

Statement by Marcela Sánchez on the Situation in Colombia

Greetings Excellencies. Thank you for the opportunity to brief you today on the situation in Colombia.

I am Marcela Sánchez, Executive Director of Colombia Diversa. I come from a country scarred by war yet hopeful for peace, a country where the organization that I lead has been working with the feminist movement for twenty years to defend the rights of lesbian, gay, bisexual, transgender and queer (LGBTQ) people in Colombia. Thanks to our collective efforts, what was once unthinkable is now possible: peace initiatives that recognize all Colombians, slow but meaningful social change towards a world without discrimination, and a legal framework rooted in the fundamental principle of equality.

Today, my statement will focus on the impact that the conflict in Colombia had on LGBTQ people, the opportunities offered by the Women, Peace, and Security agenda to address these impacts, and finally, what remains to be done in Colombia to ensure an inclusive peace.

LGBTQ people in Colombia have long been targeted for who they are¹, much as women have², due to entrenched patriarchal norms and social and legal discrimination, which have contributed to extreme violence against both women and queer people during the armed conflict³. LGBTQ people, particularly Afro-Colombian, transgender, and adolescent Colombians, were actively targeted⁴, disappeared⁵, and killed by armed actors⁶.

¹ See: <https://colombiadiversa.org/c-diversa/wp-content/uploads/2022/06/Who-is-going-to-tell-us.pdf>

² See: <https://www.sismamujer.org/wp-content/uploads/2021/08/La-luz-que-nos-queda.pdf>

³ See: https://www.youtube.com/watch?v=qh_PuCi-K6c&t=4280s&ab_channel=ColombiaDiversa

⁴ See: <https://colombiadiversa.org/c-diversa/wp-content/uploads/2022/06/Who-is-going-to-tell-us.pdf> page 212-224, p. 197-202.

⁵ See: https://colombiadiversa.org/c-diversa/wp-content/uploads/2022/11/Cartilla-Bu%CC%81squeda-LGBT_Trad_Web-pags.pdf

⁶ See: <https://www.comisiondelaverdad.co/sites/default/files/descargables/2022-08/Informe%20final%20Resistir%20no%20es%20aguantar%20Etnico%20%281%29.pdf> page 204.

As of March 2024, the Victims' Unit registry reported⁷ 6,000 crimes committed against LGBTQ people during the armed conflict. According to the Truth Commission's Final Report⁸, this violence included forced displacement, exile, sexual violence, and killings. We still don't have concrete and certain data on how many LGBTQ victims there were, nor what crimes they suffered, in the Colombian armed conflict. This lack of information is the first demonstration that our lives are not considered relevant for effective peacebuilding initiatives in the country⁹.

Social stigma, lack of documentation, and fear of reprisals mean that we may never know the full extent of the violations that occurred against us. Many LGBTQ persons who survived armed violence also found themselves without legal recourse due to a system that did not recognize the violence as a crime – for example, when someone's hair was forcibly cut off or when a person was forced to wear certain clothes. But the overall context¹⁰ makes clear that these crimes were part of a pattern of gender persecution¹¹, an international crime that must be finally judicialized.

7

See: https://datospaz.unidadvictimas.gov.co/archivos/datosPaz/boletines/Boletin_Datos_para_la_Paz_Marzo.pdf

⁸ See: <https://www.comisiondelaverdad.co/mi-cuerpo-es-la-verdad> page 397.

⁹ In 2022, Colombia Diversa reported 148 killings of LGBTQ people and 97 cases of police violence against them. See: <https://colombiadiversa.org/c-diversa/wp-content/uploads/2023/11/Resumen-ejecutivo-Informe-Colombia-Diversa.pdf>

¹⁰ See: <https://colombiadiversa.org/colombiadiversa2016/wp-content/uploads/2020/07/english-version-Orders-Of-Prejudice.pdf> chapter I

¹¹ Colombia Diversa made this judicialization proposal back in 2019. See: <https://colombiadiversa.org/colombiadiversa2016/wp-content/uploads/2020/07/english-version-Orders-Of-Prejudice.pdf>

As you know, Colombia remains one of the deadliest countries¹² in the world¹³ for human rights defenders¹⁴, with LGBTQ defenders and peacebuilders¹⁵ facing particular risks.

In 2023, we recorded another 8 LGBTQ human rights defenders killed¹⁶, and just this February, Aldinebin Ramos¹⁷, co-founder of the Association LGBTQ+ Chaparral Diversa, a local peacebuilder known for his peace efforts in his town, was gunned down in his home by unknown assailants. In close to half of such cases, evidence suggests that these human rights defenders were targeted due to their sexual orientation or gender identity, and we have documented how LGBTQ defenders are being killed, forcibly displaced, injured, and subjected to sexual violence¹⁸.

Excellencies, every attack against an LGBTQ person, every human rights defender killed, and every murder left uninvestigated sends the message that our lives are dispensable¹⁹. I hope that today, this Council can send a powerful signal to the LGBTQ population in Colombia that their lives matter and that you will stand by your commitment to protect their rights.

