

# They Told Us: “You’re Not Just *Black*, but *Maricas* Too”

*Experiences and Impacts of the Armed  
Conflict on Afro-LGBT People in Southern  
Bolívar and in the Colombian South Pacific*

With the support of:



Institute on Race, Equality and Human Rights



Somos identidad

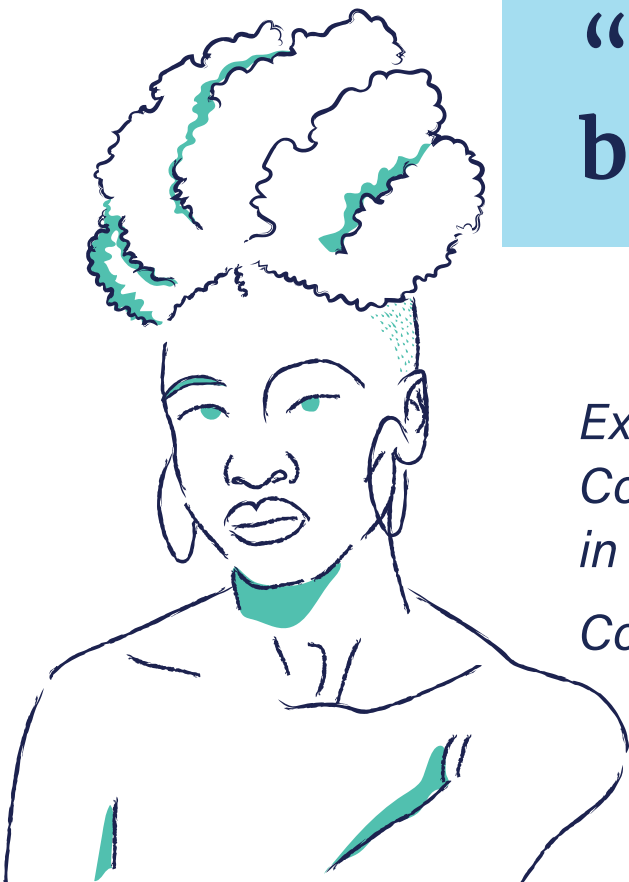


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## **Organizations that participated in the elaboration of this report:**

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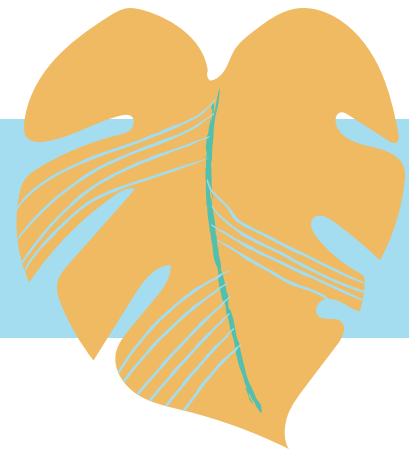
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The Institute on Race, Equality and Human Rights (hereafter Race and Equality) together with Caribe Afirmativo [Affirmative Caribbean], the Afro-Descendant Foundation for Social and Sexual Diversity (Somos Identidad), and Arco Iris Foundation of Tumaco presents this report to the Truth Commission in order to contribute to the elucidation of the truth in Colombia.

The armed conflict has left an unremovable imprint on Colombian society and a wound that continues to sting. Through the interviews and organization of this report, it became evident that black LGBT bodies are seen with double discrimination: the crime of being both black and LGBT, the spoils of war, and living lives subject to hypersexualization, “correction”, and elimination.

All the organizations involved hope that this report will be used to lift up the voices of black LGBT victims in the Caribbean and the Colombian Pacific. We know that this report alone does not suffice, and it is only a small contribution to the historical debt due to the Colombian population, especially the Afro-LGBT population. We hope that this report contributes to the healing of wounds, to a more just Colombia, and to reconciliation.

Race and Equality would like to thank its partner organizations that played a role in this investigation: *Caribe Afirmativo*, *Somos Identidad*, and the *Arco Iris Foundation of Tumaco*. They carried out the fieldwork and made this investigation possible. We would like to thank all the people interviewed for allowing us to tell their story. We would also like to thank the Truth Commission for creating a space where all voices can be heard.

I would like to acknowledge our LGBTI team: Zuleika Rivera, LGBTI Program Officer, and in particular, Laura Poveda, who composed this report, for her interest and dedication so that this report would contribute to the Truth Commission’s work and to the national discussion on the effect of the armed conflict against the Afro-LGBT population.

Finally, I hope that this report will aid in achieving peace with equality.

Executive Director, Carlos Quesada

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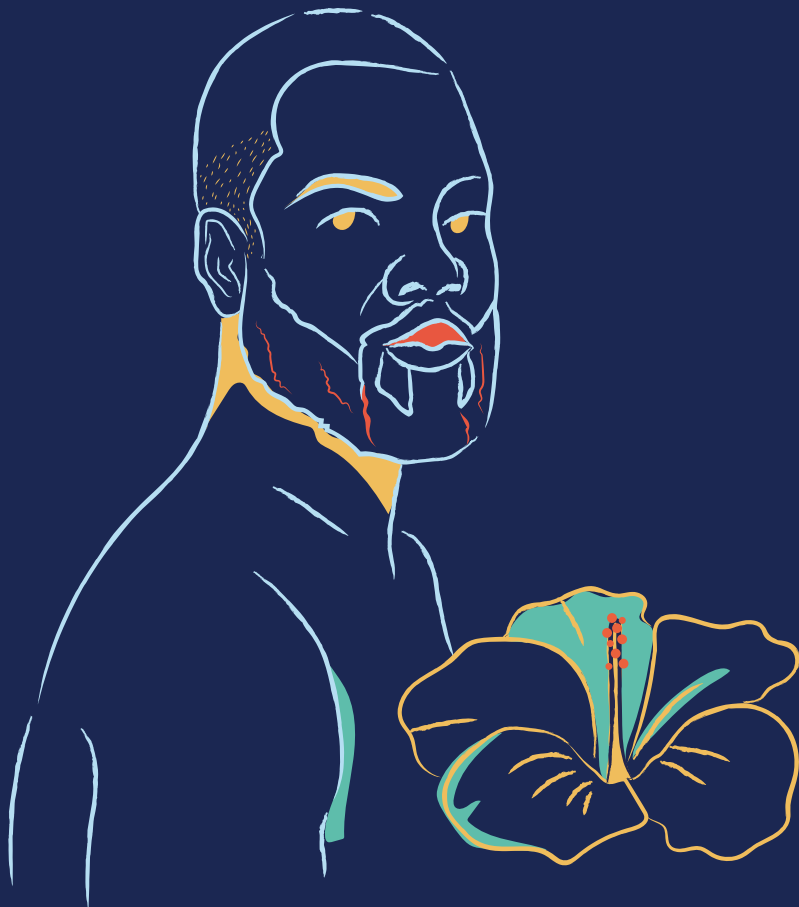
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1



# INTRODUCTION

They told us: "You're not just black, but Maricas too"

This report is the result of the combined effort of various social organizations in Colombia whose work centers around the defense and promotion of LGBT rights in different parts of the country, with an intersectional focus that includes an ethnic-racial perspective among many others. These organization received the support and technical assistance of Race and Equality.

These organizations are the *Caribe Afirmativo Corporation*, whose objective is to consolidate a culture of peace based on the recognition of the territories' diversity, the strengthening of citizenship-building processes, and the full exercises of rights including sexual and gender diversity; the *Afro-descendant Foundation for Social and Sexual Diversity - Somos Identidad*, a black community based organization whose purpose is to create leaders, to support, organize and put into motion actions, processes, and strategies that, from the educational, cultural, social, communal, political, ethnic, economic, and ideological fields, improve the living conditions of the Afro-descendant, black, palenquera, and/or raizal population with various sexual orientations and gender identities in the Cauca Valley; and lastly, the *Afro-Colombian Arco Iris Foundation*, a civil society organization that defends and demands the rights of black LGBT people in Tumaco and the nine municipalities of the Nariñense Pacific Coast.

The main reason for presenting this document has to do with the necessity of getting the Commission for the Clarification of Truth, Coexistence, and Non-Repetition (CEV), State institutions, and civil society in general to recognize the aggravated forms of violence, discrimination, and exclusion that black LGBT people face because of the intersecting vulnerabilities associated with ethnic-racial status, sexual orientation and varying gender identities, and the marginalized socio-economic conditions in the midst of the armed conflict in the Southern Bolivar and the Southern Colombia Pacific, spanning from 1998 to 2014.

Based on the witnessed testimonies and the voices of victims of the armed conflict who self-identify as lesbian, gay, bisexual and trans (LGBT) and as Afro-descendant, black, palenquera, and/or raizal for strategic purposes, persecuted and exercised specific forms of violence against Afro-LGBT persons out of prejudice due to their Afrodescendant ethnic identity and their sexual orientation, gender identity and/or gender expression (SOGIE), real or perceived. Likewise, this report seeks to contribute to constructing and defining an intersectional approach, as an analytical category and theoretic approach and as a key tool that should be applied transversally based on the



components of international standards relating to the transition from armed conflict to times of peace (that is the components of truth, justice, reparation, and non-repetition) in order to truly achieve stable and lasting peace.

This report consists of four main chapters. The first chapter traces the context of violence in the territories in question, focusing on the main characteristics of the armed conflict's development and the geographic presence of legal and illegal armed actors, and offering a panorama on the current human rights situation in the Southern Bolivar and Colombian South Pacific regions. The second chapter briefly mentions the current situation surrounding the protection and recognition of Afro-LGBT people's human rights in Colombia. The third chapter demonstrates the chief patterns of prejudiced-based violence perpetrated by legal and illegal armed actors that based their actions on systems of oppression such as sexism, racism, and LGBTphobia and who acted out of prejudice associated not only with sexual and gender diversity but also with the intersection of race. Finally, the fourth chapter outlines our thoughts on the urgency and necessity of implementing an intersectional approach in seeking the truth of the armed conflict. Lastly, the report ends with the exposition of a few general conclusions.



2



# ***METHODOLOGY***

They told us: "You're not just black, but Maricas too"

Methodologically, the report is based on the analysis of three reports written by our partner organizations in view of composing this document. Each one of these reports focused on the region where the organizations carry out their work – that is Southern Bolivar and the Cauca Valley, Cauca, Nariño departments in the Colombian South Pacific – and on the experiences of Afro-LGBT people in the midst of the armed conflict.

For the purposes of gathering information, the organizations (i) held focus groups and interviews jointly designed by the organizations and administered to Afro-LGBT victims of the armed conflict who carry out activities with the organizations or are part of them; (ii) they began the early stages of a literature search and monitoring of the media during the armed conflict and the human rights violations against Afro-LGBT people in the relevant territories; (iii) they analyzed reports and databases from public institutions and non-profit organizations that evaluate the situation of the Colombian armed conflict’s victims with a particular focus on LGBT and/or Afro-LGBT persons.

To systematize and analyze the information from documented cases, a data-organizing matrix was formed that resulted in the following table:

Year	Location	Victim	Event	Suspected Perpetrators
2001	Tumaco (Nariño)	Trans Man	Torture and Displacement	FARC-EP
2003	Buenaventura, near the Naya River (Cauca Valley)	Lesbian Cisgender Woman	Rape, Torture, and Displacement	Paramilitary Members (Central Bolívar Bloc)
1998	Tumaco (Nariño)	Trans Man	Rape and Torture	-----
2003	Guapi (Cauca Valley)	Trans Woman	Rape, Mutilation, and Torture	Police
2000	-----	Cisgender Gay Man	Torture and Displacement	Paramilitary Members (Black Eagles)

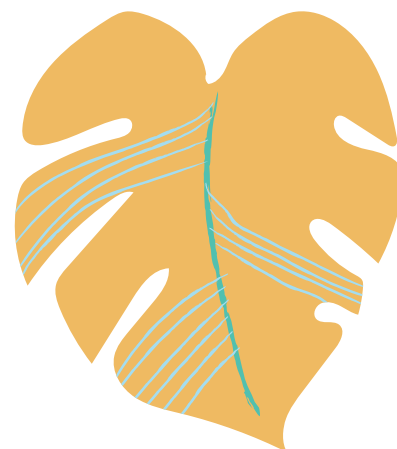
-----	Olaya Herrera (Nariño)	Bisexual Cisgender Man	Displacement	-----
-----	Timbiquí (Cauca)	Lesbian Cisgender Woman	Kidnapping, Rape, Torture, and Displacement	Paramilitary Members and Public Forces
2002	----	Bisexual Trans Woman	Rape and Torture	Paramilitary Members (Black Eagles)
---		Trans Woman	Torture, Looting, and Displacement	
2009	Barbacoas (Nariño)	Lesbian Trans Woman	Rape and Displacement	ELN (Mártires de Barbacoas Front)
2008	Tumaco (Nariño)	Non-Binary Person	Torture and Displacement	ELN (Cienfuegos Front)
2002	Buenaventura (Cauca Valley)	Bisexual Woman	Rape and Displacement	Police
1998 aprox.	Morales (Bolívar)	Bisexual Cisgender Man	Sexual Violence	Indetermined Guerilla
2018-2020			Threats	Paramilitary Members
2008	Morales (Bolívar)	Trans Woman	Forced Displacement	ELN
2015			Threats	
2001-2002	Arenal (Bolívar)	Lesbian Cisgender Woman	Threats - Attempted Femicides	United Self-Defense Forces Colombia - AUC
2011			Displacement	Paramilitary Members
-----	San Pablo (Bolívar)	Trans Woman	Threats- Forced Displacement	United Self-Defense Forces Colombia - AUC
2006			Femicide	

2011	Tumaco - Vereda Puerto Nidia (Nariño)	Gay Man	Threats and Forced Displacement	Paramilitary Members (Black Eagles)
1999	Tumaco - Vereda Juan Domingo (Nariño)	Gay Man	Rape	Paramilitary Members (Rastrojos)
2014	Tumaco (Nariño)	Lesbian Woman	Rape and Threats	Paramilitary Members (Rastrojos)
2013	Tumaco - Vereda Candelilla de la Mar (Nariño)	Bisexual Man	Rape and Threats	- - - -
2010	Tumaco (Nariño)	Gay Man	Threats and Displacement	Paramilitary Members (Black Eagles)
2013	Tumaco (Nariño)	Gay Man	Rape and Threats	Paramilitary Members (Black Eagles)
2009	Tumaco - Vereda Bucheli (Nariño)	Gay Man	Rape and Threats	Paramilitary members
1994	Tumaco (Nariño)	Gay Man	Threats and Displacement	FARC
2005	Tumaco - Vereda Candelilla (Nariño)		Extortion, Threats, and Displacement	FARC
2016	Barbacoas -Corregimiento el Diviso (Nariño)		Homicide (Parent), Enforced Disappearance (Sister), Threats, and Displacement	FARC Dissidents

2014	Tumaco (Nariño)	Trans Woman	Rape, Torture, Attempted Femicide, Threats, and Displacement	Paramilitary Members
2010	Tumaco (Nariño)	Gay Man	Rape and Threats	FARC
2014-2017			Threats and Displacement	Paramilitary Members (Rastrojos)
2014	Tumaco (Nariño)	Gay Man	Rape, Torture, and Threats	Paramilitary Groups (Rastrojos)
2013	Tumaco (Nariño)	Lesbian Woman	Rape, Torture, Displacement	FARC

Lastly, the information gathered from sources and investigative techniques was analyzed through systematizing and triangulating the data, based on a category tree and codes allowing for the characterization of information and identification of types of violence. This category tree had two central axes for examining the following groups of codes.

- 1 Suspected perpetrators.
- 2 Sexual orientation, gender identity and/or gender expression of the victims.
- 3 Victims' ethnicity.
- 4 Forms and patterns of violence.
- 5 Prioritized regions.
- 6 Context of armed conflict in the region.
- 7 Impact of prejudiced-based violence in the armed conflict.



3



***VIOLENCE IN  
SOUTHERN  
BOLÍVAR AND IN  
THE COLOMBIAN  
SOUTH PACIFIC***

In this report are detailed cases of violence against people, who self-identify as lesbian, gay, bisexual, and trans and as Afrodescendant, palenquera, or raizal (hereafter, Afro-LGBT), which were perpetrated by FARC-EP, paramilitary groups, and the Public Forces in Southern Bolívar and the Colombian South Pacific. This chapter seeks to describe how the armed conflict disproportionately affected those territories that were considerably more vulnerable, among which are situated the ethnic and racialized territories that endure racism, discrimination, exclusion, and inequality in conjunction with systems of oppression like machismo, sexism, etc.

To this end, the chapter will first address the subregions' general socio-historical context in order to show their characteristics in terms of geography, economics, and poverty rates. At the same time, providing a geographic region will contextualize the presence of legal and illegal actors as well as their territorial political project. Secondly, the ways in which different armed actors in the territories victimize people will be highlighted. Thirdly, the current human rights situation in the territories will be discussed. Lastly, the need for a response from the State in matters of protection and security in the Southern Bolívar and Colombian South Pacific will be examined.





## 3.1 *The Situation in Southern Bolívar*

### 3.1.1 *The territory's general socio-historical context*

The south of Bolívar department is made up of 16<sup>1</sup> municipalities located in an area of 16,000 square kilometers, encompassing the Magdalena river in the east, the Cauca river to the west, the Cimitarra river to the south, and the branch of the river known as Brazo de Loba to the north. Additionally, it is crossed from south to north by the extreme end of the Cordillera Central mountain range, called Serranía de San Lucas and within its boundaries is a portion of the Momposina Depression.<sup>2</sup> The subregion presents a lush and uneven terrain and within it there is a large variety of ecosystems (Gutiérrez, 2018).

Just like its geography, the subregion's demographic make-up is very diverse. Starting with colonial dynamics, distinct migratory processes relating to the Afrodescendant diaspora have occurred in the territory. In particular, there were streams of migration as a consequence of the transatlantic slave trade and slavery that happened during the colonial era, that made Cartagena (Bolívar) an economic model based on the supply and demand of slaves that moved into the southern part of the department (Viloria, 2009; Guerrero et al., 2017).

With the reproduction of similar ports that advanced slavery on the Caribbean coast, many black people and other groups like the white or mestizo poor began to look for new settlements:

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1 The 16 municipalities that make up the department's south are: Morales, Simití, San Martín de Loba, Barranco de Loba, Achí, San Pablo, Rio Viejo-Norosí, Santa Rosa del Sur, Cantagallo, Tiquisio, Montecristo, El Peñón, Arenal del Sur, Regidor, Altos del Rosario y San Jacinto del Cauca.

2 The Momposina Depression is part of the national water system and is made up of distinct sedimentation processes and wetlands which have made it into an essential element for ecological and ecosystem processes related to the food supply and survival (SEI, TNC y USAID, n.d.).



*The dream of freedom became incarnated in the Palenques<sup>3</sup> and arrochelamientos<sup>4</sup> located in places like the Montes de María, the Serranía de San Lucas, the La Guajira coastal region, the Serranía del Perijá, the Sabanas del Cesar (CINEP, 2015, as cited in Guerrero et al., 2017, p. 30)*

The Serranía de San Lucas is one of the uneven terrains that spans a large part of the subregion. There are other hydrological elements in relation to the Magdalena river and the presence of high-interest minerals, like gold, which attracted the attention of settlers and the few remaining landowners that began to penetrate into the Bolívar interior. As a result, cimarronajes,<sup>5</sup> palenques, and rochelas underwent further development.

Given the importance that these forms of resistance and anticolonial organization have, it is necessary to take the time to briefly make a few comments to this respect. The creation and settlement process of cimarrones, palenques, and rochelas in Bolívar began in the middle of the XVI and XVII centuries and primarily happened in Magdalena Medio, the Momposina Depression, and in the territory's south not only as a response to escape from slave holders but also for the natural wealth located there (Castaño, 2015).

With the passing of the years and the changes in the economic and political models around black people and extractive models, the subregion went through distinct periods of incursion and economic initiatives. Nonetheless, the ones that have lasted the longest are those related to the primarily rural composition of the territory. Thus, Southern Bolívar has stood out for primary activities related to agriculture, fishing, livestock, and gold exploitation (Viloria, 2009).

Concerning the mining of gold, the subregion has been an object of interest due to the presence of large deposits in the Serranía de San Lucas, especially at the San Pedro

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3 Beginning with the cimarronaje process, palenques appear as an organizational unit that sought to break away from the colonial system. That is, black people, who escaped seeking freedom, organized in "geographically difficult spaces that still offered survival possibilities not very far from farms in order to build palenques, strongholds of freedom" (Navarrete, 2003, p. 79 cited in Castaño, 2015, p. 67).

