Colombia: Human rights situation of girls and boys in the context of the internal armed conflict

The situation of human rights and humanitarian law remains very worrisome. In the years 2007 and 2008, serious human rights violations and breaches of humanitarian law have persisted and are being committed by all the groups participating in the hostilities: guerrilla and paramilitary groups, as well as the state security forces. Boys’ and girls’ rights to life and personal integrity, to personal and sexual freedom, and to not be linked to armed groups that take part in the hostilities have been affected. Their situation of defenselessness continues to worsen.

In the past three years, an increase in extrajudicial executions of girls and boys has been registered, perpetrated directly by members of the state security forces which, on occasion, have presented the bodies of their victims to the judicial authorities and the media as those of “insurgents dead in combat.” On January 6, 2008, in the town of Colombia (Huila), 16 year-old Óscar Javier Ortiz Lozano and three other persons were assassinated by alleged members of the state security forces. The act was carried out when members of the Police and the Armed Forces arrived at the corregimiento of San Marcos and opened fire in a community public venue. The boy was the target of five shots in the back when he tried to escape the attack. Three civilians were injured in the same event.

Other extrajudicial executions of children were registered in the departments of Caquetá and Tolima.

In spite of the fact that, in the framework of negotiations with the government, the paramilitary groups committed themselves to stopping their attacks against the civilian population, it is evident that they did not keep their word and continue to violate the right to life of girls and boys. For example, on March 26, 2007, in Bello (Antioquia), a 14 year-old girl was the victim of homicide and sexual violence, and another girl, ten years old, was injured by presumed paramilitaries, two of whom were 15 year-old boys, themselves victims of recruitment. It is worthy of note that the Cacique Nutibara Block of the paramilitary AUC group was the first to participate in a demobilization ceremony, on November 25, 2003, in Medellín (Antioquia). Homicides were also reported, committed by the guerrilla group FARC-EP, in the departments of Putumayo, Nariño, Valle and Huila, among others. On January 20, 2008, in the city of Palmira (Valle), Martha Liliana Machín Rodríguez, a woman who was three months pregnant, and her daughter Luisa, a nine month-old baby, were victims of a landmine presumably planted by the FARC guerrilla. The baby and her mother died as a consequence of the explosion. Martha suffered the amputation of one

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1 This presentation was prepared with the collaboration of the Coalition against the recruitment of boys, girls, and young people into the armed conflict in Colombia, Coalico.
5 The events took place at the home of the two girls in the IDP settlement of Altos de Oriente, when the perpetrators (among them two minors) made a violent incursion into the home and stabbed repeatedly the two minors, raping one of them. CINEP Databank on Sociopolitical Violence., Revista Noche y Niebla, No. 34/35, Page 239.
of her lower limbs and injuries in the other, and the baby girl received the shock wave and was left for hours lying next to her mother’s corpse, suffering the effects of the cold and hunger until she finally died. The relatives and neighbors of the victims had to carry out the search and rescue of the corpses.6

Furthermore, on March 24, 2008, in Santacruz Guachavez (Nariño), a 12 year-old boy was assassinated by presumed members of the guerrilla group ELN. The victim died when he stepped on a landmine that was planted, according to the mayor’s office, by the guerrilla group ELN. The boy was in fifth grade and was the son of Hernán Arteaga, member of the town council of Guachavez.7

The majority of the lesions suffered by girls and boys registered in the past year were caused by the use of weapons banned by humanitarian law (anti-personnel mines, arms with indiscriminate effects, booby traps, etc.). On March 25, 2008, in Argelia (Cauca), two children were wounded in an attack with explosives attributed to the guerrilla group FARC-EP. The victims, 7 and 9 years old, suffered lesions in their arms when five rounds of anfo (ammonium nitrate fuel oil) and dynamite exploded in the town of the municipality.8

The right to personal freedom has also been gravely violated. The taking of boys and girls as hostages by the FARC-EP and supposedly demobilized paramilitaries has also been registered. In January 2008, the situation that a child born in captivity had to endure finally came to light. It had to do with the son of Clara Rojas, a woman who was kidnapped by the guerrilla group FARC-EP and was kept in captivity for more than five years. The boy was in the hands of the armed group during the first few months of his life together with his mother, but he was later handed over to José Crisanto Gómez, a man who said that after the FARC-EP gave him the boy, he took him to the hospital in San José del Guaviare (300 kilometers to the southeast of Bogotá). Emmanuel was born on July 20, 2004, and was taken to a hospital in the south of the country on June 15, 2005; some months later, the state welfare agency ICBF found the boy in situation of abandonment and referred him to one of its assistance programs. However, after efforts were made to liberate three of the kidnapped people, among them the boy, at the moment of the liberation of his mother in January of 2008 the state informed public opinion that the child had been under its jurisdiction for a few months already.9

Additionally, members of the state security forces violated the right to freedom of girls and boys through arbitrary detentions. Among the victims is an indigenous child,
the son of a community leader, as well as campesino girls and boys. During these detentions, the girls and boys are attacked physically and verbally, and on many occasions they are singled out as being guerrilla members. On February 23, 2007, in the city of Bogotá, two Kankuamo indigenous boys, Harold and Duver Villazón Pinto, 15 and 16 years old respectively, were arbitrarily detained by members of the National Police. The event took place as the two youths were on their way home from the “Camilo Torres” School. After they were detained and taken to the police station on Calle 26/Carrera 7, they were subjected to cruel and inhuman treatment and were finally freed at 10 p.m. after being victims of harassment.  

