



Communique Committee of Experts

Committee of Experts calls on the Colombian State to investigate immediately and effectively allegations of human rights violations against women

Washington DC, June 1st, 2021. The [Committee of Experts of the Follow-up Mechanism to the Inter-American Convention to Prevent, Punish and Eradicate Violence against Women "Convention of Belém do Pará"](#) (MESECVI) expresses its deep concern about the alleged gender-based violence against women such as harassment, and sexual violence perpetrated against girls, teenagers, and women since April 28, 2021. These acts have been happening in Colombia within the framework of the protests against the Colombian National Strike (Paro Nacional). The information received indicates that these attacks had been carried out mainly against civilians, and even in some cases against women who are part of the public order forces.

In this regard, the Committee has known 103 claims of this violence have happened within the framework of social protest. As a result, it has been reported at least 87 cases gender-based violence like groping and verbal sexual violence with the aim of humiliating and intimidating women that have participated in social protests. In the same way, the Committee also received information about the complaint of a female officer who reported to the Prosecutor's Office to be sexually abused on April 29 by a group of civilians, in the framework of the same protests.¹ According to the information received by the CEVI, the Ombudsman's Office reported that also other 16 women and girls have been victims of sexual violence.² These events include the death of a 17-year-old adolescent who allegedly took her own life after reporting on social media that agents of the Mobile Anti-Riot Squad, ESMAD, from Popayán sexually assaulted her after being detained.

The Committee has had access to images³ and information that could corroborate these complaints and has taken cognizance of other reports prepared by civil society organizations that have denounced these events. Regarding these complaints, the Committee also received information on other acts of sexual

¹ More information: <https://www.elpais.com.co/judicial/patrullera-denuncio-que-fue-victima-de-abuso-sexual-durante-ataque-a-cai-en-cali.html>

² Report from Temblores NGO and Indepaz to the IACHR on the systematic violation of the American Convention and the jurisprudential scope of the Inter-American Court regarding the use of public force against civil society in Colombia in the framework of the protests held between April 28 and May 12, 2021.

³ Video on Twitter about the arrest of the girl who committed suicide where it is heard that she complains and screams when the police officers were taking off her pants while they dragged her and apparently this is the moment where sexual violence against the minor would happened
<https://www.wradio.com.co/noticias/regionales/una-menor-se-suicido-luego-de-ser-retenida-por-el-esmad-en-popayan/20210513/nota/4134753.aspx>

violence that would have occurred in 2020⁴ by the Colombian armed forces and police forces, which to date have not been sanctioned or investigated, generating a message of tolerance of violence against women, already widely questioned by the inter-American system and this Committee.⁵

This Committee recalls that in this type of context women often face differentiated and disproportionate effects from acts or threats of physical, psychological, sexual, and institutional violence by the security forces and the administration of justice. These situations involve human rights violations, generating irreparable damage to repress, intimidate, humiliate, punish, or send a message that weakens the democracy and the rule of law.⁶

These acts should be investigated considering the pattern of violence against women and not as an isolated event, as indicated by the Belém do Pará Convention. For this reason, the State is urged to carry out all necessary actions and to use all appropriate means to avoid violations of the rights of women and children, as well as to investigate them using a gender perspective. This implies conducting impartial investigations apart from the military criminal jurisdiction; review and adapt the action protocols of the security forces to avoid these type of violations; send a message of zero tolerance and zero impunity in these types of cases; and generate specific protection for women, adolescents and girls who participate in social demonstrations.

These investigations must be conducted in light of the principles established in various resolutions of the Inter-American system on cases of sexual violence. However, these principles are applicable to other cases of gender-based violence, including a duty to: i) investigate with a gender perspective; ii) undertake specific lines of research; iii) recover and preserve the evidence; iv) identify possible witnesses and obtain their statements; v) inform and consider victims throughout the procedure; vi) take the statements of the victims in a comfortable and safe environment, in order to avoid their repetition; vii) provide medical and psychological care to the victims; viii) carry out, if necessary, suitable medical and psychological examinations, while respecting the dignity of the victims; ix) provide free legal assistance; x) avoid placing blame, as well as examining the existence of gender stereotypes and prejudices; among other measures.

This Committee of Experts is made available to the Colombian authorities for any technical support they may require, either in this case or in any case related to the provisions of the Convention of Belém do Pará.

The Committee of Experts is the technical body of the MESECVI responsible for the analysis and evaluation of the implementation process of the Belém do Pará Convention. It is composed of independent Experts, appointed by each State Party among its nationals, and serve in a personal capacity.

⁴ Cases such as the rape of a 13-year-old indigenous minor from the Embera Katío people by several soldiers of the 8th Brigade of the Colombian Army in Risaralda. The assault and sexual abuse of a woman by a National Police patrol car inside a bus belonging to the same entity. The murder of minors caused by the rape and femicide of a girl under 14 years of age by a second lieutenant commander of the Patrulla Buitres.

⁵ I/A Court HR, Case of González et al. V. Mexico (“Cotton Field”), Judgment of November 16, 2009.

⁶ I/A Court HR, Case of Rosendo Cantú et al. V. México, No. 127, Judgment of August 31, 2010.