4 The arrochelamiento processes occurred primarily in the mid 1800s, but it was preceded by the cimarronajes and palenques. What were known as rochelas were small communities made up of fugitive Indigenous, impoverished white-mestizos, freed slaves, and other types of people fleeing colonial dynamics (Banco de la República, n.d.).

5 Cimarrones are the result of the black resistance process known as Cimarronaje, which refers to black slaves who escaped the custody of the person exercising "property rights" over them; this escape could be temporary, individual, or collective, either in an attempt to improve their conditions or to free themselves from slavery (Castaño, 2015).

and Golfo sites, where there are currently 2,000 miners in some approximate 150 small mines (La Silla Vacía, 7 April 2019). The potential stemming from gold has contributed to Southern Bolívar being the subject of dispute by distinct actors throughout history, mainly affecting black communities that had settled in the territory centuries ago.

Another essential aspect that has characterized the subregion is the distance between its municipalities and the capital of the department. Although distance was an advantage at the time when the first settlements started to materialize because it kept black, Indigenous, and other persecuted people as far away as possible from the Cartagena port where their commercialization and oppression occurred, today this distance has meant multiple problems related to resource management and administration of the territory.

Due to this, on multiple occasions, political sectors have promoted an initiative that forms a new department including Southern Bolívar, thus creating a specific destination for resources and administrative coordination that responds to local interests and to the neighboring municipalities of the interior. In addition to this alternative, different options have been considered such as building highways and secondary roads in order to integrate the subregion with the rest of the department and to invigorate the intra- and extra- regional economy (Viloria, 2009).

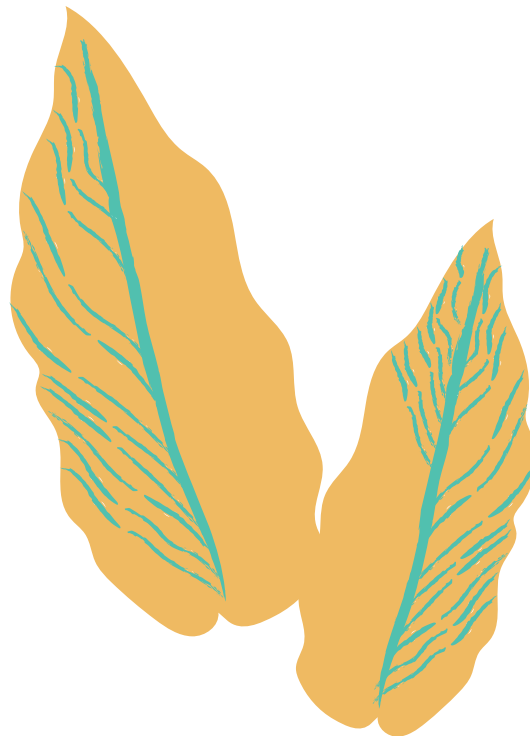
An aspect that is closely related to the historical and administrative context of the conflict is the illicit economies that developed in the territory. As previously mentioned, the demographic composition of the territory corresponded with anticolonial dynamics that were later affected by processes related to the economic exploitation of the river and gold deposits. Black populations, who found themselves in these scenarios in large part, were affected by both problems and found themselves involved in situations of vulnerability and informality.

The informality and conditions of vulnerability to which the populations in the territory were exposed have to do with the control exercised by armed actors in the region.<sup>6</sup> Roughly speaking, the cultivation of illegal crops like the coca plant has become the main economic motor for the inhabitants of multiple municipalities like Cantagallo, Simití, San Pablo and Santa (La Silla Vacía, 7 April 2019).

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<sup>6</sup> The farming of the coca plant in the region causes various problems for farming populations that traditionally fought to work the land. Initially with the ELN and FARC's arrival, control over the population was exercised in order to promote production through subjugation. Later, with the arrival of paramilitaries and the territorial dispute, violence was exacerbated in regard to these economies (Viloria, 2009).

Conditions of vulnerability, state abandonment, and armed conflict among other factors that have affected the region, have resulted in populations, especially Afrodescendant ones dedicated to agriculture, raising livestock, and artisanal mining that had historically settled in the region, having to face the limitation of their individual and collective rights. Taking the latter into account, many black communities that are present in the subregion, are formally and informally organized into Community Councils, and due to violence, they have seen the possible recognition of their ethnic-cultural, socioeconomic, and political scope greatly diminished.



### 3.1.2 Geography by presence of actors

As was stated in the previous section, the territory has been the subject of interest and dispute between political and armed actors in terms of gold mining and its strategic position by the Magdalena river and the Serranía de San Lucas. Starting with the bipartisan violence of the '50s, followed by the forming of the ELN in nearby Santander during the '60s, the territory has witnessed a constant flow of armed actors and violence.

Below are listed the actors that have been present in the southern part of the department of Bolívar and who have been involved in the conflict. To this end, the actors in the territory are categorized according to the following orders: social and/or political, state, insurgent, and parastatal.

#### Social and/or political order

**Social organizations:** *In Southern Bolívar there are various organized black communities, formal and informal claimants of land, with emphasis on the next two Community Councils: Antonio Sajón in Barranco de Loba (municipality) and Alejandro Durán Díaz in Altos del Rosario (municipality). These organization are essential to obtaining collective ownership of the land which allows them to manage community spaces, where they can participate in their ancestral practices and guarantee the exercise of their cultural identity (Observatorio de Territorios Étnicos y Campesinos, n.d.).*

*One of the most representative organizations is the Southern Bolívar Chapter of the National Movement of Victims of State Crime (Movimiento de Víctimas de Crímenes de Estado - MOVICE) which was created in June 2009 with the large gathering of more than 500 victims in the city of Aguachica and later moved to the Catatumbo region with associations for displaced people from the Catatumbo Committee of Social Integration (Comité de Integración Social del Catatumbo) (MOVICE, 17 January 2018).*

*The Chapter is composed of the Agromining Federation of Southern Bolívar (Federación Agrominera del Sur de Bolívar – Fedeagromisbol), which itself is made up of 45 associations of small miners, farmers, fishermen, and the committees of victims from different municipalities such as San Pablo, Simití, Santa Rosa, Morales, Rio Viejo, Montecristo, Norosí y Tiquisio; the Committee of Victims of Aguachica, Gamarra and San Martin (MOVICE, 17 January 2018).*

*On the other hand, it should be highlighted that the community of El Piñal (Simití), in order to deal with the conflict, chose organized resistance around the Community Action Board (Junta de Acción Comunal – JAC), the Association of Farmers, Agricultural and Fishing Producers (Asociación de Agricultores, Productores, Agrícolas y Pesqueros – ASOPAPP), and community organizations in order to achieve empowerment and defense of the territory and the environment (Chávez, Carballo y Quijano, 2016).*

## State order

**Public Forces:** *Among the military units that were present in the subregion was the 2<sup>nd</sup> Nueva Granada Antiaircraft Artillery Battalion. Yet, Mobile Brigade 1 cannot go unnoticed and was the main perpetrator of different crimes against humanity in 1966 and 1998. Additionally, the Heroes of Majagual Battalion was present within the borders of Southern Bolívar. More recently, were Nariño Battalion and the 46<sup>th</sup> Alta Montaña Battalion – Manuel Maria Torices also present in Southern Bolívar and were considered responsible for human rights violations, without forgetting their collusion with paramilitaries (MOVICE, 17 January 2018).*

*Of the most blameworthy acts in this zone, before other actors, are the extrajudicial executions of 2008 committed by the XV Army Brigade with headquarters in Ocaña (municipality). In many other parts of the country, youth from Southern Bolívar were recruited with the promise of work, later murdered, and finally handed over as guerrillas fallen in the midst of alleged combat (MOVICE, 17 January 2018).*

## Insurgent order

### **Revolutionary Armed Forces of Colombia - People's Army (FARC-EP):**

*With regards to FARC-EP, it should be mentioned that Front 24 (Magdalena Medio Bloc) had the greatest impact on this part of the national territory, appearing in the early 1980s, developing their greatest military capacity by 1990, and finally demobilizing in 2017 with the signing of the Peace Agreement in Havana, Cuba (La Silla Vacía, 7 April 2019). Additionally, FARC-EP's Front 37 was present in the municipalities of Arenal and Morales (CNMH, 2014).*

**National Liberation Army (ELN):** *Concerning the ELN, it should be pointed out that it was the first illegal armed actor to materialize in this territory. According to statements from Nicolás Rodríguez, alias "Gabino", Ricardo Lara Parada arrived with a discrete commission in Santa Rosa del Sur in 1972 (Medina, 1996).*

*Later in 1978, Manuel Pérez Martínez appears in the municipality of Morales, forming the José Solano Sepúlveda Front. Later in 1992, the Heroes and Martyrs of Santa Rosa Front is formed (La Silla Vacía, 7 April 2019).*

*There were also other municipalities where the ELN had a presence like Simití, Arenales, Regidor, Río Viejo y Tiquisio (CNMH, 2014). ELN interference was essentially limited to rural zones with Fronts Luis José Solano Sepúlveda, Alfredo Gómez Quiñones, Guillermo Ariza, Heroes and Martyrs of Santa Rosa, and Edgar Amilkar Grimaldo Barón (El Tiempo, 2017; RCN Radio, 2016).*

*With the decline of the marijuana bonanza, illicit activities of criminal structures were introduced like the sowing and processing of the coca plant. In so doing, between 1991 and 1994, the ELN and FARC-EP exercised great military control over this region (Viloria, 2009). Given their marked presence and dominion in this zone, coupled with the repeated practice of kidnapping and the arrival of the coca plant, this resulted in the presence of the AUC.*

*Since the late 90s, the ELN has been severely weakened by actions taken by the Public Forces. For example, in 2017 the Public Forces managed to take down Pablo Arredondo, alias "Erik," who was the commander of the Heroes and Martyrs of Santa Rosa Front (El Tiempo, 2017). Nonetheless, since 2018 ELN has maintained armed activity in Southern Bolívar (La Silla Vacía, 7 April 2019).*

*The ELN's impact on Southern Bolívar has been so dominant, they have come to empower themselves among the people. They were considered powerholders and, likewise, were in charge of resolving the population's problems pertaining to matters like the fixation of borders, disputes between neighbors, arguments between couples, etc. (La Silla Vacía, 7 April 2019).*

## Parastatal order

**United Self-Defense Forces of Colombia (AUC):** *It should be remembered that the AUC's presence in the territory can be traced back to protests held in Southern Bolívar from 1999 to 2001, upon proposal by the government of ex-president Andrés Pastrana to create a demilitarized zone in this region in order to hold peace negotiations with the ELN (Verdad Abierta, 2011).*

*Thus, the arrival of paramilitaries in the region occurred in 2000 as a result of the fusion of self-defense groups operating in Santander and Southern Cesar with the AUC's strongest territorial bloc, the Central Bolívar Bloc (BCB), in order to take control and weaken the ELN. Their operations were centered in the corregimientos<sup>7</sup> of San Blas and Monterrey of Simití (municipality), also being active in the municipalities of Cantagallo, San Pablo, and Santa Rosa and the block was able to put together nine fronts (Verdad abierta, 2011; La Silla Vacía, 7 April 2019; Caribe Afirmativo, 2019). Once the BCB was shaped, it appointed alias "Macaco" as its general commander, alias "Julián Bolívar" as military chief, and alias "Ernesto Báez" as the organization's political chief (Verdad Abierta, 2011).*

*In the region, paramilitary representation was marked by the Peasant Self-Defense Groups of Córdoba and Urabá (ACCU), who mounted a strong attack against the resistance offered by artisanal miners organized by different local committees affiliated with Fedeaagromisbol. By virtue of such control, they perpetrated massacres and incursions in different municipalities and veredas<sup>8</sup> (Movimiento de Víctimas, 17<sup>th</sup> January 2018).*

<sup>7</sup> Subdivisión of a Colombian municipality

<sup>8</sup> Colombian municipal subdivisional unit



The arrival of the AUC to “organize” the territory was connected to gold exploitation by multinationals in the Serranía de San Lucas and to establish a national corridor connecting Urabá with Catatumbo (Movimiento de Víctimas, 17 January 2018). After their entry into the territory in 1997, there were various attempts to consolidate strategic points for the armed groups, among which the following merits a closer examination:

*In a third attempt to enter Southern Bolívar, Salvatore Mancuso coordinated the new occupation that began in Mico Ahumado, a corregimiento of Morales, in three points: one group from Tiquisio, one from Morales, and another from Las Brisas, a municipality of Santa Rosa (Verdad Abierta, 2011).*

Later, the AUC entered the San Blas compound where they set up their base of operations due to the ease of communication with and visibility of other veredas and corregimientos, starting criminal activity in the municipalities of Monterrey, San Pablo, Cantagallo, and Simití (Verdad Abierta, 2011). In 2000 – 2001, the AUC was present in the territory via three formations:

*Vencedores del Sur Front present in San Blas, Tiquisio, Morales, Río Viejo, Arenal, Regidor, Simití, Santa Rosa, Pueblo Nuevo, Buena Vista, Canelo, San Juan de Rio Grande, and Río Amarillo led by alias “Cinco”; the Combatientes de San Lucas Front present in Barranco de Loba, San Martín de Loba, Hatillo de Loba, El Peñón, Altos de Rosario, and Coco Tiquisio led by alias “Sagún;” and the Libertadores of Río Magdalena Front in Monterrey, Paraíso, Vallecito, Cañaveral Bajo, Piñal, San Luis, Ahuyama, Santo Domingo, Pozo Azul, Aguas Lindas, San Pablo and Cantagallo, led by ‘Don Carlos.’ (Verdad Abierta, 4<sup>th</sup> September 2013).*



*The AUC's presence in Southern Bolívar was defined by the control of illegal assets and violations of International Humanitarian Law like forced displacement. According to the Consultancy on Human Rights and Displacement (CODHES), from 1985 to the cut-off date of 1 February 2018, in the municipality of Achí, 19,515 people were forcibly displaced because of the Colombian conflict. Additionally, the AUC committed other crimes like enforced disappearance, torture, kidnapping, and actions against liberty and sexual integrity.*

*On 31 January 2006, 2,553 Central Bloc militants of the AUC were demobilized in the corregimiento of Buenavista in Santa Rosa del Sur municipality thanks to the Justice and Peace Law signed by ex-president Álvaro Uribe's government (Gutiérrez, 2018). Notwithstanding, the demobilization did not end the AUC since, in 2007's second semester, they had a wide-ranging regional presence in Southern Bolívar as part of the Medio Magdalena subregion (Verdad Abierta, 2008).*

*Of the 287 crimes imputed by 2011 to the AUC in this territory, at least 29 victims were girls, boys, and adolescents. According to documentation from the district attorney's office, this bloc stood out for recruiting underage children who were trained and incorporated into their ranks (Verdad abierta, 2011).*

**Other criminal organizations:** *According to the Integral Peace Observatory, in 2012, Organized Armed Groups (OAG) like the Clan del Golfo, los Rastrojos, Los Urabeños, Las Águilas Negras, and Los Paisas were operating in Southern Bolívar and shared territorial control with FARC-EP, primarily in the municipalities of Cantagallo, San Pablo, Santa Rosa del Sur, and Simití, and with the ELN, in the municipalities just listed and along with Morales and Montecristo (Indepaz, 2012).*

*The subregion also witnesses the presence of other local criminal organizations known as Los Vagos and Los Mellizos. Currently, the armed illegal organization with the greatest presence is the Clan del Golfo who is responsible for collecting illegal income, farming products, coca processing, and illegal gold mining (La Silla Vacía, 7 April 2019).*

*In agreement with information discussed in previous sections of this report, the presence of armed actors in Southern Bolívar has not only corresponded*

*to the geographic characteristics that make the territory a necessary step between the country's east and west, but also to historic State abandonment of the populations (MOE, n.d.). Both factors together lead to armed actors creating territorial economic and political projects related to illegal economies that multiplied in the territory such as illicit drug cultivation, illegal gold mining, river trading of raw materials for the aforementioned activities, etc. (Verdad Abierta, 24 June 2018).*

*The projects of legal and illegal armed actors, which developed within the conflict, reveal a dynamic quality throughout history, since the ELN's presence historically in Barranco de Loba in the 60s, FARC-EP's 1980's presence, and later paramilitary groups that served as counter-guerrillas in the mid 90s (Verdad Abierta, 11 January 2011).*

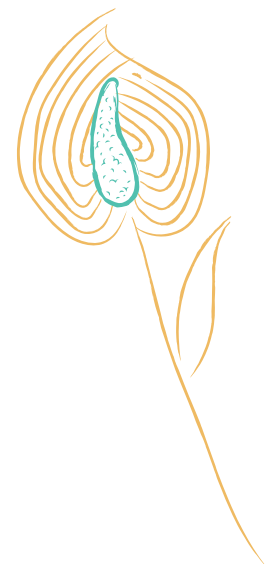
*Both guerrilla and paramilitary structures have imposed political and economic projects on Southern Bolívar connected to illicit economies around mining and coca cultivation, being the territory next to the Serranía de San Lucas most affected by the high concentration of gold and silver (Verdad Abierta, 11 January 2011). The dynamics of the fight to occupy the territory have generated complex, in-motion conflicts in which alliances between armed actors have been made, similar to what occurred between FARC-EP and the ELN in order to combat paramilitaries (Verdad Abierta, 11 January 2011).*

*In terms of complex, moving forces, for years in the subregion there was the strong presence of the ELN and later FARC-EP, who as guerrilla insurgents had an armed, political project based on rhetoric that sought to attract followers and legitimize the use of arms against a tyrannical State. Nevertheless, this control lasted until 1998 given that, upon entering the territory, paramilitaries did so by relying heavily on violence in order to "snatch away" power and obtain and territorial control (MOE, n.d.).*

*Southern Bolívar's civil population has been immersed in the conflict due to warlike political and economic actions. The armed actors' territorial projects also impose social and moral orders onto the populations – many of which exclude sexual and gender diversity – leading to the stigmatization of settlers in order to shame them into collaborating with or helping one side or another. In these circumstances, social leaders, human rights defenders, and representatives*

*of community organizations like the Community Action Board or Community Councils were singled out.*

*Based on the information given above, a picture of how territorial violence was shaped will be presented, taking into account the massive and systemic commission of victimizing events like forced displacement, homicides, kidnapping, massacres, etc.*



### 3.1.3 A picture of violence in Southern Bolívar

According to the former Unique Register of Displaced Persons (*Registro Único de Población Desplazada* – RUPD), between 1997 and August 2010, 8,720 people were expelled from San Blas municipality and 25,993 people from San Pablo. The numbers match with those of the Land Restitution Unit (*Unidad de Restitución de Tierras*) in the department of Santander. For example, in the municipalities of San Pablo and Simití, 129 and 117 land claims have been filed respectively. In Southern Bolívar, victims are asking for the restitution of around 50,000 hectares of land that they were forced to abandon due to the armed conflict (Verdad Abierta, 4 September 2013).

In this context, Afrodescendant people have disproportionately suffered from the forces of forced displacement. Colombia's Unique Registry of Victims (*Registro Único de Víctimas* – RUV), lists as of 1 February 2021 some 19,646 Afrodescendant victims of this event.

*Table No. 01 Afrodescendant victims of forced displacement in Southern Bolívar*

<b>Municipalities</b>	<b>Black or Afrodescendant victims of forced displacement</b>
Cantagallo	818
San Pablo	2.008
Simiti	749
Santa Rosa del Sur	612
Montecristo	1.299
San Jacinto del Cauca	198
Tiquisio	1.649
Achí	1.218
Altos del Rosario	2.401
Barranco de Loba	1.914
San Martín de Loba	1.253

El Peñón	494
Regidor	1.072
Rio Viejo	1.272
Arenal	1.450
Morales	1.239
<b>Total</b>	<b>19.646</b>

*Based on the Unique Registry of Victims (cut-off date: 1 January 2020), created 1 March 2021.*

Although forced displacement has been perpetrated by different armed groups, in the AUC's case, they managed to exercise control over the 16 municipalities of Southern Bolívar. From 1997 to 2008, the total number of displaced persons was almost 94,000 which represented 38% of the department's total population (Viloria, 2009).

To provide an example, since the paramilitaries arrived in the zone in 1997, the zone's inhabitants were subjected to distinct forms of violence related to population control. Alias 'Don Carlos', chief of the Libertadores of the Río Magdalena Front, set up base in the corregimiento of Monterrey (Simití). It is said in the media that he arrived to this population with bursts of gunfire, escorted by a group of 20 paramilitary members, recruiting youth, among them were some who had fought with the guerrilla ELN (Verdad Abierta, 4 September 2013).

