deployed within these territories are for the most part not Afro-Colombian. This trend lends an explicit racially motivated element to the sexual violence that Afro-Colombian women suffer. Regardless of the depth of the accuracy of the key informants’ perceptions and anecdotes, this is yet one more aggravating factor in the conflict within which the Afro-Colombian population is disproportionately affected.

Finally, it is important to note that even when circumstances are ripe for individual initiative rapes, paramilitary groups that would otherwise allow members to rape civilians may decide that they would gain more from prohibiting than from allowing the rapes. Particularly where armed groups are under the critical eye of an organized civilian population, a group may need to carefully weigh what it can give to and take from the civilians through its behavior. In contexts in which there is a coerced relationship of co-existence between the group and the population -- which may be based on such considerations as consenting to their presence without protest, and cultivation of illicit crops -- armed groups take measures to control their members’ sexual abuse of civilians. Locally, paramilitary groups may establish rules based on the dynamics at play. A former AUC paramilitary member explained to me how the unit in which he held a leadership role reconciled this problem:

“There was a terrible problem, for example in X region, where AUC groups had an indigenous base of support. This happened in Ortega, Magdalena Medio, Sur de
Magdalena, and Tayrona...the indigenous women are not shy; they do not fear or feel shame. So for example it was easy to find an indigenous female bathing nude, in a river, and people passed and she didn’t run to cover herself or hide. She kept bathing calmly, even if they saw her...If a [AUC] patroller arrived and found her there on her own, alone and bathing, he could go and eat [rape] her, and the indigenous woman would not say anything, neither refuse nor put up obstacles, she just let him do her. But after, she went directly to the Mamo community leader and told him. And the Mamo went directly to the AUC commander and made a complaint because that was a problem for them. They didn’t want their ethnicity, their race, to mix with these people. I’m talking specifically about the X region, because I had to negotiate with these Mamos. So the Mamo said ‘Look, Don (comandante X), we came to tell you the following. We respect that you want to be here in the region, but we are an indigenous community and we are autonomous...we don’t want a patroller to do that; he is not going to marry an indigenous woman, he is not going to form a family with an indigenous woman, he is just going to eat her and if she becomes pregnant it is a problem for the community because the community is going to reject her...so this is a problem for us, we are going to prohibit this’...so we asked what he could do about it, how we could make a pact? And the Mamo said ‘If a member of the AUC gets involved with an indigenous woman, you kill him--and we look into what we do with the woman...so the commander declared anyone who got involved with [i.e. raped] indigenous women to be a military objective. [He said] if they wanted something, they should go to town, to look for some prostitutes, or whatever, the girlfriend or wife of someone; but that an act of that sort [with indigenous women] was prohibited.'

This explanation of an AUC force’s negotiations with its host community and rule setting within its own ranks, is an example of paramilitaries’ understanding the impact of individual members’ acts on the armed group’s relationship with the local population. In order to preserve the armed force’s relationship with the indigenous community, the commander had to prohibit his members from acting freely to rape civilians. The cost was too high, and the force had no strategic interest in allowing its members to rape at their own will. As the informant explained, the armed force had sufficient support to cement and enforce its relationship; rather than helping convey a message of its armed dominance, allowing members to rape on their own initiative would weaken their hold on power. Juxtaposed against other examples analyzed in this section, we can see that in this case, individual members’ acts were a challenge to the group’s effectiveness. In other situations, for example when they do not have complete control or a tightly interdependent relationship as was referenced regarding the Rastrojo paramilitary group in Sotomayor Nariño, the armed group may be more able to tolerate and even benefit from such rapes.

It is also important to note in this anecdote the informant’s specification of how the AUC commander contextualized his new prohibition; which forms of rape were acceptable and which were not. His suggestion was that if members want to rape, or to have sex, they should go to town and find someone who is willing to engage with them; or someone whom the armed force can not only afford to rape, but from whose rape the force could benefit. This is illustrative of the leadership’s understanding of members’ sexual desires, the AUC’s power to satisfy these through raping civilian females, and in
fact the strategic value of raping certain women such as the wives or girlfriends of perceived opponents.

II. Coercive Approaches to Rape

Not all of these armed actors’ rapes are conducted as violently as many of the rapes described above. Rather, many of the rapes occur in less outward physically violent manners. These all operate with a degree of threat, such that the woman or girl knows that if she does not submit, she and possibly her loved ones will be harmed. This occurs, for example, when paramilitary or Armed Forces members attempt to seduce a girl but are not successful at convincing her to have sex with them. All that it takes, in the context of the armed forces’ holding power, and the victim’s not having effective access to indigenous or state protection mechanisms, is for the armed actor to threaten the victim. These threats may be verbalized or they may be implicit, a sort of quiet coercion. One form of this would be for an armed actor to simply show his gun to the woman or girl when his seduction fails, and to let this evidence of power speak for itself. Another form of threat would be for the man that is interested in the female to harness the intimidation power of his group. Civilians seem to know the meaning of the armed groups’ intimidation, and the plausibility of their being persecuted. Particularly for women and girls who live in the context of FARC and paramilitary control, these acts may speak louder than words. An informant explained civilians’ comprehension of the armed groups’ pressure:

“There are situations in which in order to pressure [the girl], they begin to harass her, to threaten her and the family. [The targeted female] either has to accept, or leave. Many times families take girls out when the men start to circle a lot; so they [evacuate her] as a means of avoidance.”

