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# LATIN AMERICA AND THE CARIBBEAN LEARNING AND RAPID RESPONSE (LACLEARN)

## GENDER-BASED VIOLENCE IMPUNITY REGIONAL STUDY: COLOMBIA CASE STUDY

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# Gender-based Violence Impunity in Colombia among Venezuelan Migrant and Internally Displaced Women

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## ACRONYMS

2SLGBTQIA+	Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, Plus
C-PREV	Coordination in the Prevention of Gender Violence Agreement (Colombia and European Union)
COVID-19	Coronavirus Disease 2019
CSO	Civil Society Organizations
DRG	Democracy, Human Rights, and Governance (USAID)
ECLAC	Economic Commission for Latin America and the Caribbean
ELN	National Liberation Army (Spanish acronym)
FARC	Revolutionary Armed Forces (Spanish acronym)
GBV	Gender-Based Violence
IACHR	Inter-American Commission on Human Rights
IDI	In-depth Interview
IDP	Internally Displaced Persons
IOM	International Organization of Migration
IPV	Intimate Partner Violence
JEP	Special Jurisdiction for Peace (Spanish acronym)
LAC	Latin America and the Caribbean
LACLEARN	Latin American and the Caribbean Learning and Rapid Response Project
PEA	Political Economy Analysis
SOPs	Standard Operating Procedures
UNIPA	Unit of the Indigenous Awa People
UNW	United Nations Women's Agency
USAID	United States Agency for International Development
VOIP	Voice-Over-Internet Protocol

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## EXECUTIVE SUMMARY

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Gender-based violence (GBV) impunity violates human rights, harms public health, and destabilizes homes and communities. GBV impunity often threatens survivors' basic security, including their health, safe shelter, food, livelihood, and freedom from further violence.<sup>1</sup> Impunity perpetuates GBV and denies survivors their rights not only to justice, but also to vital protection and recovery support services and prevention programs. It entrenches widespread lack of government transparency and accountability to uphold survivors' legal and human rights. It further undermines broader development objectives of social inclusion, governance, and democracy.

The Colombia GBV impunity case study is one of eight case studies included in the **GBV Impunity Regional Study** ("Regional Study") under the USAID Latin America and the Caribbean Learning and Rapid Response (LACLEARN) Task Order. Each case study investigates country-specific responses to the research question:

### **What would constitute meaningful GBV accountability according to diverse survivors in the LAC region?**

The case studies diagnose GBV impunity through a mixed-methods design analyzing the political economy contexts and structural gender inequalities that perpetuate impunity in LAC. Each case study explores survivors' and service providers' recommendations to improve GBV accountability for specific types of GBV that disproportionately affect historically marginalized and structurally excluded groups. The regional study prioritizes survivors' and service providers' recommendations for USAID to contribute to improving accountability through three main pathways of strategic action: 1) GBV protection and recovery services, 2) judicial services, and 3) prevention initiatives.

The Colombia case study explores GBV impunity against Venezuelan migrant and internally displaced women in Colombia. The two groups face similar, yet distinct, experiences of inclusion in or exclusion from post-GBV services and prevention programs. Grounded in extensive review of relevant literature and available secondary statistics, the case study analyzes key themes from within and across 24 qualitative, individual in-depth interviews (IDIs) with women GBV survivors in Colombia and civil society and government service providers that work directly with them.

## **DIAGNOSIS OF GBV IMPUNITY IN COLOMBIA**

Colombia has made significant legislative strides in addressing GBV, with 26 laws dedicated to prevention and punishment, along with 26 laws advocating for reproductive and maternity rights, and one law expressly prohibiting Child, Early, and Forced Marriage and Unions (CEFMU). For the first time in the history of similar agreements, Colombia's 2016 Peace Accord explicitly denies amnesty for sexual violence and GBV committed during Colombia's decades-long armed conflict. Nonetheless, while conflict-related GBV may reasonably be expected to diminish following the Peace Accord, the persistently high incidence of GBV crimes against women presents a troubling reality.

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<sup>1</sup> "Survivors" in this report refers to either primary (i.e., victims who survived) or secondary (i.e., family, friends, colleagues) survivors of GBV. "Victim" refers to those killed, or as a term that some survivors prefer to use in court proceedings where "victim" confers legal status as a crime victim.

According to the Observatory of Femicides in Colombia, there were 1,881 femicide cases reported from 2019 to 2021.<sup>2</sup> Among these, only 677 underwent criminal prosecution, resulting in 378 arrests and only 140 convictions. These statistics underscore a concerning level of impunity within a nation where, on average, at least one woman is assaulted every twelve minutes, and four women are murdered daily.<sup>3</sup>

Women survivors of forced displacement confront heightened risks of GBV, including sexual exploitation and human trafficking, around areas of chronic armed conflict. Trauma and socioeconomic strain resulting from lost social support networks and economic stability exacerbate their marginalization. Meanwhile, women pushed to migrate from Venezuela by security and economic challenges face risks of interpersonal, structural, and symbolic violence at each stage of their migration journey. Discrimination and social stigma further compound challenges faced in host communities, isolating internally displaced and Venezuelan migrant women socioeconomically and impeding their access to essential protection and recovery support services and judicial mechanisms.

Indigenous and Afro-descendant women encounter unique obstacles and structural racism, compounding GBV impunity. Many have been historically dispossessed of land, territories, and natural resources vital for their communities' survival. Having experienced often multiple instances of internal displacement, many Indigenous and Afro-descendant women in Colombia have become geographically dispersed, whether isolated with limited mobility in areas where armed groups are present or forcibly displaced toward urban centers. When Indigenous and Afro-descendant people are forced from their territories and communities, they often become compelled to abandon ancestral customs, including language, attire, weaving, rituals, food, traditional medicine, and relationships with land and natural resources. Some Indigenous women abandon their customs to avoid being identified as Indigenous and to protect themselves from targeting for GBV by legal and illegal armed actors. Yet, both Indigenous and Afro-descendant women continue to face high barriers of structural exclusion and racism in seeking protection and recovery support services and a formal judicial response to GBV.

Many Indigenous and Afro-descendant women are in remote areas where they are simultaneously at high risk of GBV and far from post-GBV protection, recovery, and judicial services. Structural racism affects both their risk of experiencing GBV and the accessibility and quality of post-GBV services they receive. Structural barriers to seeking judicial services become compounded through tensions between traditional Indigenous and Afro-descendant justice practices and formal Colombian judicial institutions. The absence of culturally competent protection and recovery support and procedural hurdles contribute to impunity, most starkly in femicide cases.

Similarly, Venezuelan migrant women face distinct barriers, including inadequate identity papers, or immigration or refugee documentation, fear of reprisals, and limited access to legal and protection and recovery support services. Societal stigma against GBV survivors and discrimination deter displaced, Indigenous, and Venezuelan migrant women from seeking assistance, perpetuating cycles of violence and exploitation with impunity.

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<sup>2</sup> Prieto, L. V. (2022, March 8). *Balance sobre la violencia basada en género en Colombia*. PARES. Retrieved January 12, 2024, from <https://www.pares.com.co/post/balance-sobre-la-violencia-basada-en-género-en-colombia>.

<sup>3</sup> Lopera, D. (2021). *PERCEPCIÓN DE LAS MUJERES SOBRE EL ACCESO A LA JUSTICIA: Casos de violencias contra las mujeres en Bogotá, Colombia* [Universidad del Rosario].

The pervasive societal acceptance of inequitable gender norms and the lack of survivor-centered and trauma-informed training among law enforcement and judicial personnel exacerbate survivors’ revictimization and premature, summary dismissal of GBV cases. Survivors often face further abuse and rights violations from authorities entrusted with their protection and recovery support, worsening institutional discrimination and socioeconomic structural exclusion. The intersection of migration, GBV, and impunity highlights the urgent need for comprehensive policy interventions and survivor-centered support and accountability systems to address the complex challenges faced by displaced survivors in accessing protection, recovery support, and justice, whether through Indigenous justice processes or Colombia's judicial system.

### **SOLUTIONS FOR ADDRESSING GBV IMPUNITY IN COLOMBIA**

Addressing GBV impunity among Venezuelan migrant women and internally displaced women survivors in Colombia necessitates coordinated efforts and collaboration among governmental institutions, civil society organizations (CSOs), and humanitarian organizations for coherent and impactful GBV prevention and response. Analyzing the experiences of these two groups of women reveals similar, yet distinct, experiences of discrimination and drivers of exclusion in a context of extreme gender inequalities and other structural factors that increase women’s vulnerability to GBV and impunity.

*Figure 1: Differences and similarities between internally displaced and Venezuelan migrant women's experiences*

<b>Unique to Internally Displaced Women</b>	<b>Common to Both Groups</b>	<b>Unique to Venezuelan Migrant Women</b>
<ul style="list-style-type: none"> <li>● Displacement often linked to Colombia’s armed conflict</li> <li>● May be more familiar with Colombian mechanisms to address violence</li> <li>● May have more established local support networks, or ability to form new networks in destination</li> <li>● Risks of future GBV often linked to proximity to armed groups</li> <li>● Unique vulnerabilities for Indigenous and Afro-descendant women displaced from ancestral territory and communities</li> </ul>	<ul style="list-style-type: none"> <li>● Must leave familiar territory and support networks</li> <li>● Face reduced ability to respond effectively to threats and violence</li> <li>● Economically vulnerable, with limited options for transportation to flee violence and/or seek services</li> <li>● Complex structural barriers requiring an understanding of specific contexts and histories of structural exclusion of each population</li> </ul>	<ul style="list-style-type: none"> <li>● Migration often caused by economic hardship, political instability</li> <li>● May lack awareness of support services in Colombia</li> <li>● May face challenges building support networks in a new country</li> <li>● Sometimes involved in risky activities to improve living conditions</li> <li>● Risks of GBV often linked to economic hardship, lack of documentation</li> </ul>

Initiatives to support accountability must critically evaluate existing services along post-GBV care service pathways to identify and address barriers to access. Meaningful, consultative engagement with diverse GBV survivors is vital for informing program design and implementation. Capacity development and performance evaluation initiatives with law enforcement, judicial personnel, and frontline service providers are crucial for GBV case processing that is trauma-informed and survivor-centered, upholding survivors' rights to respect, dignity, confidentiality, privacy, and information about available services. Adequate funding is imperative to support ongoing training and performance evaluation efforts. Essential services such as safe shelter, economic aid, and health care services, including for mental health, must be extended also to remote and isolated regions impacted by violence from armed groups.

Long-term strategies for reducing GBV and impunity include initiatives aimed at transforming harmful masculinities by engaging men and boys in GBV prevention efforts. Additionally, effective collaboration between traditional Indigenous justice processes and Colombia's formal legal and judicial systems is essential to uphold accountability for GBV perpetrators while respecting Indigenous communities' cultural identities and rights and still holding GBV perpetrators accountable.

## **RECOMMENDATIONS FOR USAID/COLOMBIA**

This case study advances four core, overarching recommendations for USAID and other stakeholders to improve GBV accountability based on the perspectives of survivors and service providers interviewed in Colombia. The first three recommendations represent strategic pathways to GBV accountability, while the last recommendation represents an overarching principle to apply in each pathway.

### **Three strategic pathways for strengthening GBV accountability:**

1. Strengthen survivor-centered, inclusive GBV protection and recovery support services.
2. Strengthen survivor-centered, inclusive GBV judicial services.
3. Strengthen survivor-centered, inclusive GBV prevention initiatives.

### **Across pathways:**

Engage in separate consultations with (i) diverse internally displaced women, including those Indigenous and Afro-descendant, and (ii) Venezuelan migrant women GBV survivors, together with government institutions and CSOs, to design, adaptively manage, and evaluate GBV prevention and response activities. Through inclusive consultations, ensure activities consider the unique needs of each community and are accessible in locations where these communities reside.

Within each of the three strategic pathways for GBV accountability, the Colombia Case Study offers a range of recommended actions. Additional detail on these actions is available in the body of the report. Our recommendations align with USAID's goals in the Country Development Cooperation Strategy (CDCS) Colombia 2020-2025, the [2022 updated United States' Strategy to Prevent and Respond to GBV Globally](#), and [USAID's Guiding Principles for Working with GBV Survivors](#), recommending survivor-centered and "do no harm" approaches. As such, these recommendations are strategically designed to contribute to durable peace, inclusive society, stability, and prosperity in Colombia.

Prioritization of these recommendations is paramount to their effective implementation. USAID can strategically prioritize based on the urgency and severity of the issues identified in this report, taking into consideration their alignment with activities of the CDCS and the global GBV plan being implemented. Implementing these recommendations necessitates collaboration with key stakeholders, including the Colombian government, CSOs, and leaders and community members supporting internally displaced, rural, and Venezuelan migrant women in Colombia.

### **Strategic pathway one: Strengthen survivor-centered protection and recovery support services**

1. Implement a service mapping and gap analysis to identify opportunities to improve quality or coverage of services for diverse internally displaced women.
2. Include women-led and community-specific protection and recovery support service provider organizations in referral networks.



3. Ensure internally displaced and migrant women have access to culturally welcoming safe spaces and shelters where they can access greater physical and emotional security.
4. Implement activities which provide direct cash assistance and other forms of economic empowerment to help GBV survivors rebuild their lives after violence.
5. Increase coverage of services in remote and rural areas using mobile support units and mobile services.
6. Provide specialized, protective legal assistance and documentation support for GBV survivors, including the specific legal aid needs of Venezuelan migrant women, and language and inclusion needs of internally displaced Indigenous and Afro-descendant women.
7. Create and enforce protection mechanisms tailored for internally displaced Indigenous and Afro-descendant women in community leadership roles.
8. Provide trauma-informed, strengths-based mental health services tailored for internally displaced women, adhering to international GBV case management standards.
9. Extend support services to create a safety net and facilitate escape from violent relationships, including a specialized GBV case management system for diverse internally displaced women.
10. Ensure frontline health and law enforcement workers have clear standard operating procedures (SOPs) regulating and guiding their engagement with GBV survivors regardless of their ethnic identity, residency, or migration status.

### **Strategic pathway two: Strengthen survivor-centered, inclusive judicial services**

11. Offer technical assistance and training for judicial system actors to implement a survivor-centered, trauma-informed, strengths-based approach in interactions with GBV survivors.
12. Support increased referrals of survivors to CSO, humanitarian organization, and community-based post-GBV care services while they pursue a judicial response.
13. Support the national GBV hotline (Linea 155) to provide anonymous callers with information and referrals for judicial and protection and recovery support services to GBV survivors, while simultaneously promoting digital security for callers.
14. Support CSOs and government to harmonize legal frameworks concerning forced displacement and GBV.
15. Elevate Indigenous and Afro-descendant women's organizations to enhance the role of Indigenous and Afro-descendant community liaisons within the judicial system.
16. Allocate resources to displaced Indigenous and Afro-descendant women leaders to enhance protective accompaniment.
17. Implement specialized training programs to facilitate mediation between Indigenous or Afro-descendant justice mechanisms and the Colombian national judicial system.

### **Strategic pathway three: Strengthen survivor-centered, actively inclusive prevention initiatives.**

18. Strengthen Venezuelan migrant and internally displaced women-led and community-based organizations for shaping prevention initiatives.
19. Capacitate and encourage internally displaced Indigenous women to take on leadership roles in their communities, organizations, GBV survivor representative groups, and municipal and departmental councils.
20. Develop targeted, inclusive public education messages together with affected communities that promote GBV awareness and prevention.

21. Reduce vulnerability to GBV by strengthening internally displaced and Venezuelan migrant women's access to education and economic empowerment.
22. Collaborate with adolescent boys and men in community-wide programs focused on fostering new gender equitable, non-violent gender norms and early prevention of GBV.
23. Support ongoing GBV risk mitigation efforts by humanitarian organizations and adapt best practices for use by government service providers.
24. Design and implement mobile- and radio-based GBV early warning systems with, and for, internally displaced and Venezuelan migrant women.
25. Organize culturally sensitive workshops to challenge harmful cultural norms and stereotypes that perpetuate GBV against Indigenous and Afro-descendant internally displaced women, and Venezuelan migrant women.
26. Develop and broaden socio-educational strategies on women's rights that are specific to the circumstances of diverse internally displaced and Venezuelan migrant women in Colombia.

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## **I. LACLEARN BACKGROUND AND CASE STUDY METHODOLOGY**

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The United States Agency for International Development (USAID) is working to improve democracy, human rights, and governance (DRG) in the Latin America and Caribbean (LAC) region. The USAID LAC Bureau's Office for Regional Sustainable Development oversees the Latin America and Caribbean Learning and Rapid Response Task Order (LACLEARN). LACLEARN uses state-of-the-art, gender-informed analytical work, assessments, research, and special studies to build an evidence base for effective programming and contribute to sector learning in the region.

The LACLEARN Gender-Based Violence (GBV) Impunity Regional Study ("Regional Study") seeks to understand the structural drivers, inequalities, and discrimination that drive impunity for GBV in LAC from the perspective of GBV survivors. It further seeks to generate survivor-centered recommendations for USAID to promote accountability for GBV in the region. The Regional Study comprises eight country case studies and regional synthesis analyses, which investigate structural barriers, political economy contexts, and social norms that perpetuate or challenge GBV impunity. The eight case studies focus on diverse types of GBV and impunity that disproportionately affect historically underserved and structurally excluded communities in the LAC region. The study's inclusive approach offers grounded and actionable insights into the socioeconomic and political inequalities, injustices, and impunity, which diverse GBV survivors face to greater or lesser degrees based on often multiple, intersecting forms of discrimination against them. This report, focused on GBV impunity among Venezuelan women and internally displaced women in Colombia, is one of the eight country case study reports of the Regional Study.

### **I.1 CASE STUDY OBJECTIVES**

The overarching aim of the Colombia case study was to examine GBV impunity that Venezuelan migrant women and internally displaced women experience in Colombia. Employing a political economy analysis (PEA), the study centered on the perspectives of GBV survivors and service providers, while identifying the social, economic, legal, and political barriers that hinder access to justice, restitution, and reparation. The case study analysis sheds light on the institutional changes needed to improve accountability mechanisms and reduce social acceptance and normalization of GBV in Colombian society.