In the conflict there have been various massacres and violent events that marked the history of Southern Bolívar. One of the most atrocious episodes has to do with what happened in El Piñal, a vereda of Simité. In this place the violence began with the 12 April 1999 hijacking of the Fokker 50 plane of Avianca Airlines by Front 24 Heroes and Martyrs of Santa Rosa of the ELN. The plane was on commercial route Bucaramanga-Bogotá and was forced to abandon its trajectory and ordered to land on a clandestine runway. Inside the plane were 41 passengers, 5 crew members, and the hijackers who were later led away in small boats (Vanguardia Liberal, 10 April 2016). The hostages remained in the forest until their liberation, which happened progressively that year and some months later. Passenger, Carlos Gustavo González, died in captivity (El Tiempo, 12 April 2019).

This event was used to pressure the National Government into including the ELN in peace talks through the creation of a demilitarized zone for the advancement of the National Convention with the ELN (Vanguardia Liberal, 10 April 2016).

Later, on 7 August 1999, ex-paramilitary chief Rodrigo Pérez Alzate, alias 'Julián Bolívar', sent 110 paramilitaries to the vereda of El Piñal (Simití). Upon arriving, they forced the residents to move towards a public kiosk (Verdad Abierta, 10-08-2011). Other sources indicate that they grouped them together in a school (Chávez, Carballo y Quijano, 2016). Once the community was gathered, the paramilitaries locked them in and started to ask the identity of each inhabitant to check them against a list they had. Although many people were not on the list, they killed six people for having supposed connections with the ELN. Family members of the victims recounted that before murdering them, they were made to carry heavy objects and that the rest of the population was physically abused by the paramilitaries (Verdad Abierta, 10 August 2011).

In the face of gunshots and the death of the loved ones, and moreover, in the face of the paramilitaries' demand to abandon the vereda, residents were forced to leave on canoes towards other parts of Magdalena Medio (Chávez, Carballo y Quijano, 2016).

These forced mobilizations in El Piñal caused different types of harm to the population. Their life projections were harmed, because the paramilitaries interrupted their way of life by forcing them to abandon their homes, and their economic activities like fishing. Likewise, this caused emotional damage that impacted the psyche of residents in that they negatively affected the relationship between partners, wrought the disintegration of the nuclear family, and provoked collective feelings of fear, anxiety intimidation, and lack of empowerment among the residents (Chávez, Carballo y Quijano, 2016). There were also material damages like the loss of their personal belongings, their homes, their animals, their electric appliances, etc. (Chávez, Carballo y Quijano, 2016).

At the date of these events' occurrence, there were already various self-defense groups that initially committed crimes in lower Cauca and who later entered in Southern Bolívar under the orders of the AUC's Castaño. They specifically built a paramilitary base in Simití to have access to the Serranía de San Lucas and to the Magdalena river, strategic zones for gold mining and coca farming (Rutas del conflicto, 2019).

In another corregimiento of Simití, Cerro Burgos in this case, there were also reports of episodes of violence. On 11 June 1998, a group of 100 paramilitaries mobilized along

the Magdalena river until reaching this corregimiento, shooting at homes and violently forcing the people to come out of their homes to be interrogated (Verdad Abierta, 10 August 2011).

The paramilitaries gathered the residents by the docks and started to call them one by one by name. This incursion was led by alias "Ramiro", named the military leader for this incursion and who lead two squadrons, each one with 40 paramilitary members on loan by the Santander and Southern Cesar Self-Defense Group (Verdad Abierta, 10 August 2011).

This incursion's objective was to take control of this strategic site because Cerro Burgos is the entryway into the Southern Bolívar territories who were under the control of guerrillas.

Similarly, they murdered three people accusing them of being suspected collaborators with ELN. According to recounts, "The first victim, who shot at the illegal armed group, died from the explosion of grenades paramilitary members threw at their house. Another victim was killed by the docks and the third was tossed into the Magdalena river." The last two were accused of collaborating with the Heroes of Santa Rosa Front of the ELN. (Verdad Abierta, 10 August 2011).

By the same token, they plundered homes as well as the aqueduct's collections office, the Santa Rosa Transport Cooperative's hut, and a drugstore. As a consequence of these acts, 150 residents were displaced out of fear that the paramilitaries would return and attack them again (Verdad Abierta, 10 August 2011).

Furthermore, in the municipality of Arenal, the townspeople were witnesses and protagonists of atrocious acts perpetrated by the AUC. On 2 of October 1999, in this municipality, paramilitaries killed eight peasants whose identities are unknown. This massacre among many others intensified the war between the AUC and ELN for control of Southern Bolívar. According to the public prosecutor's office, more than 2,000 people were killed between 1996 and 2005 as the result of clashes in this zone (Verdad Abierta, 10 August 2011).

Salvatore Mancuso Gómez, ex-commander of the AUC's Catatumbo Bloc, acknowledged the organization's responsibility for these events during his submission to the Justice and Peace Law of 2007 (Rutas del Conflicto, 2019). Despite the demobilizations and





the decrease of paramilitaries and ELN members, and despite the Peace Agreement's signing with FARC-EP, violence in the territory has not come to an end.

In 2016 in Morales municipality, 15 fishermen were kidnapped by ELN guerrillas for not having obeyed a command to not fish in Samoa swamp (Gutiérrez, 2018). At the end of 2017, there were alleged threats made at the population prohibiting the use of high-end cellphones, meaning those that could take photographs (El Tiempo, 2017).

On 28 of January 2018, the ELN launched an explosive artifact at the police substation in the corregimiento of Buenavista (Santa Rosa del Sur), where two members of the National Police were killed and another one wounded (Pulzo, 2018). In turn, this guerrilla group attacked police stations in Norosí and Arenal on 5 February 2018, launching explosive artifacts and bursts of gunfire; there were no human casualties reported (El Tiempo, 2018).

Subsequently, reports of attacks and confrontations in the zone have continued, like what occurred on 7 March 2018 when National Army troops assigned to Jungle Battalion No. 48 Prócer Manuel Rodríguez Torices arrived at a site named "La Capilla", located five minutes from the urban area Micoahumado. In this location, there was a significant confrontation with the ELN, where the population was caught in the middle of the gun fight (Movimiento de Víctimas, 9 March 2018).

In October of the same year, a group of approximately 20 men, who identified themselves as FARC-EP dissidents, came to the Mina Café vereda in the corregimiento Mina Gallo (Morales), and they asked the residents to whom were they paying protection money, and they found a young man whom they carried outside of the small village. They beat him until a group of residents arrived petitioning for him to be released and they freed him (Movimiento de Víctimas, 29 October 2018).

They occupied at night a civilian home belonging to Miguel Santos where he lives with his family. Later, on 26 October, the same group arrived at the small village of Mina asking for the ELF fighters and threatening to carry out a social cleansing of drug users. On the following day, they moved onto the Mina Espada and Mina Gallo where they also occupied a family's home and required the I.D. papers of the residents. These events were reported to the Army, especially Jungle Battalion 48 who took no action whatsoever (Movimiento de Víctimas, 29 October 2018).

Some residents affirm that the behavior and types of guns the supposed dissidents carry are similar to those used by the National Army (Movimiento de víctimas, 29 October 2018).

### **3.1.4 Current human rights panorama in Southern Bolívar**

This section will describe the current human rights situation facing the victims from Southern Bolívar, particularly Afrodescendant victims with diverse sexual orientations, identities and expressions of gender (hereafter SOGIE). Moreover, this section will delve into the institutional protection and guarantee of the human rights of LGBT persons, social leaders, human rights advocates, and victims.

**A**

#### *Institutional protection and guarantee of the rights of LGBT persons in Southern Bolívar*

The United Nations High Commissioner for Refugees (UNHCR) Colombia office and the Jesuit Refugee Service have been working together in Southern Bolívar to implement a project for the prevention and eradication of sexual and gender violence in response to the frequent cases of violence towards girls, boys, adolescents, and women in the municipalities of the subregion (UNHCR, 14 January 2013). On the matter, María Janeth, female leader and victim of violence in the corregimiento of Monterrey (Simití), has stated that, “Now is the time to say enough, for us women to stop and to not allow ourselves to be assaulted by men without it being disrespectful to them” (ACNUR, 14 January 2013).

Additionally, it is important to bring attention to the alliance forged between the Bolívar government and the Caribe Afirmativo Corporation in support of constructing

and implementing public policy aimed at securing the rights of LGBT people in this department where the “Bolívar Ganador, 2012-2015” Development Plan was adopted (Caribe Afirmativo, 12 November 2014). The department’s government proposed the recognition of the equality and dignity of all men and woman and, thus, equal consideration, treatment, and respect. In this context, with the help of Caribe Afirmativo Corporation, the suggestion was made to increase and reinforce equality among residents in order to build just societies in the labor, ethnic, political, religious, social, and gender domains (Bolívar Department Development Plan, 2012-2015).

In order to execute this task, there were workshops, discussions, and other activities held in municipalities like San Juan de Nepomuceno, Talaigua Nuevo, San Martín de Loba, Simití, among others, allowing for people in real situations to be heard and for the population’s strength to be seen. Civil servants, civil society, LGBT people, social organizations, and social leaders all participated (Caribe Afirmativo, 12 November 2014).

## B

### *Institutional protection and guarantee of the human rights of social leaders in Southern Bolívar*

Similar to other zones of the country, Southern Bolívar has a hostile environment of instability with the lives of social leaders at risk. In 2018, 24 men and 3 women, who had social leadership roles and who were building peace in Colombia, were murdered. Two of these homicides were reported in the municipality of Cantagallo.

On 30 January that year, Nixon Mutis and Nilson Dávila were murdered. They were respectively committed to eliminating the growing of illicit crops and to presiding over the Community Action Board in Chaparral vereda of this municipality, (Caribe Afirmativo, 2018).

In the same vein, in San Pablo municipality, Jair Acevedo Cavadía, president of the Municipal Council, was threatened allegedly by an armed illegal group for having achieved second place in the village elections (El Espectador, 3 February 2020).

Additionally, in this municipality on 25 March 2020, Carlota Isabel Salinas was murdered. She was the Cimitarra River Valley's Women's coordinator and belonged for more than 10 years to another social organization (El Tiempo, 2 April 2020).

C

## *Institutional protection and guarantee of the human rights of the armed conflict's victims in Southern Bolívar*

Without a doubt, one of the war's most regrettable consequences in this part of the country is the high rate of displacement. According to the Registry of Displaced Persons (*Registro Único de la Población Desplazada*), 56,000 people have been victims of forced displacement in Southern Bolívar and, more precisely, in the municipalities of Cantagallo, San Pablo, Santa Rosa del Sur, and Simití (UNHCR, 14 January 2013).

For this reason, the UNHCR has decided to support the transitional justice committees' inclusion of forced displacement in the development plans within the Unified Comprehensive Plans (Planes Integrales Únicos - PIU) and the Territorial Action Plans (Planes de Acción Territoriales - PAT) (ACNUR, 14 January 2013).

Moreover, because of meetings held between the Presidential Council for Stabilization and Consolidation, the Unit for Victims, the Bolívar government, and mayors in Southern Bolívar, strategies are being devised to implement the Territorially Focused Development Plans (PDET).

With these joint efforts, it is expected that the implementation of these Territorially Focused Development Plans will produce, in these municipalities, licit processes of change and stabilization (Unidad for Victims, 17 August 2019) against the backdrop of the already mentioned State neglect and violence which the populations have been made to endure.

In Bolívar, the Territorially Focused Development Plans (PDET) will benefit more than 450,000 inhabitants of the municipalities of El Carmen de Bolívar, El Guamo, María La Baja, San Jacinto, San Juan Nepomuceno, Zambrano, Córdoba, Arenal del Sur, Cantagallo, San Pablo, Santa Rosa del Sur, Simití, and Morales (Unit for Victims, 17 August 2019).

## D

### *Need for an institutional response concerning human rights, protection, and security*

Given the context of violence, illegal mining, coca farming, and government abandonment to which the Southern Bolívar populations have been subjected, social organizations and victim's movements agree that the subregion requires the presence and accompaniment of the Government.

In particular, the Victim's Movement pointed out the following urgent needs:

- *Undertake the actions necessary to ensure the life, security, and tranquility of the region's inhabitants.*
- *Identify and neutralize action from the armed group identifying itself as FARC-EP dissidents.*
- *The Defense Ministry, the Office of the Inspector General of Colombia, and the Ombudsman's Office of Colombia should establish whether this group of armed men belongs to some part of the national army. Investigate the reasons why the troop belonging to Jungle Battalion 48 has not taken any action against that group (Victim's Movement, 29 October 2018).*

## 3.2

## *The Situation in the Colombian South Pacific*

### *3.2.1 The territory's general socio-historical context*

The geohistorical space examined in this study includes the region starting from the San Juan river to the Buenaventura until the Mataje river on the border with Ecuador, and from the Cordillera Occidental to the coastal line towards the Pacific Ocean. This text will limit itself to the Colombian Pacific South that currently corresponds to the coastal zones of the Cauca Valley, Cauca, and Nariño departments (Almario, 1 June 2009).

Since colonial times, the Pacific region has experienced economic dynamics linked to extractive industries. The way it was colonized is closely connected to its partial integration as a cupboard of natural produce that is appropriated and commercialized outside the region without greater yields going to the local residents (Leal y Restrepo, 2003). Gold mining is a constant in the region's history from the days of colonization by the Spanish Crown to current times.

After the independence process ended, gold mining declined, but it did remain a subsistence activity for the local population. Then other products appeared that fed the new extractive booms of the XIX and XX centuries, traded by white elites and extracted by local black populations. Among these, tagua nuts, called "vegetable ivory," and black rubber stand out (Leal y Restrepo, 2003).

These economies were followed by the extraction of wood in the first half of the 20<sup>th</sup> century, the extraction of red mangrove since the 1950 (Leal y Restrepo, 2003), the expansion of African palm plantations as well as the development of the shrimping industry (Agudelo, 2001). The 1980s saw the planting of coca and the investment of drug trafficking money into other sectors of the regional economy (Agudelo, 2001).

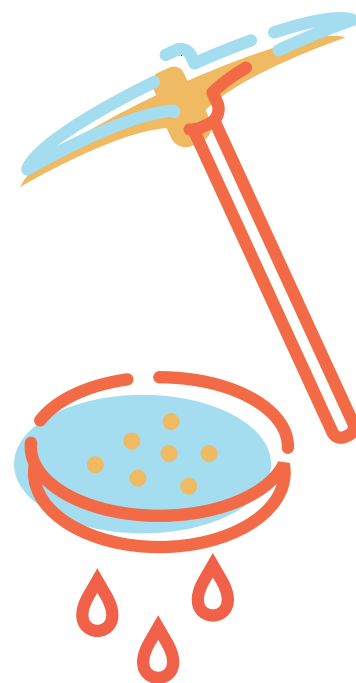
In the first decade of the 21<sup>st</sup> century, machinery-using gold extraction for the illegal enclave economy reached its greatest impetus, added to the proliferation of coca leaf farming as a response to the aerial fumigation that took place in Caquetá and Putumayo departments and that led to these illegal economies moving towards the Pacific, especially to Nariño (Galindo, Sabina e Inge, 2020). Thus, the region is characterized

today by the presence of the illegal gold and coca economies, but also by the presence of megaprojects that seek to exploit their “riches”, in the same logic that it has historically had from its ports to its rivers for the production of hydroelectric energy (Luque Revuelto, January – June 2016).

Therefore, we see a State active and present for awarding megaprojects and eradicating the farming of illicit crops through the Public Forces, but it does not break away from the view of the region as being destined to feed successive extractive cycles fundamentally based on taking advantage of its natural resources, renewable or not, and of geoenvironmental and geostrategic conditions. The region is thus the base for some kind of extractive enclave or the springboard to access international markets, especially those in Asia.

Another element of analysis in the region is the establishment of the first “reserves” in the Pacific starting in the late seventies. The struggles and organization of the Indigenous territories on a national and regional level obtained from the State provided the recognition of ownership rights over ancestral territories. In this manner, the Indigenous gained rights to lands that until that moment were occupied jointly by black and Indigenous people. In many cases, entire black populations became encompassed by Indigenous reserves (Pineda,1999). Beginning with Law 70 of 1993, different Pacific territories have been titled as community councils to Afrodescendant populations and Indigenous reserves, which faces great challenges for the consultative processes for territorial law. This region is characterized by its great biodiversity, environmental protection and forest reserve zones, as well as the existence of important ports like Buenaventura and Tumaco that complicate the regional scene. This situation is the source of new tensions between the Indigenous and black residents, although there are isolated cases of conflict that deteriorate into violence, consultative systems of dialogue still are based on solving and moderating conflicts (Arocha, 1998).

The building of gold mining settlements with slave labor and the subsequent processes of natural resource extract explains why black populations, descended from African slaves brought into the region in the 16<sup>th</sup>



century, are today's majority settlers. The abolition of slavery in the mid-19th century produced the migration of former slaves from the country's interior which further increased the black population. The extensive rural areas were inhabited by the majority black populations that occupied dispersed settlements along the region's numerous rivers, while the Indigenous were primarily located in the headwaters and elevated areas. The relationship between the region, on one hand, and social inequality and the structure of social classes, on the other, tends to make social borders coincide with ethnic borders given the scarce amount of mestizaje, mulataje, and zambaje, the wide demographic prevalence of black people, the small number of whites, and the almost negligible immigration of whites or mestizos to the region (Almario, O, 1 June 2009).

The process of territorial occupation developed indifference and precarious presence of the central State. The State's apathy towards the outlying zones has moreover, in the case of the Pacific (considered as a "black" region), a connotation of socio-racial segregation. Said discrimination corresponds to the State model that was built in the early 19<sup>th</sup> century, inherited from the colonial administration's racial prejudices that survived even after the full abolishment of slavery, and were also fed by the racist theories that emerged in 19<sup>th</sup> century Europe (Wade, 1997).

Changes in settlement patterns started to occur with more intensity towards the 1950s when a large part of black residents were concentrated in small villages. In the few urban centers, the white and mestizo populations were found (mainly small traders and entrepreneurs in mining or wood, managers for large mining or wood companies) although the black population ended up being the majority. The search for job opportunities, education, and better access to health services attracted a considerable part of the rural population to the region's urban poles (Buenaventura, Quibdó, Tumaco y Guapi) (Villa, 1998).

In the eighties and the following decades, a territorial occupation process started to brew, focused on the establishment of models of extraction and profit in keeping with the needs and interests of financial, agro-industrial, and exporting capital and, at the same time that armed colonization was being carried with the subsequent subjugation of residents, subjected to illegal crop circuits and the processing of narcotics. Added to this was the fast rise of drug trafficking that little by little began to take over the region, first using it as a transit corridor and exportation point, and later in the late 90s and early 2000s as a farming, processing, and transport zone. Armed illegal groups like guerrillas would start to also appear during this period. The conjunction of all these elements



would lead to the progressive implantation of violence and conflict that would end up transforming the region and reconfiguring the social order in the following decades (Ombudsman's Office, 2016).

According to the Ombudsman's Office (2016), the previously mentioned factors, that is, the reality of privatization, the economic opening, and the market logic that persist to this day, combined with the risks factors from the armed conflict and illegal economies (increased rates of violence, looting and displacement) have resulted in increased vulnerability, social unprotection, and violence which are reflected by the disproportionate increment of poverty and insalubrity rates, scarce opportunities for stable employment, and low levels of income with the growing impoverishment of the population.

This is an abandoned region in which multidimensional poverty rates, unfulfilled basic needs, lack of basic services, the incapacity to guarantee a minimum of infrastructure and investments to secure a dignified life for the people and protection of their rights, are proof of the State's absence. However, upon reviewing more closely the role that the region has had in the process of national formation, it is evident how continuous extractivism, and the development of the armed conflict, which will be examined further on, demonstrate the State's selective presence in the region.