As explained, the irregular armed groups know what power they have over civilians, and how to most strategically wield it. Whether the man would do this because he cannot afford politically to violently rape her, or because he wants to not feel that he has forced her to have sex, he strategically uses power and threats of violence to achieve his goal.

D. ADVANTAGEOUS RAPE

Advantageous individual rapes occur when members of armed groups leverage their power derived from the armed group to force a female to have sex with them. Individual initiative rapes take on an additional notion of abuse of power when armed actors rape women and girls in exchange for access to what are in essence her rights anyway. Especially in contexts in which state institutions are weak and legal and illegal armed actors exercise deep control, individual members may have powerful opportunities to demand that women and girls have sex with them. Following are two such examples. The first regards a civilian setting in which a member of the Armed Forces demanded that a civilian woman have sex with him in exchange for access to services. He does not act in representation of the Armed Forces, but nonetheless uses his power as a member thereof to exert control and to coerce a woman to have sex with him.

“There is a case of a woman who had to be raped by a soldier of the Armed Forces in order to enter the hospital so they could attend to her son. So the soldier said that if she had sex with him he would let her in so they could attend her [child].”
The second example is of an armed actor, most likely a member of a paramilitary group, which exercises a permeating control over civilian women in a situation of a lack of State presence and law enforcement.

“Even in order to take food into the [remote] territories, women agree to rapes. There are parts where the [armed group] that dominates is the one that says how much food enters the territory. So they say, ‘Okay, if you let me touch you, or have sex with me, then I will let you pass that in. But otherwise, not.’ And some women have agreed to this.”

As they practice this violence, the armed actors force the victim to negotiate access to their rights. Their power of coercion is tremendous, not only because they carry weapons and dominate the territory, but because they can regulate even minute details of civilians’ lives. Only offering to bend the group’s rules and to be beneficent in exchange for sexual benefits, the armed actor uses his power to exploit the woman or girl.

In specific situations, members of the Armed Forces have demanded that women have sex with them in exchange for a particular protection. The following is a clearly conflict-specific example:

“Another situation is of a woman whose brother left to join the guerrilla twelve or thirteen years ago. She says they never saw him again, that they do not know if he is alive or not, but the community knows that he left. Each time soldiers arrive to the area she is submitted to constant interrogation (regarding her brother’s whereabouts). They accuse her, they detain her for hours, they take her to the battalion, and put her in situations that make her so desperate that she cries and asks them to let her go home. They have made her spend the night in the battalion. And, she has had to have sex with the soldiers so that they will let her go. On one occasion, they took her not to the cells but to the soldiers’ quarters and left her there, saying, ‘Stay here’. While she was waiting there, a soldier offered to get her name off the list on which they have her as a guerrilla helper, if she would have sex with him. All this, when she does not even know where her brother is.”

This story illustrates multiple levels of abuse of power. Defenseless against these arbitrary detentions and abusive treatments, the woman must agree to have sex with the soldier in order to access her rights and to avoid further arbitrary detention. This shows that the armed actors keenly understand the woman’s weakness, and their power to exploit her sexually. The isolation of their abuse within a consenting Government structure, and the fact that the aggressors can enforce threats to silence her, render her physically defenseless before them.

E. GROUP-SPECIFIC PARTICULARITIES REGARDING RAPE

I. PARAMILITARY GROUPS

In some situations the commander of a local paramilitary group regulates his group members’ permission to rape civilian women and girls. In such situations, the commander must approve of individual members’ rapes. For example, when part of the group is located in town but the commander is located outside of it, members must send word to the commander to get his permission to commit a rape. If they can rape a woman without his finding out about it however, they may do so. Though informants indicated that such arrangements exist, none pointed to specific cases of commanders’ granting
requests for rape. Nonetheless, it is possible to surmise that this occurs in areas where the force either has more tenuous control, or where for political reasons the force needs to tread more lightly in its abuses. Further, it may be an internal control mechanism for the commander, as he endeavors to maintain authority over his members and their capacity to use group-derived power to further individual or group interests.

Commanders of paramilitary forces controlling a specific area may use their authority to rape individual women and girls. In such situations, when the commander is attracted to an individual, he may demand that she go to him, or that members of his group forcibly take her to him. Sometimes the targeted females are women and girls to which he is attracted. In others, it assumes the specific twist of the girls being virgins.