Specific objectives of the Colombia case study included:

- Analyze GBV impunity among Venezuelan migrant women and internally displaced women in Colombia;
- Assess the structural context in how socioeconomic, legal, and political gender inequalities impede GBV accountability in Colombia;
- Identify GBV survivors' and service providers' recommended approaches for improving accountability, and the ways in which their power and capacity for advocacy can be strengthened.
- Provide operational recommendations to USAID Colombia to strengthen protection and recovery support, judicial, and prevention initiatives engaging Venezuelan women and internally displaced women GBV survivors.

**I.2 KEY TERMS: “GBV” AND “IMPUNITY”**

LACLEARN’s GBV Impunity Regional Study defines GBV according to the updated 2022 “United States Strategy to Prevent and Respond to GBV Globally”:

*Figure 1: GBV definition, per the United States Strategy to Prevent and Respond to GBV Globally*

**Defining Gender-Based Violence**

GBV is any harmful threat or act directed at an individual or group based on actual or perceived socially constructed norms around masculinity and femininity. Although individuals of all gender identities may experience GBV, women, girls, and gender non-conforming individuals face a disproportionate risk of GBV across every context due to their unequal status in society.

**Drivers and Contexts**

GBV is a human rights abuse, a form of discrimination, a manifestation of unequal power, and a public health crisis in the United States and globally. GBV is rooted in structural gender inequalities, patriarchy, and power imbalances. It has direct and indirect costs to individuals; families; communities; economies; global public health; development; and human, national, and regional security. GBV is a systemic global problem: it occurs in every country and level of society, it happens in public and private settings, including the home, work environments, transit, educational settings, and schools; criminal justice settings, including correctional facilities; the military and security sector; and digital and online spaces. Members of some populations face overlapping forms of discrimination that put them at an even higher risk of experiencing GBV, including indigenous peoples; historically marginalized racial and ethnic populations; religious minority populations; LGBTQI+ persons; persons with disabilities; older persons and widows; children and youth; low-wage and informal sector workers; migrants, refugees, and internally displaced peoples; and persons in fragile and conflict-affected states.

**Types of Gender-based Violence**

GBV is characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social, and other forms of control, coercion, and/or violence. It can occur across the life course and is perpetrated by a diverse array of actors, including intimate partners; family members; persons in positions of power, authority, or trust; friends; acquaintances; or strangers. Types of GBV include: child, early, and forced marriage; child sexual abuse; female genital mutilation/cutting; gender-related killing of women and girls, including “femicide” and female infanticide; so-called “honor”-based violence, including acid attacks and killings; some forms of human trafficking; intimate partner violence, including domestic and dating violence; reproductive coercion, including forced sterilization; sexual exploitation and abuse; sexual harassment; stalking; all forms of sexual violence, including sexual coercion, conflict-related sexual violence, rape (including marital rape; so-called “corrective” rape related to actual or perceived sexual orientation, gender identity, or expression; and rape as a weapon of war), and forced or coerced physical examinations (including virginity testing); and all forms of technology-facilitated GBV, including gendered online harassment and abuse. Other types of violence that can be gender-based include: abandonment; bias-motivated violence or hate crimes; bullying; child abuse, including corporal punishment; elder abuse; and so-called “conversion” therapy practices.

Source: [United States Strategy to Prevent and Respond to Gender-based Violence Globally](#).

The Regional Study further provides diverse GBV survivors and service providers in the LAC region with an opportunity to express in their own words what GBV impunity and accountability mean to them. The Regional Study will synthesize an intercultural definition of GBV impunity across survivors' definitions and structural contexts within the eight country case studies.

At its inception, the Regional Study methodology conceptualized impunity to concern widespread, structural social, economic, legal, and political lack of accountability for GBV. This lack of accountability includes, but is not limited to, formal judicial sector responses to GBV. The Regional Study conceptualizes impunity additionally to include the informal, everyday social acceptance and normalization of GBV against Venezuelan women and women survivors of internal displacement in Colombia. Government and societal accountability for GBV remains lacking in all sectors responsible for supporting survivors without discrimination and ensuring justice. These sectors include physical and mental health services, protection, legal aid, shelter, material and economic assistance, and other wraparound services that survivors often require before considering a costly and lengthy legal process.

### **I.3 RESEARCH METHODOLOGY**

The Regional Study, including the Colombia case study, uses a holistic approach that integrates intersectionality,<sup>4</sup> gender, power, and political economy analytical lenses to investigate the issue of GBV impunity among Venezuelan women and women victims of internal displacement. This approach shares core elements with USAID's political economy analysis (PEA) framework, "Thinking and Working Politically through Applied Political Economy Analysis."<sup>5</sup> Both USAID's PEA framework and the Regional Study country case studies analyze the foundational influences, current events, institutional frameworks, and dynamics between various actors to uncover the incentives and interests that contribute to a persistent outcome, such as GBV impunity.

By adopting an intersectional, gender, power, and political economy analytical approach, the Colombia GBV impunity case study recognizes the complex interplay of various factors that contribute to GBV impunity among Venezuelan migrant women and internally displaced women in Colombia.<sup>6</sup> This approach helps to identify and address the root causes of the issue and promotes a more holistic and inclusive understanding of the problem. As such, the study's adaptation of PEA integrates an intersectional gender analysis. While the two approaches share similarities, there are also important and complementary distinctions between them:

*"PEA explores the political and economic processes in societies to provide an in-depth analysis of the power relations between groups. Gender analysis explores the power relations between men and women [girls, boys, gender diverse, and gender-non-conforming people], and often frames this as explicitly political [and economic]."*<sup>7</sup>

<sup>4</sup> See: Kapilashrami, Anuj. (2018). Intersectionality and why it matters to global health. *The Lancet* 391(10140): 2589-2591. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)31431-4/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)31431-4/fulltext).

<sup>5</sup> Rocha Menocal, Alina., Cassidy, Marc., Swift, Sarah., Jacobstein, David., Rothblum, Corinne., and Tservil, Ilona. (2018). *Thinking and working politically through applied political economy analysis: A guide for practitioners*. United States Agency for International Development (USAID). <https://www.usaid.gov/sites/default/files/2022-05/PEA2018.pdf>.

<sup>6</sup> We use the term migrant here recognizing that this group includes refugees, migrants, and previously displaced Colombians returning from Venezuela. See: *¿Qué es el GIFMM?* (n.d.). El Grupo Interagencial sobre Flujos Migratorios Mixtos (GIFMM). <https://www.acnur.org/sites/default/files/legacy-pdf/601ef6924.pdf>.

<sup>7</sup> Browne, Evie. (2014). *Gender in political economy analysis*. Governance and Social Development Resource Centre (GSDRC). <http://www.gsdrc.org/docs/open/hdq1071.pdf>. See also: Haider, Huma and Sumedh Rao (2010). *Political and social analysis for development policy and practice: An overview of five approaches*. Governance and Social Development Resource Centre (GSDRC). <https://gsdrc.org/wp-content/uploads/2015/07/EIRS10.pdf>.

The study's methodological approach recognizes the agency and influence of diverse survivors themselves, in terms of human rights, improved democracy and governance, and participation in national development. The study also highlights the importance of institutional duty-bearers in addressing underlying socioeconomic, legal, and political barriers that contribute to impunity and promoting survivor-centered pathways to accountability.

The methodological approach further sheds light on, “how the political economy impacts men and women [and gender diverse people] differently, whether men and women are differentially able to access power—including patronage networks—influence institutions, and how gender dynamics contribute to or block change.”<sup>8</sup> The analysis helps identify individuals, groups, organizations, and institutions that can drive change for improving accountability and promoting survivor-centered pathways to GBV protection, recovery support, judicial response, and prevention. The analysis also exposes the informal and formal power hierarchies that contribute to maintaining gender inequalities and harmful norms that underpin and perpetuate GBV impunity.

Further, the case study methodology looks carefully at the access that GBV survivors have to protection and recovery support services and resources, and a judicial response. This includes examining the harmful or protective processes and outcomes of survivors' engagements with health, social work, judiciary, law enforcement, education, and economic systems. The case study analysis further considers the impacts of national laws, policies, and informal gender norms on either facilitating impunity or promoting accountability. Applying this method, the case studies of the Regional Study identify grounded strategies for addressing GBV impunity in the LAC region and promoting accountability for survivors and greater gender equality in society.

For the Colombia case study, secondary data sources include a review of publicly available public health and human rights statistics, police, judicial and health system data, peer-reviewed academic articles, as well as gray literature reports. The Colombia case study is also based on IDIs with 24 people, including five GBV survivors, five government service provider staff, five international non-governmental organization (NGO) staff, and nine local CSO staff. Interview participants included twenty-one women and three men. Interviews focused on Venezuelan women and internally displaced women in Colombia.<sup>9</sup> The case study focused on the capital district of Bogotá and the Nariño and Norte de Santander departments. Key themes from interviews are aggregated and reported, removing personally identifiable information in order to protect interview participants' confidentiality and safety.

Please see Annex I of this report for further information about the methodology and ethics and safety protocols of the GBV Impunity Regional Study: Colombia Case Study.

#### **I.4 REPORT STRUCTURE**

The remainder of this report proceeds through four sections responsive to the case study objectives.

The next two sections of the report present findings that diagnose the state of GBV impunity in Colombia. The first describes the structural context of GBV impunity in Colombia based on existing

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<sup>8</sup> Peterson, Spike V. (2005). How (the meaning of) gender matters in political economy. *New Political Economy* 10(4): 499-521. <https://www.tandfonline.com/doi/abs/10.1080/13563460500344468>.

<sup>9</sup> In this report, the terms 'women' and 'girls' refer to cisgender, transgender, and gender non-binary individuals who self-identify as women.

literature and statistics. The second characterizes survivors' understandings of impunity as described in their interviews and illustrates the structural inequalities that perpetuate GBV impunity, according to case study participants.

The penultimate section of the report outlines solutions that survivors and service providers who work closely with them identified for improving GBV accountability. This section describes existing GBV services for survivors of trafficking, shares survivors' ideas for improving pathways to GBV accountability, and establishes influential actors who could act as drivers of change.

Finally, the report concludes with survivor- and service provider-recommended pathways to improving GBV accountability and strategic actions that USAID could implement to operationalize each of these pathways in Colombia.

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## 2. LITERATURE REVIEW AND STRUCTURAL CONTEXT

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### 2.1. GBV IN COLOMBIA

Colombia's six decades of internal conflict are linked inextricably to the contexts in which women experience GBV impunity in the country, including women who are Venezuelan migrants or internally displaced. Conflict-related GBV is a tactic or 'weapon' of war—for example, to motivate expulsion of certain people from a contested territory, or to punish rebellion within an armed force—and is rooted in pre-existing gender inequitable social norms and structural inequalities. In September 2023, the Special Jurisdiction for Peace (JEP) tribunal reported that at least 35,178 people suffered sexual, gender and reproductive violence in Colombia's armed conflict.<sup>10</sup> Nearly 90% of victims between 1954 and 2016 were women. Investigations identified 14,261 victims of sexual violence with documented ethnic origins.

The 2016 Peace Accord, in a notable departure from peace accords implemented for other conflicts, explicitly denies amnesty for sexual and gender-based violence committed during the conflict.<sup>11</sup> In its 11<sup>th</sup> “macro case,” the JEP is investigating and judging “GBV, sexual violence, reproductive violence and other crimes committed by prejudice based on sexual orientation, expression and/or diverse gender identity in the framework of the Colombian armed conflict.” The case will separately consider violence against civilians committed by the Revolutionary Armed Forces of Colombia (FARC-EP), violence against civilians committed by the Colombian military and police forces, and violence within each of these organizations. It will also separately investigate patterns of violence based on sexual orientation and gender identity expression (SOGIE) and crimes motivated by sex. This case was opened in September of 2023 and, as of the writing of this report, is in the process of establishing the identities of perpetrators mostly known only by their nom de guerre. Thus far, the case has identified that the FARC-EP often perpetrated GBV as punishment for rebellion against orders or as retaliation for actions of women's relatives or acquaintances. Meanwhile, perpetrators of the military and national police forces arbitrarily detained women, adolescents, and girls on roads or in urban areas, subjecting them to multiple forms of GBV, including sexual violence.<sup>12</sup>

A staggering 4.8 million people in Colombia are internally displaced due to violence and conflict that took place between 1985 and 2022<sup>13</sup> and the UNCHR reports that over 1 million new displacements have occurred since the signing of the Peace Agreement in 2016.<sup>14</sup> These numbers constitute the fourth highest number of displaced people of any country in the world, only surpassed by Syria, Ukraine, and the Democratic Republic of the Congo.<sup>15</sup> Afro-descendant women, Indigenous women, and women of

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<sup>10</sup> More than 35,000 victims of sexual violence in Colombia's conflict, tribunal says. (2023, September 27). *Reuters*. <https://www.reuters.com/world/americas/more-than-35000-victims-sexual-violence-colombias-conflict-tribunal-2023-09-27/>

<sup>11</sup> Bouvier, V. (2016, October 1). The Accord: Colombia's Commitment to Peace. *United States Institute of Peace*. <https://www.usip.org/blog/2016/10/accord-colombias-commitment-peace>

<sup>12</sup> *La JEP abre macrocaso 11, que investiga la violencia basada en género, incluyendo violencia sexual y reproductiva, y crímenes cometidos por prejuicio*. (n.d.). La Jurisdicción Especial para la Paz (JEP). Retrieved February 21, 2024, from <https://www.jep.gov.co:443/Sala-de-Prensa/Paginas/-la-jep-abre-macrocaso-11-que-investiga-la-violencia-basada-en-genero-incluyendo-violencia-sexual-y-reproductiva-y-crimenes.aspx>

<sup>13</sup> Internal Displacement Monitoring Center - IDMC. (2022). Global Internal Displacement Database. IDMC. <https://www.internal-displacement.org/database/displacement-data>

<sup>14</sup> *Colombia situation: 2024 situation overview*. (n.d.). UNHCR. Retrieved January 22, 2024, from <https://reporting.unhcr.org/operational/situations/colombia-situation>

<sup>15</sup> Internal Displacement Monitoring Center - IDMC. (2022). Global Internal Displacement Database. IDMC. <https://www.internal-displacement.org/database/displacement-data>



other marginalized groups were disproportionately impacted by conflict-related GBV<sup>16</sup> and are disproportionately affected by conflict-related internal displacement today.<sup>17</sup> This history of conflict shapes modern day Colombia, where ex-combatants are reintegrated into communities and illegal armed and organized crime groups are still present across the country. The ongoing insecurity and violence often drive internal displacement and are major factors contributing to the persistently high prevalence of GBV and impunity.

Though it can be reproduced and intensified through armed conflict, GBV existed before the conflict and persists after. This is because, whether it occurs in or outside of conflict, GBV is "the product of social, historical, and cultural processes that have relegated [the woman] to a position of subordination, where her body is considered an object or a sexual instrument that belongs to men [...]."<sup>18</sup> In interviews for the Colombia case study, CSO service providers working on GBV response described conflict-related sexual violence as a, "continuation of everyday sexual violence amplified in a context of war." While the intensity of internal conflict-related GBV may diminish after the Peace Agreement and many perpetrators may be tried and sentenced in the JEP's 11<sup>th</sup> macro case, entrenched patriarchal norms and gender inequalities continue to fuel GBV with widespread impunity.

Indeed, according to data from the Observatory of Femicides in Colombia, spanning from 2019 to 2021,<sup>19</sup> a total of 1,881 femicide cases were reported. Among these, only 677 cases underwent criminal prosecution, resulting in 378 arrests and a mere 140 convictions. These statistics underscore a concerning level of impunity within a nation where, on average, at least one woman is assaulted every twelve minutes, and four women fall victim to murder daily.<sup>20</sup> This level of impunity persists despite a robust legal framework targeting accountability for GBV crimes, including 26 laws dedicated to prevention and punishment, along with 26 laws advocating for reproductive and maternity rights, and one law expressly prohibiting Child, Early, and Forced Marriage and Unions (CEFMU).

## 2.2. CONTEXT OF INTERNAL DISPLACEMENT AND GBV IN COLOMBIA

Links between internal armed conflict and GBV in Colombia have been well-documented. Women exposed to armed conflict in the country face increased risk for intimate partner violence (IPV), including emotional, physical, and sexual violence.<sup>21</sup> Another study found that internally displaced women versus women not displaced in Colombia surveyed reported between 43% and 45% higher

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<sup>16</sup> Goldscheid, J. (2020). Gender Violence Against Afro-descendant Women: Making the Promise of International Human Rights Law Real. *Columbia Human Rights Law Review*. <https://hrlr.law.columbia.edu/hrlr-online/gender-violence-against-Afro-descendant-women-making-the-promise-of-international-human-rights-law-real/>

<sup>17</sup> IACHR Concerned About Violence in Colombia's Pacific Region and About the Impact It Has on Indigenous Peoples and on Afro-Descendant and Peasant Communities. (2023, September 1). Inter-American Court of Human Rights (IACHR). [https://www.oas.org/en/IACHR/jsForm/Default.asp?File=/en/iachr/media\\_center/PReleases/2023/208.asp](https://www.oas.org/en/IACHR/jsForm/Default.asp?File=/en/iachr/media_center/PReleases/2023/208.asp)

<sup>18</sup> Krefit, A. (2023). "This patriarchal, Machista and Unequal Culture of Ours": Obstacles to Confronting Conflict-Related Sexual Violence. *Social Politics*. Summer 2023. pp. 654-677. <https://doi.org/10.1093/sp/jxac018>

<sup>19</sup> Prieto, L. V. (2022, March 8). *Balance sobre la violencia basada en género en Colombia*. PARES. Retrieved January 12, 2024, from <https://www.pares.com.co/post/balance-sobre-la-violencia-basada-en-género-en-colombia>.