## 3.2.2 Geographic deployment of armed actors

### Social and/or political order

**Social organizations:** *The South Pacific Community Council Network (La Red de Consejos Comunitarios del Pacífico Sur – RECOMPAS) groups together 18 community councils. The Network’s political influence work with governmental entities aimed at demanding rights and the community councils’ participation in decision-making forums have contributed to strengthening the governability of black territories.*

*Concerning the presence of organizational processes for Afro-LGBT people in the South Pacific, in Cauca there are the Afrohermanas Lesbianas who perform cultural acts in the city of Popayán and who are students at the University of Cauca. In Palmira, there is Mude Mujer, created and led by trans women. In Tuluá, Afroamor there are groups who meet and organize by means of detailed actions and who have forged bonds of cooperation with Somos Identidad and Posá Suto: Buenaventura, Hilos De Colores, Maricas Y Solas, Lesbo Y Mas, Amor Entre Hombres, and the Hijas De Odin.*

*In the district of Cali, the following groups are active: Mujeres Diversas, Colectivo La Tonga, and Axé El Amor from the University of Valle. They focus on study groups. There is also the Posá Suto platform which is a meeting place for diverse black persons, especially non-binary and queer persons and they come together through art and graphic creation. Without addressing the intersection of race and sexual diversity, the following groups in Cali lead the LGBT scene: Santa María Foundation, Frida Iris, Colectivo Amaranta, Twiggy Foundation, Study NNA (dedicated to defending the rights of trans women working on webcams), Colectiva Trans En-Poder-Arte, and the Colectiva Safo LB.*

### Insurgent order:

**National Liberation Army (ELN):** *the ELN has been present in the region as part of the guerrilla movement’s expansion process during the 1980s. The Southwestern War Front managed to insert itself with varying levels of success*

*into the departments of Cauca Valley, Cauca, Nariño, Putumayo, Caldas, Risaralda, Quindío, Huila, and Southern Chocó (Vargas, Andrés; Aponte, David; Millán, Santiago; Chamat, Nicolás; Frost, Emilia; Restrepo, Jorge, 2011) while the Manuel Vázquez Castaño Front of the ELN arrived in Buenaventura in the mid 1980s (International Crisis Group, 2019).*

*Such expansion was tangentially supported by the usufruct of the oil economy and gold mining, respectively represented by the Transandino Pipeline between Putumayo and Nariño and the existing gold deposits in this last department. Regarding the Southwestern War Front, it is useful to mention that it possessed a large amount of units (fronts and nuclei) that functioned on a urban level, made up of complex networks that provide logistical support and facilitate extorsions and kidnappings in various parts of Cali, Popayán, Ibagué, Pereira, Manizales, Armenia, Pasto and other urban centers (Vargas, Andrés; Aponte, David; Millán, Santiago; Chamat, Nicolás; Frost, Emilia; Restrepo, Jorge, 2011).*

*Starting in 1984, the ELN settled in the Cauca Valley with the Luis Carlos Cárdenas Front. This front expanded its presence into the municipalities of Riofrío, El Dovio, and Trujillo throughout the decade, establishing its presence in the Western Cordillera. The ELN's expansion suffered a severe setback from 1989 to 1993 after the cartel paramilitaries from the north of the Valley began a fight for the territory, especially the Garrapatas Canyon, and killed the local peasants who could have supported them. However, the ELN reworked their strategy and improved their presence in the Western Cordillera, and above all, in Cali and its peripheral zones. The urban Omaira Montoya Hena Front and the creation of the José María Becerra Front are the logical consequence of a long process of establishing urban militias and rural nuclei (Vice-presidency of the Republic, n.d.)*

*The ELN's maximum military expression in those territories was in 1999 and their decline coincided with the operations deployed by the Army in the Farallones de Cali zone, after the massive hostage taking of 2000 at kilometer 18 (El País, 2020), as well as being surpassed by FARC-EP's growth. In 2002, the ELN's presence in Cauca Valley was marginal. Its urban structures had lost vigor, the José María Becerra Front was subject to FARC-EP, and the Luis Carlos Cárdenas Arbeláez Front was in the same situation (Presidential Program on Human Rights and International Humanitarian Law Observatory, 2003).*

*The ELN's presence materialized in Nariño through the Omaira Montoya Henao urban regional commission that had established a considerable presence in Pasto by 1988, extending to the rural zones in 1992 with the creation of the "Comuneros del Sur" Front. In the beginning of the 1990s, the ELN controlled the areas neighboring the Transandino oil pipeline and the Comuneros del Sur Front was active on the road to Tumaco, Barbacoas, the border, and the regions of the entire southern high plateau (Vargas, Andrés; Aponte, David; Millán, Santiago; Chamat, Nicolás; Frost, Emilia; Restrepo, Jorge, 2011).*

*In regard to the Comuneros del Sur Front, their presence began with two columns that grew around the gold economy. On one hand, there is the Martyrs of Barbacoas column, with influence in the municipality of Barbacoas, where it penetrated from Samaniego, attracted by the gold mining, placing it at one of the entryways to the Pacific using the Telembí and Patía rivers. On the other hand, there is Sindagüa Warriors column, present in Iscuandé municipality, which has made sporadic journeys towards El Charco municipality. Their presence in Iscuandé can also be explained by the existence of gold mines (Presidential Program on Human Rights and International Humanitarian Law Observatory, 2009).*

*By 2011, the ELN was operating in Nariño with the fronts Comuneros del Sur, Heroes and Martyrs of Barbacoas, Manuel Vásquez Castaño, and Sindagua Warriors and with the companies Jaime Toño Obando, Camilo Cienfuegos, and José Luis Cabrera. The majority of the structures mentioned have their operating area in the Cordillera zone, except the Heroes and Martyrs of Barbacoas and the Sindagüa Warriors. They operate in the municipalities of Tumaco, Barbacoas, Magüí Payan, and Los Andes, that is to say in the department's Andén Pacífico, and the Manuel Vásquez Castaño Front in the coastal municipality of Francisco Pizarro (Vargas, Andrés; Aponte, David; Millán, Santiago; Chamat, Nicolás; Frost, Emilia; Restrepo, Jorge, 2011).*

*Starting in the second decade of the 21<sup>st</sup> century, alias "Cucho" or "Antonio", chief of the Southwestern War Front, concentrated his influence in Nariño and Cauca. This front is located in important coca-growing enclaves and mining zones; in Cauca, it enjoys a consolidated presence and since 2018 it has been growing stronger with the imposition of behavioral norms, restrictions on movement, and control over the sale of coca leaf and coca paste. In Nariño, recent information*

points out that the ELN is in the process of expanding beyond their historical zones, taking advantage of the Oliver Sinisterra Front's weakening, a FARC-EP dissident group. In the Pacific coast, in Cauca and Nariño, it took points along the river that were earlier controlled by FARC-EP in the river mouths towards the Pacific and its tributaries. Not only has the ELN seized zones in the FARC-EP's old territory, but it has also resolved to take control of these areas' economies, especially coca farming, the trafficking corridors, and the dispatch points that are a part of the first step of the cocaine industry. In the zones of these departments, the ELN establishes behavioral norms in the communities and forces the residents to plant coca plants (Ideas for Peace Foundation, 2020).

The ELN also is in Cauca, but in this department its impact on the Pacific has not been notable. In Guapi, Cauca, the José Luis Cabrera company has been present and in turn has had an impact on Iscuandé, Nariño. Taking into account their armed capacity, the number of reported actions committed by ELN forces in Cauca have been relatively few between 2015 and 2018. Despite this, the Ideas for Peace Foundation (Fundación Ideas para la Paz – FIP, 2020) considers that the ELN has a historical presence in Cauca, in addition to a high level of territorial and populational control that is not reflected in databases referring to the armed conflict. According to this organization, this guerrilla force exercises influence in important mining areas, with resources coming from the charging of projection money and fees. Furthermore, the José María Becerra and Manuel Vásquez Castaño Fronts have militarily, strong companies that control strategic corridors for drug trafficking. In recent years, the ELN has made efforts to connect Argelia and Guapi (Cauca) with Santa Bárbara, Iscuandé, El Charco, and Magüí Payán (Nariño), profiting from alluvial mining and pressing for the linking of their structures in this zone (Ideas for Peace Foundation, 2020).

**Revolutionary Armed Forces of Colombia - People's Army:** In the Western Cordillera, FARC-EP created at the end of the 1980s Front 30 in the rural zones of Buenaventura, Dagua, and Calima with the splitting of Front 6 originating in Cauca. During its early years, the Front was not very operative. In 1991 and 1992, due to the operations directly related to the seizure of Casaverde and the development of peace negotiations in Caracas and Tlaxcala, Front 30 carried out multiple actions, the greater part of which the Simón Bolívar Guerrilla Coordinating Board claimed responsibility for, especially for the Cali-Buenaventura highway. However, between 1991 and 1996, FARC-EP's presence did not broaden and, on

*the contrary, registered little armed activity (Presidential Program on Human Rights and International Humanitarian Law Observatory, 2003).*

*Starting in 1998 and 1999, FARC-EP's presence in Cauca Valley intensified considerably as well as its armed activity. Front 30 gained special importance and started to catapult itself towards the urban area of Buenaventura while simultaneously attacking the municipalities on the western edge of the Cordillera. This amplification of their presence was due to the sizable consolidation of Front 6 in Cauca, as well as the Central Bloc in Southern Tolima which had managed to significantly reduce self-defense forces in the zone (Presidential Program on Human Rights and International Humanitarian Law Observatory, 2003).*

*The Valley became strategically important and, for this reason, in 2000 there were more than 1,200 FARC-EP members concentrated in this department – a presence reinforced by the strong paramilitary presence beginning in 1999. In Central Cordillera, FARC-EP was active through Front 6 in the south and Víctor Saavedra, Alonso Cortés, and Alirio Torres Fronts in the center. On Western Cordillera, there were Front 30, Mobile Bloc Arturo Ruíz, and urban Front Manuel Cepeda in Cali. The importance that FARC-EP awards to the region is manifested by its appointment to the position of that region's military chief of one of its most important military leaders "Pablo Catatumbo" (Presidential Program on Human Rights and International Humanitarian Law Observatory, 2003).*

*Around 2000, confrontations between guerrillas and paramilitaries began to increase due to the Calima Bloc's quick growth and FARC-EP's counter-offensive from 2001 to 2002 against the bases and installations belonging to self-defense groups (USAID, Ideas for Peace Foundation, and IOM, 2013). These clashes evolved in Central Cordillera and later extended towards the Pacific. Investigator Camilo Echandía (2011) considers that, in 2005, whereas the Military Forces had decided to regain control of the country's southeast region, FARC-EP was seeking strategic control of areas that would guarantee its survival like the Pacific. Therefore, there was a very significant increase in armed activity in the corridors connecting the Pacific with the center of the country, among which was Northern Cauca. Additionally, between 2005 and 2006, conflicts between FARC-EP and the army increased, unleashed by the proposal to demilitarize Florida and Pradera in order to make a humanitarian exchange (El Espectador, 2005), which was accompanied by an increment in public force.*

After the May 2008 death of FARC-EP's commander, Pedro Antonio Marín, alias "Manuel Marulanda", the Army started a hunt in the Cañón de las Hermosas between Cauca, Valle, and Tolima in order to find alias "Alfonso Cano" since he would assume command of the organization (Espinosa, 2012). In 2011, "Alfonso Cano" was eliminated during a 24-helicopter army air raid in the rural area of Suárez as part of Operation Odiseo. After Cano's death, FARC-EP's action did not cease in northern Cauca, where its presence was mainly concentrated on the border with Tolima and southern Cauca Valley. From this location, they created a network of collaborators that extended to a good part of northeastern Cauca. The most affected municipalities were Silvia, Jambaló, Caldono, Toribío, Caloto, Corinto y Buenos Aires (La Silla Vacía, 2011).

The Nuevo Arco Iris Corporation (La Corporación Nuevo Arco Iris, 2009) holds that FARC-EP entered into Nariño between the seventies and eighties from Cauca department, establishing Front 29 in the municipality of Leiva and the corregimientos of Las Delicias, El Palmar, and La Planada. The second half of the nineties was FARC-EP's most active period in Nariño. In 2002, after the interruption of peace negotiations in Caguán, the implementation of the Colombia Plan in the country's south, among other factors, FARC-EP attempted to militarily capture the department of Nariño. During this period were created Front 63, the Arturo Medina Front, as well as the mobile columns Daniel Aldana, Mariscal Antonio José de Sucre, and Jacinto Matallana (Observatory of Disarmament, Demobilization and Reintegration Process - ODDR, 2011)

In 2009, eight Indigenous Awá persons were murdered in Nariño. FARC-EP took responsibility for those homicides and argued that the Indigenous were reporting the guerrilla organization's information to units of the National Army. Indigenous authorities rejected the massacre and asked the armed actors to not involve them in the conflict. Since 2011 until the signing of the Peace Agreement (maybe not the year of the signing), FARC-EP operated in the Colombian southwest through the Joint Western Command with a presence in the departments of Cauca Valley, Cauca, and Nariño, with fronts 6,8, 29, 30, and 60 as well as mobile columns, Daniel Aldana, Jacobo Arenas, Jacinto Matallana, and Mariscal Antonio José de Sucre. In Nariño they operated fronts 8, 29, 48, and 60, and the mobile columns Mariscal Antonio José de Sucre and Daniel Aldana (Observatory of Disarmament, Demobilization and Reintegration Process - ODDR, 2011).



## State order:

**Public Forces:** *In western Colombia, the Public Forces are present via the 3<sup>rd</sup> Division of the National Army which operates in a large part of the Pacific and southwest Colombia, especially in the departments of Nariño, Risaralda, Quindío, Cauca Valley, and Cauca.*

*The National Navy also has a presence in Nariño, and it acts through the Naval Force of the Pacific with activities in the Pacific Ocean and patrolling the region's rivers. As a result of the conflict's growing intensity in the department of Nariño, Mobile Brigade No. 19 became active in 2007 and operates in the southern Cauca and in Nariño. The brigade is made up of land combat battalions No. 113, 114, 115, and 116.*

*In 2009, the Ministry of Defense initiated Pacific Joint Command No. 2 in the city of Cali which coordinates the military actions in the western part of the country, particularly in the departments of Caldas, Risaralda, Cauca, Cauca Valley, Quindío, Nariño, and Chocó. The Joint Command is composed of the 3<sup>rd</sup> Division of the National Army, the Naval Force of the Pacific, and Combat Air Command No. 3 (Proclama del Cauca, 2009).*

*Moreover, the National Police rely on the Nariño Police Department Command which covers the different municipal headwaters of the department. Beyond the Colombian State's military presence in this region of the country, the operating of the Manta military base (Ecuador) highlighted the military confrontation against drug trafficking in the Pacific as an exit route for these products towards the north of the continent. This base was in charge of the anti-drug battle in South America (Observatory of Disarmament, Demobilization and Reintegration Process - ODDR, 2011).*



## Parastatal order

**United Self-Defense Forces of Colombia (AUC):** According to Nuevo Arco Iris (2009), the AUC's appearance in Nariño goes back to the eighties. However, it would have been in the nineties that they started to operate and solidify themselves in this territory, simultaneously entering through the port of Tumaco and Western Cordillera. The first forces to make incursions were the Águilas del Sur Bloc, part of the Peasant Self-Defense Groups of Córdoba and Urabá (ACCU), and the Libertadores del Sur Bloc, part of the Central Bolívar Bloc. This last bloc arrived in the north of this department and became active in the municipalities of San Pablo and La Unión (Humanidad Vigente, 2007).

The increase of armed actions by guerrillas and the strong blows inflicted upon the Public Forces between 1994 and 2000 in the department led to a commission composed of peasants, tradespeople, and other people from the region going to the Serranía de San Lucas and Urabá Antioquia to ask the leaders of the Central Bolívar Bloc for the AUC's presence in Nariño. The Central Bolívar Bloc's Chief of Staff sent a commission headed by Guillermo Pérez Alzate, "Pablo Sevillano", that went to the city of Pasto and later moved to the municipalities of Tumaco, Ipiales, Túquerres, and La Unión, from where it expanded into 80% of the department (Observatory of Disarmament, Demobilization and Reintegration Process – ODDR, 2011).

The AUC's offensive was deployed between 1995 and 1996, when their incursions became more frequent. From 1997 to 1999 they extended their activities to various regions, especially where there were social and political organizations. This proves the AUC's interest in gaining local and regional control, which became relevant due to the farming and accelerated processing of coca and opium poppy (Humanidad Vigente, 2007).

The first municipalities controlled by the AUC was Tumaco, Barbacoas, and El Rosario, where their operations intensified starting in 1996. The organization's expansion initially began in the northern region of the department where their forces initiated a strategy against FARC-EP and began to occupy the rest of the department, especially settlements where there was the farming of illicit crops. The AUC set into motion a strategy for financially remodeling the border,

*responding to the interests of diverse economic agents with pressing security concerns for investing capital, extracting resources, or other illegal activities. Between 2000 and 2006, the Libertadores del Sur Bloc functioned in Nariño through the following fronts: Brigadas Campesinas Antonio Nariño, Lorenzo de Aldana, and the Héroes de Tumaco y Llorente (Observatory of Disarmament, Demobilization and Reintegration Process – ODDR, 2011).*

**Other criminal organizations:** *According to a report from the Regional Ombudsman's Office of Nariño, around 8 illegal armed groups compete today for the Nariño Pacific territories: Nuevas Guerrillas del Pacífico, Oliver Sinisterra Front, Commander Alfonso Cano Bloc, Stiven Gonzales Bloc, FARC's Front 30 James Martínez, ELN's Guerreros del Sanquianga, Columna Elver Santos, José Luis Ricaurte Bloc in the municipalities of Ricaurte, Roberto Payán, and los Contadores.*

### 3.2.3 *Portrait of violence in the Colombian South Pacific*

The transformation of the municipality of Tumaco can be seen in three phases. The first phase took place after the departments of Meta, Caquetá, Putumayo, became the State's primary military objectives in 1999 because the coca farming that concentrated there began to move to departments along the border like Nariño. In this backdrop, guerrillas slowly withdrew from the municipalities in the center of the country towards those in the periphery in search of refuge zones. The second phase is related to the Libertadores del Sur Bloc's arrival to Tumaco and the wave of violence that ensued from the territorial dispute with FARC-EP. The third phase became evident starting in 2009 with the FARC-EP's implementation of the Rebirth Plan with which they made the decision to focus their operations in peripheral parts of the country and strategic places for guerrilla activity that was increasingly rooted in drug trafficking and partnerships with criminal bands.

From 2000 to 2012, the main peaks in armed activity in Tumaco were in 2006-2011 in the case of guerrilla activity, and in 2011 with combat initiated by the Public Forces. In the exact case of 2012, there were fifteen operations in Tumaco from guerrilla groups. That is, there was a 50% reduction compared to operations from 2011 when there were 31. These operations made up 19% of all operations carried out in Nariño during 2012 (113). Of these, 8 required little military effort, 6 required medium military effort, and 1 required much effort. In the same year, the number of combat operations initiated by the Public Forces was 3, marking a 57% decrease from 2011 when the number totaled 7.

From 1999 to 2005, the Libertadores del Sur Bloc (BLS) of the Central Bolivar Bloc of the AUC was active in Tumaco. The AUC was competing with FARC-EP over the main supply centers and exit routes for drugs, focusing their operations on the highway leading from Pasto to Tumaco and on the corregimientos Llorente, La Guayacana, and La Espriella. Within the framework of the collective demobilizations carried out between the AUC and the national government, on the 30 July 2005 in the Police Inspectorate of El Tablón in the municipality of Taminango (Nariño), 677 BLS members demobilized and turned in their weapons.

Following the demobilization, different groups formed in the municipality whose objective was to fill the space left by the former paramilitary group. In late 2006, armed formations like Nueva Generación, Black Eagles, and Rastrojos started a series of disputes with FARC-EP, increasing the levels of violence. Until early 2012, the Rastrojos were the band exercising the most control over Tumaco, especially in the contexts of FARC-EP's retreat. However, throughout 2013, the band began to weaken due to the capture and handing over of their main leadership to the authorities (the Calle Serna and Diego Rastrojo brothers), the blows dealt by the Public Forces, the gradual return of FARC-EP from the mountainous zones to the coast, and the cooptation of band members by guerrilla groups all contributed to the weakening of the band. Beyond this scenario, the police affirmed that important structural components of the Rastrojos were dismantled in 2013 like Patía Viejo and Bajo Mira. The Barbacoas group was reduced from 50 to 30 members. Some sources say that the space left by the Rastrojos would eventually be filled by the Urabeños who, it would appear, are already active in the zone in small strongholds.

After the demobilization stemming from Law 975 of 2005 (Justice and Peace Law), as mentioned in previous paragraphs, new forces, named paramilitary rearrangement groups, appeared in the territory after the AUC's demobilization like the Rastrojos and the Black Eagles. Additionally, Front 29 and Mobile Column Daniel Aldana of FARC-EP's Southwestern Bloc were present in the municipality. This column is divided into another three companies that are in turn divided into commissions. The strongest commissions have been in charge of different leaders and urban units. Likewise, the alliances of local drug traffickers with the Sinaloa cartel have been undeniable. These commissions dress like civilians and travel through various areas without carrying large weapons.

The readjustment of armed groups and criminal bands has been occurring since 2012 when Tumaco continued to concentrate 10.6% (5,065) of the total hectares of coca farming on a national level, and according to the 2017 report from the United Nations Office on Drugs and Crime (UNODC), Tumaco contained 19,517 planted hectares.