Targeting human rights defenders and other LGBTQ people hinders their ability to participate in peace efforts and democratic debate. That's why, Excellencies, I ask

¹²See: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/A_HRC_55_23_English_unofficial_translation.pdf

¹³ IACHR reports that Colombia is the deadliest country in the Americas for human rights defenders. More than 55% of the cases are from Colombia (70 in total). This general statistic isn't broken down into LGBTQI advocate numbers, but the report does reference that several LGBTQI advocates have been targeted. See: https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2024/045.asp

Furthermore, between 2016 and 2022, 1,000 human rights defenders were killed in Colombia, an average of one human rights defender every 61 hours according to Amnesty International: <https://www.amnesty.org/en/documents/amr23/7248/2023/en/>

¹⁴ See: <https://www.wola.org/wp-content/uploads/2024/03/WOLA-UA-March-7-2024.pdf>

¹⁵ Additional violence trackers in Colombia include instances of violence against LGBTQ advocates. See: Los Andes University <https://cerosetenta.uniandes.edu.co/violencia-lgbt/>, WOLA <https://www.wola.org/analysis/lgbt-rights-and-peace-in-colombia-the-paradox-between-law-and-practice/>

¹⁶ See executive summary of the report: <https://colombiadiversa.org/c-diversa/wp-content/uploads/2023/11/Resumen-ejecutivo-Informe-Colombia-Diversa.pdf>

¹⁷ See: <https://justiceforcolombia.org/news/colombia-human-rights-update-february-2024/>

¹⁸ Perhaps the best case that illustrates this pattern is Alvaro Miguel Rivera Linares, a gay man living with HIV and a human rights defender murdered in 2009. His case still sits in impunity. See full report here (pages 43-70): https://www.cattrachas.org/files/ugd/b262b8_48a425fe7979498183ec9a2a885331ef.pdf?index=true

¹⁹ See what Colombia Diversa briefed this same Council a year ago: <https://colombiadiversa.org/blogs/intervencion-de-colombia-diversa-ante-la-onu/>

you: if we are brought violently into war, can we be left out of efforts to build peace? If we are to act on the foundational principle of the Women, Peace, and Security agenda, the answer is “no”: for a lasting peace, LGBTQ people must be involved in every stage of peacebuilding: negotiations, ceasefires, demobilization efforts, transitional justice processes, and the design of reparations measures. This Council can recommend this practice in all peace processes around the world.

Therefore, as the Colombian government prepares to finalize its first National Action Plan on Resolution 1325²⁰, it is critical that the rights of LGBTQ women are integrated²¹ and that a diverse range of LGBTQ organizations are further consulted in its implementation.

To break the harmful patterns of the past, there must also be accountability for gender-based violence during armed conflict. The Special Jurisdiction for Peace recently opened Macro Case 11²², which will investigate “gender-based violence, sexual violence, reproductive violence, and other crimes based on prejudice against sexual orientation or gender identity”²³. This judicial process, which aims to address the root causes of gender-based violence against women and LGBTQ people in armed conflict, brings us one step closer to ending impunity and can be a beacon of hope²⁴ for LGBTQ survivors of gender persecution around the world.

Finally, I offer the Security Council several recommendations about how you can support efforts to include LGBTQ people in Colombia’s peacebuilding process:

- 1) Demand the full, equal, and safe participation of women and LGBTQ people in the implementation of the peace agreement and negotiations with other armed actors in Colombia.

²⁰ See: <https://www.cancilleria.gov.co/newsroom/news/colombia-diversa-entrego-20-recomendaciones-gobierno-nacional-creacion-plan-accion>

²¹ See: <https://colombiadiversa.org/blogs/estamos-muy-cerca-de-lograr-un-plan-de-accion-de-la-agenda-de-mujeres-paz-y-seguridad/>

²² See: <https://www.jep.gov.co/Sala-de-Prensa/Paginas/-la-jep-abre-macrocaso-11-que-investiga-la-violencia-basada-en-genero-incluyendo-violencia-sexual-y-reproductiva-y-crmenes.aspx>

²³ See: <https://www.jep.gov.co/Sala-de-Prensa/Paginas/-la-jep-abre-macrocaso-11-que-investiga-la-violencia-basada-en-genero-incluyendo-violencia-sexual-y-reproductiva-y-crmenes.aspx>

²⁴ See: <https://colombiadiversa.org/blogs/cinco-claves-insiste-a-la-jep-abrir-el-caso-nacional-de-violencia-sexual-violencia-reproductiva-y-violencia-motivada-en-la-sexualidad-de-las-victimas-para-mujeres-ninas-y-personas-lgbt/>

- 2) Call for an end to all intimidation, attacks, and reprisals against LGBTQ persons, human rights defenders, peacebuilders, and civil society leaders, and for all perpetrators to be held accountable. Urge full implementation of the Comprehensive Programme of Safeguards for Women Leaders and Human Rights Defenders and integration of a robust gender perspective in the work of the National Protection Unit. Additionally, call on the UN Verification Mission in Colombia to regularly report on the situation of all human rights defenders, including LGBTQ defenders, to the Security Council.
- 3) Call on the Verification Mission to prioritize support for the implementation of those provisions of the peace agreement that are outstanding, notably gender provisions and the Ethnic Chapters, as well as the centralization of victims in judicial processes.
- 4) Urge the government of Colombia to include the prohibition of conflict-related sexual violence and violence against women and LGBTQ people in all future ceasefire agreements and in negotiations with armed groups. Continue supporting the work of the Special Jurisdiction for Peace, especially in relation to the decision to open Macro Case 11 on conflict-related sexual and reproductive violence, including violence based on sexual orientation and gender identity. Ensure the participation of women's and LGBTQ organizations in all aspects of decision-making in this process.
- 5) Urge the government of Colombia to regularly consult with diverse women and LGBTQ civil society to develop and implement its National Action Plan on Women, Peace, and Security. Simply naming them doesn't mean participation.

Excellencies, think of Colombia as a laboratory for implementing the principles of equality, non-discrimination, and inclusivity that are so central to the Women, Peace, and Security agenda. Success or failure here could set an important precedent for the protection of LGBTQ rights elsewhere in the world. We hope this Council seizes the opportunity to lead by example. Thank you.