<sup>20</sup> Lopera, D. (2021). *PERCEPCIÓN DE LAS MUJERES SOBRE EL ACCESO A LA JUSTICIA: Casos de violencias contra las mujeres en Bogotá, Colombia* [Universidad del Rosario]. <https://repository.urosario.edu.co/server/api/core/bitstreams/e584542a-ddc9-417e-ae88-e26db6e11a22/content#>

<sup>21</sup> Stark, L., Meinhart, M., Seff, I., Gillespie, A., Roa, A. H., & Villaveces, A. (2023). Associations between conflict violence, community violence, and household violence exposures among females in Colombia. *Child Abuse & Neglect*, 106341. <https://doi.org/10.1016/j.chiabu.2023.106341>

prevalence of lifetime IPV and were 30% more likely to have experienced lifetime injury-causing IPV.<sup>22</sup> These findings are further corroborated by qualitative studies on conflict, internal displacement, and GBV in Colombia.<sup>23</sup>

Colombia's major urban centers have become destinations for millions of internally displaced women and their families, many originating from rural areas.<sup>24</sup> Displacement from rural to urban environments often entails shifts in living conditions and societal norms that dictate socially accepted gender roles and responsibilities.

In a qualitative study involving displaced women, internal displacement frequently triggers rapid adjustments in gender roles, while patriarchal gender norms persist, intensifying GBV.<sup>25</sup> Women, traditionally tasked with unpaid domestic labor, may encounter barriers to securing paid employment outside the home, including challenging traditional gender norms. Resistance to women assuming a primary breadwinner role can lead to negative repercussions from husbands and other men partners, compounding hardships of internal displacement.

Internally displaced women perceive IPV because of economic instability and financial strain resulting from displacement. IPV risks escalate when male partners experience unemployment, prompting women to seek paid work or pursue educational opportunities to support their families.<sup>26</sup> Previous relevant studies highlight how inequitable gender norms and patriarchal socioeconomic systems are exacerbated in contexts of heightened vulnerability caused by forced internal displacement. Despite fleeing areas of active conflict, internally displaced women often continue to face elevated risks of GBV, mirroring patterns observed during armed conflict.

Internally displaced Afro-descendant and Indigenous women face additional hardships stemming from structural and everyday racist discrimination based on their ethno-cultural backgrounds.<sup>27</sup> An ethnographic study conducted among Arhuaca and Pasta women reveals that territorial conflicts and exploitation of natural resources by armed groups directly expose those women to violence.<sup>28</sup> Forced

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<sup>22</sup> Kelly, J. T., Rubin, A., Ekhatior-Mobayode, U., & Arango, D. J. (2021). The Risk That Travels with You: Links between Forced Displacement, Conflict and Intimate Partner Violence in Colombia and Liberia (No. 9825; Policy Research Working Paper, p. 40). *The World Bank Group*. <https://openknowledge.worldbank.org/server/api/core/bitstreams/4b7f1e56-1243-504a-8325-0bfb442a32de/content>

<sup>23</sup> See: Hynes, M. E., Sterk, C. E., Hennink, M., Patel, S., DePadilla, L., & Yount, K. M. (2016). Exploring gender norms, agency and intimate partner violence among displaced Colombian women: A qualitative assessment. *Global Public Health*, 11(1–2), 17–33. <https://doi.org/10.1080/17441692.2015.1068825>; Wirtz, A. L., Pham, K., Glass, N., Loochkartt, S., Kidane, T., Cuspoca, D., Rubenstein, L. S., Singh, S., & Vu, A. (2014). Gender-based violence in conflict and displacement: Qualitative findings from displaced women in Colombia. *Conflict and Health*, 8(1), 10; and Tovar-Restrepo, M., & Irazábal, C. (2014). Indigenous Women and Violence in Colombia: Agency, Autonomy, and Territoriality. *Latin American Perspectives*, 41(1), 39–58. <https://doi.org/10.1177/0094582X13492134>.

<sup>24</sup> Ferrández, P. C. (2020). *From aid to empowerment: Addressing urban displacement in Colombia's informal settlements*. Internal Displacement Monitoring Centre (IDMC). <https://www.internal-displacement.org/publications/from-aid-to-empowerment-addressing-urban-displacement-in-colombias-informal>

<sup>25</sup> Hynes, M. E., Sterk, C. E., Hennink, M., Patel, S., DePadilla, L., & Yount, K. M. (2016). Exploring gender norms, agency and intimate partner violence among displaced Colombian women: A qualitative assessment. *Global Public Health*, 11(1–2), 17–33. <https://doi.org/10.1080/17441692.2015.1068825>

<sup>26</sup> Wirtz, A. L., Pham, K., Glass, N., Loochkartt, S., Kidane, T., Cuspoca, D., Rubenstein, L. S., Singh, S., & Vu, A. (2014). Gender-based violence in conflict and displacement: Qualitative findings from displaced women in Colombia. *Conflict and Health*, 8(1), 10.

<sup>27</sup> Goldscheid, J. (2020). Gender Violence Against Afro-descendant Women: Making the Promise of International Human Rights Law Real. *Columbia Human Rights Law Review*. <https://hrlr.law.columbia.edu/hrlr-online/gender-violence-against-Afro-descendant-women-making-the-promise-of-international-human-rights-law-real/>

<sup>28</sup> Tovar-Restrepo, M., & Irazábal, C. (2014). Indigenous Women and Violence in Colombia: Agency, Autonomy, and Territoriality. *Latin American Perspectives*, 41(1), 39–58. <https://doi.org/10.1177/0094582X13492134>

displacement and mobility restrictions further exacerbate unique harms to women leading to isolation that further limits their access to livelihoods, essential services, and resources.<sup>29</sup>

Land-based knowledge, beliefs, and traditions of Indigenous communities connect them with their natural environment, constituting a fundamental part of their well-being, identity, and collective resilience. Conflict disrupts this connection, displacing Indigenous people from their ancestral lands, and compelling them to adapt to unfamiliar environments and resources in their pursuit of livelihoods and identity restoration.<sup>30</sup>

Similarly, internally displaced Afro-descendants lose access to longstanding solidarity networks in their territories, some dating back to resistance movements against slavery.<sup>31</sup> Consequently, separation from their territories or violence within them ruptures vital aspects of identity and cultural practices.

### **2.3 CONTEXT OF VENEZUELAN MIGRATION AND GBV IN COLOMBIA**

Intense migratory movements, both internally and externally, have significantly complicated the already dire situation of GBV and impunity against women in Colombia. A multitude of security and economic challenges has spurred mass migration from Venezuela, with many individuals seeking refuge in other countries throughout LAC, including Colombia.<sup>32</sup> From 2014 and February 2022, approximately 2.4 million Venezuelans migrated to Colombia.<sup>33</sup> Despite the Government's efforts to regularize the status of Venezuelan migrants, such as implementing the Special Residence Permits in 2018 and the Temporary Protection Statute in 2021, challenges persist for Venezuelan adults lacking identity documentation and minors without birth certificates, hindering their access to benefits and protections.<sup>34</sup>

Regardless of their documentation status or intended destination, Venezuelan women moving through Colombia face the constant threat of GBV along their migration routes. Women, adolescents, and girls fear assault from fellow migrants or local authorities and are at heightened risk of violence due to the limited availability of services to address incidents stemming from armed conflict, natural disasters, and internal displacement.<sup>35</sup>

Venezuelan migrant women likely face three interconnected forms of GBV throughout their migration:

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<sup>29</sup> *Confinements, as of 18 February 2022*. (2022). ACAPS. <https://reliefweb.int/report/colombia/colombia-confinements-18-february-2022-thematic-report>

<sup>30</sup> Tovar-Restrepo, M., & Irazábal, C. (2014). Indigenous Women and Violence in Colombia: Agency, Autonomy, and Territoriality. *Latin American Perspectives*, 41(1), 39–58. <https://doi.org/10.1177/0094582X13492134>

<sup>31</sup> Alzate, M. M. (2008). The sexual and reproductive rights of internally displaced women: The embodiment of Colombia's crisis. *Disasters*, 32(1), 131–148. <https://doi.org/10.1111/j.1467-7717.2007.01031.x>

<sup>32</sup> Crasto, T. C., & Álvarez, M. R. (2017). Percepciones sobre la migración venezolana: Causas, España como destino, expectativas de retorno. *Migraciones*. Publicación del Instituto Universitario de Estudios sobre Migraciones, 41, Article 41. <https://doi.org/10.14422/mig.i41.y2017.006>

<sup>33</sup> *Distribución de Venezolanos en Colombia*. (2022). Ministerio de Relaciones Exteriores. Retrieved January 12, 2024, from <https://www.migracioncolombia.gov.co/noticias/mas-de-dos-millones-477-mil-venezolanos-se-encuentran-radicados-en-colombia-y-de-ellos-el-96-busca-hacer-parte-del-estatuto-temporal-de-proteccion-visibles>

<sup>34</sup> *Abecé del Estatuto Temporal de Protección para Migrantes Venezolanos* (p. 12). (2020). Ministerio de Relaciones Exteriores. <https://www.cancilleria.gov.co/estatuto-temporal-proteccion-migrantes-venezolanos-abc>

<sup>35</sup> *Colombia: Caracterización de los riesgos y alertas de violencia basada en género en la población refugiada y migrante proveniente de Venezuela en Colombia—2020 a 2022*. (2022). La Plataforma de Coordinación Interagencial para Refugiados y Migrantes (R4V). <https://www.r4v.info/pt/node/90027>

Interpersonal, structural, and symbolic.<sup>36</sup> Interpersonally, they are at risk of GBV from traffickers, armed groups, fellow migrants, or family members during their journey and on arrival in host-communities.<sup>37</sup> A qualitative study on GBV at the Colombia-Venezuela border reported that Venezuelan migrant women were: “[...] living under continuous violence in which their families and partners were aggressors, but also being abused by people in the streets they transited, at their jobs, and in their living quarters.”<sup>38</sup> Structurally, disparities in decision-making power and resources perpetuated by discrimination in social institutions increase the vulnerability of Venezuelan migrant women.<sup>39</sup> An Amnesty International report in 2022 highlighted cases where these women sought protection from authorities in Colombia, but were met with rejection and mistreatment.<sup>40</sup> Symbolically, hyper-sexualization and harmful stereotypes hinder their access to safe employment and reinforce discriminatory social hierarchies.<sup>41</sup> For instance, a qualitative study on Colombian insecurity and the Venezuelan refugee crisis found that Venezuelan women were stigmatized as commercial sex workers, making it difficult for them to find formal employment due to discrimination and xenophobia. With no other options, some women resorted to sex work as an economic coping strategy for survival.<sup>42</sup> These intertwined forms of GBV expose Venezuelan women on the move to violence throughout their migration journeys and shape their experiences upon ‘settling’ in Colombia.

One of the most perilous routes for those seeking entry into the United States is through the Darién Gap connecting Colombia's Chocó Department and Panama's Darién Province. The route consists of mountains, heavy forest, and a large watershed. Routes leading to the entry point in the Darién jungle converge in Necoclí, Antioquia, in northwest Colombia where migrants then travel by boats to reach Acandí, the regional capital of Capurganá. From there, and if they survive, they embark on the daunting journey through the Darién jungle on foot.<sup>43</sup> According immigration data from Panama in 2023, Venezuelans constituted the largest group of migrants crossing through the Darién, surpassing all other nationalities. The International Organization for Migration (IOM) documented a significant increase in Venezuelan migrants from 2021 to 2022, with over 150,000 individuals making the perilous journey through the Darién. Doctors Without Borders reported treating 417 women for sexual violence at the Colombia-Panama border in the Darién between April 2021 and the first week of May 2022. Incidences

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<sup>36</sup> Obinna, D. N. (2023). “Violence Across Borders: Venezuelan Women and the Continuum of Violence in Migration and Settlement.” *Feminist Criminology*, 15570851231216391. <https://doi.org/10.1177/15570851231216391>

<sup>37</sup> Interpersonal violence is “the intentional use of physical force or power against other persons by an individual or small group of individuals.” It may be physical, sexual, or psychological, and it may involve deprivation and neglect. Interpersonal violence can be further divided into family or partner violence and community violence. See: Mercy et al. (2017). *Interpersonal Violence: Global Impact and Paths to Prevention*. In C. N. Mock, R. Nugent, O. Kobusingye, & K. R. Smith (Eds.), *Injury Prevention and Environmental Health* (3rd ed.). The International Bank for Reconstruction and Development / The World Bank. <http://www.ncbi.nlm.nih.gov/books/NBK525208/>

<sup>38</sup> Calderón-Jaramillo, M., Parra-Romero, D., Forero-Martínez, L. J., Royo, M., & Rivillas-García, J. C. (2020). Migrant women and sexual and gender-based violence at the Colombia-Venezuela border: A qualitative study. *Journal of Migration and Health*, 1–2, 100003. <https://doi.org/10.1016/j.jmh.2020.100003>

<sup>39</sup> Structural violence is “a form of violence wherein social structures or social institutions harm people by preventing them from meeting their basic needs. [It causes] deaths that would not occur in more equal societies.” See: Lee, B. (2019). *Structural Violence*. In *Violence* (pp. 123–142). John Wiley & Sons, Ltd. <https://doi.org/10.1002/9781119240716.ch7>

<sup>40</sup> *Unprotected: Gender-based violence against Venezuelan refugee women in Colombia and Peru*. (2022). Amnesty International. <https://www.amnesty.org/en/documents/amr01/5675/2022/en/>

<sup>41</sup> Symbolic violence includes “symbolic interactions, behaviour and modes of conducts [that] sustain and nurture structured inequalities in our everyday lives and interpersonal attitudes.” See: Morgan, K., & Björkert, S. T. (2006). ‘I’d rather you’d lay me on the floor and start kicking me’: Understanding symbolic violence in everyday life. *Women’s Studies International Forum*, 29(5), 441–452. <https://doi.org/10.1016/j.wsif.2006.07.002>

<sup>42</sup> Zulver, J., & Idler, A. (2020). Gendering the border effect: The double impact of Colombian insecurity and the Venezuelan refugee crisis. *Third World Quarterly*, 41(7), 1122–1140. <https://doi.org/10.1080/01436597.2020.1744130>

<sup>43</sup> *Sobreviviendo al Darién: La travesía de refugiados y migrantes por la selva – Movimientos mixtos a través del Darién*. (2023). United Nations High Commissioner for Refugees (UNCHR). <https://www.acnur.org/media/65783>

of sexual assault and rape against women and children are distressingly common among migrants attempting to cross the Darién Gap.<sup>44</sup>

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<sup>44</sup> Más de 10.000 migrantes rumbo a EE UU quedan varados en el puerto colombiano de Necoclí. (2022, October 13). *El País*. <https://elpais.com/america-colombia/2022-10-12/mas-de-10000-migrantes-rumbo-a-eeuu-quedan-varados-en-el-puerto-colombiano-de-necocli.html>

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### 3. DIAGNOSIS OF GBV IMPUNITY IN COLOMBIA

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Building on review of available evidence on the structural context in Colombia, this section offers insights from qualitative, semi-structured interviews conducted as part of the Colombia case study. It focuses on survivors' perspectives of what constitutes GBV impunity, providing further insight into the underlying structural inequalities that shape its drivers and consequences, and perpetuate it.

#### 3.1 SURVIVORS' NARRATIVES OF GBV IMPUNITY FROM LIVED EXPERIENCE

In this section, we outline service provider and survivor narratives of GBV impunity grounded in three intersecting profiles of diverse women affected by displacement within and across the Colombia border. First, in section 3.1.1, we describe experiences of GBV impunity common to many internally displaced and migrant women in Colombia. Second, in section 3.1.2, we describe narratives of GBV impunity particular to internally displaced Indigenous women in Colombia. Finally, in section 3.1.3, we describe service providers' and survivors' accounts of GBV impunity particular to Venezuelan migrant women, some of whom are forcibly displaced from Venezuela.

##### 3.1.1 Narratives of GBV impunity common to internally displaced and migrant women

The armed conflict in Colombia continues to impact women's health, safety, stability, and well-being, and has served as a primary driver of forced internal displacement. Study participants described narratives of impunity related to a chronic lack of protection of women caught in crossfire or directly shot by armed groups, having to traverse areas with landmines while fleeing. This lack of protection places forcibly displaced women and their families at heightened risks of sexual exploitation and human trafficking, among other forms of GBV, as well as often ongoing displacements as they search for safety.

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*"And well, they showed us that what was recurring there were the shootings, [...] that they had to migrate precisely to protect their children, to, better say, save them, specifically in contexts of violence. The Truth Commission has already documented these situations. And what I tell you, I mean, sometimes it may be much easier to adapt to a new environment. Because generally this society, I tell you, is sexist, patriarchal, and misogynistic."*

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*Quote 1: CSO service provider*

One common narrative of impunity that emerges in this context is the societal acceptance and normalization of violence against rural women during forced internal displacement. Women's fundamental rights become severely restricted when society views the violence they have experienced as normal and, as such, unworthy of protection, recovery support, judicial response, and prevention. Displaced women in Colombia experience the loss of social and economic support networks, reside in unsafe and precarious conditions, and encounter widespread GBV with impunity. The stress, trauma, and anxiety stemming from displacement can have substantial negative impacts with long-term consequences for the health and emotional well-being of women and their dependents. Displaced women are frequently viewed as helpless victims. This results in them being ignored or facing patronizing treatment, rather than having their agency, resilience, and capabilities acknowledged and strengthened. Some GBV survivors among displaced and migrant women face behavioral and emotional effects, such as learned helplessness, in a setting that shows little concern for the insecurity and trauma they have survived along complicated journeys.

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*"It's like feeling less, yes? Feel less because anyway, no one cares what I'm going through and it's better for me to stay silent. I don't know [...]. Psychologically, that will have some very specific effects on women."*

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*Quote 2: CSO service provider and GBV survivor*

Service providers shared, as in the example below, how survivors often need time and space to process the full spectrum of conflict-related trauma they have experienced before they can process how the GBV they experienced was a crime and violation of their human rights.