With respect to sexual violence against young women and girls, such acts continue to be a recurrent practice that seriously affects their personal integrity. Members of the guerrilla, paramilitary groups and state security forces continue to commit acts that go against the personal integrity of women, seriously affecting their sexual and reproductive rights and making it less and less feasible that young women and girls can enjoy the right to a life free of violence.

The involvement of boys, girls, and adolescents in armed groups or armed forces that take part in the hostilities is a situation that raises great concern. This involvement can take place directly, through the recruitment of boys and girls so they will join the ranks of the combatant groups; or indirectly, in activities such as spying, acting as look-outs or messengers, or in domestic or sexual services, among other activities.

The guerrilla groups continue to be perpetrators of the crime of recruitment of girls and boys. Thus, on April 1, 2008, in the municipality of Samaná (Caldas), a 15 year-old girl, the victim of recruitment by the 47th Front of the guerrilla group FARC-EP, gave herself up to the National Army.

Additionally, schools are still being used by the paramilitary groups that control the lives of girls and boys, punishing them and recruiting them through threats and financial offers. In the month of April 2008, in the department of Antioquia, complaints were registered about the incursion of paramilitary groups in schools. Presumed paramilitaries entered educational facilities in the corregimiento of San Cristóbal en Medellín (Antioquia) to punish the children who in their opinion behaved badly, cutting their hair and threatening them. The respective school human rights advocates in San Cristóbal and Medellin agree in pointing out that many complaints have been registered, that the cases correspond to actions involving paramilitary

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10 It is worth pointing out that these indigenous children are displaced and are victims of persecution, since it is not the first arbitrary detention to which the children of this indigenous family are subjected. In April, 2006, Duvier Daniel Villazón Pinto he was threatened with a gun and forced to leave a store on South 33rd Street/Caracas Avenue, by members of the Police CAI of the Guastavo Restrepo quarter. This situation was not denounced because it was considered an isolated incident, but taking the tretas into account, the breaking and entering, and other arbitrary detentions the father and the smaller brothers were subjected to, it becomes evident that we are dealing with the persecution of an indigenous family by members of the state security forces. Information available in the denunciations data base of the Colombian Commission of Jurists, Denunciations N°, D-06269, D-06270 y D-06272. Revista Noche y Niebla, No. 34/35, February 23/2007, Bogotá-Cundinamarca, p. 212.

11 See in this respect, VII Informe sobre violencia sociopolítico contra mujeres, jóvenes y niñas en Colombia, 2006-2007 [Seventh report on sociopolitical violence against women, young people and girls in Colombia, 2006-2007].


control, and that such violations of the rights of boys and girls take place continuously. 14

Likewise, cases have been observed of indirect involvement of boys and girls by the state security forces through integration activities or their use in military tasks or as informants. The use by the state forces of demobilized children as informants or guides to find the camps of the groups they belong to has been amply documented by the Ombudsman’s Office.

Regarding the demobilization process of boys and girls, serious obstacles arise. On the one hand, according to information of the Ombudsman’s Office, only 12.2% of the children in the assistance program of the ICBF have said they arrived there directly, 32.6% arrived at police stations, and 58.9% at military battalions. On the other hand, the situation of the few children who are able to leave the armed groups and are currently part of the assistance program of the ICBF does not improve substantially.15

The situation of abuse of the rights of boys and girls who continue to be involved in paramilitary groups that did not demobilize, that changed their denomination or that rearmed is extremely worrisome. Although the government has claimed that such structures are related to common delinquency, the truth is that various reports – among them, some written by the OAS mission of support to the peace process, MAPP/OEA – consider the phenomenon as much more complex, and that is the reason why there are no guarantees that the children will be handed over to the ICBF assistance program.16

Finally, forced displacement remains a problem of great concern; as the Constitutional Court determined, it is an unconstitutional state of affairs that puts boys, girls, and adolescents in a situation of extreme vulnerability.17 In this sense, the Secretary General in his report indicated that “the recruitment of children and internal displacement are closely related, as in Colombia, since in many cases displacement is the only means that the families in certain areas have to keep their children from being recruited by armed groups.” 18

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17 Constitutional Court Sentence T-025 de 2004.