



European Master's Degree in Human Rights and Democratisation  
Lund University

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***Displacement and sexual violence in Colombia: state  
obligations to protect and provide access to justice***

Master thesis

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## DEDICATION

*This dissertation is dedicated to my mother and to my dear Lino .*

*I also would like to express my most sincere gratitude to my highly sophisticated supervisor, Diana Amnéus, who never lost her faith in me, though there surely were times when I felt completely hopeless.*

*“There must be no impunity for gender-based violence.  
Let me be clear. What we are talking about is not a side issue.  
It is not a special interest group, of concern to only a few.  
What we are talking about are not only women’s rights but also the human rights of  
over one half of this globe’s population.  
Violence against women concerns not only women but above all the rest of us.”*

(The late Sergio Vieira de Mello,  
former United Nations High Commissioner for Human Rights)

## ABSTRACT

Ensuring the protection of human rights and access to justice is an essential component in the effective realisation of universal human rights. Human rights are meaningless if they cannot be protected and enforced, in particular for vulnerable groups that are more exposed to violations.

This thesis examines the legal barriers facing women, in particular internally displaced women in Colombia and the international regulation protecting against acts of sexual violence, both in times of peace and armed conflict and their access to justice. The aim is to analyse the extent to which the Colombian State is fulfilling its international obligations to protect, prevent, prosecute, punish and provide effective remedies in relation to sexual violence.

Through the analysis of the relevant international, regional and domestic legislation and jurisprudence, this thesis exchange an overview of the standards applicable to the rights of women, specifically in regards to those perpetrated against displaced women, given the strict link between sexual violence and displacement in Colombia and the particular vulnerability of this group.

The principal conclusion to be drawn is that, even though it has not been effectively implemented, Colombia has made some progress through the creation of special programmes for displaced women, and the recent adoption of the “Law of Victims”. Nevertheless, these two initiatives do not provide sufficient protection or an adequate means for women, particularly those displaced, to access justice for violations, committed both during armed conflict and in peacetime. In order for this to be remedied, some recommendations are put forward. First, and foremost, allocate the necessary funding to ensure implementation of new legal initiatives and programmes, Secondly, the judicial system should be improved through training for officials and the incorporation of rules on the protection of victims. Finally, efforts should be made to improve the statistical registries of information on sex crimes committed by armed actors.

Keywords: sexual violence, violence against women, Colombia, prevention, protection, investigation, prosecution, remedies., displacement, internally displaced persons, state responsibility, due diligence.

## Table of contents

ABBREVIATIONS.....	VII
1. INTRODUCTION .....	8
1.1. Introduction .....	8
1.1.1. Background.....	8
1.1.2. Objective and purpose of the study.....	11
1.1.3. Research question.....	11
1.1.4. Methodology.....	12
1.1.5. Limitations of the study.....	12
1.1.6. Structure of the study.....	13
1.2. Displacement and sexual violence in Colombia .....	14
1.2.1. In armed conflict .....	14
1.2.2. In peace-time.....	18
2. JURIDIC FRAMEWORK AND INTERNATIONAL STANDARDS ON THE PROTECTION FROM SEXUAL VIOLENCE .....	21
2.1. Legal framework applicable outside armed conflict.....	21
2.1.1. The International legal framework.....	21
2.1.2. The regional legal framework.....	26
2.1.3. State responsibility to protect and provide access to justice: the due diligence principle.....	29
2.1.3.1. Duty to prevent.....	32
2.1.3.2. Duty to investigate, prosecute and punish .....	34
2.1.3.3. Duty to provide remedies.....	37
2.2. The international legal framework applicable to sexual violence in the context of armed conflict.....	38
2.2.1 International standards of protection .....	39
2.2.1.1 International Human Rights Law .....	39
2.2.1.2. International Humanitarian law.....	42
2.2.2. Security Council's Enforcement Instruments .....	44
2.3. International Criminal Law .....	46
3. THE CASE OF COLOMBIA - IMPLEMENTATION OF INTERNATIONAL OBLIGATIONS TO PROTECTION AND PROVIDE ACCESS TO JUSTICE FOR SEXUAL VIOLENCE.....	51
3.1. Underreporting of sexual violence in Colombia.....	52
3.2. The duty to protect and prevent.....	53
3.2.1. Legislation .....	54
3.2.1.1. Ordinary criminal legislation.....	54
3.2.1.2. Special legislation applicable to armed conflict .....	58

3.2.1.3. The Constitutional Court's rulings.....	60
3.2.2. Government policies and programmes.....	61
3.3. The duty to investigate, prosecute and punish.....	63
3.3.1. Gaps and constraints in judicial response related to investigation... ..	64
3.3.2. Particular obstacles within the Justice and Peace law.....	67
3.3.3. Particular obstacles faced by displaced women outside and within the special programmes set by the Constitutional Order 092 on the protection of internally displaced women. ....	69
3.4. The duty to provide remedies.....	71
4. IS THE COLOMBIAN STATE FULFILLING ITS INTERNATIONAL OBLIGATIONS TO PROVIDE PROTECTION AND ACCESS TO JUSTICE ?.....	74
4.1. State obligations to protect and provide access to justice for SV committed during peace time.....	74
4.1.1. Duty to protect and prevent.....	74
4.1.2. Duty to investigate, prosecute and punish .....	76
4.1.3. Duty to provide remedies.....	79
4.1.4. Special obligations towards displaced women.....	80
4.2. State obligations to provide protection and access to justice for victims of SV during armed conflict .....	81
4.2.1. State obligations to prevent and protect.....	81
4.2.2. State obligations to investigate, prosecute, and provide remedies ...	83
4.2.3. Special State obligations towards displaced women.....	86
5. CONCLUSIONS.....	88
BIBLIOGRAPHY.....	90