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*"Having a space where they can put into perspective the different types of violence to which they have been subjected--[i.e.,] 'the victimizing events of the conflict, such as displacement, eviction, sexual violence itself in the framework of the armed conflict, and threats or the forced disappearance of some of those relatives or the assassination of some people in their social circle, in their family circle'--allows them to put into perspective, after a time, the other GBV to which they have been subjected."*

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*Quote 3: CSO service provider*

Another related narrative of impunity for many displaced and migrant women is arriving in a new location after experiencing violence without access to services which would help protect them from further violence and promote their recovery. In some cases, this manifests as a feeling of abandonment based on stigma and discrimination when internally displaced and migrant women survivors arrive in urban centers in Colombia. Stereotypes and prejudices lead to hostile attitudes, discrimination, and social exclusion that hinder women's access to employment, housing, and other essential services. Further, there is an erroneous belief blaming displaced people as though they played a role in creating or perpetuating the conflict that displaced them. A lack of understanding and awareness about the circumstances leading to displacement and the challenges that displaced women face contributes to ongoing stigma and exclusion.

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*"[T]here is always that discrimination towards those who [arrive] in urban centers due to internal displacement. There is always the idea that [the conflict] has really been overcome, because it has been more than 20 years of these displacements. [...] When I took testimonies for the truth commission, I interviewed many women. I spoke with many women victims of the armed conflict, and we always established the 'before' and 'after', right? What was the place where you lived like [before]? What happened at that moment and what happened after? Mm, and really the impact on them is very strong. [T]hen in the urban centers, and also those who stayed in their regions, how did they deal with the impact of those victimizing events, especially when they say: 'Why us?'"*

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*Quote 4: CSO service provider*

A different way that impunity, understood as a lack of access to adequate protection and recovery support services, manifests is when the conflict leaves survivors without spouses or male partners to help care for their families. When the husbands or partners of displaced women are killed or recruited by armed groups, the repercussions can be devastating for both the women and their families. The loss of a loved one, who is often a primary source of economic stability and emotional support, and the

subsequent alteration in family structure can destabilize family dynamics, profoundly affecting the emotional and social well-being of all family members, particularly children. Women endure significant emotional trauma due to the violent loss of partners and loved ones, resulting in anxiety, depression, post-traumatic stress, and other emotional difficulties that impact their mental well-being. Aside from effects on women's mental well-being, this loss can lead to financial struggles, limited access to resources, and a heightened sense of insecurity.

In the quote below, a case study participant describes how this loss not only compels women into displacement with dependents, but also requires them to assume new roles as providers and protectors, bearing responsibility for their family's survival while dealing with their own trauma. Assuming these roles at a time of extreme mental, socioeconomic, and physical vulnerability severely impedes their ability to access needed support.

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*"[R]egularly the one who dies is him—the companion, right? Is he recruited, disappeared, or murdered? Eh, during the attacks on the populations [...] they were left alone as those who managed, because they were warned or told that they were not given time to leave the place. So, they didn't kill them, but they told them they had until such time to leave, and the group left, the family group left. Then they all arrive at the urban centers. They arrive in a new, completely vulnerable place, without knowing anything [about available shelter, recovery support services, or how to earn an income in the new place]."*

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*Quote 5: CSO service provider*

Amid pervasive and entrenched sexism and structural gender inequalities, the absence of men exposes women and their children to increased risks of violence and reprisals from armed actors or criminal groups. Often women are perceived as pawns in armed conflict, being subjected to sexual and other forms of violence by State and non-State actors. The quote below provides one example of this dynamic, and yet another illustration of where a survivor characterized GBV impunity as an absence of services to recover from horrific violence while simultaneously caring for her family.



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*"I have the testimony of a girl from here in [city redacted]: She says that she was on her farm with her mother, a brother, a younger brother and sister. She lived with her partner and had a little girl. A group arrived, about 20 or 30 armed men. When the husband saw that they were arriving, he ran up the mountain and left them alone and unprotected. The whole group was going to rape her sister, but she said no, they could do whatever they wanted with her, and all those men abused her, and all of them [...] They did not abuse her daughter because she was a 10-year-old girl. Nevertheless, I believe that the cruelty of those men was so great that I believe that they would not have cared. They have done it to others, but they did not do it to her [daughter]. Yet she arrived here destroyed, with an injury they inflicted on her head. She was unconscious and everything. They brought her here as best they could. Her mother was practically disabled from everything they did to her. It was disastrous. Her mother died after two years here because she could not bear, an elderly woman, to suffer all those humiliations and not have help. They came to a municipality where they did not give her psychological help—the support she needed at that moment. The girl, after all that pain, got cancer. Thank God she survived and, as best she could, she pulled her siblings through. But that memory has never been erased because she was left with scars on her body, because they cut her. They did everything with her.*

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*Quote 6: CSO service provider*

The quotes above underscore how impunity is not limited to the absence of investigations and judicial proceedings. Just as an absence of investigation and judicial proceedings fails to hold perpetrators accountable, the absence of key post-GBV services fails to hold the State accountable for its duty of care.

### **3.1.2 Narratives of GBV impunity among internally displaced Indigenous women**

The Final Peace Agreement in Colombia recognized that Indigenous populations, “have suffered historical conditions of injustice, a product of colonialism, enslavement, exclusion and having been dispossessed of their lands, territories, and resources; who have also been seriously affected by the internal armed conflict”; and, despite this, “they have contributed to the construction of a sustainable and lasting peace, to progress, and to the economic and social development of the country.”<sup>45</sup>

While internally displaced Indigenous women have many shared narratives of impunity with other women who are displaced, they also have narratives particularly linked to their Indigenous identity. The most notable such narrative that emerged from case study participants in this vein is the experience of “cultural uprooting” caused by GBV and displacement.

Forced displacement of Indigenous people has brought gradual erosion of their ethno-cultural identity, especially impacting Indigenous women in Nariño. When Indigenous people are forced from their territories, they are compelled to abandon their customs, including language, attire, weaving, rituals, food, traditional medicine, and relationship with the territory, to avoid being identified as Indigenous and to protect themselves from targeting for GBV by legal and illegal armed actors. As two CSO service

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<sup>45</sup> Colombia: Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace (2016), National Legislative Bodies / National Authorities, Retrieved February 21, 2024, from <https://www.refworld.org/legal/agreements/natlegbod/2016/en/121520>

providers describe below, this leads to a process of “cultural uprooting” in which Indigenous women gradually lose or abandon aspects of their cultural heritage to safeguard against the risk of violence.

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*"In the case of Indigenous women, it has been a different dynamic because they come with a great cultural richness and a commitment to the physical and cultural survival of their people. And indeed, the impact of the conflict [...] at this moment we are talking about a risk of extermination: They have lost their language. They have lost their culture. They do not have some practices such as weaving and traditional medicine. They have been losing it [all], because they cannot enter their territory [...] and they lose their knowledge. And with the passing of time, the new generations are not very rooted in their culture. So in addition [...], there is no place to experience them, and there is no one to teach them [...] their culture.*

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*Quote 7: CSO service provider and GBV survivor*

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*"We also stopped wearing our own clothes a little, as they commented that it is easier for them to rape cholitas [Andean Indigenous women]. Because, [...] cholitas are easy to rape. I don't know what. So that's also why traditional dresses stopped being used [...] Specifically it is... working on issues of gender-based violence. Ehhh [...] It is a population that has had a significant impact in the context of armed conflict, and living situations of displacement and well, the triple effects [...]: Being women, Indigenous, and well, victims of the conflict. And the situation is that when you lose your language, you lose part of the strength of your own justice. And if [...] it is affected, for example, in a context of armed conflict, then it affects the woman and it affects the entire town, because the woman is the one who transmits the culture.*

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*Quote 8: CSO service provider and GBV survivor*

To understand the depth of collective spiritual trauma to Indigenous peoples, some service providers and survivors explained that it is important to consider the origin stories of these ethno-cultural groups as crucial for comprehending their worldviews, cultural practices, and ways of life.

### **3.1.3 Narratives of GBV impunity among migrant and forcibly displaced Venezuelan women in Colombia**

While an inadequate judicial response to GBV is a common narrative of impunity for many women, service providers and survivors interviewed recounted the distinct obstacles that Venezuelan women encounter in Colombia when attempting to access a judicial response. These barriers include inadequate legal documentation, limited awareness of their rights, and difficulties in securing legal representation, accessing affordable legal services, and navigating unfamiliar judicial systems. Additionally, the fear of reprisals from perpetrators or authorities can dissuade women from seeking assistance or reporting violent incidents, compounded by cultural differences, financial constraints, and limited access to safe shelters and support services. At a societal level, fear of stigma and discrimination related to gender or immigration status, may further discourage undocumented Venezuelan women from seeking help—whether in the form of a judicial response, or even just seeking health services to recover from GBV.

Some forcibly displaced and migrant Venezuelan women travel with intimate partners who have a history of IPV. This presents challenges in identifying both survivors and perpetrators of IPV and providing follow-up support for reported cases or women seeking legal recourse. These intimate partners are also undocumented, like the women themselves, and also fear deportation, leading them to

avoid interactions with government agencies. Undocumented Venezuelan women typically opt to minimize their presence in official administrative systems to evade detection and prevent deportation. Fear of deportation is compounded by the judgment and stigma directed at women who travel with children and other family members, as they may be perceived as unnecessarily involving their families in forced displacement.

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*"[T]hey no longer wanted to access justice out of fear, right? So, if I am a mobile person with, uh, without documentation, well, I am going to approach a judicial office with greater fear. It doesn't cross my mind to wait in line at the prosecutor's office, for example, eh? And if you also add to that all the stigmas they carry[...] They generally travel with boys and girls [i.e., dependents]. [...] That implies a stigma and prejudice for them too, right? So, it is very common to hear: "No, well, they are already moving [i.e., willingly migrating cross-border] because they have children." Or because they travel with their children, they are inconsiderate about traveling with their children and make them get involved in [the hardships of cross-border economic and forced migration]. So, well, [judicial sector staff] kind of don't sit down and think about the circumstances of why [Venezuelan migrants with children] do it. So, yes, logically they face many barriers."*

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*Quote 9: CSO service provider*

Many study participants' narratives of impunity included violations of reproductive rights, including forced contraception, denial or limited access to contraceptives, and voluntary interruption of pregnancy. Those interviewed described how services are often denied to Venezuelan migrant women because they are foreigners or because they lack regular immigration status.<sup>46</sup> This scenario persists even in instances of pregnancy resulting from rape during migration or once settled in Colombia.

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*"We, uh, see that also that sexual and reproductive rights are one of the things that interests us. It is also difficult for [Venezuelan migrant women], for example, to access reliable [pregnancy prevention] planning methods consistently, eh? Although there are programs, [but] access to voluntary interruption of pregnancy (IVE, Spanish acronym) is also much more difficult for them. Violations are generated in that access to IVE or even as an issue of forced [family] planning. So, [this happens] if you are a migrant woman and you don't want to take hormones, eh? Because you don't want to [take hormone-based contraceptives]? Well, at the health post that you arrived at, they almost [could] give you the hormone implant, because it's the easiest. They don't give you an implant for five years [though]. And if you have one already, what happens with the implant too? No, [they do not help with removing old implants either]. Eh, your health? Well, I don't know about a lot of things, but logically [migrant women] already have greater vulnerability, greater stigma and greater complexity in terms of accessing real [reproductive health and GBV] justice. How many of those cases are resolved?"*

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*Quote 10: CSO service provider*

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<sup>46</sup> Immigration status is the authorization granted by the authorities of a country to foreigners to enter and remain in its territory. There are different types of authorization, depending on the activity that the person is going to carry out. In Colombia, the institutions in charge of processing immigration statuses are the Ministry of Foreign Affairs (also known as the Chancellery) and Migración Colombia.

Impunity, understood as a lack of access to services which might promote protection or recovery from GBV, extends beyond health services for Venezuelan women in Colombia. Lack of training of frontline personnel in cross-country border areas is a significant barrier to GBV survivors accessing protection and recovery support or judicial services. Customs officials, migration agents, and social service personnel lack specific training in a survivor-centered, trauma-informed approach to identifying and responding to survivors' GBV reports. This technical knowledge gap results in a lack of sensitivity to and ineffective or absent support for survivors seeking post-GBV assistance or protection in border areas.

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*"[T]he same authorities and the same officials do not activate [post-GBV care referral] pathways. They tend to normalize through culture, well, an endless number of things structurally. And symbolically, well, the issue of micro-machismo? Let's say that there is still the issue that women cannot occupy large stages or large spaces. How do I say it? Here, let's say in the south it is more—machismo is much more marked than in other large cities, for the same culture and the same religion. Let's say that in broad strokes. And not only let's say, there is a refugee and migrant population, but also a host population for those who suffer from these scenarios of violence."*

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*Quote 11: Civil Society Representative*

Undocumented Venezuelan women GBV survivors who participated in the study described their vulnerabilities to labor and sex exploitation. One study participant discussed an example of Venezuelan migrant women who had been trafficked and were kept in a hidden location under a pool hall. Sadly, many of these women died, and their identities were unknown. The participant gave this example as an extreme form of impunity, in which it was not possible to even identify women who were killed in a situation of exploitation, let alone to honor their memories with a funeral or ensure their loved ones could pursue justice on their behalf.

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*"[...] in 2021, in [municipality redacted], there was a landslide and a bar was destroyed [...]. Well, or a brothel. A, pool hall—the people in the area said it was a pool hall. But it turns out that the pool hall had like an underground. In the underground they had more or less 15 Venezuelan women, practicing sex work. They died in the collapse [of the building], 12 of these women. When they died, the municipality had no way to cover [costs of] the burials and all the funeral expenses. Then they began to call organizations to see who could help them. Among those, they contacted us, specifically me. But we needed the death certificate in order to deliver funeral aid. When we started to request that, we realized that there was nothing like that. Nobody knew what these women were called. They knew they were Venezuelan because of their accent, but they didn't know their real names. They obviously had no family [in the area], nor anyone looking for them. And basically, all of them were buried as unidentified people."*

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*Quote 12: CSO service provider and GBV survivor*

A final narrative of impunity which emerged in the context of Venezuelan migrant women was the ability of State service providers to abuse their power and violate the rights of Venezuelan migrants based on their tenuous socioeconomic and migration status. GBV survivor representatives who participated in this study described incidents in which police officers and other service providers with a duty to protect women are frequently their tormentors, abusing their power and subjecting women to multiple rights

violations. They described how these perpetrators can abuse their positions of power because they are aware that their crimes, if ever discovered, will remain unpunished.

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*"He [the policeman] took them up to the rooms because he goes to the hotels. [...] He locks them in the rooms, and he releases tear gas on them[...] All this I'm telling you is what I saw, what I heard, what I witnessed before he did it to me. Then the lady said to me, come and listen to what he did to them: and the girls began to come out and tell me. Look, one is skinny, she is very small and was nine months pregnant, when [name of perpetrator] came and gave her a 'pela' [i.e., beating]. He threw her on the floor and put the bolillo, which is the stick that policemen use, he put it [on her stomach] and said: "[Expletive, referring to the pregnant woman], what do you think, [repeats expletive]? That I can't get this snotty [expletive referring to fetus] out of you. I'll take him out, [expletive], I'll kill him and I'll kill you too, [expletive]."*

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*Quote 13: GBV survivor*

### **3.2. STRUCTURAL INEQUALITIES THAT UNDERPIN GBV IMPUNITY IN COLOMBIA**

Having considered the narratives of service providers and survivors regarding GBV impunity specifically among internally displaced and Venezuelan migrant women in Colombia, the research team subsequently invited interview participants to critically analyze the intersections between social, economic, political, and legal structural inequalities and GBV impunity. Accordingly, this section provides participants' insights into the structural inequalities that form the basis of and sustain GBV impunity in Colombia.

#### **3.2.1. Structural violence, socioeconomic exclusion, and GBV impunity**

Structural violence and socioeconomic exclusion manifest when social structures and institutions deny certain groups their basic needs or rights.<sup>47</sup> They encompass institutional racism and sexism. In Colombia, the prolonged internal armed conflict, coupled with the presence of illegal armed groups and criminal gangs in the absence of effective State intervention, heightens socioeconomic vulnerabilities to GBV and impunity for diverse women. Indigenous and Afro-descendant communities endure persecution and discrimination based on their ethnic and cultural identities, and sometimes even erasure of these identities.

Study participants said in regions like Nariño, renowned for its biodiversity and natural resources, there has been a surge in illegal extractive activities perpetuated by violent groups seeking control. The fragile economy and precarious agricultural system have driven local farmers to abandon traditional crops in favor of coca. However, the profitability of coca leaves has dwindled amidst the violence and conflicts over control of the fields.

Service providers underscored how these factors intersect to escalate GBV risks, maintain impunity for perpetrators, and deny accountability to displaced and migrant women survivors. Nariño's strategic location near international borders makes it a magnet for organized armed groups, both State and non-State, especially those who exploit this proximity for trafficking in women, goods, and drugs.

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<sup>47</sup> Galtung, Johan (1969). "Violence, Peace, and Peace Research". *Journal of Peace Research*. 6 (3): 167–191.

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*"There is a very complex issue in relation to the collapse of Colombian agriculture and particularly with how the Nariño economy collapsed with agriculture. [...] So, they are forced to start growing coca, right? And those coca crops, well, they generate a lot of conflicts, but particularly right now, eh, how coca consumption has decreased. [...] That means that women are in greater conditions of [GBV] vulnerability, and we are a border department. So, being a border department, we also found [GBV] to be a very, very strong theme. That's like the perfect setting for organized groups. They can be State or non-State [...] But that makes a lot of things easier, like, for example, taking out merchandise, drugs, taking out women or people as merchandise."*

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*Quote 14: CSO service provider*

Service providers interviewed described how geographically disparate cross-country border and remote areas in Nariño amplify GBV impunity. Geographic and structural isolation cut off entire subregions of these territories from urban centers, aggravating local economic insecurities and subsistence coping strategies impacting women disproportionately.