As stated, the recent presence of armed actors and criminal bands in Tumaco resulted in an increase of violence which has appeared with more emphasis starting in 2006. From 2000 to 2012 there were 2,427 homicides, which makes Tumaco the place in Nariño with the greatest number of victims ahead of the



capital city, Pasto. The municipality's homicide rate peaked in 2007 and, in 2012, it was 130.4, three times more than the national rate (32.3).

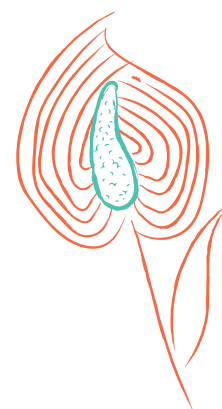
According to the Displaced Population's Information System Database (SIPOD) and the Registry of Victims (RUV), between 2000 and 2012, there were 74,348 victims of forced displacement in Tumaco, which represent 30% of the total of victims in the department during the same period (255,835). The most important years in this area were 2009 and 2011, when intramunicipal and intraurban displacements and displacements to Ecuador took precedence. To date, there are 93,210 reported victims according to a UARIV report. In Cauca Valley's case, massacres were a strategy of war in a large part of the territory. Of the department's 42 municipalities, there was at least one massacre in 16 different municipalities. Buenaventura is the most aberrant cases where 16 massacres took place between 2000 and 2010. Following in order are Cali, Buga, Jamundí, Tuluá, and the region of Naya, where there were 3 to 5 massacres in each place. En Palmira and Yumbo, there were 2 massacres reported per municipality. In the region's 8 remaining cities, according to data from the press, there was at least one massacre each. Concerning who committed these killings, especially in municipalities with more than two massacres, paramilitaries were responsible for one massacre, except in the city of Cali and Yumbo municipality, where these violent events were executed mainly by drug trafficking groups (Acosta, 2012).

Thus, the main armed actors that contributed to such events were paramilitary groups, drug traffickers for revenge, and, to a lesser extent, guerrilla groups. This is explained by, as already mentioned, the fact that paramilitary forces penetrated into the Valley in 1999 and fortified their presence in 2000. Moreover, they are deemed greatly responsible (as part of their criminal strategy) for seeking to strike at the guerrillas' support systems, informants, relatives, and militias, meaning that the slaughters were the means by which paramilitaries sought to gain influence or, as far as possible, take territorial control of the region (Echandía, 2004).

Since forced displacement made a violent return in Colombia in the mid-1990s, the city of Cali, the third most populous city in the country, has become the main epicenter for receiving displaced people from southwestern Colombia, especially from the Pacific coast and Andean zones of southern Chocó, the Valley, Cauca, and Nariño, as well as the coffee belt. Poverty, the imbalance of development between regions, and natural disasters motivated the migratory stream, all of these in addition to episodes of violence. Cali attracts the displaced in so far as it is a political, economic, industrial, cultural, and

urban center in the region, connected with Buenaventura, the main shipping port for the country's international trade. The population expelled from the southwestern Colombia has followed paths and trajectories traced by bonds of friendship and kinship that were forged between communities of origin and new communities that accept displaced people in the neighborhoods of Cali (Arias Foundation, 1999).

The arrival of the displaced population in the city deepens the structural poverty that the city has not managed to overcome, which is aggravated by the permanent and increasing arrival of newly displaced persons due to the internal armed conflict's intensification in southwestern Colombia. The situation of the black population from the coastal zones of the Pacific is especially serious, considering that they have illiteracy and poverty rates higher than that of displaced persons from Andean zones and that, in both cases, higher than the average of the local, receiving population (Cali City Hall. Administrative Department of Planning, 2012).



### 3.2.4 *Current human rights panorama in the Colombian South Pacific*

According to discussions organized by the Peace Network (Red Paz) at the National University of Colombia in partnership with the Friedrich Ebert Foundation in Colombia (FESCOL) (2020) and various denunciations from social organizations from the area, at least 3 factors associated with the disregard and violation of human rights in the region can be identified.

To begin with is the slow implementation of the Peace Agreement. According to the previously cited discussions' findings, there is cause for concern that even when the majority of an ethnic groups' community councils signed agreements with the State to accept voluntary eradication, the State remained stubbornly attached, according to Nilson Estupiñán,<sup>9</sup> to forced eradication and does not want to invest in peace." (FESCOL, 2020). This is despite the fact that the government committed to providing economic help for the development of the crop replacement plans and productive projects. This assertion coincides with the protest held in March 2020 by the Committee for Life and Against Aerial Spraying – Nariño Pacific Coast (Comité por la Vida y la no Aspersión Aérea), composed of Indigenous reserves, rural communities, community councils, and social organizations that sought to appeal to the National Government so that it would halt the initiative to restart aerial spraying of glyphosate and would implement what was agreed upon in the National Comprehensive Program for the Substitution of Illicit Crops (PNIS) and in the Territorially Focused Development Programs (PDET), both creations of the Agreement (El Espectador, 2021).

The second factor is related to the failed discussions that were authorized to established dialogue with the ELN. With FARC-EP's exit from the area and the readjustment of new armed forces, the FIP sets forth that the ELN has not only been gaining more strength in their historical zones but has also expanded into the regions abandoned by FARC-EP after the peace process. Today, it is in northeastern Antioquia, the Bajo Atrato in the Pacific North, as well as in some parts of Nariño that were vital to FARC-EP (Ideas for Peace Foundation, 2020).

The third factor is the increase in illegal industries, particularly drug trafficking, which results in multiple clashes in the region given the presence of various actors. According

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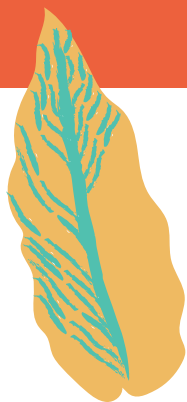
9 Integrente de la Red Derechos Humanos del Pacífico Nariñense (REDHPANA) y representante de los Concejos Comunitarios y comunidades indígenas del Pacífico nariñense.

to the Ombudsman's Office (2018), the importance of illegal industries in addition to FARC-EP exit explains the pressure from 3 types of groups. The ELN is seeking to increase their radius of action while the AUC and post-demobilization armed groups are searching for a footing as well. Lastly, ex-FARC-EP guerrilla members employ various residual violence in an attempt to occupy strategic spaces for drug and/or gold trafficking. Conflict between the armed actors is at the root of the situation's deterioration in humanitarian terms. The State's intervention must be added to this either through military operations, police procedures, sometimes eradications, or through crop substitution plans that cause pressure from armed actors on the farming population. In these circumstances, any attempt for a unilateral ceasefire agreement is unfruitful if all the armed groups do not agree to simultaneously put it into motion.



# A

## *Institutional protection and guarantee of the human rights of LGBT persons, Afrodescendants, and victims of the armed conflict in the Colombian South Pacific*



### • Cali

Institutional attention to the rights of LGBTI people, Afrodescendants, and victims of the conflict is limited. In Cali's Santiago District, there is a Human Rights Defenders Assistance Program (Ruta de atención a Defensoras y Defensores de Derechos Humanos). The committee is in charge of the Department of Peace and Cultural Citizenship (Secretaría de Paz y Cultura Ciudadana) and logistic support is provided at the expense of the Department of Security and Justice (Secretaría de Seguridad y Justicia).

The city has Afro Public Policy,<sup>10</sup> which does not include a sexual diversity component despite the fact that organizations like Somos Identidad have publicly requested and justified its inclusion. Cali-Diversity Public Policy is a copy of Cauca Valley's Public Policy strengths and weaknesses and includes a differential focus that does not completely cover the concept and importance of intersectionality in relation to ethnicity, social class, gender, and generation.

The sexually diverse community of Santiago de Cali can be tended to the LGBTI Office. The city's current chief executive promised to not follow a program ascribed to the Subdepartment of Peoples and Ethnicities (Subsecretaría de Poblaciones y Etnias), but rather he would have the human, technical, and budgetary resources to serve the population. Today the Office has 5 contractors, a physical headquarters with 2 meeting spaces and a telephone line that it has not answered since 2018.

One notable achievement of the previous administration was the Arco Iris Community Cafeteria located in the Potrero Grande zone, sector 3. The sexually diverse population is served in this cafeteria, which serves an average of 150 lunches a day. Currently, this cafeteria is closed and awaiting resources.

Cali's Welfare Department includes the Subdepartment of Peoples and Ethnicities, where the LGBT Office and Afro Axis are located. Out of the

<sup>10</sup> Afro-Colombia, Black, Palenquera, and Raizal Public Policy of Santiago de Cali, Caliafro.

public policies previously mentioned, these two institutional spaces were the ones approved by the Municipal Council. The District's Subdepartment for Victims and the government attends to the victims of the conflict, residing in Cali, through the national assistance protocol. At the Victims from Cali Effective Participation Table, there is afro/black representation, but no representation of afro/black sexually diverse persons.

## • Tumaco

In Tumaco and some coastal municipalities of Nariño Department, certain initiatives to bring victims of the conflict closer to institutions of justice have advanced. One of them is holding a day of declaration and denunciation for the conflict's victims. This project was jointly developed by the Ombudsman's Office, the Office of the Attorney General of Colombia, the Ministry of Justice, the Office of the Presidential Advisor for Human Rights, FUPAD, and the Nariño government and it is connected also to a psycho-social assistance process.

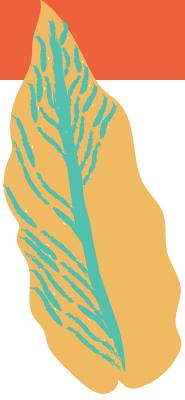
The Municipal Intersectoral Table for LGBT Affairs (La Mesa Intersectorial de Trabajo Municipal para Asuntos LGBT) in Tumaco and the LGBT Group for Public Policy Making (La Formulación de la política pública LGBT) in the department of Nariño are two advancements and projects that have made progress in recent years for protecting LGBT people, despite the lack of development and implementation of the latter. The Arco Iris Afro-Colombian Foundation, supported by the Office on Gender and the Ombudsman's Office, put together a prevention and assistance plan for LGBT people in Tumaco.

Concerning measures that have an intersectional approach, the Justice for a Sustainable Peace Program has been undertaking actions in the territory to improve the Afro-LGBT population's access to ~~the administering of~~ justice through local justice systems in 5 municipalities of the Nariño Pacific Coast.

In any event, the slow implementation of these policies are a result of the lack of interest, ignorance of the residents' rights by the civil servants of State institutions, lack of a human rights approach, and the low participation and consultation of residents, all which reduce policy effectivity.

**B**

## *Need for an institutional response concerning human rights, protection, and security in the Colombian Pacific South*



The lack of access to economic, social, and cultural rights is a significant hindrance to the guarantee of a truly peaceable post-conflict background in this region of the country. The historical barriers in the region to accessing rights like healthcare, of which only the most basic is available; justice, given the scarce supply of institutional services and the intermittent presence of the authorities; and education, especially higher education, among other deficiencies, have placed residents into a spiral of poverty that renders them vulnerable to a violent environment.

Regarding these conditions, the main necessities in guaranteeing the residents' rights are the following:

**A**

*The bolstering of institutional services like justice, health, education, and the access to economic, social, and cultural rights.*

**B**

*The implementation of mechanisms for monitoring the human rights situation in the region by social organizations in the area.*

**C**

*Full implementation of the Peace Agreement, the reopening of dialogue with the ELN, and a comprehensive strategy for confronting the Organized Armed Groups (GAO).*

**D**

*The creation of spaces for seeking assistance, remembering, reparation to victims of the conflict.*

4



# ***THE HUMAN RIGHTS SITUATION OF THE AFRO-LGBT POPULATION IN COLOMBIA***

The historical, structural, and systemic discrimination to which black bodies have been subjected to is reluctantly recognized in Colombia as one of the causes that have resulted in the poorest and most violent regions having a higher Afrodescendant population. Add to this the stigma faced by LGBT people in places where prejudice and discrimination against varying SOGIE prevail. This occurs against the background of historical tensions and exclusion of the LGBT and Afrodescendant movements; it stems from the experience of being in two worlds that do not talk and do not exhibit sensitivity towards the problems of “each side.” This leads to expressions of racism in LGBT spaces and discrimination on sexual and gender grounds in spaces belonging to the Afrodescendant movement.

The frequency of scenarios where the rights of LGBT persons are violated has resulted in violence being normalized. Caribe Afirmativo and Colombia Diversa (2019) were able to identify various scenes where violence was naturalized or invisibilized by Afro-LGBT people or those close to them. On one hand, Afro-LGBT people bear burdens of symbolic, verbal, and physical violence which lead them to hiding their sexuality, identity, and gender expression as a survival strategy in a society that should ensure that the rest of the community continue to recognize them as the subject of rights. On the other hand, the State’s failure to recognize their existence leads to the failure to promote recognition of sexual and gender diversity in Afrodescendant communities, and to the lack of comprehensive policy for assistance in accessing rights.

This situation becomes even more challenging in the context of violence associated with the internal conflict or high criminality. The behavior of illegal and legal armed actors upon violating the human rights of Afro-LGBT people includes explicit expressions of racism and LGBTphobia (Latin American and Caribbean Network of Afro-descendants with Various Sexual Orientations, Identities, and Expressions of Gender - Red Afro LGBT, 2019).

Information systems managed by the State continue to be incapable of characterizing and later identifying Afro-LGBT people who are victims of crimes against their life and bodily integrity. This means that in many cases it cannot be determined if the victim is black, nor determine their sexual orientation nor gender identity, since these elements are not seen as valuable.

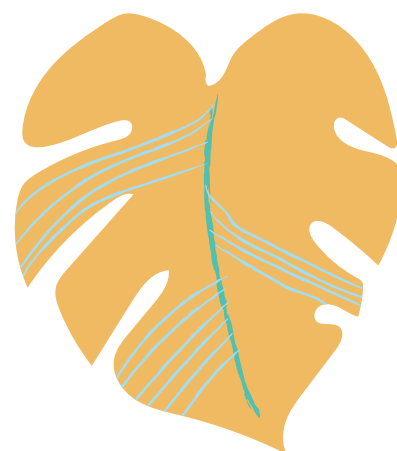
The adoption of institutional responses (regulations and public policy) capable of strengthening the guarantee of Afro-LGBT rights, and LGBT rights in general, continue

to face significant obstacles in the form of racist and LGBTphobic speeches from high-level political leaders and civil servants. Said speeches echo growing anti-rights sentiments and are influencing both the decision-making and the behavior of institutions and citizens who infringe upon the rights of LGBT persons.

Regarding specific policies and programs, just like in the normative dimension, advances oriented towards LGBT people in general have not incorporated the different approaches necessary for recognizing and combatting the aggravated forms of violence and discrimination against Afro-LGBT people.

When these approaches were included, they were not applied in the real implementation of policies, programs, and institutional mechanisms that have represented significant change for LGBT people in areas like health and education. The non-recognition of intersectionality in administering justice or recording and producing statistics on cases of human rights violations against Afro-LGBT is particularly alarming.


According to the First Regional Report on the human rights situation of Afrodescendant LGBT people in Latin America and the Caribbean (2019) which included Colombia as a study country, governments have not adequately acknowledged that the human rights violations of Afro-LGBT people represent an aggravated form of discrimination, and, thus, have not adopted sufficient institutional responses to protect rights. The invisibilization of the Colombian Afro-LGBT population is the main problem concerning the guarantee of this population's rights, moreover, leading to perpetual impunity in violating their human rights.



5



***HATE CRIMES  
AGAINST  
AFRODESCENDANTS  
WITH DIFFERENT  
SOGIE IN THE ARMED  
CONFLICT***



The armed conflict affected historically discriminated and excluded populations in a specific and disproportionate way. Afrodescendants, women, and LGBT people suffered different forms of violence from legal and illegal actors that took advantage of situations of vulnerability related to precarious socioeconomic conditions and exclusion based on race, sex, gender, and sexuality. This violence struck deeper and was exacerbated in cases of Afrodescendants with diverse sexual orientations, gender identities, and gender expressions, especially the poor. Hate crimes were used to perpetuate systems of oppression like sexism, racism, and LGBTphobia, employing prejudices associated not only with sexual and gender diversity but also with the intersection of race.

Born from the colonial era, Afro-Colombian history, and the dynamics of slavery, surged racist ideas founded in a patriarchal order in which a binary sex-gender system was produced that persists throughout history (Marciales, 2013; Jiménez, 2014). In this vein, the intersection between sex, gender, and race allowed for the maintenance of a “social and hierarchical structure, through the racialization of sex, to establish control over the reproduction and sexual behavior of subordinated subjects” (Marciales, 2013, p. 23). For example, slavery’s practices were directed at making sure that men’s bodies were the most physically fit and provided the most work force, while women’s bodies were subjected to domestic work and limited to private spaces (Caribe Afirmativo y Colombia Diversa, 2019), always associating racialized bodies with sexual availability, sexual potency, and lascivious sensuality (Viveros, 2009).

In this context, stereotypical imagery about Afrodescendants and femininity, based in ideologies that subordinate race, sex and gender, and sexuality, became rooted in people’s minds and remain current. In this regard, the ideology of miscegenation was based on white men’s appropriation of Indigenous’ and black women’s bodies through rape, installing the idea of the feminine, racialized body as an object of sexualization (Curiel, 2017; Jiménez, 2014). “Behind miscegenation, is always hidden racial power founded upon control of sexuality constructed within the boundaries of asymmetrical gender relationships and the experience of racial privilege and racism varies according to gender” (Viveros, 2009, p. 69-70).

Based on the above, both race and sex/gender constitute tools for governing and controlling the population, not only legitimizing social inequalities and hierarchies, but also assigning values to sexuality (Marciales, 2013; Viveros, 2009). In other words, they are established as ways of dominating and controlling the sexuality of racialized bodies. However, when those bodies possess diverse SOGIE, they are situated under



different systems of oppression like racism, sexism, and LGBTphobia (also known as heterosexism according to Patricia Hill Collins, 2005), that rely on one another to find meaning. This meaning can then result in negative valuations (stereotypes, collective imaginations, and prejudices) on sexuality. In this vein, ideas relating to Afrodescendants who seek to regulate and control their sexuality and gender are imposed, reproduced, and maintained based on systems of oppression.

In the armed conflict, legal and illegal armed actors used these ideas in order to exercise control over the bodies and expressions of sexual and gender diversity of Afrodescendant persons, specifically:

**A** Hypermasculinization of men in which “blackness (...) embodies the natural attribution of heterosexual characteristics. [Thus], the black subjects who deviate by their sexual orientation or by not respecting their partner (...)” they lose “the essential characteristic” or stop being “black” (Urrea, Botero y Reyes, 2008, p.9).

*“As I always say, they do it because they see us as weak for being members of the LGBT community and, in regard to being black, they say the same thing, that black men shouldn’t be gay, but rather they have to be men. That’s what they say” (Interview with gay man, Tumaco).*

**B** Hypersexualization of women in which their bodies are deprived of humanity in order to place them in a position of subordination concerning the control of their sexuality. Moreover, it is an idea that “justifies” rape, assault, and impunity.

*“Yes, because they knew I was a lesbian. That’s why they raped me because they already knew I was attracted to women. So, it was to make me a woman, to make me like it; that’s why they raped me because they had always discriminated against me. (...) (One of the attackers) has it out for me because I am this way. I can’t even go into Viento Libre because he forbade me from entering there” (Interview with lesbian woman, Tumaco).*

**C**

The idea of “promiscuous black sexuality” accompanied by the exoticization and erotization of the body and sexual practices, based on the Afrodescendant tradition of resisting the censorship of sexuality (Caribe Afirmativo and Colombia Diversa, 2019). In this sense, the racialized body is merchandized and instrumentalized.



*“The paramilitary members are the worse. They told me, ‘Either you go willingly, or we take you forcibly.’ (...) They undressed me and laughed at my body, since I had not had the operation. I remember one of them told me, ‘blacks with that d\*ck so they can start trouble; you can’t hide that. If you want, I’ll do you a favor and cut it for you.’ I remember how my blood froze. Those people are bad. But, of course, I was the only black trans person, and they didn’t do anything to the others. To the white women, they didn’t do anything” (Interview with trans woman, Buenaventura).*

**D**

The ideology of miscegenation as a regulating tool where “blanqueamiento” is privileged, which gives visibility and greater risk to racialized bodies.