"Fundamentally in rural areas, there are zones where whether they like it or not they have to pass through the hands of the armed actor. Virgin girls have to [have sex with] the captain of the group that is present. So he chooses ‘her, her and her’ and they have to go. This happens both when they are in control, and taking control. You see this a lot; that is why they get girls out while they are young." The commander’s raping of the girl becomes an exercise of his entitlement and power, and a violent crime that residents must endure. To the extent that they do not displace temporarily or permanently, this rape may be inevitable for individual female civilians. Even so, displacement may not relieve the girl and her family from physical and sexual threat. As discussed in the Punitive Rape section, paramilitary groups have pressured and retaliated against the families of girls who displace, seeking to draw the girl back or simply punish her defiance. When a paramilitary leader likes a particular woman or girl, he may allow her to go back to town after raping her, but with the declaration and warning that she is his, and that no other civilian or armed actor man may touch her.

“If the commander is attracted to a woman, then none of the rest may approach her; neither his underlings, nor anyone from the community. [He says] ‘I saw her, and she is mine. I don’t care one bit if she does not want to.’ ”

This exercise of power and sense of entitlement is a crowning effort by the head of a controlling irregular armed force, and it sends a message of total and indisputable domination. His sexual power trumps that of his underlings, and any other armed actor or civilian man; just as his physical power trumps the interests of the girl, her family, or anyone else’s efforts to protect her. This behavior, and especially the fact that young virgins are specific targets, sends a ringing message of total and penetrating control.

II. GUERRILLA

FARC members who rape civilians risk being punished by the group if the leadership finds out about the violation of the armed group’s rules. This appears to keep rapes by FARC members to a minimum, particularly as compared to paramilitary forces and members of the Armed Forces. The research recorded three specific instances of individual initiative rape by FARC soldiers. One was an attempted rape, and two were successful rapes committed in a non-group context.

In one instance, the aggressor was a local commander of the FARC. While he appears to not have physically tried to rape his target, he attempted to force her to have sex with him by threatening her. This case was explained to me as follows:

“I became aware of a case in the Medio Atrato, in which one of the FARC commanders fell in love with a woman. He threatened that if she would not be with him, he would kill her. She did not want to be with him, and logically she did not
want to have sex with him. So the man assaulted her; he attempted to kill her by throwing a machete at her, and cut her arm open. Because of this, she displaced.\textsuperscript{xcix}

It is notable that in this case the woman’s rejecting him resulted in the FARC commander’s not raping her, but physically assaulting her. Although he had been attempting to force her to have sex by threatening her, his reaction upon failing may reflect something of a respect for the group’s prohibition on rape. As a commander, he would have had to abide by his group’s rules on rape, or risk setting a bad example and possibly being punished by other members of the FARC. Likewise, it is possible to surmise from the fact that he was attempting to persuade rather than rape her, that he was trying to coerce her with the full power of his position, but without breaking FARC rules regarding rape. As analyzed above in the section on paramilitary groups and the Armed Forces’ approaches to individual rape, this attempt at violence by coercion reflects a strategic use of his power in spite of the prohibitive context and rules.

The two other cases I learned of were rapes perpetrated by guerrilla members in contexts outside of the group’s scope of vision. In the first case, an urban miliciano in Samaniego raped a five-year-old girl in 2007. His affiliation with the FARC, and the girl’s mother’s isolation within the community, made preventing the rape and seeking protection afterward very difficult.\textsuperscript{ci} In another case, similarly remote from the operations of the guerrilla, a member of the FARC raped his niece. He threatened to kill his sister if she reported the rape; a threat that she knew he could carry out. These factors were enough to silence the woman, as she realized that she could not do anything to seek retribution.\textsuperscript{ci} These two cases are particularly noteworthy because they occurred isolated from the focal points of FARC control. The perpetrators may well have considered that their victims would not pose a threat to them, and that for this reason they could commit rapes. Thus, in their avoidance of FARC attention, the perpetrators may reflect a degree of effectiveness of the armed group’s strict policies, even though unfortunately the context allowed them to do so with impunity.

Having reviewed the various forms of rape that the Armed Forces and irregular armed groups use in the conflict, this paper now turns to other forms of serious violations and crimes. Certain forms of violence are sexual in nature, and others are not sexual but are grounded in gender-based notions of power. These forms of violence say a great deal about how the armed actors understand their power, and how they apply this power to civilian females to benefit their group and to benefit themselves individually.

\section*{F. GENDER-BASED MUTILATION, TORTURE AND OTHER VIOLENCE}

This section I examine forms of gender-based violence that members of armed groups and the Armed Forces employ to transmit messages to victims and their families and communities. Each sends a message of domination and exercise of control. The effects of these crimes are often tangible, and these wounds and injuries both embody the message and become its carrier.