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*"[Nariño...] is a department also disconnected from the country, eh? And that also creates problems, right? That is, at the beginning of the year, Nariño, on the road that connects [village names redacted], there was a landslide. And that collapse meant that today we are practically locked up [i.e., landlocked]. There is no alternative route that is connecting, and for example, large tons of food cannot enter, nor can they leave. And that implies that women begin to be in greater conditions of vulnerability [i.e., food and economic insecurity]. So that also exacerbates the violence."*

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*Quote 15: CSO service provider*

In this context, the armed conflict has resulted in massacres in Indigenous communities and the forced displacement of entire Indigenous communities. Testimonies from these communities depict armed groups employing violence as a tactic to assert control and instill fear and terror throughout entire regions. This has precipitated a profound cultural obliteration among the Indigenous communities of Nariño, particularly the Awá, with severe emotional, physical, symbolic, spiritual, linguistic, and ritual ramifications. In the quote below, a case study participant describes this structural violence as a form of “spiritual violence” against Indigenous communities.

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*"[T]hat spiritual violence was where it also affected us a lot, right? Eh, one, when there was the massacre in 2009 [...] that vilely murdered two companions and vilely I say, a genocide of a physical, cultural extermination. And we said: 'Yes, why is the woman like that, that is, what does that emblematic case mean that affected us a lot by having her children taken away and thrown into the water [...] when they are small, when that spiritually cannot be done'. That too, traditionally that part also comes with quite serious effects."*

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*Quote 16: CSO service provider and GBV survivor*

### **3.2.2. Structural isolation from State services and GBV impunity**

In regions with the most intense armed conflict, access to services is severely constrained. Some areas are controlled or contested by armed actors, who dictate and monitor all aspects of community life.

This control is enforced through stringent protocols, entry permits, regulation of movement, threats, physical and psychological coercion, as well as public executions and disciplinary measures.

Strict control over territorial governance is maintained, often through expelling representatives of the State judicial system. By instilling fear and establishing a *de facto* government and justice, non-State groups gradually supplant State institutions. These groups begin to implement their own form of justice in resolving practical issues and conflicts at community- and interpersonal-levels. Such stringent control hampers and regulates the entry of government personnel, UN interagency working groups, and NGOs. Consequently, it severely limits access to essential services, such as healthcare, medicine, electricity, drinking water, and food. This creates acute vulnerability within the community, fostering dependence on non-State actors for basic necessities.

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*"Well, normally in conflict zones, where the conflict is [...], nothing comes [...] not only [no] people who can provide attention to gender violence [...], but nothing. No doctors, no medicines, no drinking water, no electricity [...] or anything. This population is totally helpless."*

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*Quote 17: CSO service provider*

According to CSO service providers interviewed, some officials from the few State agencies operating in these territories have endured death threats from armed groups. These and other coercive intimidation tactics sow fear and insecurity among frontline personnel in healthcare, law enforcement, and courts—effectively impeding investigation and prosecution of GBV and femicide cases. Intimidation tactics reinforce armed groups' *de facto* dominance and control over parts of the country and can also protect GBV perpetrators who are among their members. Even if GBV survivors manage to escape areas controlled by armed groups, their families often remain behind and confront interpersonal threats of violence and death. This pervasive threat acts as an insurmountable obstacle for survivors and their families to report GBV cases or seek assistance.

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*"For example, [town Commissioner name redacted], told me about a terrible case of violence. They told me, 'I don't know what to do, because if I forward the case they will kill me and the entire family of the girl'. So, to talk about access to justice and training officials? I mean, you can have the best-trained civil service [...], but if you are in a place where there is no State and if that person is a victim of [...] or if she receives a case of gender-based violence where she knows she can get the girl out, but the girl's family is going to stay there? So, the most logical thing is that the [Commissioner] does not refer those cases. [...] I was also talking a while ago with a colleague at the Pacific [coast]. [They] told me: 'We have chosen these pathways of self-protection among ourselves because there are places where justice is not going to work. It's going to be a risk, even because we know that the State is not there'. Or we would have to take the whole family out [of the area]? And that doesn't happen either. How do you get everyone out, and why does it also mean getting the official [Commissioner] out? If the official takes [the GBV survivor] out, and [the Commissioner] stays there, we're going to have a dead official, eh?"*

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*Quote 18: CSO service provider and GBV survivor*

One study participant who is an Indigenous leader reflected on structural barriers even within Indigenous communities faced by Indigenous women leaders who seek to transform inequitable gender norms and reduce the high prevalence of GBV in their communities. Complicating her work are physical

barriers and violence, including geographic dispersion and isolation of Indigenous communities, forced displacement, limited transportation, and mobility restrictions due to conflict involving paramilitaries and illegal armed actors.

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*"I belong to the Indigenous Unit of the Awá People (UNIPA Spanish acronym). I am [speaking] as a leader of the Awá people. From 2016 to 2021, I was in women and family counseling. And for us[...] it has always been a challenge to talk about gender-based violence. [...] [B]ecause our territories are, eh, geographically dispersed, we are in five municipalities here in Colombia. We are [...] approximately a population of more than 26,000 Awá. [...] [W]e have 32 reservations, [...] where we have around 128 communities. And this also makes it difficult, let's say, because of the context in Colombia, as going down from the territories to Tumaco takes two hours. The transportation also gets heavy at night due to the conflict[...]. Before in the territories, you used to walk alone, you could walk with at least one other person. Nowadays, you have to walk with 60, 70 people. That's like a safeguard, what we had to do."*

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*Quote 19: CSO service provider*

### **3.2.3. Human trafficking for sexual exploitation and GBV impunity**

Migrant women in Colombia, including from Venezuela, are often fleeing political, security, and/or economic crises in their home countries. Internal and cross-border migration flows have increased due to the reconfiguration and intensification of armed conflict. As a service provider describes below, many migrant women, driven by the lack of educational and employment opportunities, work as sex workers and others have been trafficked for purposes of labor and sexual exploitation.<sup>48</sup>

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*"It also happens with the issue, for example, of many women who are currently involved in migration issues[...] who are also faced with the issue of trafficking[...] They do not find job opportunities [...] and that sometimes leads them to take up [...] sex work. And they have revealed that to us. I say it [because] I also work with people who are sex workers and [who] go through these difficulties that there are no educational opportunities and no job opportunities. So, this whole series of factors ends up basically generating a series of inconveniences that lead them to have a greater potential to be sexually trafficked or exploited."*

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*Quote 20: Government service provider*

Among displaced persons, migrant, and host communities in Colombia's border areas with Ecuador, high rates of violence persist due to human and drug trafficking groups controlling these areas. Women traveling through are at high risk of sexual violence and sex trafficking. In the south of Colombia, migrant women face challenges in accessing justice because of limited governmental GBV response services.

Women and girls who are coerced or abducted into sexual exploitation are frequently hidden in both remote and urban areas, complicating efforts to provide rescue, protection, and recovery support services. In many areas, State intervention is absent. In cases where drug cartels traffic women and girls, they are often transported to remote or isolated areas, severing communication with their families.

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<sup>48</sup> The transnational organized criminal group "El Tren de Aragua" is active on this border and is supposedly involved in criminal practices including extortion, human trafficking, among others. For more information, please consult: <https://insightcrime.org/venezuela-organized-crime-news/tren-de-aragua/#>



CSO service providers interviewed for this study described how accessing these locations to follow up on cases is nearly impossible. However, they presume that in most cases, the cartels ultimately kill these women and girls.

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*"The sexual exploitation within these cartel farms, along with all the other violence, is suspected to end in femicide. [It] is suspected because that is a scenario where we do not know the information and where it is very difficult to access. The moment one of the girls is captured for these purposes, almost all contact with her is lost."*

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*Quote 21: CSO service provider*

Women who have escaped and survived trafficking are often also reluctant to seek assistance or to share their experiences, even when offered the opportunity. The fear of retaliation from their traffickers prevents them from reporting GBV or accessing essential services, including for sexual and reproductive health. Within a framework of a patriarchal social norms, they also frequently internalize blame for their circumstances as women. Study participants noted that some formerly trafficked women believe that they are not entitled to access services or to seek justice and reparations due to their identity and involvement in commercial sex work when they were trafficked.

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*"[...] many times a migrant woman, like today, today's case that I just attended: A woman calls me and tells me that she wants an abortion, so: 'Ah, ok, send me the information.' Then she says to me: 'Look, I want to know if you can do it for me because I am in Mercedes Park and I am in this situation'. [...] She told me: '[...] what happened is that one day they put me in a car, they pointed a gun at me, they took me to a place, they sexually assaulted me and I got pregnant because of that'. I told her: 'Well, even more, you have the right because there is sexual violence'. [She says:] 'No, but I am in the street' [i.e., I am a sex worker]. And I told her: 'No, you have to [come] see me'. She said: 'No, you don't understand me. I didn't want to come to Colombia. They brought me and left me in Mercedes Park and there they have forced me to go to the street [i.e., perform commercial sex work as a trafficked person]'."*

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*Quote 22: CSO service provider*

Norms and beliefs that blame women for their experiences of GBV, gendered structural inequalities and exclusion, combined with lack of knowledge about legal and human rights and available services, lead to a persistence of some survivors not seeking assistance even where it is offered.

Where government and CSO services for protection and recovery support are offered, they are often limited. This, combined with forcibly displaced and formerly trafficked women's limited economic resources, lack of social support, and often increased caregiving responsibilities, aggravates the already precarious and insecure conditions in which these women live. When subjected to subsequent physical and sexual violence by armed groups, they often seek to relocate again.

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*"If you come from a migration background, and you find yourself[...] in a part of Norte de Santander where the conflict is strong, then you have to leave because you are also a victim of sexual violence by an armed group. These conditions are exacerbated because you do not leave a territory with money to pay for transportation, you leave the territory full of fear, escaping, with the only things you can. You start walking to see if you have a support network that can help you. So, what I feel is that when there is this double impact, there is a very broad exacerbation because it is a violation of migration. You are just establishing yourself in the territory and now you have to leave, because you are protecting your family and also what it costs you (is to) leave that territory. Because you are not going to go out [saying]: 'Oh, I already wanted to leave' and an armed group is going to let you go, logically not. But you have to [deal] with sexual violence, with what[ever] you have to do to protect your family, and also start walking without even making a travel plan. Because you didn't even have a moment to say, 'I have to go and I'm going to pass this way'. No. You take your belongings and leave at once."*

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*Quote 23: CSO service provider*

The lack of structural protection and recovery support services and multiple waves of displacement introduce yet new risks of trafficking for sexual exploitation, which combined with lack of effective State services investment and intervention, exacerbates GBV impunity in Colombia.

### **3.2.4. Structural social inequalities and GBV impunity**

Forcibly displaced and migrant Venezuelan women in Colombia confront high risks of GBV and also face social inequality as they seek to build a new life. GBV experiences and consequences become cumulative, occurring often at each stage of their journey: in the origin country, during transit, and in each new host community. In the country of origin, exposure to GBV itself may serve as a push factor for forced migration, stemming from such factors as domestic violence, limited economic opportunities, or persecution. Throughout the journey, absence of protection mechanisms exposes women to risks of human trafficking, sexual exploitation, physical or psychological violence by traffickers and fellow migrants, sexual violence, and gender discrimination.

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*"Especially in the chapter on migrant women, many of whom seek an abortion, it [sexual violence] is a product of the transit to Colombia, [i.e.,] how the organized groups sexually violate them while in transit."*

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*Quote 24: CSO service provider*

Once they reach Colombia, migrant women may still encounter GBV in a range of settings, including workplaces, host communities, or even within their own homes. Additionally, discrimination, limited access to essential services, job instability, and lack of legal status can heighten their vulnerability to diverse forms of violence, perpetuating social inequality. Venezuelan women subjected to human trafficking are particularly susceptible to multiple forms of GBV. The precarious conditions of migration create fertile ground for exploitation, further amplifying the risks these women face.

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*"The women here, when they talk about sex work, they say 'the street' and I know that. And I said: 'Oh, I mean, you are in a sex work situation. [Client responds:] 'Yes, and then I don't know if that's why I won't be cared for because we, well, I don't know if I will be'. I mean, look at the misinformation of a migrant woman, exploited, a possible case of trafficking, sexually violated, with a pregnancy resulting from that sexual violence, yes? And besides that, she needs our help because the partner she is with does not know she is pregnant, but he does profit from the sale of her body. So, domestic violence, possible case of trafficking, abortion as a result of sexual violence, possible kidnapping because, if they put her in a car and took you and did everything they did to her and beat you because they also beat her—in other words, the worst crimes."*

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*Quote 25: CSO service provider and GBV survivor*

Moreover, internally displaced women often find themselves ensnared in recurring cycles of GBV within their host communities. This distressing recurrence is fueled by the normalization of GBV and rigid adherence to traditional gender roles. The inability to break free from these cycles not only perpetuates a hostile environment, but also leads to impunity and lack of accountability for perpetrators.

For Indigenous women who are internally displaced, structural social inequalities have led to a situation where they are inherently distrustful of formal Colombian institutions and services which might be available to support them following experiences of GBV. This leads some to choose silence over seeking post-GBV protection and recovery support or judicial services, which perpetuates GBV impunity. The result is the continued “cultural uprooting” of Indigenous women and communities caused by gender-based and sexual violence.

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*"We were [...] looking at how women were raped in the framework of the armed conflict, by FARC, by public forces, by paramilitaries. We looked at how the role of the women and much more of the traditional women took advantage, because they are no longer going to tell you anything. But they were already silent. [F]or me at that time, we still continue[d] to suffer with this part of violence. [...] when the peace agreements were fully signed, in 2017, a colleague went to wash at the river when one of the [...] the FARC raped her and everything. [A]fter two months, she spoke because she knew she was pregnant. [...] So, it is also difficult when the perpetrators are still in the territories. [T]hat part was quite difficult, and it is where you always look [out] for yourself. From the framework of the armed conflict, as always, [rape] has brought us that cultural uprooting so that we can continue [being forcibly displaced], right?"*

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*Quote 26: CSO service provider*

### **3.2.5 Structural economic inequalities and GBV impunity**

Service providers and survivors described how, in Colombia, internally displaced and Venezuelan migrant women's economic dependence on their partner, who may be a perpetrator of IPV, poses formidable barriers to seeking legal redress. Financial dependence intensifies power imbalances, rendering the path to justice arduous and perilous. Women predominantly shoulder domestic responsibilities, caring for children, adolescents, and dependents with specific needs related to disabilities or functional impairments, illness, and aging. This unpaid care work reinforces entrenched gender norms and perpetuates economic inequalities by constraining women's access to education, employment, and financial autonomy.

Unpaid care work responsibilities significantly restrict women's opportunities for formal employment outside the home, often leading them to engage in low-paid, informal sector jobs devoid of essential benefits, such as health insurance. Working in the informal sector exposes women to unregulated and often hazardous conditions, leaving them at risk of labor and sexual exploitation and abuse. Women often have limited knowledge regarding available GBV protection and recovery support services, and frequently do not trust the services they do know about. In the quote below, a government service provider describes how economic circumstances force women in displaced communities' in the areas surrounding Bogotá to turn to sex for survival.

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*"The time I worked with displaced communities, especially here in the [...] region near Bogotá, there was a lot of physical, psychological, and patrimonial violence, especially against women heads of households who did not have access to livelihoods, to activities that would generate income. So, this also put them in a quite precarious situation. In many situations, we saw women who had to have sex for survival, practice sex for survival to be able to raise their children, not even to get ahead, but to feed their children one day."*

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*Quote 27: Government service provider*

Access to and decision-making control over resources emerge as pivotal factors heightening gendered economic disparities intersecting with GBV among internally displaced and Venezuelan migrant women. Women often encounter unequal access to and control over economic and natural resources, constraining their ability to break free from abusive relationships or contexts at interpersonal and community-levels. Gender inequitable access to and control over economic assets significantly impedes self-reliance and perpetuates cycles of dependence and GBV impunity.

The issue of land ownership amplifies economic disparities, as women in Colombia are frequently denied ownership or control over land and property. This lack of ownership not only undermines internally displaced and migrant women's path to economic autonomy, but also renders them susceptible to further displacement and exploitation. Without secure land tenure, it is difficult for them to achieve mid- and longer-term social and economic stability.

### **3.2.6 Structural political and legal inequalities and GBV impunity**

The precarious legal status of Venezuelan women in Colombia and the looming threat of deportation instill pervasive fear that deters them from reporting or seeking a judicial response in GBV cases. Underreporting of violence creates a context within which further violence and impunity persist.

The primary objective of Law 1257<sup>49</sup> of 2008 is to safeguard the right of women to live free from violence in both public and private spheres. To achieve this objective, the law establishes measures to raise awareness regarding, prevent, and penalize all forms of violence and discrimination against women. This legislation defines violence against women as encompassing any action, omission, or attempt that inflicts physical, sexual, psychological, patrimonial, or economic harm based on their gender identity. Moreover, it acknowledges a comprehensive set of rights for women GBV survivors, which authorities must uphold when formulating and executing measures in accordance with the law. The application and interpretation of the law are to be guided by international conventions, such as the Convention of

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<sup>49</sup> Ley 1257 de 2008. (n.d.). Función Pública. Retrieved February 21, 2024, from <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=34054>

Belém do Para<sup>50</sup> and the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), which recognize violence against women as a violation of human rights.

However, there have been noted difficulties implementing the law at the regional level, with several municipalities failing to execute measures to prevent and respond to violence against women. Study participants pinpointed this lack of engagement as a significant barrier to effectively providing protection and recovery support and judicial services to victims and survivors of GBV.