*“Of course, being gay, black, and poor is very distasteful. People expect one thing from a white person. They should have money or be something. But when you are, for example, gay, black, and poor, people (...) always reject you more and with your sexual orientation, much worse” (Interview with gay man, Tumaco).*

Based on these ideas: (i) heterosexuality is not only imposed as normal, but also as an essential characteristic in order to be Afrodescendant; (ii) any diverse form of gender expression that does not fulfill the ‘masculine=man and feminine=woman’ binary is perceived as a “deviation”; (iii) the racialized body is sexualized, being instrumentalized and dehumanized; and (iv) the racialized body is regulated and controlled through its visibility. In the cases of Afro-LGBT people, negative attitudes surrounding their diverse SOGIE are formed. In particular, armed groups made use of prejudices related to race, sex/gender, and sexuality in order to control the territory and the population in the war.

Afrodescendants with diverse SOGIE were victims of specific forms of violence for having been perceived as “deviants” or “abnormal.” The violence occurred in the context of a fight for territorial and populational control and social legitimation, based on a patriarchal system that imposes a hegemonic vision of race, gender, and sexuality. Thus, the actions were “deserved” or “justified” in so far as they were based on systems of oppression like racism, sexism, and LGBTphobia.

Thus, the threats, the sexual violence, the forced displacement, the femicides, and attempted femicides against Afrodescendants with varying SOGIE are hate crimes in so far as:

**A**

*they were motivated by prejudices towards diverse sexual orientations, gender identities, and gender expressions that were based in collective imaginations about Afrodescendants, seeking to exclude (eliminate them, expel them, or correct them), and produce a symbolic impact or social message that indicate that people with those characteristics should not exist, which is used to the armed groups’ objectives; or*

**B**

*they were motivated by prejudices towards diverse sexual orientations, gender identities, and gender expressions that were based in collective imaginations about Afrodescendants, seeking to render them inferior (place them in positions of inferiority), and producing a symbolic impact or social message that indicate that people with those characteristics belong to a “lesser group” or are “inferior”, which is useful to the armed groups’ objectives; or*

**C**

*they were motivated by prejudices towards diverse sexual orientations, gender identities, and gender expressions that were based in collective imaginations about Afrodescendants, selecting their victims based on said prejudices and/or diverse gender expressions under the consideration that such selection is useful to the armed groups’ objectives.*

Armed actors used hate crimes rooted in collective imaginations surrounding people of African descent in order to control the territory and population. This violence was committed by armed actors for the purpose of punishing or eliminating those behaviors, “like how God had really commanded” (interview with a trans woman, Southern Bolívar), which has a double connotation: on one side, social legitimacy composed of cultural precepts and prejudices shared by the community and, on the other side, the reinforcement of discrimination and the ‘necessity of correction’ of what is considered to be “abject” or “damaged.”

This behavior furthermore took advantage of the constant fear of victims who openly lived their sexual orientation, gender identity, and gender expression. A study of their accounts reveal that armed groups and the Public Forces frequently forced victims to collaborate with their objectives so that they would “allow” them to live in the territory, profiting from the vulnerability of their position (their visibility in the community being one of “otherness”) and the possible impunity that any type of violence against them would bring with it.

With these objectives, the armed actors’ plan concerning the selection of their victims becomes apparent. It is based on “identity traits founded upon a false belief or rationalization process towards those who carry those traits” (Caribe Afirmativo, 2018). In this manner, the visibility of victims and the interpretation of a racialized feminine “otherness” that should be inferiorized, dominated, and eliminated, are elements that predominantly appear in the prejudices of the authors of the crimes. Simultaneously, these prejudices can be related to stereotypes created around youth since it is seen as the “social condition always subordinate to adulthood, from where rules and expected behaviors in different social spaces are established,” (Pérez, 2010, p. 37), beyond being the moment of the life cycle in which the greater share of victimizing events occurs.

*“That was when I was 16 (criminal event), 16 years old when I was just starting to identify as lesbian before others. They even realized because that day I was outside kissing my girlfriend who I was friends with. Since they hang out in the streets, they realized. When they did that to me, my girlfriend fled out of fear. She doesn’t live here anymore; she went to Cali. She fled afraid” (Interview with a lesbian woman, Tumaco).*

The construction of this “enemy” implies thinking that those, who part from sexuality and gender norms, threaten the construction of the Nation as imagined by different armed actors in the country. Within the Pacific South conflict, it has been determined that various actors have promoted, favored, and directly organized “social cleansing” groups and have harassed and carried out exterminations to the same ends, although in many cases, victims are not sure who is orchestrating these attacks. This is the case with the use of “pamphlets” that equate LGBT people with “undesirables” in the community.




*“One time they released a pamphlet saying that, at 9 o’clock at night, they weren’t to see anyone in the street because they were going to kill anyone in the street with contraband, prostitutes, maricones, lesbians, transvestites, AIDS carriers. They were going to kill them all” (Interview with lesbian woman, Tumaco).*

This violence, endowed with a symbolic load, has various objectives that will be examined in a disaggregated manner later on. However, it has been noted that invisibilization and/or extermination are always present in the tacit and explicit speeches that accompany them. In this manner, the threats, the forced displacement, the sexual violence, the femicides, and attempted femicides are violence, perpetrated by armed actors against people with diverse SOGIE and through which said actors sought to meet their objectives, not only through enacting violence upon a single body, but also on a body that has a collective representation.

*“They were from Chilví (Corregimiento de Tumaco). But their idea was to do away with all the gays in that area” (Interview with a trans woman, Tumaco).*

Additionally, impunity becomes more pronounced due to the legitimacy that this violence benefits from within institutional spaces, legitimacy that is permeated with prejudices relating to SOGIE and which, in some cases, institutional spaces that are filled with interests and alliances formed with members of regional armed groups that coopt said spaces.



*“Talking about justice, they’ve attacked me many times because I wear makeup and dress like a woman. Members of city hall, however, or when I go any other public office, I’ve seen them ridicule me because I wear makeup or dress like a woman (...). Concerning what happened because of my sexual orientation, I did not report it because I didn’t have any support, nor any advice from anyone that I could report it.” (Interview with trans woman, Southern Bolívar)*

*“Well, I never went to file a report, because when people went to report their cases, they themselves (Public Forces) used to tell the people (killers) they were going to report. That happened to a gay friend who went to make a report and they told the guys that he had reported, and he had to leave Tumaco. That’s why I don’t trust the law.” (Interview with a bisexual man, Tumaco)*

This is a continuum of violence<sup>11</sup> that has various effects in the lives of victims. Some of these effects are the naturalization of violence that manifests as “leaving in God’s hand” whatever happened; fear of possible reprisals from the armed actors if the events were made known to the authorities, since the bonds forged between paramilitaries and the Public Forces in some territories is general community knowledge; and facing the possible consequences that comes with reporting the violence.

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<sup>11</sup> The continuum of violence refers to the string of violence that makes up the experience of many Afro-LGBT people. It begins with expulsion from the home, exclusion from the education system, health systems, and job market, the early initiation into prostitution and sex work, permanent risk of infection with sexually transmitted diseases, criminalization, social stigmatization, pathologization, persecution, and police violence. According to feminist studies, this continuum accounts for the existence of a patriarchal regimen which keeps women subordinate (in this case, people who do not self-identify through heteronormativity), which leads to the naturalization of this violence. Please see, among others: Muñoz, L., “El contínuum de la violencia contra las mujeres en el seno de la familia: entender para intervenir”. Conference presented at the 34° Congreso Mundial de Trabajo Social de la Asociación Internacional de Escuelas de Trabajo Social, 2009. Centro Nacional de Memoria Histórica, “Aniquilar la Diferencia. Lesbianas, gays, bisexuales y transgeneristas en el marco del conflicto armado colombiano”. Bogotá, CNMH - UARIV - USAID - OIM, 2015.

## 5.1

### *Control of racialized and femininized bodies: hate crimes against Afrodescendants with diverse SOGIE by the ELN*

The interpretation of violence committed against Afro-LGBT people, which is part of the collective imagination of hyper-masculinizing black men as a result of the dynamics of slavery, “today becomes the perception that a gay or effeminate man is somehow betraying that identity” (Caribe Afirmativo and Colombia Diversa, 2019, p. 42). This reading applies to those bodies who “transgress” those roles of masculinity assigned at birth, like in the cases of trans women. In particular, this is about hate crimes rooted in a hyper-masculinized idea of the bodies of Afrodescendant people whose assigned sex/gender at birth is masculine/man.

The ELN committed violence in the conflict, based on the visible feminine gender expression of Afrodescendants, perceiving them as “deviants”, including girls, boys, and adolescents. In this vein, providing a child’s testimony allows for analysis of a documented case of sexual violence towards an Afrodescendant boy with a gender expression perceived as feminine, continuing to highlight the legitimacy lent to sexual violence and the cruel and degrading punishment towards children.<sup>12</sup> The violence shown towards children with diverse gender expressions seeks to “correct” behaviors considered inadequate, in a step of the life cycle where behavior is performed through socialization processes founded on socially shared and normalized values (Caribe Afirmativo, 2020).

Accordingly, there is a triple prejudiced interpretation that views Afrodescendant children as “passive subjects,” “vulnerable,” and “of easy access” and as presenting an interruption of the heteropatriarchal norms and racist imaginations that should be corrected. Two instances of sexual violence narrated in this report, one in Southern Bolívar and the other in Tumaco, reveal that isolation is an essential factor of the circumstances that determine the occurrence of violence. As the National Center of Historical Memory (Centro Nacional de Memoria Histórica, 2017) states, defenselessness is a generalized characteristic in the commission of violence against children and adolescents with diverse SOGIE.

<sup>12</sup> On that subject, the Committee for Children’s Rights suggests that “tackling the generalized acceptance or tolerance of corporal physical punishment on children and putting an end to said practices in families, schools, and other environments, is not only an obligation for States Parties to the Convention, but also a key strategy for reducing and preventing all types of violence in society.” (2006)



*“When I was only 8 years old, a guerilla member tried to rape me while I was in the ditch bathing. He tried to wrestle and penetrate me, and I started to cry and scream afraid. Then he left me alone. As a child, my [gender expression] was noticeable and suddenly that led to that person wanting to sexually access me” (Interview with bisexual man, Southern Bolívar).*

*“There I was. I don’t know if you know Candelillas de la Mar? I went to visit my aunt and I went down to the river to bathe. It was around 6 or 7 o’clock at night. I went to the river and when I looked, 5 men were covering their faces with their guerrilla uniform (...)” (Interview with bisexual man, Tumaco).*

Furthermore, this case gives an account of the sexualization of the racialized bodies of girls, boys, and adolescents, through which armed actors would reduce varying gender expressions to homosexual sexual practices and promiscuous sexuality (Caribe Afirmativo, 2020).

On the other and, the ELN used threats against trans women, based on prejudices relating to sexual and gender diversity that were rooted in a hyper-masculinized idea of black men (according to the sex/gender assigned at birth). In Southern Bolívar, threats based on visible gender identity and gender expression relating to femininity against a trans woman were documented. In this case, the victim was threatened with a firearm in a public place, which seeks to leave a message of the “fatal” consequences of transgressing the binary sex/gender norms that compound with the addition of racism (another system of oppression) since they concern an Afrodescendant trans woman, in addition to inhibiting, restricting, and regulating the right to freely circulate through and enjoy public spaces.

*“Actually, I get angry from one day to the next. One day he told me that I had to leave town because he was going to retaliate against me, but I told him “If you’re going to kill me, do it. Kill me here on my soil, in my village, because I was born here, I was raised here, and I should die here.” He was alone when he said it to me; he came up to me and he even lifted his sweater and I saw the revolver. Now I don’t feel like I should go home earlier, because suddenly this person could be lying and wait for me around in the area” (Interview with trans woman, Southern Bolívar).*



In the South Pacific, there are documented situations of ELN members profiting from the circle of discrimination and exclusion that befalls Afro-LGBT people in order to demand payments as a form of economic activity or as a previous threat to not enact violence upon these people. These extorsions place victims in a difficult situation within the territory, upon having to make these payments in order to not be raped or abused and tagged as collaborators with the armed groups.

*“They’re interested in robbing people, because at any hour or moment they demand payment for anything. They collect money and you don’t have any. Those that don’t have any are left dead and those that do, have to pay (...) so they don’t do anything to them” (Interview with trans woman, Tumaco).*



## 5.2

### *FARC-EP's use of bodies belonging to Afrodescendant people with diverse SOGIE*

The collection of stories from the South Pacific reveals that the patterns of violence exercised by FARC-EP included episodes of violence, threats, and forced displacement. FARC-EP's behavior obeyed a gender system that gives supremacy to masculinity over femininity, deepens gender differences and inequalities, and demands that Afrodescendant men embody hegemonic masculinity while Afrodescendant women embody submission and hypersexualization. The way aggressors selected their victims stemmed from their visibility as Afrodescendant persons in the community with varying SOGIE, and from the interpretation of a racialized feminine and masculine "otherness" that can be subjugated, dominated, and eliminated with impunity and, therefore, should "earn" its place in the territory.

In the territories' everyday ecosystem and in keeping with particular situations and interests, the armed groups sought to connect and make collaborators of people from the Afro-LGBT social sphere. The perpetuation of stereotypes derived from the man/woman binary and the association of work roles as a result of gender hierarchization led many times to asking diverse SOGIE Afrodescendants to work with armed actors towards their goals, generally and of course, from a position of disadvantage and under the following premise: "you're useful; either serve us or leave."

*"Let's say that some of us were seen as sexual objects for them, using LGBT people to satisfy their sexual needs. (...) They always saw us as mariquitas, cooks, and dishwashers. The LGBT community is only good for sex, cooking, and washing dishes, and, in some cases, as pimps bringing women to the groups" (Interview with a gay man, Tumaco).*

*"If it's to relay some information, "let's tell the maricon!" They say, let's tell him so he can go say it. They call on us to be useful and do all sorts of tasks sometimes with pay, sometimes without pay. Sometimes the pay is little and hardly enough for a soda" (Interview with gay man, Tumaco).*


Although these scenes of Afro-LGBT people being used do not suggest direct rejection by the guerrilla group, it is common that in these situations where non-normative SOGIE seem to go unpunished, people incur a type of debt towards the armed groups which they use at their fancy. The long history of structural violence that LGBT people have suffered results in them recognizing themselves outside of the social norm that heteronormativity dictates. Feeling “at fault” makes them fall into the trap of “collaborating” with armed groups, since, as victims have insisted, their mere existence puts them at risk once they make themselves visible as members of that community. Simply “being that way” seems to be reason to be attacked, a reason that seems to require compensation, thus submitting themselves to the armed group’s “request.” This being the case, it must be recognized that any “request” that is done with the help of a gun is not, in a strict sense, a mere “request” because, in this case, the possibility of rejecting such requests disappears if they want to protect their bodily integrity, their life, and that of those around them.

The reported sexual violations were used by armed groups to “correct” or “punish”, but in the case of the violence committed by FARC-EP and documented in this study, this violence was due to instances of perpetrators looking to satisfy their own sexual desire. In this experience of violence the idea that Afrodescendants with non-normative SOGIE are seen as available bodies to be appropriated by armed actors for the fulfillment of their sexual desires.



*“It was on a 24<sup>th</sup> of December (...) I was coming from celebrating Christmas, Christmas Eve (...) They grabbed me and beat me harshly because I did not want to be with them. I don’t know if they were on drugs, but I did smell alcohol on them. Yes, I smelled a lot; they were inebriated, but I believe they were high. They hit me with their hands, with their palms, they put their guns to my head, and I had to have relations with them without consent, without protection, with a condom. It was brutal, rough” (...)  
(Interview with gay man, Tumaco).*

As a consequence of this violence, forced displacement is common for Afrodescendants with diverse SOGIE resulting from the emotional burden or threats while living in such territories. In all the documented stories, displacement was preceded by the victimizing event of threats, sexual violence, and/or verbal or physical aggression against those who depart from gender and sexuality norms. This expulsion from the community was also the result of heteronormative sexual control when the victim of this previous conduct was close to the displaced person. In these cases, the violence that served as an example was a threat against the bodily integrity of diverse SOGIE Afrodescendants that preferred to leave the territory as soon as possible.



*"I went through a forced displacement after we went to a vereda. Then, the people who threatened us in the countryside, (...) when we arrived in the urban center, those people from that group were already there, they were already here in Tumaco in the neighborhood where I lived. There was a guy they called (Victim's name) and he tells me that they had you in such place and they had caught you saying such and such to you because you were a maricón (...) Then, I told him I was a maricón and him too and if those names are now going to come to Tumaco, that if they see them, they're going to kill them. So, at that time, we had to go away to another municipality, and I went to Ecuador. I've been living there a while now in Ecuador" (Interview with gay man, Tumaco).*

*"No, those who were maricón they would beat, and they had relations with one of my friends; they had him by force. (...). When we arrived in our municipality of Tumaco, they were here waiting for us, spreading rumors and such around here, and so we left immediately that same day. There was no other option but to leave the area" (Interview with gay man, Tumaco).*

Significant changes in the victims' lives resulted as a consequence of the uprooting, the loss of their possessions, property, jobs, networks, and, in many cases, the social position they had earned in the area despite the reigning heteronormativity. In this way, although the experience of forced displacement had shared repercussions for victims, independently of their sexual orientation or their gender identity, these variables contain specificities in the experience of displacement if the continuum and "circularity of violence" are taken into account. (Centro de Memoria Histórica, 2015)

In the case of LGBT people, the impacts of forced displacement take on particular connotations. Upon being discriminated and excluded people due to their various SOGIE, the loss of their support networks and trusted environments places them in a situation of greater vulnerability. Having to start from zero and being alone in a new place, with the burden socially imposed upon LGBT people, is a great risk for people who, even being perceived as socially inferior, have managed to develop their diverse SOGIE as they desire. From an ethnic-racial perspective, it is clear that the social bonds established within the same community that self-identifies as “black” or “afro” provide a support network, many times even beyond the immediate nuclear family, while solidarity prevails and recognition of the other as an equal and as a part of shared culture.<sup>13</sup>

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13 The construction of Afro-Colombian identity, “advances through mutual recognition and a collective fabric, where interests, experiences, expectations, qualities, difficulties, etc. are identified and mean collectivity or the building of social bonds. In this respect, it is worth emphasizing that in many of the conversations that were had with some members of the Afro-Colombian social organizations, it was affirmed that when they lived in their areas of origin, they were not called black, morocho, niche, nor by any of the distinctions that come to be in the city based on skin color. This supposes communality and homogeneity for the racialized approach. In their communities of origin the members of the organizations were called by their names.” HALL, Stuart, (1999). *Identidad Cultural y Diáspora*. En: Santiago Castro Gómez y otros, *Pensar (en) los intersticios. Teórica y práctica de la crítica postcolonial*. Ceja. Bogotá, Colombia.

## 5.3

# Dehumanization of racialized and sexualized bodies: hate crimes against Afrodescendants with diverse SOGIE by paramilitaries

The episodes of violence practiced by paramilitary groups sought to “cleanse” the territory of what was considered undesirable, based on social hardness that shapes and homogenizes socially installed behaviors through coercion and consensus, highly marked by colonization, with the primary goal of “eliminating” and “punishing.” Threats, forced displacement, femicide, attempted femicide, and sexual violence constitute the main forms of violence exercised by paramilitary groups against Afrodescendant women with diverse SOGIE in Southern Bolívar and the Pacific South.

In this background, this violence is motivated by the affront that women with varying sexual orientations, gender identities, and/or gender expressions represent for the paramilitaries’ moral order and territorial control. This violence is propelled by prejudices that seek to “eliminate:”

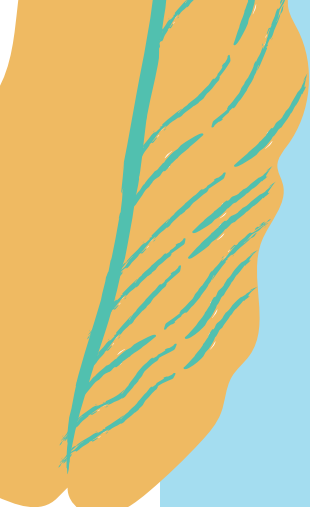
**A**

*trans women who, in addition to violating the hyper-masculinized idea of black men already mentioned, are associated with a collective imagination of “promiscuous black sexuality” to the extent that their sexual practices are negatively evaluated, exoticized, and eroticized.*

**B**

*lesbian women who violate the hypersexualized idea of black women due to their sexual orientation, placing them in a subordinate position concerning how their sexuality is ruled.*

*“Black lesbians don’t exist, that idiot used to tell me. Black women are hot and how are they going to get it done between themselves. “I’ll do the favor for them” he would yell at me every time he saw me with a woman. One day my mother told me that that was for white women, those things look bad on black women” (Interview with lesbian woman, Timbiquí).*



*"When I left to go home, people were in the street. I walked alone for one block and there a guy grabbed me from behind. He said, 'I'm gonna have a fun time with you.' He raped me with another two men, who laughed as they were on top of me. They struck me hard and when they finished, they gave me a day to leave, or they would repeat it again with me" (Interview with lesbian woman, Tumaco).*

C

*trans men who are seen as transgressors for wanting to access the privileges of Afrodescendant masculinity, which, according to the armed actors, did not suit them.*


*"The guy was after me for days. According to him, I was not a man because I didn't have a penis. One day he caught me off-guard, and he raped me behind Doña Cipriana's shack. First, he was on top of me. Then, he took a stick and put it in me, all while saying that men have penises" (Interview with a trans man, Tumaco).*

In this sense, paramilitaries used prejudices relating to diverse SOGIE because: (i) diverse gender identities and expressions do not adapt to the cisgender norms, (ii) the sexual orientations occupy a role of power that does not "suit" them, and (iii) their visibility and confrontation directly question the forms of control practiced by the armed group.