\section*{I. KNIFING}

Machetes are a large knife-like tool used in rural Colombian society for purposes ranging from clearing brush, to preparing soil, and harvesting crops. The armed groups use machetes and other knives for these utilitarian purposes, and also as tools of violence. Paramilitary groups use machetes to cut civilians whom they are trying to teach a lesson, in instances when the individual male or female violates a rule that the group has
established to control the community. Surface wound cuts, the common term for which is “planazo”, leave rough scars that carry a long-lasting message of power and domination. They may just puncture the skin, or they may draw blood. This treatment is intended to punish the victim, and to warn them of future punishment that would be more violent.

Paramilitary groups use machetes to punish women and girls that have violated the group’s rules for the community, and rules that specifically apply to females. As the member of the armed group commits the crime, the woman victim is at the violent mercy of the group, and suffers physically and emotionally. The very fact that the wounds are not mortal however, causes their impact to be long lasting. The victim, and any family member or acquaintance who sees her and her wounds thereafter, will be reminded of the aggressor and the messages they sought to transmit.

Paramilitary groups cut women and girls in places on their bodies that hold symbolic value for the motivation of the reprimand, as well as for the femininity of the victims. Stomachs for example resound with motherhood; cuts there signify an outside interference with, and intrusion on, the victim’s female identity. The scars will tell the story of an outside agent that had the power to interfere with the woman’s basic human identity. In this sense, the power of the violence is in its symbolism, and the way in which it will privately and publicly interfere with the woman’s sense of intimacy.

One informant gave an example of how this was conducted prior to AUC demobilization. The incident occurred in 2001 or 2002 when a paramilitary force in Nariño was establishing control in a community recently taken from the guerrilla. Members of the force separated women from men and forced the women to lie down next to each other on the ground. Passing from one woman to another, a paramilitary member ran a machete blade over the women’s bared stomachs. The machete cut their stomachs, and ran a line across their bellies. The paramilitary member declared to the women as he cut them, “This is so you will not give birth to guerrillas again!” The term that the man used for “giving birth” was “parir”, one that is specific to animals and most commonly used in reference to livestock. This violent act, the way it was committed, and its delivery are rife with symbolism. It was expressly public, and done in front of the village men. The message objectified women, as it played on the idea these civilian women would be capable of and willing to engage sexually with the guerrilla. It appears that the paramilitaries did not distinctly target women who had actually been sexually involved with guerrilla members, or who had had children with them, but rather lumped all women together. This objectification further de-personified the women, as it revealed that the armed group reasoned that all women were potential guerrilla accomplices; potential enemies; potential bearers of enemy children.

In contemporary situations, Rastrojo paramilitary group members have used machetes to cut women’s stomachs as a form of discipline. In 2010, group members cut the stomachs of two women who were having a disagreement. The paramilitary members punished both women involved in the disagreement, and forced them and other civilians present to watch as they did this. An informant explained: “[R]ecently there have been some problems with neighbor women who have a bar. They [the paramilitary] treated them very badly. With a [machete] they cut their stomachs and they had to watch. They cut one girl badly, her friend too, they cut her really badly.” This form of violence carries a strong message of discipline and authority. It emphasizes to the victims and the community that the armed group is in charge, and that it will not stand for individual discord within the population. Although this was a personal conflict, the punishment
clarifies the depth of the force’s authority, to reach into even private and personal matters.

Paramilitary groups use cutting and scarring as punishment for females’ violations of their rules for society. In communities they control, paramilitary groups may establish specific rules for females’ behavior and their public images. These generally point toward a desire to require that females act in a sexually conservative way, for example by not being out on the streets past a certain hour, not wearing jewelry, and not dying their hair. Paramilitary groups punish civilians who violate their rules through a variety of punishments that vary in their degree of physical violence. They include public embarrassment for the “violators” such as walking around the town naked, and violence that ranges from cutting to execution of the female. These punishments are typically personally injurious, and publically displayed. When paramilitary groups find civilian females that have violated their rules against wearing mini skirts or other revealing clothes, the groups may cut marks into the upper thighs of the woman or girl. This occurs in towns such as Buenaventura, Samaniego and Barbacoas, where the climate is temperate or hot, and females may wear minimal clothing not just for fashion, but also because it is the most comfortable. In some situations the population adheres to the rules that the paramilitary groups establish, and in others there is an ebb and flow in their abidance and relaxation of behavior. Sometimes the population and particularly young women, dress as they choose during a period and thus push the limits, until the paramilitary group reacts and punishes someone. In reaction to this violent reminder of authority, the population changes its behavior and falls back into line with the group’s rules when reminded that there is a live and tangible threat to them.