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*"Belém Do Para operates like CEDAW, it talks about the protection of women's rights. The main challenge is for officials to understand what that means. It means that regardless of nationality, the protection of women in Colombian territory applies. Yeah? Then start a little from there. But the truth is that in Colombia, a lot of work has been done on the dissemination and socialization of Belem Do Pará, CEDAW, [Law] 1257 and the alternative measures that the forum has taken for Colombia. Also, the regulation of the adoption of these conventions through national laws, no? Let's say that, yes. It has to be said. Colombia, as I said, has a very robust regulatory system. The issue and the main barrier are in operationalization."*

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*Quote 28: Government service provider*

Furthermore, while there is a robust regulatory system in place to respond to cases of GBV, one government service provider described how different laws meant to support displaced persons and to support survivors of GBV can conflict. This legal complexity hampers access to legal recourse for GBV survivors, particularly IDPs or migrants.

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*"I had a case of a girl who was abused by an armed actor. She went out with her partner, but her partner had already been raping her for months, before she experienced this. [...] So she leaves, displaced with him, carrying that gender-based violence, but then the 1448 [Law of Victims] only deals with the issue of displacement and sexual violence. Yet then if we give her the shelter subsidy under 1448, she would not be able to apply for the protection measure under 1257 [Law of Violence of Against Women], right? In other words, do you realize how the legislations cannot be harmonized, because they are not comprehensive or have an intersectional and harmonious approach? So, we couldn't take out the protection measure because it was 'doubling', [...] so to speak, a subsidy. [...] [I]t's very complex."*

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*Quote 29: Government service provider*

### **3.3 CURRENT STATE OF GBV PROTECTION AND RECOVERY SUPPORT, JUDICIAL, AND PREVENTION INITIATIVES**

After considering service providers' and survivors' narratives of GBV impunity, and their critical analysis of the structural inequalities that drive it, the researchers asked study participants for their account of the current state of the protection and recovery support services, judicial services, and prevention programs that are explicitly aimed at accountability to GBV survivors.

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<sup>50</sup> *Convención do Belém do Pará*. (2009, August 1). Organization of American States (OAS). Retrieved February 21, 2023, from <https://www.oas.org/es/mesecvi/convencion.asp>

### 3.3.1 Existing protection services for diverse GBV survivors

Establishing a protection system for women GBV survivors responsive to the specific needs of internally displaced and cross-border displaced and migrant women requires an adequate and functioning GBV case management system. Currently in Colombia, the lack of an effective system leaves GBV survivors without immediate protection and support for recovery, consequently reducing their likelihood of pursuing legal recourse. A functioning post-GBV care system should provide 'wraparound' support, including helplines, safe shelters, psychological, medical, legal assistance, and economic aid. It should also provide specialized services designed to uphold the rights and serve the unique needs of internally displaced and migrant survivors.

GBV protection services must be provided without retraumatizing and revictimizing survivors. Survivors described how law enforcement officers and personnel in health, legal, and judicial institutions, however, often revictimize and retraumatize them. This systemic failure heightens the vulnerability of survivors seeking protection and undermines the very institutions designed to safeguard their rights.

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*"We were in a [judicial] process in a case of domestic violence and the prosecutor laughed at the survivor while she was telling her about her trauma, right? She would say: 'I feel that this man is chasing me'. [Then the Prosecutor says:] 'Look, at the video they made of the guy, he is sitting down at the entrance of the victim's house and does not let her enter'. And then she would say, to the Prosecutor: 'Look, look at the guy lying there at the entrance. How can I enter? What a danger.' Then the Prosecutor was laughing her head off in front of the victim and the lady was very upset and everything."*

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*Quote 30: CSO service provider and GBV survivor*

Social and gender norms persist in perpetuating harmful gender stereotypes and roles that do not align with rights-based approaches to protection. All study participants raised concern over the safeguarding of young girls from GBV, particularly sexual violence. Survivors and service providers underscored that girls being regularly exposed to sexual violence, among all forms of GBV, is unacceptable. Interview participants highlighted the lack of effective responses from State actors in condemning these practices, despite acknowledgment of such violence. Additionally, some NGOs addressing GBV inadvertently perpetuate it by endorsing assumptions that excuse GBV practices and shift blame onto young girl survivors rather than holding adult perpetrators accountable.

### 3.3.2 Existing judicial services for diverse GBV survivors

Overall, study participants concurred that GBV survivors lack access to a judicial system that ensures a fair legal response, transparent and sufficient legal procedures, and essential support for survivors throughout the judicial process. For GBV survivors in general, and migrant and internally displaced survivors in particular, pursuing a legal process is fraught with risks related to legal status in Colombia, re-victimization, and discrimination, with officials frequently doubting, disregarding, or pressuring victims to recount and relive their traumatic experiences multiple times. This lack of empathy and comprehension exacerbates survivors' reluctance to pursue legal channels and fosters a culture of widespread impunity within the legal and judicial system.

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*"[...] and when she took the complaint, my friend told the prosecutor, who told her [the person who took the complaint], that you have to put protective measures on her [that is, on the participant]. And she said, 'No'. She did not want to."*

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*Quote 31: CSO service provider and GBV survivor*

Interview participants described how, for GBV survivors, attaining justice through legal avenues hinges on various factors, such as the survivor's socio-economic status, gender, and displacement or migration status. Justice is not uniformly accessible to all women and legal provisions are not consistently enforced. Consequently, many survivors, especially migrants and the internally displaced, are dissuaded from seeking redress through local courts.

During interviews, GBV survivors recounted examples of women who tried to pursue their rights through legal means, only to encounter an indifferent response from government personnel. These women often faced disparagement and a pervasive lack of a survivor-centered, trauma-informed, strengths-based approach when seeking to report GBV or gain assistance from a government institution. Such an approach should treat all survivors with dignity, respect, empathy, and confidentiality and privacy. It should also recognize their right to agency, autonomy, and holistic recovery support throughout any judicial process. Below, a CSO service provider explains how, in their view, government service providers are not committed to delivering timely or survivor-centered GBV response.

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*"We had a case where the victim denounced [i.e., reported to the police] twelve times. Twelve times she had denounced and reported the aggressions each time [and the police ignored her]. I would say to [the police]: 'I mean, an official who omits a [report] or does not comply with [reporting requirements] or does not [make referrals to protection and recovery support services]? You cannot work then in the law enforcement field or in public services. Go to the archives to count papers, or to another type of job.' Here [in CSOs] we are faced with something as pressing as violence against women. That is the position we take, but this is not the institutional framework [i.e., the way government service providers view their role]."*

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*Quote 32: CSO service provider and GBV survivor*

Study participants underscored the detrimental impacts of the mistreatment of women survivors within legal and judicial systems, which can become life threatening, especially for internally displaced or migrant women. Mistreatment of survivors acts as a deterrent against reporting GBV cases and seeking recourse through legal or judicial channels. This perpetuates a vicious cycle wherein reported cases receive either no response or inadequate attention within the legal system, allowing perpetrators to continue committing GBV with impunity. Impunity leaves survivors vulnerable to revenge killings and violent reprisals, rendering genuine reparation a daunting, if not impossible, pursuit.

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*"I imagine [men] think: 'Well then, I mean, here there is impunity and I go somewhere else, I kill another one and another one and I kill another one, and I keep on raping several women because nothing happens here'. Because they know that the system is super patriarchal, they know that there is no interest in crimes against women and most women are impoverished."*

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*Quote 33: GBV survivor*

Civil society and government services staff emphasized the additional challenges that Venezuelan migrant women face, including uncertainty surrounding their migrant status and the fear of authorities potentially deporting them. Some Venezuelan migrants pass through Colombia on to other countries, which complicates tracking GBV survivors and their perpetrators for case follow-up. For migrant women who are displaced multiple times, or who choose to relocate from one area to another, the Colombian health and law enforcement systems are unable to uphold survivors' privacy and confidentiality as they transfer cases across municipalities. Furthermore, migrant women traveling with children often face social stigma and judgment, which further dissuade them from accessing judicial services.

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*"If I file a complaint here in [one municipality], the police station in [another municipality] should know that the complaint exists. [But] that does not happen. Or the health post could see that if I was hospitalized for a physical attack in [one municipality] and then in [another municipality], which is a city that is two hours away, since [the attack was documented in a file that] already existed in the medical history of my case. Well, that doesn't happen. It is a system that is disconnected. So that implies that [migrant/displaced women] have greater barriers. The other thing is that they no longer wanted to access justice out of fear, right? So, if I am a mobile person with, uh, no documentation, then with greater fear, am I going to approach the justice sector? It doesn't cross my mind to wait in line at the prosecutor's office, for example, eh? And if you also add to that all the stigma they carry, no? Because migrant women carry a stigma."*

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Quote 34: CSO service provider

Internally displaced Indigenous women face compounded barriers that prevent them from accessing judicial services. These barriers include tensions between Indigenous justice systems and formal government legal frameworks, difficulties accessing services in regions that illegal armed groups control, language barriers, lack of privacy and confidentiality, and formal reporting procedures with high burdens of proof or reliance on family members to report femicides.

These challenges discourage reporting and contribute to a high level of mistrust toward government institutions, especially in the northwestern region of Nariño.

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*"We have cases, for example, of Indigenous women from the Awá people, who have been victims [...] of sexual violence by the Army. Eh [...], but their access, let's say to the protection routes and so on, is very precarious. First, because they, the majority, do not speak Spanish. Second, why [do they] not [report]? When they report [GBV], let's say, there is not much evidence that can be presented there as well as in [a judicial] process. And third, because in general there is a great distrust of the institutions in the area that I told you about in the Northwest of the department. What they tell us is that, if they go to the hospital [...] basically within a half hour everyone knows what happened to them. So there is zero confidentiality."*

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Quote 35: CSO service provider and GBV survivor

Study participants observed that public officials may hesitate to engage with GBV cases linked to organized crime or mafias due to fear of reprisals. The prospect of harm or violence directed toward themselves, the survivor, or the victim's family in the case of femicide, impedes their ability to perform their reporting duties effectively. This chilling effect undermines the pursuit of justice and perpetuates a



cycle where criminals and mafias operate with impunity, secure in the knowledge that the system is unlikely to challenge them.

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*"Imagine accessing the guerrilla to be able to solve those cases, because let's say that in the community there is not that capacity to solve? Yes. [...] If the justice system here does nothing [it's] because the prosecutor's office is conspicuous by its absence. Well, because they are also afraid. Because here, well, there are many armed groups that arrive, but don't leave[...] So, it is very, very complex. So, there's a feeling [...] of: 'Well, yes, something was done', but actually, in the background? Background [...] no, there is no justice."*

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*Quote 36: CSO service provider*

In some cases, the judicial system refuses to take on specific femicide cases because they occurred in Indigenous communities under Indigenous jurisdiction. Judges may refuse cases on the grounds that there are no trained staff or because there are no facilities for detaining Indigenous people. This leaves a loophole, as described in the following quote, where perpetrators are given over to an indigenous justice system that does not have the resources to hold them accountable.

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*One cries with rage, impotence when there is a case of [GBV] impunity here. [...] Let's consider the question of jurisdiction [...]: 'Ah no, that happened in [Indigenous] territory'. The governor could still take action from a 'special jurisdiction', but even if the governor handed the case over to Indigenous authorities, [there should still be accountability]. I tell [the governor] we'll take [the case] to where the events happened. [Y]ou do all the harmonization [i.e., integration of non-Indigenous and Indigenous justice procedures], yet we don't have jail cells to detain a suspect of [femicide]. Would a 24-hour prison detention be a [sufficient] harmonization step in a [femicide] case? [No, because] it is a very serious case. With only a 24-hour holding of a suspected perpetrator in a jail cell, 'harmonization' provides no punishment.*

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*Quote 37: Civil Society Representative*

Systems for dealing with GBV and gender inequity more generally vary significantly across Indigenous communities. The Wayuu people adhere to a matriarchal system<sup>51</sup> where women have greater agency against GBV. In regions where matriarchs wield decision-making authority, they institute their own ceremonial methods of conflict resolution and restitution for the injustices that women endure, including instances of GBV. This stands in contrast with other Indigenous characterized by patriarchal systems, where approaches to GBV response may diverge.

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<sup>51</sup> Wayuu. (n.d.). Organización Nacional Indígena de Colombia (ONIC). Retrieved February 21, 2024, from <https://www.onic.org.co/pueblos/1156-wayuu>

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*"Well, I don't remember any cases of gender violence among the Indigenous population, because the Indigenous people or those with whom we worked there were Wayuu, where the Wayuu woman has more power than the man within the family. So, they are families with the matriarch. Women are the ones who have the decision-making power themselves, but they also have their own ways of solving their problems, in which one cannot get involved. I can't say it's not time to do that, the police are coming [...]. No. They are going to look for their ancestral way of making the decision and solve the problem on their own. There is a whole ritual that is done to charge the person who committed the offense. Then the woman talks to her paternal uncle, her paternal uncle goes to talk to the paternal uncle of the person who offended that person. And then the two of them will reach a consensus on what reparation will be like for this woman. If you pay him in money [...]. If you are going to give him a hundred goats, yes [...] how to do it. And then if one does not repair, the other has power over the life of the one who did not pay the repair. And that dynamic existed within the camp of our same team.*

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*Quote 38: CSO service provider and GBV survivor*

Representatives of CSOs interviewed, particularly from humanitarian organizations, said they face difficulties in understanding the social structures, governance systems, and decision-making within Indigenous communities. These misunderstandings can lead to the adoption of ineffective or culturally insensitive strategies when designing, implementing, and monitoring GBV prevention and response initiatives. Additionally, a lack of understanding and acknowledgement of the worldviews and ways of life of Indigenous communities can hinder the establishment of trust-based relationships necessary for implementing humanitarian interventions aimed at facilitating migrant and internally displaced women's access to judicial services. Frequently, humanitarian efforts fail to actively and meaningfully engage Indigenous community leaders' and members' participation. This results in programs that do not fit real needs and aims of the community, including their pursuit of autonomy and authority.

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*"No, it is not easy to deal with Indigenous communities, it is a challenge for humanitarian actors, because right? It's so [...]. It's like a [...] another world, no? It is not part of our daily life. It's dealing with someone who you really know absolutely nothing about. You have to learn everything in a very short time and continue doing [your] job at the same time."*

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*Quote 39: CSO service provider*

Although there have been some positive strides made, study participants discussed that insufficient protections for women persist within Indigenous justice as well as in conventional judicial services, often leaving women with no effective options, except to rely on self-defense measures.

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*"Your own hands. Clear. Well yes [...], she said: 'Well, if he is hitting me'. Well, they are not going to let him go either. So, maybe the governor didn't do anything. Or, or [...]. Or for example women who, [...] who said that, in the accompaniment: 'If he didn't leave, eh [...] I threatened him many times that I was going to give him poison, eh'. [...] Because he had another family and he did not want to continue causing violence to his ex-wife', that is, he wanted to have two women. [...] They already knew that he was living and had another woman, and they did not want to be with him. They wanted to rebuild their lives [...]. As she said: 'I reported him to the governor. I reported him to the family police station. No one did anything. So, the only way was to threaten him [...] and that's how he left.'"*

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*Quote 40: CSO service provider and GBV survivor*

Among internally displaced Indigenous community members, conflict resolution may still adhere to their distinct regulatory frameworks and align with their deeply held values. While traditional Indigenous justice mechanisms often prove effective in resolving disputes and fostering communal reconciliation, it is also crucial to ensure the rights of victims, particularly in cases of GBV. Balancing the preservation of cultural heritage and traditions with the recognition of universal human rights, especially women's rights and gender equality, can present challenges in some groups.

### **3.3.3 Existing prevention initiatives for GBV accountability**

Although there are established GBV prevention initiatives in Colombia, many of them are local to urban centers like Bogotá or focused on particular communities at a small scale. In the former group, there is the Purple line (línea púrpura) hotline dedicated to ensuring that women live a life free from violence and an NGO named Benposta that aims to prevent youth from being recruited into armed groups and falling victim to exploitation and violence. In the latter group, there are examples such as the UNIPA's collective Indigenous protection mechanisms for the Awá people in Nariño or the Dominican Sisters of the Presentation, who support the material and economic conditions of displaced women in Catatumbo. All of these services are perceived positively by study participants and described in further detail in the "Existing Good Practices" section of this report.

However, aside from these localized examples, interview participants could not name any larger-scale prevention interventions focused on populations of internally displaced, Indigenous, or Venezuelan migrant women. Service providers and survivors interviewed focused their comments on protection and recovery support services, and judicial services, but not longer-term prevention programs. The lack of prevention initiatives with internally displaced, Indigenous, and Venezuelan migrant women and host communities emerged as a notable gap in GBV accountability in Colombia.

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## 4. SOLUTIONS TO ADDRESS IMPUNITY

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### 4.1 SURVIVOR-CENTERED PATHWAYS TO ACCOUNTABILITY

To conclude interviews, GBV survivors and service providers were asked to describe what GBV 'accountability' means to them, in their own words. Survivors and service providers viewed accountability in a range of ways. Many mentioned a legal process culminating in life imprisonment. Yet, for some, receiving an apology from the perpetrator was important. Many survivors believed that economic reparations should be paid out of the perpetrators', "own pockets, because they enriched themselves," during armed conflict. One participant described how accountability would mean stripping perpetrators of their uniforms and guns, so there is nothing left to hide behind or weapons to use to threaten and inflict further violence.

Among Awá Indigenous women, 'accountability' for GBV means that their cases are heard through a collectively designed, community-based process. This process includes dialogue between community members, investigation by community members, and mutually agreed upon actions based on the preceding steps. Witnesses, if present, have the opportunity to share their testimonies. A perpetrator, if found guilty, is expected to acknowledge the harm caused by their actions and face appropriate sanctions. Additionally, cases receive ongoing follow-up to ensure resolution.