Among all the forms of violence perpetrated by paramilitary groups and documented in Southern Bolívar, threats are a persecution mechanism over the body and circulation. In all cases, victims are the subject of a previous investigation in order to obtain data like their place of residency and their close relationships. Two of the threats were even carried out through members of the victim's support network.

*I had a problem with that commander Daniel because it was he who ordered the AUC. The paratroopers' commander sent for me. He sent the AUC to me and he told me, "so you know why I'm going to kill your son." I complained here in San Pablo to all the AUC's commanders because they all wanted to kill him and I was very, very, very insistent. (Interview with father of trans woman, Southern Bolívar)*

Under such circumstances, in addition to using affective networks to make their intentions clear, armed groups made threats in the victims' homes or near them. Using the surroundings that people consider as protective can be considered as a strategy to emphasize the victims' defenselessness, fear, and vulnerability, making it clear that they do not only want to limit the victims' circulation in public spaces but also remove their presence in the area and limit their interaction with the community.



*"I have received threats here in Morales, the municipal capital. On different occasions I've received threats from groups identifying themselves as paramilitaries, groups from Morales that say they're going to cleanse the population. They've come to my house, they banged on my door, they've picked me up and have said very strong words, rather aggressive, with weapons in their hands, intimidating me and telling me that I had to leave here, Morales municipality, because if not, I'm gonna carry led in the butt. They said "Damned maricas, you have to leave here because, if not, you're gonna get shot. We are the AUC of Morales and we're gonna clean this town up." (...) The events occurred at 1:00, 1:20 in the morning. So, I was there with my partner, witness to this event. I remember there were two hooded men. Yes, hooded and dressed in black clothes, boots. Not those rain boots, but leather boots, wearing boots and black jeans, black sweatshirts, and they had black ski masks. They arrived on a single motorcycle the two of them. I can't describe the motorcycle because it was all dark outside and I only managed to see through the window gaps that one of them was coming up to the door and the other remained outside. The next day I moved, I moved out of that house. In my current house, I received another strong attack; they cut off my lights, and they threw something blunt at the window and they broke the glass. When my partner got up to see, he managed to see two people running away. They ran out of there. They hid in the back part of Morales, by the wall" (Interview with bisexual man, Southern Bolívar).*

The visibility of varying SOGIE and racialized bodies produce a risk and exposure matrix. In the case of Afrodescendants with diverse SOGIE, not only do expressions of sexual and gender diversity make victims visible, but also their racialized body does as well,



taking into account that an ideology of miscegenation that favors “blanqueamiento” has taken root in society. For example, in some cases, communities deny racist ideas because the victims have a “pale or light” skin color. (Interviews with victims, Southern Bolívar)

The elimination of bodies, which are considered undesirable by armed groups because of their SOGIE based on the collective imagination surrounding black people, also took advantage of transfemicide and attempted transfemicide, as is the case of a trans woman. The victim was murdered after publicly revealing that they were “having fun with” the commander of the AUC because of prejudices relating to their sexual practices which are dehumanized based on the collective imagination of “promiscuous black sexuality.” In this case, the lack of “caution” was a serious break of the moral and social order founded upon mandatory heterosexuality and prejudices around diverse sexual practices that reduce them to “promiscuity” and “perversion.”



*“[Name of the victim] was a great friend. He was killed by a guy from the AUC in the cemetery here in San Pablo. An AUC member killed [victim’s name] because he had begun saying that he had been with him. I don’t know. He was showing off; I don’t know what the story is. And since he was a guy with those things at his disposal, the solution he came up with was to kill him” (Interview with friend of trans woman, Southern Bolívar).*

This transfemicide bears symbolic meaning as an example for the municipality’s LGBT population since the context and intention of the killing sends a collective message that demonstrates the “punishment of elimination” that is the consequence of transgressing the social order and collective imaginations that are rooted in racism (Caribe Afirmativo, 2020 b, p. 105) and of confronting the virile warrior figure, his power, and his legitimacy. There is collusion by the police in this case and in the threats and displacement that precede it, as the victim’s father mentioned: “The last time they forced him to go to Bogotá was because he had said to a cop, ‘What is the police doing here in San Pablo while the paramilitaries are doing whatever they please?’ So, the police told the commander; they told him that it was [victim’s name] and the paramilitary commander sent for me.” (Interview with trans woman’s father, San Pablo) Also, the victim’s lifeless

body was left in the public space for 24 hours until the district attorney's office came to remove it.

Together with this case, there is the Daniela Martínez's case, an Afrodescendant trans woman killed in the municipality of Cicuco,<sup>14</sup> and who had previously been tortured and followed without receiving protection or assistance from the authorities who, it seems, knew about the discrimination she was enduring. As was documented by some organizations and the media Caribe Afirmativo, 16 August 2019; Caracol Radio, 21 August 2019), the circumstances surrounding the violence that Daniela experienced were filled with the cruelty the acts were committed with. Thus, in 2019 the victim was tortured on repeated occasions. The first occasion happened in March when 3 men beat her until her feet and hands were broken. In May, she was bound by her feet and hands in public, later suffering the burning of her extremities. Lastly, on the 12 August of the same year, she was beaten with sticks and stones, by people who the community identified as being involved in the previous events, causing her death on the 16 August.

The severity of the violence enacted upon Daniela seeks to mount an attack against the material and immaterial aspects of the victim's body (Cortés, 2014). In this vein, the extreme violence goes beyond the physical elimination of the victim's body through its symbolic marking, which converts it into a communicative scene, as Uribe points out (cited in Blair, 2004). This violence is "a change in the human morphology that objectifies the body with the goal of destroying the subject" (p. 174). In this sense, the "destroyed" body seeks to annihilate the identity that the victim represents. In this case, the cruelty is not only a part of the violence leading to death, but it also seeks to generate profound pain, terror, and suffering in Daniela while she was alive.

What is more, an attempted femicide against a lesbian woman was documented. This attempt to kill her was trying to "eliminate her" for holding a position of power which did suit her concerning the position of phallic dominance<sup>15</sup> in heterosexual relationships. Furthermore, the attempt was related to her being a lesbian woman that violated the hypersexualized idea of the black woman through her sexual orientation, it thus being necessary to control her sexuality. Specifically, the attempt strove to "eliminate her"

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14 Although this case was in 2019, it shows how merciless, brutal violence against Afro-LGBT people continues to be.

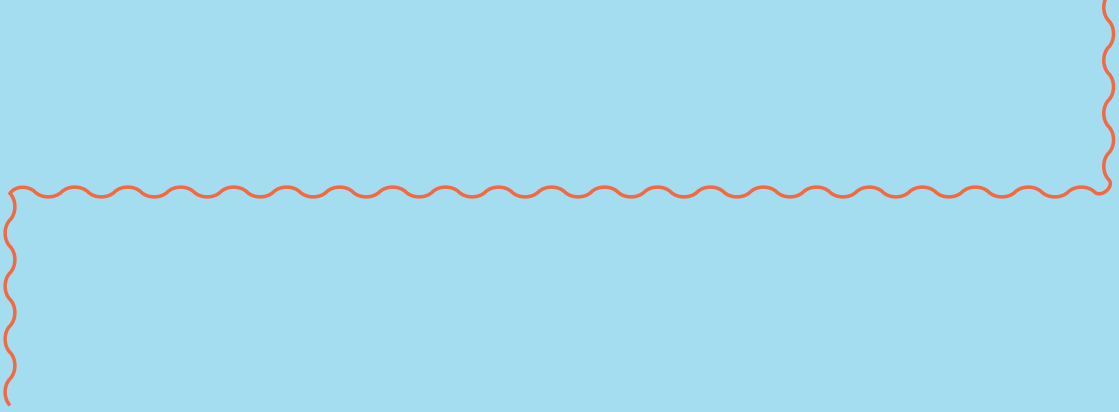
15 Paul B. Preciado criticizes Lacan dissertations concerning the "phallus," considering that they are centered around the reproductive functions of the male/female binary. However, it is interesting for the analysis of this case since it is precisely from the heterosexual norm that armed actors seek to erect and reaffirm their power. In this sense, "the phallus is neither an organ nor an object, but rather a 'privileged signifier' that represents power and desire and confirms access to the symbolic order" (Lacan, cited in Preciado, 2002, p. 60).

for occupying the place that “legitimately” belongs to men and, in this particular case, to her acquaintance in the armed group, who was attracted to the victim’s partner. In this respect, the patriarchal pact wherein there is implicit complicity between men to maintain their privilege reaffirms itself. In the words of Lévi-Strauss (cited in Amorós, 2005), “women are the commodity-object in the agreements between men” (p.20).

*That was the problem I faced being with a woman. It was when the paramilitary member wanted to fight me, just for her. It’s wasn’t the guy who was in love with my girlfriend, but the other guy. He was the one who was inserting himself where there was no room for him. But the other guy who was in love with my girlfriend, he wasn’t saying stuff to me. He said “[name of the victim] if you’re with her, she’s your partner. I respect her decision. I like your woman but up to there.” He told me, “if my friend is upset, it’s more because you’re a lesbian than because you’re getting in the way” (Interview with lesbian woman, Arenal).*

In the case of lesbian women, many of the threats and assaults they received from armed actors took place once their sexual orientation was made public or when they started relationships with other women. Men’s justification for hitting, harassing, and threatening these women were so they would leave the neighborhood. According to the victims, was that lesbian woman “took advantage of” other women making them doubt their heterosexuality and “taking” them away from men to whom they belonged by natural right. This representation of lesbian relationships suggests furthermore a feeling of offense against masculinity when a woman rejects a man preferring to initiate a lesbian relationship.

*“I had a girlfriend (...) and they realized and stuff. So, a new group came to the neighborhood and fell in love with my girlfriend and one other guy kept bothering me as well. He would always tell me, “Look for a man.” They would tell me to get a man; I didn’t pay them any attention. (...) So, one day I said to my girlfriend, “Let’s take a ride on the motorcycle and go to the beach. Let’s go.” We went by motorcycle and we got there at 12 p.m. at night (...) when*



*we were coming in, passing the highway to enter Milenio, a car crossed in front of us and locked us in there at the entrance to the neighborhood (...) They told us to get in; they pushed us, they put us in the car, and no one was around there. They took my girlfriend and I up to 'El Tigre' (...) Once in El Tigre, they took us out the vehicle and they removed our clothes; they pulled our clothes off. They broke them there and they did to us what they had to do. (...) They were so brutish that he hit me here (pointing to forehead), he was hurting me, and he damaged my face. Here I have signs of the wound, the scar. Then I fainted and I don't remember. My girlfriend was shouting, and they were penetrating her, pulling her by the hair. She had long hair. When I woke up there, she was crying and seated naked. They left us there in El Tigre. No one was around. So, we left out of there with our clothes half picked up. We arrived by foot at 5 a.m. at home; we bathed, and I didn't win any points" (Interview with lesbian woman, Tumaco).*

According to the Institute of Studies for Development and Peace (Instituto de Estudios para el Desarrollo y Paz – Indepaz, 2020) 15 social leaders and human rights defenders have been killed in the department of Bolívar since the signing of the Peace Agreement in November 2016 until July 2020, sharing the Caribbean's highest numbers with Cesar and Magdalena. LGBT people are not safe from the persecution suffered by social leaders, who beyond pressuring and questioning the armed actors' practices of exclusion, violence, and control and due to their social and political influence, also represent an irreverent figure facing the imposed norms of the sex/gender system.

*"Upon openly declaring my orientation and being a leader in the municipality, because at those times I'd been at the head of the LGBT community's representation and that of other vulnerable communities like the population of victims. I also represent the LGBT victims' community at the victims' table. So, I feel that the representation I've had in those moments has made the armed groups make reprisals against me" (Interview with bisexual man, Morales).*

Until now, the violence persists, reproducing prejudices related to sexual and gender diversity, and, in turn, perpetuating collective imaginations about Afrodescendants. These forms of differentiated violence rooted in systems of oppression like racism, sexism, and LGBTphobia are intensified in the cases of Afrodescendant people who publicly assume their SOGIE and leadership roles. The victim that related the previous story said as much; he received recent threats based on the public “declaration” of his sexual orientation, combined with his leadership around the rights of LGBT persons and the conflict’s victims in the municipality.

## 5.4

### *Impacts of violence on Afrodescendant persons with diverse SOGIE*

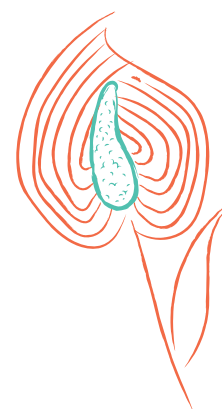
The harm and impact, that stem from the experiences of violence that Afrodescendants with varying SOGIE face, have a specific characteristic which is the product of the victims' relationship to violence, discrimination, and exclusion suffered by LGBT people in their daily lives and the perception of inferiority that is derived from the racialization of territories, even outside of the conflict's context. Therefore, the harm stemming from victimizing events intertwines with their relationship to the continuum of violence to which Afro-LGBT people are exposed.

Routinely, the victims suffered discrimination and violence rooted in prejudices, stigmas, and condemnatory moral opinions that made them guilty for having non-heteronormative SOGIE violating the socially assigned gender roles within the Afrodescendant communities. For many victims, this situation started at an early age in their neighborhoods or family circles, which caused the victims to develop mechanisms of confrontation in the face of such situations, to the extent that they understand the mockery they suffered when little can lead to violence of all kinds.

*"In my neighborhood where I've lived, since I didn't fight much as a kid, every time the people were like (name of the victim in diminutive form) with some stuff (...) But afterwards, when you're showing your sexual orientation, they treat and see the boys as a girl while they're young. (...) But afterwards, it's a joke because since you're already out, you're a maricon! They get angry and start to beat us or push us; the blows we're gonna bear are already felt" (Interview with gay man, Tumaco).*

*"Once I had let my hair grow out because I had always wanted to have long hair. And one of my uncles chased me and he put the clippers to my head, for all that" (Interview with trans women, Tumaco).*

The presence or absence of solidarity from family members, community members, and erotic-affective partners is decisive in increasing or reducing the effects of violence. Although, this is true for all of the conflict's victims, in the case of those who diverge from the norms of gender and sexuality, these relationship networks take on particular importance since the transgression of the heterosexual norm implies for many the loss, the weakening, or the impossibility to build and maintain relationships with their families or communities and to openly begin an erotic-affective relationship. In this sense, stories marked by loneliness, in which the armed conflict's consequences are worsened, are common.



**A****Psychosocial impacts**

According to the stories collected, feelings of fear, isolation, and depression provoked by the victimizing events faced by the victims, were common. Fear stemming from possible retaliations against their family, from the threats against their own lives, from remorse feeling responsible for what happened, tends to be the main emotion displayed in the testimonies.

*"I felt, let's say, a bit of fear for not having done anything in what happened. Yes, the victimizing event changed me. My routine changed a bit; if someone invited me here or there, I didn't go because I was afraid of meeting another type of person" (Interview with gay man, Tumaco).*

*"Very much, I'm still feeling the same. This year marks the 4<sup>th</sup> anniversary of my mother's death (killed by the ELN) and I am still depressed. I'm still sad and there's still a lot of damage" (Interview with gay man, Tumaco).*

These immediate feelings stemming from the violence lead, as a reaction, to isolation from their communities, support networks, and relationships, which results in victims sinking into loneliness as a protection mechanism in the face of the event. This can then lead to other grave conditions of mental health like depression.

*"Yes, I feel afraid sometimes when going out because I always say that the night has its tale and if you go out at night, something can happen to you (...) I've noticed the change in that regard, in that part (...) I leave work alone to go home; I don't have a social life with anyone because I've become afraid and panicked by it (...) I've let myself slip into my own world, lock myself into my own world, and not worry about others. I suffered some trauma at the time, right? They had to bring me here where a gentleman they call (Name of the person who helped him overcome his emotional state). I wasn't eating, I didn't leave my room, I didn't get dressed. I felt him watching her; I felt them hitting me. I felt it all" (Interview with trans woman, Tumaco).*



As a final scenario, one of the victims detailed how the severity of the depression they were lost in led to them trying to kill themselves. The rejection, stigmatization, and “feeling of guilt” that victims experience aggravates the situation, leading them to the extreme of trying to take their lives. Suicide attempts are one of the symptoms that generate the most alarm when facing the lack of timely psychosocial attention or psychology professionals with experience in managing cases of violence rooted in the conflict.

*“I took a rope, wrapped it around my neck, and hung myself. I hung myself and was virtually dead, but my father came in. He’d woken up from the noise I’d made with the chair falling, because I’d used a chair. I hung the rope and tightened it a lot. I hung myself in my bedroom and obviously he heard and came in (...) and there in the middle of the room almost dead. I have photos as evidence of when I was hospitalized and with an orthopedic neck device and everything” (Interview with gay man, Tumaco).*

## B

### Impacts on physical health

Various victims showed or related what the scars were like that remained on them after being the targets of physical and sexual assaults. Since they are hate crimes against LGBT people, the physical assaults tended to be directed at the body’s sexualized zones, meaning genitalia, chest, breasts, hair, mouth, nails, among others, or they were carried out on a nude body and/or in a sexualized position. This type of assault made an impact on the constructed identity and sexual autonomy of LGBT people from not only a psychosocial perspective but also a physical perspective.

*“I was left very hurt (after an episode of sexual violence), from then own I started having problems with my uterus and I recently had it removed because of this situation since they hurt me something bad. Afterwards, I had a lot of hemorrhaging because I wasn’t of any importance because everyone in the hospital knew me (...) a friend who is a nurse took care of me (...) and took me to Doctors Without Borders. They gave me some pills so I wouldn’t catch HIV, a single dose and the test came back negative” (Interview with lesbian woman, Tumaco).*

Victims are afraid to access health services or to file reports out of fear that people close to them may learn of the attacks or because they want to avoid facing discrimination based on their SOGIE.

*“Well, they make a mockery of you everywhere. When you go to the health center, the nurses huddle together whispering and say, ‘Look at her. Look at her.’ or they say to the security guard, ‘I’ll treat you.’ If you go to the police, when they get there, they think that you’re going to be all their woman, and I don’t know what. Almost everywhere you go, you see the rejection, the mockery, the bullying that they direct at this community. And you have to adapt to what comes out” (Interview with gay man, Tumaco).*

## C

### Socioeconomic impacts

In addition to the previous conditions of precarization in the areas in question, Afrodescendant persons have suffered discrimination and social exclusion. This is proven by the obstacles they have faced when accessing their economic, social, and cultural rights (ESCR) because of their ethnic identity and their diverse SOGIE.

For the Afro-LGBT population, the impact on their labor conditions, life projects, and productive initiatives is not exclusively due to the processes of labor flexibilization and the resulting instability, low salaries, and the absence of social security, or to the territory’s historical precarity stemming from the State’s selective presence, but also comes from intolerance and violation of their rights for the sole reason of being black and/or sexually diverse.

This is manifested by unjust practices and pressures like mockery from companions, deliberate jokes, constant assignments, and the desperate quest for efficiency in the businesses or institutions where they work in order to mitigate the negative effects that their sexual condition can have or the prejudices against black people which label them as “idle” or “lazy.”


In the case of Afro-LGBT victims of the conflict, the episodes of violence cut their life project short, while being uprooted from their territory along with the psychosocial consequences, and the investment of money aimed at covering the results of the victimizing event led to their projects being more and more postponed.