The approaches to punishment by cutting vary, to include cutting the female right away when they find them in violation of the rules, and cutting them subsequent to committing other forms of violence. One example of this is that the paramilitary group takes the woman or girl with them to make her cook for them during a period of time, and then cut her thighs before releasing her. When they cut her they mark her upper thighs, the area that would be revealed by a mini skirt. The choice of cutting this area is both a punishment of her transgression, and a warning and incentive to not violate the group’s social rules again. They reach into the gendered understandings of a female’s public image, and seek to discourage her from wearing a mini skirt again. As the group would understand it, the scar turns into a reason for her to be ashamed of her body. It also renders her less attractive to males or anyone whose opinion of her physique she may be concerned about. Thus, not only would she be afraid to wear a mini skirt in public again, but she would not want to.

II. FORCED ABORTION AND MURDER OF UNBORN CHILDREN

Paramilitary groups and the FARC use abortion and the murder of unborn children as a form of violence. Paramilitary groups have been responsible for both requiring that civilian women abort, and for committing these forced abortions themselves. The FARC, for its part, has removed and killed women’s fetuses. Given this understanding of the context, this section will examine and analyze specific instances of these forms of violence.

Forced abortions have a particularly grave effect on indigenous women and their communities. In the conflict-derived context of grave threat to the lives and culture of indigenous peoples, informants from some communities voiced concern that they are
victims of intentional and de facto cultural and physical genocide. Indigenous groups consider the killing of their children to be an attack on their whole community, and on its prospects for survival. Forced abortion is rife with symbolism as a direct violent attack against the mother and the fetus, and against the family and the community as a whole. In a conflict that threatens indigenous land, culture, and lives, forced abortion is a resounding threat to the entire community. Killing an unborn fetus is a deep form of punishment, as it is seen and experienced as punishment and a threat to the safety and future viability of each person who is alive, and each future member and generation.

According to an informant, paramilitary groups and the FARC guerrilla have committed forced abortions against indigenous women by cutting their stomachs open to remove the fetus. In one situation, the paramilitary group surgically operated on two pregnant civilian women against their will. Apparently a group member who was medically trained, or a civilian doctor, conducted this operation. The victims were stitched up after the fetus was removed, and the women survived. Apparently the only physical damage aside from losing their fetus was a large scar that ran the length of their abdomen. Indeed, these scars may be as much of an intended symbolic consequence as the actual violent act of abortion. The informant could not specify the reason for which these women were targeted. Whichever the armed group’s ultimate reasoning, the violence carries a strong and public message to the victims and their communities. The story that remains with the victims and the visible scars, carry a message of domination and willingness to exercise cruelty that will remain attached to the armed group’s reputation.

The FARC has used the removal and killing of fetuses in accompaniment to the murder of civilian females. This removal is a symbolic form of violence, meant to carry a message as much to the victim, as to her family and community. In 2009 the guerrilla group killed two pregnant indigenous women in Nariño province and extracted their fetuses. The FARC targeted these women, along with nine men, because they suspected the civilians of being Army informants. The indigenous reservation on which the victims lived had experienced increased militarization, which caused the population to be caught between the FARC and the Armed Forces and their respective interests in dominating the territory. The community did not find all of the victims’ bodies. The corpses that they did find showed signs of torture and dismemberment, including cutting off the fingers and heads of some of the men. Apparently the females were not raped. The only explicitly sexual element of the acts was that the stomachs of the women were cut open with a knife, and their fetuses removed. The community presumes that the fetuses were thrown into a river, but is not sure of this because it never found them.

The FARC claimed responsibility for these murders in a public letter, but did not mention the forced abortions therein. In the depth of its harm, this violence sends a strong message of intolerance toward the civilian population. Its seems to be not only a punishment but a warning, that the FARC will not tolerate civilians supporting the Armed Forces, and that they will punish this in the most painful way for their targets themselves, and their targets’ communities at large. Indeed, the community shared the physical and emotional pain that the female victims must have felt. Unlike the fetuses, the FARC left the bodies where the community could find them and observe the mutilation. The act of removing the fetus sent a genocidal message, as the armed group communicated that it would punish the entire community, including the living and subsequent generations, when community members defy FARC orders and expectations.
Forced abortion can be interlinked with mass rape. In 2002 or 2003, an AUC paramilitary force committed a mass rape in an indigenous community. The community was in an area that paramilitary, guerrilla, and Colombian Armed Forces were disputing. It is typical in such contexts that the armed actors pressure citizen populations to evidence their allegiance, and that they punish individuals or entire communities that have assisted their opponent(s). The paramilitary members gathered the community together, and separated males from females. They raped the women, including one who was pregnant, in front of the men. After various men raped this pregnant woman, they touched her stomach and said out loud that they were going to take the baby out. They drew her aside, and extracted the fetus. The paramilitaries cut the fetus to pieces and threw it in the river. They forced the men of the community to witness this entire scene. As examined in the section on Mass Rape, sexual violence against members of indigenous communities can have particularly grave social effects on the victim as well as the integrity of the group. This community disintegrated in the aftermath of the mass rape and violence.\textsuperscript{cx}

III. FORCED PREGNANCY

Pregnancy is an important dynamic in the realm of sexual violence and sexual relations in the context of armed conflict. Whether or not the rape occurs as an isolated incident or occurs in the context of a coerced relationship, pregnancy in the armed conflict has particular effects of its own.