In this model, conflict resolution is carried out with active community participation. Community leaders, elders, and relevant members mediate disputes and seek solutions in alignment with their values and traditions. The focus lies on restoring relationships between all parties involved, rather than solely punishing the offender. This may involve dialogue processes, apologies, reconciliation agreements, and measures aimed at repairing the harm inflicted. Both the survivor's suffering and the perpetrator's responsibility are meant to be acknowledged. The main goal, though, is usually restoring balance within the community rather than imposing punitive measures.

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*"So, for example, for them to really achieve [community-based justice]: One, is that their case is heard [...]. That is, like the actions, the community dialogue, an investigation [...]. In other words, the entire process of access to justice was carried out. So, the dialogue, the investigation, that if they already come out and recognize and there are witnesses, they say: 'Yes, look you are here. You generated this event, and the witnesses are here.' So, the people who have provided evidence and testimonies that show that you are a guilty person, then you should be given a reasonable measure, a notorious sanction. [...] Impunity would be felt less."*

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*Quote 41: CSO service provider and GBV survivor*

Impunity was defined by one displaced GBV survivor interviewed as simply:

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*"Impunity is, that is, that everything remains as if without law. Impunity is something that remains unpunished, that justice is not done."*

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*Quote 42: GBV survivor*

Many survivors and service providers interviewed defined impunity as a lack of State action or a response to GBV, especially among internally displaced or Venezuelan migrant women. A survivor's rights are violated and there are, "no moral, legal, or social consequences for the perpetrator,"

according to study participants. One participant, quoted below, emphasized that the State takes no meaningful action to address impunity, despite an awareness of law enforcement, prosecutors, and other officials mishandling cases within the legal and judicial system. This failure to act perpetuates cycles of violence, sometimes leading to survivors seeking informal justice through armed groups when the formal system fails them. Consequently, impunity for GBV becomes normalized.

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*"Just as they themselves say, 'nothing happen'," and 'nothing extremely serious happens.' Because here, the message that is being generated is that women can be violated and not only is there not going to be a punishment from the State and a reparation against them [the perpetrators], but the people around them don't have to do anything either."*

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*Quote 43: CSO service provider*

Efforts to combat impunity must prioritize pathways to accountability that center diverse survivors' rights and distinct needs. Within Indigenous communities, it is crucial to undertake initiatives to enhance the responsiveness of Indigenous systems to instances of GBV, including labor and sex trafficking, against Indigenous women. This includes fostering dialogue, providing cultural sensitivity training, and fostering trustworthy collaboration which shares decision-making responsibilities with community leaders. Such efforts aim to cultivate an environment that supports survivors and ensures accountability for perpetrators within the framework of Indigenous values and traditions distinct to each Indigenous community.

Study participants highlighted the critical importance of safe shelter and non-judgmental care. In contexts of armed conflict and forced community displacement, GBV against women and girls is often minimized or normalized. When displaced rural women go to urban centers and receive care along with GBV prevention training, they gain new skills for recognizing the violence they have endured. This provides them with an opportunity to understand how the violence they experienced was downplayed, rendered invisible, or subordinated to other impacts of structural violence, armed conflict, and displacement. It further helps them understand how these impacts affect not only themselves or their families, but also the entire community.

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*"Well, notice that they are so impacted by the electrifying fact of the conflict—yes, that gender-based violence was also normal for them until they learned to identify it. When [...] in the urban centers they are made to see that the treatment they had there as a rural woman, [who is] almost invisible: 'No, [that] was a form of violence'. Having a space where they can put into perspective the different types of violence to which they have been subjected [supports recognizing GBV and healing]. The victimizing events of the conflict, such as displacement, eviction, sexual violence itself in the framework of the armed conflict and threats or the forced disappearance of some of those relatives or the death of some of the people in their social circle, in their family circle, allows them to put into perspective, after a time, the other GBV to which they have been subjected."*

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*Quote 44: CSO service provider and GBV survivor*

Government institutions that have gender equity offices or gender liaisons provide important resources for internally displaced women survivors of armed conflict to access services. They also provide listening spaces where survivors of armed conflict can recognize that they are also survivors of GBV. Survivors

express that accountability includes recognition of re-victimization in the continued harm that survivors experience. It also involves the expectation of economic compensation to address the harm suffered. Survivors further highlight the importance of psychological support, emphasizing the need for psychological assistance with processing the impacts of GBV emotionally. One service provider, below, summarizes their view of meaningful accountability for GBV survivors.

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*"The re-victimizing facts [will] have been recognized. [There is an] expectation of [timely] economic compensation. [In] addition, eh, eh, the unit has a very interesting tool called: 'Vivify you'. [I]t works simultaneously on [emotional processing of] those impacts of violence in the lives of women who are double victims. [T]hat [exercise] has happened to us with [survivors] and is very interesting. You know that if many of them have gone to these places where these [psychological processing exercises] have been created, eh, by [...] the gender liaisons. [...] They allocate resources so that women, er, victims of the armed conflict, have access to a recognition that they are also victims of gender-based violence. [T]hat they at least have an awareness of that differentiation, and go above all to [address] the psychological issue—not so much the legal issue, but the psychological issue. Because, many of them have told us that the perpetrator died in the conflict, or: 'No, the perpetrator did not come here with me!'"*

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*Quote 45: CSO service provider and GBV survivor*

Structural changes are imperative to prevent and overcome GBV. For internally displaced and rural women, access to land is a pivotal step. Land ownership not only fosters economic independence, but also acts as a shield against various forms of labor and sexual exploitation. For Venezuelan migrant women, immigration regularization is crucial. Formalizing their status within Colombia prevents their marginalization, reducing their vulnerabilities to violence and exploitation. These structural changes constitute proactive measures in working with internally displaced, rural, and migrant women that address the underlying mechanisms facilitating GBV, aiming to foster environments where women can live without fear of violence.

#### **4.2 FORMAL AND INFORMAL CHANGES NEEDED**

Collaborating with State institutions is crucial for ensuring greater accountability for GBV in Colombia. To promote improved accountability, there must first be a thorough evaluation of the existing GBV care response pathways. By assessing the effectiveness and accessibility of services at each stage, it is possible to redesign the post-GBV care route to better serve the needs of diverse survivors, including those among internally displaced and Venezuelan migrant women. Active involvement of internally displaced and Venezuelan migrant GBV survivors in this evaluation ensures that their experiences shape the evolution of the care route.

The public sector's ability to address GBV effectively depends on improved funding and capacity. Allocating resources to protection and recovery support services, judicial services, and protection initiatives is crucial. This includes enhancing the capacity of law enforcement, social services, and legal institutions to handle GBV cases efficiently, with sensitivity. Adequate funding would support the establishment and maintenance of support services, shelters, and legal assistance for survivors, creating a more responsive public sector infrastructure.

Engaging men in preventing GBV is essential. Initiatives to cultivate more positive masculinities that favor gender equality and reject men's social dominance and the normalization of GBV, starting in early

education and extending to those in positions of power, could reshape social expectations, attitudes, and behaviors. Early intervention programs in schools, workplaces, and communities would contribute to a cultural shift that rejects violence against women. Addressing power dynamics ensures systemic changes that foster environments of respect and equality.

In cases of GBV involving Indigenous women, effective coordination between traditional Indigenous justice mechanisms and formal legal structures is also crucial. Fostering collaboration and mutual understanding ensures justice is served in a culturally sensitive manner, respecting the rights and traditions of Indigenous communities while holding perpetrators accountable.

Civil society and survivor representatives stressed the importance of recognizing and supporting Indigenous women leaders' strength and respected position in working with their communities to prevent and respond to GBV. As one positive example, a CSO service provider raised the example of UNIPA, whose leadership has become more gender equal and whose efforts to promote women's rights within the Awá people has improved as a result.

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*"Eh, using terms that were learned, well, in a context more of discrimination, of contempt, well, of the Indigenous population. And now, well, the women with greater strength, an organization like that of UNIPA, that of the Awá people, is an organization that at the beginning was led by 100%, well at least, 98% of its members were led by, by men. And today after ten years, we can say that they are 50-50. [T]here are women and the women who, who lead [...] as advisors are quite a few. Of 14 leaders, right now [...] there are seven women. [I]n the case of authority of their own government, out of 32, it can be said at least that there are already about 12 women who are leading as governors. [...] The greater presence of Indigenous women leaders in representative positions has encouraged the discussion within their own jurisdiction of gender-based violence and development of tools and actions aimed at protecting women's rights from various levels of their own government."*

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*Quote 46: CSO service provider and GBV survivor*

In the case of the Awá people in Nariño, significant progress has been made in collectively developing protective mechanisms against GBV. A pathway for GBV prevention and protection from violence, along with a proposed regulation, is currently undergoing validation by the authorities.

### **4.3 EXISTING GOOD PRACTICES**

Interviews conducted with GBV survivors and service providers working with internally displaced and Venezuelan migrant women revealed notable existing models for GBV impunity prevention in Colombia. These practices deserve recognition and consideration for adaptation, replication, or amplification. Drawing from the experiences of Venezuelan migrant women and internally displaced women, these practices offer valuable insights into approaches aligned with study participants' overarching vision for justice and inclusivity through survivor-centered, trauma-informed, and strengths-based post-GBV care.

**"La Casa de Todas" (Everyone's House)**<sup>52</sup> in Bogotá, part of the District Secretariat for Women program, offers comprehensive support to survivors and victim's representatives. Services include legal aid, psychological counseling, education, and vocational training, addressing survivors' diverse needs and

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<sup>52</sup> Centro Especializado de Atención "Casa de Todas." (n.d.). Secretaría Distrital de La Mujer. Retrieved February 21, 2024, from <https://sdmujer.gov.co/nuestros-servicios/servicios-para-las-mujeres/casa-de-todas>

promoting self-reliance. Proactive territorial outreach ensures accessibility to services by deploying managers to locations where women gather.

**The UN and US joint initiative provides human rights training for police** to uphold international standards and protect human rights.<sup>53</sup> Tailored for law enforcement and security forces, it addresses the unique challenges faced by Venezuelan migrant and internally displaced women in Colombia, acknowledging their distrust of institutions. Beyond conventional training, it covers the rights of women engaged in paid sex work, a constitutionally protected group, aiming to build trust with marginalized communities. By educating the police on women's rights, the program bridges the institutional trust gap, aligning with constitutional protections for dignity and fair treatment. Compliance with Constitutional Court orders demonstrates a commitment to educating the police on the rights of protected populations, advancing justice, inclusivity, and sustainable recovery among diverse GBV survivors.

**Purple line (línea púrpura)** is a 24-hour helpline for women aged 18 years and older residing in Bogotá.<sup>54</sup> Established in February 2015 by Bogotá's Secretariat of Women and the Secretariat of Health, its purpose is to ensure that women live a life free from violence. The service offers assistance for cases of violence against women and guidance on available services and referral pathways. It also provides support for femicide survivors or family members of the victims, information on institutional support services for women's human rights, and health-related guidance, particularly on sexual and reproductive rights. While primarily for women experiencing violence, witnesses can also call to report incidents.<sup>55</sup>

**Vivificarte**<sup>56</sup> is a program of the Victim's Unit's Reparations Division aimed at strengthening the agency and healing of women survivors of sexual violence. Using a rights-based approach, it supports women in building or rebuilding their lives. Through workshops, both in-person and remote, the program focuses on sharing information and raising awareness of women's rights. It further provides financial training, shares tools for project development, and offers symbolic reparations. These outputs foster dignity, satisfaction, and strengthened agency among survivors.

The Awá people in Nariño have built **collective Indigenous protection mechanisms** with a focus on gender. Led by the local Indigenous organization, UNIPA, they developed their own Protection System to strengthen self-governance, particularly among women and families. This system includes pathways for preventing and protecting against violence, with proposed regulations undergoing validation by authorities. UNIPA, through the Women's Council and with the guidance of counselor and respected Awá leader Claudia Ximena Pa, facilitated the process using traditional speaking circles and dialogues with elders and healers. Financial and other support came from USAID, the Ministry of the Interior, and the Spanish International Development Cooperation (AECID). The Hilando Caminos Corporation, an organization supporting Awá and Pastos Indigenous women, facilitated these mechanisms.

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<sup>53</sup> Acosta, L. J. (2022, August 22). U.S., U.N. back new human rights training for Colombia police. *Reuters*. <https://www.reuters.com/world/americas/us-un-back-new-human-rights-training-colombia-police-2022-08-22/>

<sup>54</sup> *Línea Púrpura Bogotá 018000112137 "Mujeres que escuchan Mujeres."* (n.d.). Secretaría Distrital de La Mujer. Retrieved February 21, 2024, from <https://sdmujer.gov.co/nuestros-servicios/servicios-para-las-mujeres/linea-purpura>

<sup>55</sup> Ortiz, S. (2020, December 5). Violence Against Women in Latin America: The Multiple Facets of a Pervasive Issue. *Data-Pop Alliance*. <https://datapopalliance.org/violence-against-women-in-latin-america-the-multiple-facets-of-a-pervasive-issue/>

<sup>56</sup> *Estrategia Vivificarte* (2020, December 27). Unidad para las Víctimas. <https://www.unidadvictimas.gov.co/wp-content/uploads/2018/07/5.5.-METODOLOGIA-VIVIFICARTE-V5.pdf>



**The Dominican Sisters of the Presentation** have been engaged in agricultural work in Catatumbo, Norte de Santander, for 20 years. Their presence is crucial in an area dominated by illegal armed groups, positively impacting the material and economic conditions of previously displaced women who have returned to the community. While not directly addressing GBV, their work significantly contributes to violence prevention in a region lacking State institutions. The Sisters' deep integration within the community enables them to intervene in GBV incidents. Feminist organizations, including La Ruta Pacifica, have acknowledged Sisters' importance in Catatumbo.

**Benposta**<sup>57</sup> is an NGO based in Bogotá that has served as a valuable ally working for GBV prevention and protection. They provide transportation, protection, and shelter to at-risk young women, girls, and boys, preventing their recruitment by armed groups and protecting them from exploitation and violence.

**Gaujira** is a cash transfer program funded by UNFPA, which provides single or recurrent cash transfers to women in GBV case management. A mixed methods evaluation showed positive effects from the program, including increased feelings of safety, increased expenditures on items that promote safety (primarily in housing), improved household relationships, reduced unmet livelihoods needs, and improved access to referral service information.<sup>58</sup>

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<sup>57</sup> *Acompañamiento y apoyos solidarios*. (2020). Retrieved February 21, 2024, from Benposta - Nación de Muchach@s. <https://benpostacolombia.org/founding-es#>

<sup>58</sup> *Expanding the Evidence Base on Cash, Protection, GBV, and Health: Cash Within GBV Case Management for Women and Girls in Colombia*. (2023). UNFPA and Johns Hopkins University. [https://www.calpnetwork.org/wp-content/uploads/ninja-forms/2/EN-UNFPA-Colombia\\_cash-in-GBV-case-management\\_final.pdf](https://www.calpnetwork.org/wp-content/uploads/ninja-forms/2/EN-UNFPA-Colombia_cash-in-GBV-case-management_final.pdf)

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## 5. RECOMMENDATIONS FOR USAID TO IMPROVE GBV ACCOUNTABILITY IN COLOMBIA

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This case study advances four core, overarching recommendations for USAID and other stakeholders to improve GBV accountability based on the perspectives of survivors and service providers interviewed in Colombia. The first three recommendations represent strategic pathways to GBV accountability, while the last recommendation represents an overarching principle to apply in each pathway.

### **Three strategic pathways for strengthening GBV accountability:**

1. Strengthen survivor-centered, inclusive GBV protection and recovery support services.
2. Strengthen survivor-centered, inclusive GBV judicial services.
3. Strengthen survivor-centered, inclusive GBV prevention initiatives.

### **Across pathways:**

Engage in separate consultations with (i) diverse internally displaced women, including those Indigenous and Afro-descendant, and (ii) Venezuelan migrant women GBV survivors, together with government institutions and CSOs, to design, adaptively manage, and evaluate GBV prevention and response activities. Through inclusive consultations, ensure activities consider the unique needs of each community and are accessible in locations where these communities reside.

Within each of the three strategic pathways for GBV accountability, we offer a variety of specific recommended actions. These align with USAID's goals in the Country Development Cooperation Strategy (CDCS) Colombia 2020-2025, the 2022 updated [United States' Strategy to Prevent and Respond to Gender-Based Violence Globally](#), and USAID's [Guiding Principles for Working with GBV Survivors](#), recommending survivor-centered and "do no harm" approaches. As such, these recommendations are strategically designed to contribute to durable peace, inclusive society, stability, and prosperity in Colombia.<sup>59</sup>

Investment in and prioritization of these recommendations is paramount to their effective implementation. USAID can strategically prioritize based on the urgency and severity of the issues identified in the diagnosis, taking into consideration their alignment with activities of the CDCS and the global GBV plan being implemented. Recommendations that directly address gaps in service provision, such as survivor-centered consultations, shelter improvements, and economic recovery and empowerment programs, could be prioritized for immediate action. Moreover, cross-cutting initiatives that engage both State and civil society actors, such as training health, law enforcement, and judicial system staff and building community-led collective GBV prevention mechanisms, should be implemented concurrently for holistic and sustained improvements for GBV accountability.

Implementing these recommendations necessitates collaboration with key stakeholders, including the Colombian government, CSOs, and Indigenous and Afro-descendant leaders and community members supporting internally displaced, rural, and Venezuelan migrant women in Colombia. The Colombian government, as the primary guarantor of human rights within its borders, plays a pivotal role in the success of these interventions. Engaging in dialogue with the government, both nationally and locally, is essential for garnering support, ensuring effective implementation, and fostering responsibility towards the safety and well-being of internally displaced and migrant populations. Collaborating with and

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<sup>59</sup> Our recommendations target USAID's role in supporting accountability for GBV in Colombia. Case study participants described how strategic actions for GBV accountability further require increased national budget allocations to strengthen protection and recovery support services, judicial services, and prevention programs. In their view, the funding available to government service providers is insufficient to fulfill their mandates.

supporting CSOs is equally vital, as they can act as monitors, advocates, and partners in holding the State accountable for implementing and improving these initiatives. Together, USAID, Colombian government institutions, CSOs, and Indigenous communities can form powerful alliances to drive positive change and strengthen accountability for diverse GBV victims and survivors.

