Demobilisation of female ex-combatants in Colombia

by Gunhild Schwitalla and Luisa Maria Dietrich

Among the millions of Colombian IDPs one group is particularly invisible – women and girls associated with illegal armed groups. The current demobilisation process does not adequately address the consequences of the sexual violence they have suffered before, during and after conflict.

For several decades Colombia has been fought over by legal and illegal armed actors – the Colombian armed forces, right-wing paramilitaries and left-wing guerrillas. Negotiations between the Colombian government and the right-wing Autodefensas Unidas de Colombia – a federation of right-wing paramilitary groups – resulted in July 2005 in congressional approval of the Justice and Peace Law. A cornerstone of President Álvaro Uribe’s policies, it offers rank-and-file combatants a comprehensive reintegration package. Leaders alleged to have committed serious crimes are expected to stand trial at special courts, with the promise of receiving drastically reduced sentences in exchange for full disclosure of their crimes.

Colombia’s disarmament, demobilisation and reintegration (DDR) process has involved both ‘collective’ demobilisation – the result of official negotiations with paramilitary groups – and ‘individual’ demobilisation whereby men, women and children voluntarily return to civilian life. It is estimated that nearly 41,000 men, women and children have been demobilised – some 31,000 ‘collectively’ (6% of whom are female). A further ten thousand are thought to have done so under the individual demobilisation scheme (of whom 14% are women). Girls comprise about a quarter of demobilised children.

Female invisibility

Colombian women and girls have been – and remain – invisible. In a patriarchal society their role as instigators of conflict, perpetrators of violence, victims of conflict and eligible for demobilisation and reintegration processes has received little attention from policymakers or the media.

Challenges for reintegration

It is crucial to break away from a simplistic view of perpetrators and victims, for some women have been both. Policymakers must recognise that many of the women and girls who participated actively in the conflict have also been victims of sexual violence.

Colombian public opinion is strongly in favour of peace, justice, acknowledgement of human rights abuses and reparations. Nearly 90% of those interviewed in a recent report by the International Centre for Transitional Justice1 believe that the victims of violations have a right to receive reparations from the perpetrators and their leaders. Nearly 70% believe the government is also partially responsible for providing reparations.

Lessons learned from past reintegration exercises and their capacity to address the needs of former women combatants must be systematised and analysed from a gender perspective. Such analysis is essential for informing future reintegration efforts, bearing in mind the high number of female combatants in the two main leftist guerrilla forces.2 If the Colombian DDR process is to become inclusive it will be necessary to:

- ensure a holistic gender-focused approach encompassing all forms of discrimination and violence against women – and not only sexual violence
- publicly acknowledge the scale of sexual violence against women and girls during conflict and do more to bring perpetrators to justice
- ensure that the specific sexual and reproductive needs of women and girls are acknowledged and met
- provide psychological assistance and help to rebuild self-esteem
- raise awareness within society of the needs of demobilised women and girls, currently shunned by their families and communities
- understand why so few abused women and girls denounce their
Justice for survivors in Peru

by Flor de María Valdez-Arroyo

Peru has taken steps to assist women survivors of sexual violence during armed conflict in their quest for justice and redress but lack of a gender and cultural perspective in establishing appropriate mechanisms jeopardises the process.

Manta is an isolated rural community in Huancavelica, a poor Andean region of Peru. According to the Peruvian Truth and Reconciliation Commission (CVR) Final Report, 1 Manta endured systematic sexual violence during the 1980-2000 insurgency led by Sendero Luminoso (a Maoist guerrilla movement) and the Tupac Amaru Revolutionary Movement. The main victims were poorly-educated women and young girls from highland peasant communities, speakers of Quechua or other indigenous languages who have been traditionally marginalised by both the state and civil society. Manta had a military base throughout the conflict. According to the CVR, the majority of sexual violence crimes were committed by members of the armed forces – whose role it was to protect the civil population. Crimes were often perpetrated during army raids on the houses of suspected subversives and when women came to the base seeking information about detained relatives.

Most of the women remain silent about the sexual violence suffered – because of shame or fear of their family’s and/or partner’s reactions. The community collectively denies the existence of widespread sexual violence and insists that most sexual contact between women and the military was consensual. They refuse to acknowledge the conclusions of the CVR because they do not want to be known as the ‘village of the raped’. Women who seek justice may be accused of lying in order to obtain compensation or welfare benefits. So intense is social pressure that at one stage only women who had been displaced by the conflict or who had voluntarily moved out from the community were able to speak out and seek justice.

If there is impunity in conflict and post-conflict contexts, crimes of sexual violence against women will recur. The CVR’s Final Report was meant to start a process of legal redress and reparation for all victims of violations of human rights, including those of sexual violence within the internal armed conflict in Peru. It proposed a reparations plan to the Peruvian parliament and proposed cases – including Manta – for judicial prosecution.

However, three years after submission of the report, little has been done. The main obstacle to justice for the women of Manta is the failure of the Peruvian criminal code to define sexual violence during conflict as a crime against humanity. Sexual violence can thus only be prosecuted as straightforward rape, rather than as a weapon of war and options for punishment are less severe and subject to statutes of limitation. Peruvian judges and prosecutors are reluctant to apply international customary law to fill this legal void.

In 2006 the Peruvian Congress passed a law to implement a reparation plan for all victims of the armed conflict. However, only women survivors of rape are eligible for legal redress. No other forms of sexual violence – such as the sexual slavery, enforced prostitution, forced nudity and forced abortions suffered by many women in Manta – will be considered. Women who were linked to the insurgents are expressly excluded. Sexual violence was part of the strategy used by all protagonists towards women. While the army used humiliation and torture, the insurgents controlled women and used them as combatants, housekeepers and sexual partners for their leaders. A further defect is that all survivors must be included in an official victims register. There is no provision, however, to ensure that their testimonies will be registered with sensitivity and confidentiality. Inclusion on the registry is also dependent on having ID documents such as birth certificates which most rural survivors, especially indigenous women, cannot provide.

Without clearer guidelines and greater political will, survivors of sexual violence in Peru will continue to lose out in the search for justice and reparation.

A longer version of this article is available at http://terra.ezo.net/article486.html

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1. Comisión de la Verdad y Reconciliación (www.cverdad.org.pe)
2. ElN (Ejército de Liberación Nacional) and the FARC (Fuerzas Armadas Revolucionarias de Colombia).