Forced pregnancy adds an additional layer of violation to rape. It suggests that the perpetrators see themselves as able to do literally whatever they want to the victim. Causing pregnancy is an even deeper form of violence, in that it stimulates biological functions within the victim. Perpetrators who rape until their victims become pregnant effectively exert power to a point at which the crime is perpetuated within the natural being of the victim. This violence has especially longstanding physical and psychological implications. The victim and their child risk further stigmatization, as in the case of certain indigenous communities, and heightened risk of future persecution by an opposing armed group.

In some situations, armed groups have raped women with the express purpose of making them pregnant. In the Pacific coast region, Rastrojo paramilitary members kidnapped two indigenous women and took them to the group’s camp. The group held the women as sexual slaves and raped them until they were pregnant. Once the women gave birth, the paramilitary group let the women go. The women attempted to return to their community with their babies born of rape, but they were not allowed to do so because they had had sexual relations (albeit forced) and children with men who were not indigenous. The rape and pregnancy not only drove the female victims away from their community, but also impacted the entire community. The stigmatization and rejection of the women is part of the indigenous group’s culture, but the fact that it caused this reaction is nevertheless a disturbance of their community integrity and unity. In this sense, the paramilitary group caused a multi-level harm to the victims, and their entire community.\textsuperscript{cxii}
IV. GROPING

The research recorded reports of members of all armed groups and the Armed Forces groping women and girls. Groping can be an act of individual initiative, or an accepted and widespread group-sanctioned practice. In some situations it seems to be an advantageous act of abuse by the member of the armed group; in others it appears to be a form of sexual intimidation that harnesses the group’s power. An act of minimal physical engagement, groping or touching a woman or girl on their sexual organs and breasts is a peculiar sort of sexual violence because it is much less physically invasive than rape. This non-invasiveness, and its casualness in method and in how it is perceived, allows it to be a prolific form of sexual violence. Armed actors can do it without causing a harsh or organized reaction from the victim’s community, and without running a high risk of discovery by disapproving superiors when they do it in defiance of group rules.

Informants frequently referenced groping occurring in civilians’ homes, often when members of paramilitary groups entered to interrogate the family, to inspect the house or to demand food or other items from them. Manual drug crop eradicators, some of which are understood to be former paramilitary members, have also groped civilian females. While deployed to rural areas to remove coca plants under Armed Forces protection, the eradicators sometimes also harass the civilian community.

“At times they enter the communities in a very violent way, calling the people guerrilleros, treating them badly, eating their animals.”

Whether it is paramilitary groups or manual drug eradicators, during these forced entrances into civilians’ homes groping is included as one more form of violence and intimidation. Women may have their greatest influence, power and protection in their home. When the groping is done while the women are cooking, this can be understood to have a deeply resounding message of power. In an otherwise non-sexual, physical invasion of a family’s home, the armed men’s groping women and girls adds a distinct element of sexual intrusion, enough to reinforce the nature and extent of the armed group’s power. Groping suggests the individual member and the armed group’s willingness to commit further, and more physically and psychologically painful, sexual violence and so is a powerful though simple tool of communication.

The Colombian Armed Forces also commit this crime, often in small rural communities. This occurred, for example, in Chocó province in 2010 when soldiers groped two young indigenous girls on a path outside the town. A soldier fondled the girls when no one else was around. The girls were able to stop the situation by yelling out, and called attention to the abuse when other community members arrived on the scene. Later, the community as a whole made a formal legal complaint against the soldier and together with civil society organizations was able to pressure the Army to arrest him. In other places, groping by armed actors is consistent and commonly perpetrated by members of all armed groups and the Armed Forces, such that one does not provide fully effective relief from another as the armed groups rotate local control. For example, an informant explained that in Nekorá, while the guerrilla was present they groped women and girls. The Colombian Armed Forces drove the guerrilla out, but the soldiers committed the same acts.

As mentioned in the above section on rape by individual initiative, women may have to subject themselves to groping in order to access certain rights. One such context is when armed groups control land or water entryways into communities. In a purely
abusive exercise of their authority, members of armed groups may offer to relax their control of the quantities of food, medical, and other provisions that civilians are allowed to take with them, in exchange for having sex, performing sexual acts, or allowing the aggressor to grope them. The most disturbing part of this form of abuse is its simplicity as a transaction, as the member of the armed group exercises his authority in order to sexually exploit civilian females’ most basic needs for food, water and medical care for themselves and their children.