## **5.1 STRATEGIC PATHWAY ONE: STRENGTHEN SURVIVOR-CENTERED, INCLUSIVE GBV PROTECTION AND RECOVERY SUPPORT SERVICES**

1. Implement a service mapping and gap analysis to identify opportunities to improve quality or coverage of services for diverse internally displaced women. Conduct a thorough mapping and survivor-informed quality assessment of GBV protection and recovery support government services in regions with diverse internally displaced women, including those who are Indigenous and/or Afro-descendant, and Venezuelan migrant women. Identify gaps where services are unavailable, inaccessible, or ineffective to inform intervention strategies.
2. Include women-led and community-specific protection and recovery support service provider organizations in referral networks. Ensure that referral networks include organizations which are committed to defending the human rights of Venezuelan migrant and internally displaced women. Establish mechanisms for meaningful partnership in interagency coordination and decision-making to resource and support community-based GBV protection and recovery support services.
3. Ensure migrant and internally displaced women have access to safe, culturally specific spaces and shelters where they can access greater physical and emotional safety. These spaces should facilitate socialization and the building or rebuilding of social networks with women from host communities. They should offer social support, skills building opportunities, and access to non-stigmatizing, multi-sectoral GBV protection and recovery support services (psychosocial, legal, medical, economic, legal), as well as information on women's rights and other relevant services. These centers may be referred to as women's centers, women community centers, or listening and counseling centers.
4. Implement activities which provide direct cash assistance and other forms of economic empowerment to help GBV survivors rebuild their lives after violence. Incorporate livelihood strategies into recovery support services for survivors. Migrant and internally displaced GBV survivors emphasized the importance of investing in small women-led businesses or building solidarity economies that facilitate their recovery and socioeconomic strengthening.
5. Increase coverage of services in remote and rural areas using mobile support units and mobile services. Strategically position mobile units to reach remote, rural, and migration route areas, providing comprehensive GBV protection and recovery support services and information for all survivors encountered. Ensure accessibility for Venezuelan migrant women and internally displaced women in isolated areas, including by offering services without requirement for identification documents. Promote protection monitoring and referral services information programs, utilizing mobile services for rural areas and serving as mobile hubs for GBV survivors. Ensure inclusive mobile services for immediate response to migrant women survivors' needs in rural areas. Focus on protection, rights access, GBV risk reduction and response, and community based mental and physical health services for Venezuelan migrant and internally displaced women.

6. Provide specialized, protective legal assistance and documentation support for GBV survivors including the specific legal aid needs of Venezuelan migrant women, and language and inclusion needs of internally displaced Indigenous and Afro-descendent women. This entails legal information and accompaniment of diverse survivors in navigating immigration, law enforcement, and judicial processes, for example, obtaining identity documentation, and addressing migration- and internal-displacement related legal challenges, fostering greater security.
7. Create and enforce protection mechanisms tailored for internally displaced Indigenous and Afro-descendent women in community leadership roles. These measures should include specialized security protocols and support to address threats, persecution, and harassment that internally displaced Indigenous and Afro-descendent women community leaders face. Ensure protections also for women community leaders who are human rights defenders at risk of internal displacement. Further support internally displaced, Indigenous women and their communities in reclaiming their cultural practices, and *vivir bonito*, meaning to live well, joyfully. This holds particular significance for displaced Indigenous women also who are returning to their ancestral territories. When allocating resources for Indigenous self-governance, it's vital to specifically direct provisions toward Indigenous women generally and for increasing Indigenous women's leaders' security specifically.
8. Provide trauma-informed, strengths-based mental health services tailored for diverse internally displaced women, adhering to international GBV case management standards. Service providers must understand the psychosocial effects of displacement and GBV impunity; and the importance of using a strengths-based approach for supporting sustainable recovery. Prioritize survivors' mental well-being, offering individual and group counseling, focusing on strengths, connecting survivors with resources for recovery support and resilience.
9. Extend support services to create a safety net and facilitate escape from violent relationships, including a specialized GBV case management system for internally displaced women. This system must be designed with the acknowledgment that internally displaced women face ongoing GBV threats spanning multiple jurisdictions in Colombia. Ensure a survivor-centered approach that respects each survivor's choices and dignity with a supportive environment.
10. Ensure frontline health and law enforcement workers have clear SOPs regulating and guiding their engagement with GBV survivors regardless of their residency or migration status. Monitor and evaluate SOP implementation for confirmed or suspected GBV cases. Law enforcement representatives that interact with GBV survivors or people at high risk of violence should implement safety procedures. SOPs should be survivor-centered, trauma-informed, and strengths-based, with referrals to safe spaces, shelters, or NGOs and other humanitarian organizations providing GBV survivor support, including direct material assistance.

## **5.2 STRATEGIC PATHWAY TWO: STRENGTHEN SURVIVOR-CENTERED, INCLUSIVE JUDICIAL SERVICES**

11. Offer technical assistance and training for judicial system actors to implement a survivor-centered, trauma-informed, strengths-based approach in interactions with GBV survivors. "Judicial system actors" encompasses law enforcement, legal, and healthcare personnel. To help address high staff turnover rates, engage with institutional stakeholders to develop effective and sustainable training and refresher training schedules. Establish accountability mechanisms to ensure personnel receiving training and technical assistance are held responsible for their

performance, integrating competency development into job performance evaluations for delivering survivor-centered, trauma-informed, strengths-based services.

12. Support increased referrals of survivors to CSO, humanitarian organization, and community-based post-GBV care services while they pursue a judicial response. Strengthen law enforcement, legal, and healthcare service providers' awareness regarding these services and capacity to make referrals, including options for obtaining free legal aid. Ensure these personnel acknowledge and respect community cultural norms in their consideration of which services and service providers are included among their referrals. Access to improved post-GBV care will increase the likelihood that survivors have the capacity to pursue a judicial response.
13. Support the national GBV hotline (Linea 155) to provide anonymous callers with information and referrals for judicial and protection and recovery support services to GBV survivors, while simultaneously promoting digital security for callers.<sup>60</sup> Doing so will support increased reporting of suspected and confirmed cases GBV while also mitigating the risk of harmful retaliatory actions by perpetrators. Survivor-centered mobile-based hotlines and reporting mechanisms require careful digital security tools and tactics to protect survivors' communications and location data. Increased digital and data security can help hinder lateral surveillance of survivors' mobile activities by perpetrators, including traffickers, who have the technological know-how to track survivors. Confounding perpetrator efforts to surveil survivors can slow or stop attempts to coercively control survivors or implement retaliatory attacks against them for reporting. Promote end-to-end encrypted mobile applications using free and open-source mobile software audited by human rights-dedicated technologists to help protect the privacy, identities, metadata of end-users.
14. Support CSOs and government to harmonize legal frameworks concerning forced displacement and GBV. Aim to rectify inconsistencies within contradictory laws related to GBV and forced displacement stemming from armed conflict, which currently impede a comprehensive legal response. This includes, but is not limited to, the conflict between the Law of Victims (1448) and the Law of Violence Against Women (1257) raised earlier in this report. Work closely with legal policy makers and legal experts to advocate for unambiguous and cohesive legislation that delivers robust protections for GBV victims and survivors, while closing loopholes that perpetuate impunity.
15. Elevate Indigenous organizations<sup>61</sup> and Afro-descendant women's organizations to enhance the role of Indigenous and Afro-descendant community liaisons within the judicial system. Working through these liaisons, strengthen the knowledge, resources, and agency of marginalized groups, including forcibly displaced Indigenous and Afro-descendant women, 2SLGBTQIA+ persons, and sex workers, through disseminating legal rights and GBV care services information in their languages. Foster communication between Indigenous justice processes and Colombia's legal authorities to help ensure a safer environment for diverse women to seek a judicial response with recovery support and protection against reprisals.
16. Allocate resources to displaced Indigenous and Afro-descendant women leaders to enhance protective accompaniment. Mobilize resources to support Indigenous women responsible for

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<sup>60</sup> *Línea 155 para orientación a mujeres sobrevivientes de violencia basada en género.* (2021, September 13). UNFPA Colombia. Retrieved February 21, 2024, from <https://colombia.unfpa.org/es/news/linea-155-para-orientacion-sobrevivientes-de-violencia-basada-en-genero>

<sup>61</sup> *Quienes somos.* (n.d.). Organización Nacional Indígena de Colombia (ONIC). Retrieved February 21, 2024, from <https://www.onic.org.co/onic/quienes-somos>

managing matters concerning women within displaced communities, referred to as, 'the issue of women and family', in Indigenous contexts. Focus on strengthening their protective accompaniment of GBV survivors through traditional justice or judicial processes.

17. Implement specialized training programs to facilitate mediation between Indigenous or Afro-descendant justice mechanisms and the Colombian national judicial system. Train personnel in institutions such as the Prosecutor's Office, the Ombudsman's Office, and other relevant departments to enhance the capacity of personnel to handle GBV cases where interactions with Indigenous judicial systems are required. Advocate for these institutions to staff psychosocial support teams and traditional healers with experience handling women's issues in Indigenous contexts to support this mediation. It is crucial that interactions between formal and Indigenous judicial systems are purposeful and refrain from negative critiques or judgment of local authorities, as this may discourage incident disclosure, and ultimately perpetuate impunity.

### **5.3 STRATEGIC PATHWAY THREE: STRENGTHEN SURVIVOR-CENTERED, INCLUSIVE PREVENTION INITIATIVES**

18. Strengthen Venezuelan migrant and internally displaced women-led and community-based organizations for shaping prevention initiatives. Begin by mapping Venezuelan migrant and internally displaced women's organizations engaged in interagency and intra-institutional coordination. Explore opportunities for collaboration with and/or funding the organizations identified. Collaborate with these organizations to strengthen Venezuelan migrant women and internally displaced women's networks and opportunities for mentorship. Facilitate these organizations' role in community-led initiatives that increase women's sense of agency and self-efficacy, challenge inequitable gender norms and unequal gender roles, and cultivate a sociocultural context that is intolerant of GBV. Women-led and community-based organizations play a crucial role in disseminating information, fostering social cohesion, promoting peace, and building community solidarity.
19. Capacitate and encourage internally displaced Indigenous women to take on leadership roles in their communities, organizations, GBV survivor representative groups, and municipal and departmental councils. Support internally displaced Indigenous women in developing their capacities and leadership skills, acknowledging the diversity across Indigenous groups, in their political processes and gender perspectives. This support should prioritize raising awareness of individual and collective Indigenous rights, not only from Western legal and feminist perspectives, but from an Indigenous perspective. Indigenous women's participation in and leadership of these groups will contribute to an environment where women are able to seek protection against recurring GBV.
20. Develop targeted, inclusive public education messages together with affected communities that promote GBV awareness and prevention. Involve communities in developing educational and communication materials, including audio and video, in their own languages. Ensure these resonate with the diverse experiences of Venezuelan women and internally displaced women, including Indigenous women, 2SLGBTQIA+ people, and trafficking survivors. Separate communications materials could raise awareness about defining GBV and the harms that it causes, accessing judicial and GBV recovery support services, and resolving conflicts in a way that fosters balanced and peaceful community relationships. Disseminate messages through culturally sensitive channels using a multi-level, audience-tailored approach that includes community radio stations and social media platforms. Monitor and evaluate the effectiveness of these messages and monitor their reach on an ongoing basis.

21. Reduce vulnerability to GBV by strengthening internally displaced and Venezuelan migrant women's access to education and economic empowerment. Support programs for increased access to formal education within the national system for migrant Venezuelan women, enabling them to pursue continued education. Continue supporting initiatives aimed at validating of academic credentials that Venezuelan women obtained before forced migration to Colombia. Also, increase support for integrating internally displaced and Venezuelan migrant women in employment and entrepreneurship initiatives. Ensure these initiatives include collaboration from government institutions and humanitarian organizations. Ensure these initiatives do not focus only on GBV survivors, which could further stigmatize them and exclude them, but rather target all Venezuelan migrant and internally displaced women. With improved access to education and economic prospects, USAID can foster socioeconomic integration and support women's financial independence, each of which will protect them against heightened risks of GBV.
22. Collaborate with adolescent boys and men in community-wide programs focused on fostering new gender equitable, non-violent gender norms and early prevention of GBV. This requires group-based trainings, awareness raising, and psychosocial support aimed at promoting positive masculinities. These programs should involve men and boys from both host communities and migrant and internally displaced populations.
23. Support ongoing GBV risk mitigation efforts by humanitarian organizations and adapt best practices for use by government service providers. Humanitarian actors should continue to adopt a cross-sectoral approach to identifying and mitigating risks associated with GBV, as outlined in the Guidelines for the Integration of Intervention against Gender Violence in Humanitarian Action.<sup>62</sup> While these guidelines primarily address humanitarian actors, they are a valuable resource for government agencies and programs as well. Implementing fundamental interventions, such as training personnel in the safe and ethical handling of GBV disclosures<sup>63</sup>, can move any organization toward a survivor-centered approach to GBV prevention.
24. Design and implement mobile- and radio-based GBV early warning systems with, and for, internally displaced and Venezuelan migrant women. Ensure these are free at the point of use and informed by monitoring of armed groups' activities. Prioritize and adapt these according to the needs of those in conflict-affected areas and areas controlled by armed groups. Early warning systems should offer timely alerts and assistance in situations where women are at risk of violence and forced displacement.
25. Organize culturally sensitive workshops to challenge harmful cultural norms and stereotypes that perpetuate GBV against Indigenous and Afro-descendant internally displaced women, and Venezuelan migrant women. Partner with diverse cultural leaders, elders, and women's groups to lead open discussions and educational sessions in host communities aimed at transforming discriminatory beliefs to prevent GBV stigma and socio-emotional revictimization.
26. Develop and broaden socio-educational strategies on women's rights that are specific to the circumstances of diverse internally displaced and Venezuelan migrant women in Colombia. Partner with humanitarian actors and government institutions to develop and broaden these strategies in a joint and participatory manner with internally displaced women, Venezuelan migrant women, and their respective host communities. They must be culturally sensitive and

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<sup>62</sup> IASC. Directrices para la integración de las intervenciones contra la violencia de género en la acción humanitaria, 2015.

<sup>63</sup> The User Guide is a useful tool for supporting GBV survivors in areas where the responsible government agency is not present.

relevant to diverse women; including Indigenous, Afro-descendant, women with disabilities, 2SLGBTQIA+, among others. These interventions can strengthen women to recognize and seek to claim their rights.



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## ANNEX I: ADDITIONAL DETAIL, METHODS AND ETHICS AND SAFETY PROTOCOLS

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The Colombian case study protocol received approvals from two research ethics committees: NORC's Institutional Review Board and a committee of three distinguished academic experts in Colombia with subject matter expertise relevant for researching gender, GBV, and impunity among Venezuelan women and internally displaced women. Colombia-based researchers selected two contrasting, emblematic cases of GBV related to these women in Colombia—one in which the perpetrator's GBV crimes remain in judicial impunity and another where a court convicted the perpetrator.

The team conducted qualitative individual in-depth interviews (IDIs) to explore the extent and social acceptance of GBV impunity, its social, economic, and political drivers, and survivors' recommendations for how to improve accountability for survivors in Colombia.

The Regional Study technical team facilitated a three-day capacity-sharing, pre-data collection workshop with the Colombia research team. Workshop sessions covered GBV survivor-centered, trauma-informed, qualitative interviewing techniques, along with role-playing exercises that included technical support feedback. The workshop also covered refresher knowledge and skills sessions on GBV research ethics and safety practices, good communication techniques with GBV survivors, and strategies for managing trauma and stress in GBV research.

Following the capacity-sharing workshop, the team finalized a map of available and verified GBV survivor referral support services and created an information sheet with contact details. They then field-tested and refined the interview guide. To ensure ethical and safe procedures, the team followed a rigorous security process to contact and invite study participants for interviews. Over a few months, the team completed 24 IDIs with GBV survivors and staff members of government institutions and CSOs working with GBV survivors, some of whom had survived GBV. The team conducted interviews over the Internet or by phone, using end-to-end-encrypted, Voice-Over-Internet-Protocol (VOIP) platforms, in adherence to the study's security and Coronavirus Disease 2019 (COVID-19) prevention protocols for privacy and safety.

The team used a qualitative data analysis Framework Method<sup>64</sup> with integrated thematic analysis<sup>65</sup> to identify, analyze, and interpret key themes in the interview transcripts. The researchers agreed collectively on a codebook for analysis that they adapted from the Regional Study common codebook. The codebook retained a set of *a priori* codes to enable synthesis with the other seven country case studies. To ensure consistency and reliability in the analytic process, each team researcher individually coded, analyzed, and interpreted data from transcripts, and engaged in collective interpretation discussions weekly or biweekly. The team produced tables of key themes and illustrative quotes in the interview data, disaggregated by profile of respondent (i.e., GBV survivor, CSO staff member, or government institutional staff member). In this report, the study team features the voices of GBV survivors and service providers who work with them, some of whom are GBV survivors themselves, to present their analysis and interpretation. The team places diverse survivors' priorities at the center of the findings and recommendations.

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<sup>64</sup> See: Gale, Nicola K; Heath, Gemma; Cameron, Elaine; Rashid, Sabina; and Redwood, Sabi. (2013). Using the framework method for the analysis of qualitative data in multi-disciplinary health research. *BMC Medical Research Methodology*, 13(1), 117. <http://www.biomedcentral.com/1471-2288/13/117>.

<sup>65</sup> Terry, Gareth; Hayfield, Nicki; Clarke, Victoria; Braun, Virginia. (2017). Chapter 2: Thematic Analysis, in *The Sage Handbook of Qualitative Research in Psychology*. Sage Research Methods. <https://dx.doi.org/10.4135/9781526405555.n2>.