*“My mom and I used to have a project which was to open a barber shop in Tumaco, including ‘Maker O – Makeup Professional’ with all the features of semipermanent beauty (...) we had settled on this project when I arrived from Caquetá. I was going to be the work technician in professional makeup, and we were going to do this project. So, it was something that I had to put off because I was able to get the money and pay for it (technicianship), but (...) I no longer had the sufficient economic solvency for my project” (Interview with gay man, Tumaco).*

6



***NEED FOR AN  
INTERSECTIONAL  
APPROACH IN THE  
SEARCH FOR THE  
TRUTH IN THE  
COLOMBIAN ARMED  
CONFLICT***



Colombia is characterized as a heterogeneous and ontologically complex nation in which it should be recognized that different identities and contexts exist concerning people who are subjected to multiple and simultaneous forms of discrimination that contain characteristics and circumstances that intertwine in particular ways, building accumulated and/or fused structures of oppression.

In this sense, rights violations become more complex when they are presented on the base of multiple and simultaneous structural situations of oppression and discrimination which have historically been systemically aggravated by inequality. This is the Colombian conflict's case in which the effects tend to be much more negative when a person finds themselves in a special situation of discrimination and oppression because of their identity and context.

In the context of transitional justice to overcome more than 50 years of armed conflict, it is not only necessary to reach an agreement between parties (guerrilla and State) or have the existence of strong State institutions (with enough budgetary means to make them efficient), but it also requires a complex, comprehensive look at the problems that led to war and worsened with it.

Concerning the conflict's victims, this look should seek to be comprehensive and tend to produce truly transformational effects, not in pursuit of achieving the minimum amount of reparation that guarantees the conflict is overcome, but also in order to attack the structural situations of oppression and discrimination at the root that underlie the conflict.

In the face of such a panorama, intersectionality, as a category of analysis and a theoretic approach, is a key tool that should be applied transversally in accordance with the components of international standards relating to transitions from armed conflict to times of peace (that is the components of truth, justice, reparation, and non-repetition) in order to truly achieve stable and lasting peace.

Accordingly, the report will outline below the main factors for understanding why and to what end could be directed the integration of an intersectional approach that seeks a more successful search for the truth for Colombian Afrodescendants with varying SOGIE, stemming from the examination of the accounts that were gathered for this investigation.

## 6.1

### *Living in the territory as Afro-LGBT people because a split identity is inconceivable*

Popularized collective imaginations and prejudices, structural and systemic discrimination, and the violence present in distinct parts of society and institutions have shaped the experiences of rights violations in Afro-LGBT social sectors as well as the consequences of these violations. The different scenarios where LGBTphobic and/or racist violence (family, school, work, State institutions, church, communities) occurs are not isolated events due to the fact that a chain between specific violent experiences is created, which is continued into time and ends up forming a continuum of violence.

Proving the ways that rights violations operate against victims is based on the self-identification and self-recognition of the people who gave their accounts. From there, how the same people understand their lives is detailed; they cannot assume their experiences while separating their sexuality, gender identity, and ethnic-racial background.



*“The people point it out to you. For example, when a black, poor person is marica, they say that it is the worse, that it is a plague, that it’s the pest. I believe in me and I feel happy and proud of being who I am, but society is not because they see it as if I were a strange creature” (Interview with gay man, Tumaco).*

By accepting the ethnic-racial dimension’s intersectionality with that of gender and sexuality and by understanding victims as heterogenous subjects and not only as mere numbers, a kind of picture of gendered (Medina, 2018) and racialized violence can be formed<sup>16</sup>: misogynous, racist, and LGBTphobic violence that unfurled in the warlike situation of the territories. The overrepresentation of Afrodescendants in certain patterns of violence like displacement and massacres can become more complex upon

<sup>16</sup> Racialization is the process by which people or groups of people are identified according to racial categories via the interaction of a dominant group with an oppressed group which is assigned said identity with the purposes of maintaining their domination.

understanding that systems of oppression are indissolubly fused (Lugones, 2008), since it is impossible to break up and label the identities and loyalties that mobilize the subjects' agency without reproducing an incomplete image of their experience (Anzaldúa, 1988). The inclusion of this approach identifies the complexity that subjects find themselves in who belong to social groups that have historically experienced exclusion and disadvantage in accessing resources, opportunities, and social mobility (Rodríguez Vignoli, 2001).

Although those groups have been labeled as "vulnerable", it is important to emphasize that their vulnerability is not an intrinsic, existential, or natural characteristics of these groups, but rather the result of the aforementioned power dynamics. In that way, the location, identity interests, disadvantages, composition, and internal hierarchies of these vulnerable groups are factors in permanent transformation (Medina, 2018). In this vein, vulnerability and resistance work together and are not opposed to one another (Butler, 2014). Thus, the notion of "vulnerable groups" does not allude to weak people without resistance strategies or social mobilization. On the contrary, it refers to a collection of subjects that, despite their heterogeneity, share in certain contexts the same location in social power dynamics and from there propose change.

*"Being gay and black has meant being fed up. It's like what a black male slave did, taking the reins of his own community; it's keeping up with what people think, how will they accept us (...) So, it's hard to take the reins; it's difficult, but also positive because we have an open and positive mindset, (...) we're fighting for the recognition of our rights, so we don't take into account what the people say, but rather what we ourselves permit" (Interview with gay man, Tumaco).*

Analyzing the intersection of multiple and simultaneous discriminations allows for the deeper reflection on the points of connection between gender, race, ethnicity, social class, and, above all, territoriality,<sup>17</sup> a key concept because of the importance

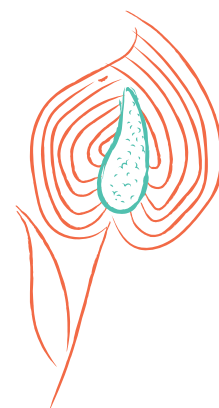
<sup>17</sup> Territoriality refers to the amount of control that a person, ethnic or social group, State, or block of States exercises over a determined geographic space, characterized by all those symbolic practices and expressions and materials that guarantee the appropriation and stay of a determined collective of people in a specific territory. (Montañez y Delgado, 1998)

that the territory takes on in the social, political, and human development of black Colombian communities. That is where identity and autonomy are built as political-cultural projects where the extended family and community gain importance as sources of solidarity, spaces of oral tradition, and cultural expressions that have been forming since the colonial era to today and that are in continual transformation (Betancurt y Coronado, 2010).

The territorial construction of peace is centered on making a territorial capital that can produce strategies, projects, and policies capable of catapulting local development respectful of the environment and human rights (Iza, 2018). However, something seems to have been left out or forgotten, and it is that the territory's importance is comparable to the diversity of communities that live there and the efficacy of proposed and/or implemented measures for change depends on the recognition of this diversity. In this sense, it is not enough for the State to characterize the diversity that lives in territory, but rather it is essential that the State understand how the ways these diversities are created and recreated is a part of their identity's composition, proving that the Afro-LGBT being is not the same in Tumaco, Cauca Valley, or Southern Bolívar.

Thus, the intersectional approaches' contribution to building peace are, mainly and primarily, related to the recognition of the difference within plural human groups, elevating comprehension of intersectionality to more than the simple sum of factors with the goal of advancing the true understanding that identities are built daily on where we live, the experiences we have, and the spaces that rebuild themselves (Escobar, 2010; 2013). The visualization of the territory as a source of resources has placed Afrodescendants at a disadvantage which is intensified when they live in poverty and under the conflict, but also under gender roles and binary gender division.

Making the invisible visible not only makes the State recognize its historical responsibility in maintaining and perpetuating this situation, but rather it also obliges it to improve a set of structural conditions prior to the existence of a conflict. This makes it possible to understand the considerable influence that the conflict has had on the development of individual identity and the communities' social constructs, so that ultimately it is those characteristics belonging to each region of the country that will revert and permit the construction of stable territorial peace.





It is necessary to highlight that the intersectional approach contributes to a holistic vision for understanding the victimization of Afro-LGBT people before, during, and “after” the internal conflict. Although the implementation of the gender approach has been one of the newest proposals in the Peace Agreement signed in Havana and although the integration of an ethnic approach that recognizes the impacts on black and Indigenous peoples is explicit, knowing the differentiated impacts by gender and ethnicity is not sufficient.

Firstly, it must be understood that not all LBGT, Afrodescendant, or Afro-LGBT victims are the same. Secondly, it must be understood that all victims have built their identities in different ways and in distinct contexts. Thus, the universal category of Afrodescendant with diverse SOGIE should be understood in context and with all its perspectives. This situation manages to reinforce the idea that the real and effective construction of peace is not limited only to the laying down of arms and a bilateral ceasefire, but it should mainly be concerned with fixing the conditions that, before the conflict, created inequality and discrimination in society like racism and violence towards LGBT people, among others.



## 6.2

### *Why the conflict is an expression of power, domination, and daily life over the bodies and experiences of racialized LGBT people*

The conflict manifests differently in all those people who remain outside of the heteronormative mandate of masculinity. There is a violent patriarchy that spreads beyond the limits of the private sphere, where traditionally it sought to remain, in order to move on to other types of violence that exceed those private circles in which Afro-LGBT people move. The armed conflict is more than a war scene; it is an announcement of power (Medina, 2018). Understanding that power crosses gender, ethnicity/race, age, sexuality, and class, among other intersections in different categories, is one of this report's goals. Within the war-making chest box, women, girls, boys, LGBT people, especially racialized ones, have always been the "territory" of conquest and the greatest expression of misogynous, racist, and LGBTphobic violence. As Laura Segato remarked (2016), those "who do not play the role of armed antagonists", "that innocent third party not involved in the duties of war", the non-combatants, tend to be the main ones used as tools. The impact on their lives does not turn out to be collateral damage but was inflicted with the full intention of turning them into disputed "objects", understanding that their bodies represented the "undesirable", the "usable", the "passive".

In the Colombian conflict, that line of power is widespread while, in the war scenes, family circles, friendship groups, and groups of acquaintances converge within the community and, in this case, the black community.



*"No matter what I had to have contact with them because they were part of the community and, in fact, your relatives, friends, nephews. You had to interact with them; if they asked people a favor, they had to do it. Some of your relatives were in that situation. There were friends you studied with" (Interview with gay man, Tumaco).*

The special characteristics of how war zone power structures and daily life power structures interacted with institutions like the family demand a multidimensional, non-essentialist look at the conflict as a setting where there were two bands, one of which is a killer, entirely indifferent and opposed to the victim's life experience.

*"The community gets along with them just fine because since they live there, no one messes with their people. The one in charge is a cousin's husband. You aren't asking, but I also have cousins who are part of those groups. They join them because of unemployment, the lack of opportunities, and they also go to all those groups for the money" (Interview with gay man, Tumaco).*

Studying these particularities from an intersectional point of view will lead to more sensible explanations of how the racist, misogynous, and LGBTphobic structures of discrimination and oppression coincided in a war and were able to permeate all the institutions and victims' daily circumstances, especially for Afro-LGBT victims.




## 6.3

### Why it allows for the comprehension and proposal of effective alternatives to overcome the continuum of violence of Afrodescendants with diverse SOGIE

In the violent experiences and witnessed accounts of the conflict's Afro-LGBT victims, what is observed is the denunciation of a series of interrelated violence against their bodies, families, communities, space, cultures, and commonalities, etc. Assault is not the only violence against them. Plundering, dispossession, uprooting, and forced mobility are processes that violently affect Afro-descendants in their connections with places and in their communities' social fabric, simultaneously increasing the geography of inequality in a country marked by the joint exclusion of the Afrodescendant population on one side and the LGBT on the other.

Adopting an intersectional approach seems a necessity if the causes of the conflict's specific impacts on Afrodescendants with diverse SOGIE are to be understood, not only through the exercise of violence against their gender and ethnicity in the conflict, but also through the context in which they occurred.



*"There have been different types (violence). At 10 years old, those people from the FARC tried to recruit me (...) So, my mother sent me to the city of San José de Cúcuta so that they couldn't recruit me, and I had to separate from my family and everything. (...) (The second violent event) they told my mom I was tall enough to carry a submachine gun (...) it was 2006 and I was around 22 or 20, something like that. I don't remember the age very well, but I do remember the year. (...) The third time was my mom's killing (by ELN) (...) That was here near Tumaco, in the jurisdiction of Barbacoas. (...) and the 4<sup>th</sup> time was my sister's disappearance, which, we suppose, was a consequence of my mom's death and afterwards (5<sup>th</sup> scenario of violence) I had a conflict with a person from the FARC dissidents. There was a time they wanted to steal my motorbike and they also threatened me once. That was the reason I changed homes; that was last year" (Interview with gay man, Tumaco).*

The conflict and the ways in which violence materializes have an impact on people's bodies and they become crystallized in people's identities, biases, experiences, and social relationships. Therefore, exercised violence must be understood as a widespread, non-linear continuum in which forms of violence are not exclusive, but rather can appear and, in fact, do appear simultaneously or in combination, in time and space, ultimately making up people's experiences and history.

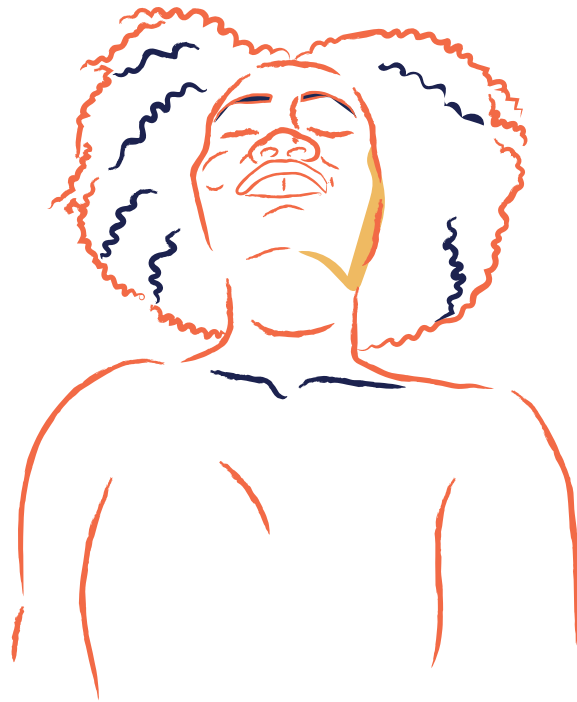
Violence continues in the so-called post-conflict. Upon suggesting the idea of a continuum, it is necessary to remark that this report does not go beyond a closed conception of time and, specifically, a vision of violence in the past. The exercise of power and violence rebuilds itself and takes on other forms. The violence does not dwindle but only becomes less visible and less public upon losing the narrational window that the conflict once occupied. The registry and report filings do not imply the end of hostilities against Afro-LGBT people.



*"When I moved to Bogotá, I went and made a declaration at the Victims Unit. I remember us getting there and they did not pay us any attention. They didn't tend to us. (...) Recently, in 2018, they recognized me as a victim. Some many years after what happened, they didn't take it seriously, it seems to me because so much time passed, and they didn't help me with anything." (Interview with gay man, Tumaco)*

In the life reconstruction processes that accompany the victims in the so-called post-conflict, there is a violent binary that follows Afro-LGBT people: homosexuality and transgenderism as opposed to heterosexuality and cisgenderism, Afrodescendant as opposed to white-mestizo. This binary charged with violence manifests itself in multiples parts of life like on the body. In the case of gender and race, the body is the first form of identity. The phenotype (how it is socially perceived), is charged with cultural meanings through which the different tools of domination and exclusion will construct themselves. In this case and according to Cabezas (2012), "bodies are a part of the classic exercises of control and submission such as sexual assaults, heavily used in times of war or individually in the domestic or public spheres in daily, unexceptional situations." For this reason and as long as the body remains in the post-conflict, it will


continue to be a personal space loaded with meaning that moves between the limits of the public and private, a space in which oppression and violence is materialized against Afro-LGBT people within the invisibilized daily setting.



## 6.4

### *Why specific necessities exist for Afrodescendants with diverse SOGIE in reparation claims in the post-conflict setting*

Beyond the victims' life reconstruction processes, the Colombian "post-conflict" has included institutionalized processes of truth, justice, reparation, and non-repetition, in other words, transitional justice. According to Catalina Díaz, Nelson Sánchez y Rodrigo Uprimny (2009), there is a certain consensus around the legal and ethical duty to meet the victims' right to reparation through the judicial and administrative route and a public policy of land and goods restitution. In this spirit, the Victims and Land Restitution Law of 2011 was devised, and measures were later placed into the Peace Agreement signed in Havana. Therefore, it is not a question of the lack of a legal, normative framework, but rather it is about the State's acquiescence, ineffectiveness, and inaction concerning the specific demands of the civil society in the open and discontinuous setting of transitional justice. In the face of this lack of political will, the political achievement of other actors/subjects, in this case, Afro-LGBT people, takes on special relevancy. From an intersectional perspective, they have called for the recognition of the differentiated and disproportionate impacts of violence in the conflict and, thus, need for a policy of comprehensive and specific reparation.

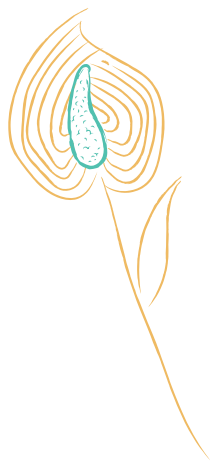


*"The country or the government shouldn't look at the victims like nothing happened. Let them show themselves and let them understand that black LGBT victims of sexual assault in the conflict are in need of government help. They need to realize themselves as people without being pursued as the elders say around here. Let the world find out that they are people who should live, who have hearts, and who are good people (...), people who exist in the world because we have a huge heart, we don't forget others, and, despite everything, we know how to forgive." (Interview with a lesbian woman, Tumaco)*

The role and recognition of Afro-LGBT people in sharing the truth, justice, and memory is of utmost importance insofar as, “if a community consolidated based on shared interests is not present in legal discourse, it will naturally conclude that the State does not grant its existence” (Segato, 2016). What remains is to construct inclusive, alternative narratives that center the political interests and reparations interests of Afro-LGBT victims of violence.

Upon identifying the multidimensional nature of the subjects’ identity, their rights should permanently be connected (between all the rights) and on different levels (individual, collective rights) in order to confront the many origins of the oppressions that people face simultaneously; that is, to accurately identify and counteract the evitable and convergent situations of vulnerability they find themselves in. If the rights of people belonging to vulnerable groups are only guaranteed abstractly (due to being part of a collective without analyzing the different systems of oppression they face and the ensemble of rights that are affected), then it is impossible to identify the complex and comprehensive measures of assistance, protection, reparation, non-repetition, and change that they require (Zota, 2015).

Intersectional analysis allows, therefore, for the studying of the interdependencies between different factors of oppression and, simultaneously, for the promotion of an indivisible and interdependent interpretation of human rights. This is a distributive and transformational justice approach which surpasses restorative criteria and promotes the tackling of oppression, discrimination, and structural segregation (Uprimny and Saffon, 2009).





7



# ***CONCLUSIONS AND RECOMMENDATIONS***

They told us: "You're not just black, but Maricas too"

According to the findings and analyses presented in previous sections, it can be concluded in general terms that legal and illegal armed groups persecuted and practiced specific forms of hate crimes against Afro-LGBT people due to their Afrodescendant ethnic identity and real or perceived sexual orientation, gender identity and expression (SOGIE), in a systemic manner and to strategic ends, always paying attention to the particularities between groups and particularities by territory. This implies that the patterns of violence exhibited by these groups are rooted in racist, misogynous, and LGBTphobic prejudices already present in the societies where they focused their behavior, prejudices that were exacerbated by the dynamics of the war in those regions. The aggravation of the effects on the bodies and lives of Afro-LGBT victims is also marked by the negligence of intersectionality in Colombia public policy, especially policy related to the conflict's victims, and by the lack of visibility of Afro-LGBT people's human rights situation. This lack of visibility leads to the absence of measures ensuring their rights and to possible impunity when these rights are violated.

This report's primary recommendation is that, in the account presented as the final result of the Truth Commission, it be explicitly recognized that Afro-LGBT people exist and resist, as victims of the conflict, the specific forms of violence exercised against them. These memoirs should inquire into how the prejudices against, and invisibilization of Afro-LGBT people laid the groundwork for the development of intensified, specific violence against their bodies and into how these influences and impacts came to be. In this sense, this account would reinforce the fact that the Commission would include specific recommendations for overcoming the Afro-LGBT population's invisibility. Likewise, this report recommends to the Commission that an intersectional approach with particular attention to Afro-LGBT people be included in the report's familiarization and monitoring mechanisms. In doing so, beyond being a part of the great recounting of the conflict's memory, the goal is for Afro-LGBT people to rely on their own truth and the presentation of elements that contribute to building spaces of reparation that take into account their specific needs, and be the first step to progressive recognition of this population and guarantee of their human rights.



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