One key informant shared her impression that groping occurs frequently relative to other sexual violence, but that it is reported disproportionately less. This may suggest that victims and their families do not consider groping to be a significant enough violation to risk stigmatization within the community, or eventual retribution by the responsible armed group or the Armed Forces. In a civilian context in which females are not able to, or do not recognize their rights to protest sexual abuse, this treatment may effectively be accepted as a crime that they cannot avoid or remedy. In such a context, this lends a de facto higher degree of permissibility to the abuse.8

III. CONCLUSION

Sexual violence is an integral part of the Colombian armed conflict. Armed actors understand the protections that women and girls should benefit from, and their responsibilities to civilian females. When armed actors, or individuals within them, decide to commit acts of sexual violence, they make decisions with reason; based on a purpose for the violence, an understanding of which effects they may cause, and a sense of entitlement. The impact of this violence is tremendous. It may affect not just the female victim, but her family, community, and entire ethnic group.

The armed actors are calculated in their use of sexual violence. They understand when they can afford to use sexual violence, when it is a strategically good choice, and when they should use one form over another. This research shows that there is great calculation and real ingenuity behind each form of sexual violence. It shows that the armed actors apply ingenuity in their choice of violent methods, and of their sense of its utility for the armed group. This degree of calculation is one of the elements that makes it most dangerous. Its continued use, through decades of armed conflict, suggests that it will not soon be removed.

The failures to protect females affected by sexual violence are deep and widespread. The perpetrators’ superiors fail victims by not preventing or punishing the violence. The Colombian Government fails victims when they collude with or do not sufficiently act to reduce the violent capacity of the irregular armed groups. It fails victims when it allows this violence to remain in impunity, and when it does not ensure that victims have access to health services. Victims’ communities fail them, by not allowing this issue to be broached as a community, and by stigmatizing sexual violence and its victims. Finally, the international community fails these women and girls by not sufficiently examining the behavior of the Colombian government regarding these protection failures.

Part of the reason for which sexual violence in the Colombian conflict is so prominent seems to be the fact that it is so under-reported. This is a direct result of the above-mentioned protection failures, of the extreme sensitivity of the issue in Colombia,
and of the fact that there is so little documentation or study of this form of violence. Almost every interview began with the interviewee explaining that there are very few statistics on sexual violence, and that it is very sensitive and treated with extreme caution, but that it in fact occurs regularly. In spite of its integration within the armed conflict, sexual violence in Colombia is one of the most overlooked, and one to which the least attention is drawn. In effect, it is a silent – and silenced – form of violence. Very few civil or Government actors bring sexual human rights and humanitarian violations to light. This allows the armed actors to continue perpetrating them, unchallenged. Sexual violence as a policy challenge must be approached strategically in order to not cause greater harm. Nonetheless, its sensitivity and its place in the shadows should not cause or justify further silence. In order to deconstruct and disable this complex violence, it needs to be understood, and it needs to come to the fore as the protection failure that it is.

This report is intended to contribute to the understanding of the occurrence and reasoning behind sexual violence in Colombia, in order to facilitate relevant actors’ contributions to ending it. Recognizing the nature and the scope of this violence is one of the most important steps in effectively addressing it. Many of the actors and tools that should be involved in subsequent steps in the process of ensuring protection, are already in place. The required capacity to do this exists, but it must be mustered and facilitated. First, the Armed Forces are interested in fulfilling their legal obligations, and have responded in the past to pressure to correct their failures. Second, irregular armed groups are in some circumstances sensitive to communities’ and the broader public’s unified attention to their violations. They may pause or end their sexual crimes if this violence is sufficiently and strategically brought to light. Third, many communities are well organized, concerned about their population and survival, and committed to their own protection. Fourth, there are strong human rights, women’s rights, and other NGO and civil society organizations in Colombia, which have proven records of working hard on and collaborating to draw attention to problems, and find solutions for challenges they address. Fifth, international actors and foreign governments are concerned about current and past human rights challenges in Colombia, and want to take steps to draw attention to them and to assist in ending them. Finally, Colombia has good legislation for the prevention of and protection against sexual violence and indeed through Auto 092, to specifically address sexual violence in the armed conflict. The Government and its agencies are slowly but progressively implementing this court-ordered policy, but the legal infrastructure is there. These six principal forces would be valuable assets to a movement to end sexual of violence and ensure the rights of victim. If forces strengthen and combine efforts, the preoccupation about this violence that the principal researcher heard during the interviews can translate into an effective struggle. Isolated efforts may effect change, but will not have the same impact that committed multi-sectoral attention can have.

As complicated, calculated and ingrained in the armed conflict as it is, sexual violence can be reduced in scale and brought to an end. The voices of victims and concerned key actors that are represented in this thesis should be the foundation of subsequent change. Their isolation within their communities, and before their government and the international community must cease. Neither this form of violence nor those who are affected by it can afford to continue to remain in the shadows, and in silence.
IV. Policy Recommendations

To All Armed Actors in Colombia:
Respect the rights of civilians to remain neutral to the armed conflict. Cease to target or subject civilians to sexual and gender based violence, as well as other crimes.

Clearly establish policies to prohibit crimes of sexual and gender based violence by members of your armed force, educate on these prohibitions, and enforce rules with punishments in line with human rights and humanitarian law.

Ensure that civilian victims of sexual and gender based violence are able to safely access protective and rehabilitative services following the commission of crimes.

To the Colombian Government:
Include crimes of sexual and gender based violence in the monitoring of crimes and violations of human rights and humanitarian law. Make statistics available publicly, such that society understands the gravity of this problem.

End impunity for crimes of sexual and gender based violence by all armed actors in Colombia. This should be modeled by the behavior of members of the Armed Forces, and perpetrators should be punished by the Armed Forces' justice mechanisms.

Communicate to irregular armed actors that the government is aware of their commission of crimes of sexual and gender based violence, and it will prosecute them fully for each of them. The irregular armed actors need to understand that their crimes are visible and will be punished.

Crimes of sexual and gender based violence should be recognized as grave crimes in the context of the (TRC), and should not be pardoned in amnesties.

Strengthen public education on the illegality and immorality of sexual and gender based violence, in the context of the armed conflict and outside of it. This violence should be unquestionably understood to be unacceptable, and this should resonate through the policies and messages of government, civil society, and mass media. It is not the victims, but the perpetrators of these crimes who should be stigmatized.

Facilitate access to sexual and reproductive health services for victims of crimes of sexual and gender based violence. It must be safe for women and girls to access the services at easily accessible facilities and through mobile services to remote areas. Patients' information must be received with the highest degree of professionalism, and utmost confidentiality. This should include medical as well as psychosocial services.

Strengthen mechanisms to receive denunciations of crimes of sexual and gender based violence in a confidential fashion that protects the identity of the victim. Strengthen witness protection and relocation mechanisms for those who need to access them.
**Colombian Civil Society:**
Conduct trainings and awareness building activities to increase consciousness in Colombian society of the illegality and immorality of sexual and gender based violence in society and in the context of the internal armed conflict. If Colombian society is more vocal about recognizing this as a problem among civilians and as perpetrated by armed actors, momentum will build to bring it to an end.

**To International Actors:**
Contribute to increasing the visibility of the problem of sexual and gender based violence in the context of the Colombian armed conflict, and expanding calls for the armed actors to respect the rights of civilians to not be subjected to these crimes.

Encourage the Colombian government to not let crimes of sexual and gender based violence remain in impunity. Provide technical assistance as necessary to strengthen government witness protection programs and protective relocation.

Contribute to transmitting messages to all armed actors in Colombia that sexual and gender based violence is illegal and a violation of human rights and humanitarian law.

Inform the Colombian government that international aid is contingent upon strict obedience of national and international law by its armed forces, and that commission or collusion in these crimes will result in severe implications for international relations and assistance.
BIBLIOGRAPHY


Herrera, Natalie and Douglas Porch. "'Like Going to a Fiesta' - the Role of Female Fighters in Colombia's FARC-EP." Small Wars and Insurgencies 19, no. 4 (December, 2008): 609-628.


“IX Informe Sobre Violencia Sociopolitica Contra Mujeres, Jovenes y Ninas en


ii “First Survey of Prevalence...”: Oxfam International

iii “Violence and Discrimination...”: IACHR, Pg. 25

iv INMLCF, Pg. 67

v Oxfam International “First Survey of Prevalence”, Pg. 8

vi Ibid, Pg. 9

vii Comision Colombiana de Juristas, Pg. 57

viii Stanski, 138

ix Stanski, 138

x Ortiz, 265

xi El Nuevo Herald, Colombian Ministry of Defense estimate

xii Theidon, 7

xiii El Espectador, Colombian Ministry of Defense estimate

xiv Avila ARCOIRIS, 22

 xv Sweig, 125

 xvi Sanchez, 21

 xvii Sanchez, 21

 xviii Romero, 53

 xix Romero, 53

 xx Key Actor Interviewee 5

 xxi Sanchez, 21

 xxii Tate, 168

 xxiii Human Rights Watch, “Paramilitaries’ Heirs...”, Pg. 30

 xxiv Theidon, 8-9

 xxv Human Rights Watch: “The ‘Sixth Division’...”, Pg. 3

 xxvi Ibid, Pg. 12

 xxvii Ibid, Pg. 4


 xxix Human Rights Watch, “Paramilitaries’ Heirs...”, Pg. 18

 xxx Ibid, Pg. 5

 xxxi Ibid, Pg. 18

 xxxii Ibid, Pg. 8

 xxxiii Romero, Mauricio y Arias, Angélica, Pg. 34

 xxxiv INDEPAZ “Quinto Informe...”, 22