COLOMBIA DIVERSA

WHO IS GOING TO TELL US?

REPORT FOR THE TRUTH COMMISSION ON THE EXPERIENCES OF LESBIAN, GAY, BISEXUAL, AND TRANS PEOPLE IN THE COLOMBIAN ARMED CONFLICT

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WITH THE SUPPORT OF:

Who Is Going to Tell Us?
Report for the Truth Commission on the experiences of LGBT people in the Colombian armed conflict

www.colombiadiversa.org
Executive director:
Marcela Sánchez Buitrago
Colombia Diversa texts and investigation:
Lucía Baca,
María Daniela Díaz Villamil,
and María Susana Peralta Ramón
Colombia Diversa investigation:
Luis Eduardo Fernández Molinares
and Mariana García Jimeno
Diversas Incorrectas investigation:
Paola Esteban Castrillón,
Karen Estefanni Pérez Álvarez,
and Jully Mantilla Portilla
Editing and proofreading:
María Susana Peralta Ramón
Investigation assistant:
Ivanna Caravallo
and Valentina Fajardo
Concept and design:
William Botía Suárez
Translated by:
Adrián Mullen

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SPECIAL THANKS

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The report you are about to read was born from the profound conviction that, now more than ever, LGBT people who are victims of the armed conflict deserve to be heard, and their memories dignified. Although we have yet to consolidate peace, this moment of political transition creates a historical opportunity to examine our national identity and project ourselves toward a more just and diversity-embracing nation. Materializing this conviction in a report that could gather so many LGBT people's experiences of conflict and that could be submitted to the Truth Commission was a very gratifying but challenging task. It simply would not have been possible if not for the following people's contributions and support:

A profound thank you to the LGBT people who were victims of the conflict in Nariño, Putumayo, and southern Tolima, and who are the heart of our work. The existence of this report is a testament to their struggle in the face of atrocious events that should have never occurred and that should never be repeated.

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In memory of Cristal, a light that laughed and resisted in spite of a war that marked her body. Thank you for teaching us to resist through love.

In memory of Álvaro Miguel, for showing paths of pain and hope by virtue of his life, for showing the deep wounds left by prejudice, and for seeing the misfits, the undesirables, and the lopsided ones with the certainty that their lives deserve justice and truth.

CONTENT

I

INTRODUCTION

INTRODUCTION

The space of memory is therefore a space of political struggle, and not infrequently is this struggle conceived in terms of the struggle "against oblivion": to remember in order not to repeat. Slogans can be a bit deceptive in this regard. The "memory against oblivion" or "against silence" hides what in reality is an opposition between different rival memories (each of which has its own oblivions). It is truly "memory against memory" [1].

Elizabeth Jelin, Los trabajos de la memoria, 2002.

There are life stories that cannot be told because their narrators are scattered throughout the Colombian rivers, or because their bodies have insisted upon forcefully forgetting each one of the blows that they barely survived, or because the protagonists have no one to talk to, or because those who listen also judge them and devalue the reasons behind their pain. There are stories that will never abandon the spot of their own occurrence, and many others are cornered in despondent hearts and slow-breathing chests. But a small few manage to survive the tortuous journey from body to voice, from voice to history, and from history to this: an attempt at doing something to change the world's course. Of these few stories, Colombia Diversa has been able to find

1 JELIN, Elizabeth. Los trabajos de la memoria. Madrid: Siglo XXI de España Editores, S.A., 2002.

and document the tales of at least thirty LGBT people who have been victims of prejudice-based violence from the armed actors of the Colombian conflict.

The state and the law, conflict, and feminist academia's historical debt with LGBT lives is usually founded (explicit or implicitly) upon the belief that discrimination is a secondary event, something scarcely associated with other incidents –which are considered relevant in any study on the Colombian conflict. This report is the creature that proves –with its scent, its traces, its way of being read, and the victims' companionship– discrimination is at the heart of the Colombian armed conflict. The persecution, harassment, and systematic elimination of LGBT people by all armed actors demonstrates that in their bodies, identities, and social dynamics, a bounty was at stake, one that each party wished to claim as its own. Time and time again, the armed actors leaned upon institutions that were discriminatory toward LGBT people in order to advance their war interests and to instrumentalize them through their economic, social, and political vulnerability. This persecution was particularly intense as these victims belonged to no one: they were lonely victims, without any mourners, without any social demands that may come to their defense, and without places to lay their heads (neither to sleep nor to die).

LGBT people's stories have always been within the scope of the "politics of not-knowing". As Carolyn Nordstrom[2] explains, these politics consist of ignoring and obscuring those who have been most harmed, as well as the people and institutions that benefit from their exploitation. This obscuration impedes public awareness of the violence and completely obstructs the national and international conversation about how to protect these vulnerable individuals. The obscuration of these forms of violence reaches such a point that, even when there is relevant data (usually collected by organizations or activists), state institutions refuse to take it into account within their work and dismiss the figures as unrepresentative and insufficiently robust, or for not adhering to the institution in question's specific competency, or under the guise of any seemingly impartial excuse. The consequence of this, as José Fernando Serrano[3] indicates, is state inactivity and a lack of recognition of other stories that can contribute to the transitional process toward a pluralist and negotiated

2 NORDSTROM, Carolyn. "Wars and Invisible Girls, Shadow Industries, and the Politics of Not-Knowing". In: International Feminist Journal of Politics, 1999.

3 SERRANO AMAYA, José F. "¿Qué le pueden decir las orientaciones sexuales y las identidades de género a la justicia transicional?" In: La ilusión de la justiciar transicional. Bogota: Ediciones Uniandes, 2017.

truth. Acknowledging the particularities of the violence exerted upon LGBT people allows us to advance in memory practices and the creation of political individuals[4]. In particular, the combination of these techniques can integrally nourish the transitional process of the national truth.

This report intends to recognize and explain the prejudice-based violence inflicted upon LGBT people by means of their own voices and the reconciliation of academic theories that have approached the conflicts, feminism, gender, and sexuality. This exercise dignifies the victims of the conflict, designating their own place within the Colombian armed conflict's long explanatory thread. The report also intends to be the catalyst of rigorous considerations about what happened to LGBT people in the conflict: in what way, at the hands of who, and with what purpose was it carried out in the midst of war, and why specifically upon this community. And not of lesser importance is the fact that having the victims at the center of this analytical process allows their stories to truly be seen for their depth and complexity, rather than being lumped together with other forms of violence that draw little of the state's attention. The conviction that LGBT victim's stories are essential and weave the net that upholds the Colombian democratic project reverberates throughout this report. It is one of the Commission for the Clarification of the Truth, Coexistence, and Non-Repetition's (henceforth, the Truth Commission) missions to track, listen to, tell, and analyze so many LGBT people's stories that escaped Colombia Diversa's search. It is time for the Colombian state to include LGBT people in its official story, to *see* them and seriously attend to their demands. This report gives insight into a theoretical path that permits the victims' dignification and the understanding of their stories as an indispensable part of the facts of the armed conflict.

The methodology in this report consists of the analysis of information gathered from two main sources: Colombia Diversa's fieldwork to document cases (in which case we quote the victims, generally with pseudonyms to protect their identities) and the National Center for Historical Memory, the Bogotá Mayor's Office, and Colombia Diversa's reports on these same topics. From 2018 to 2020, Colombia Diversa's fieldwork was executed in Tumaco, Pasto, Chaparral, Putumayo (via an alliance with the Diversas Incorrectas organization), and Florencia (in a hardly incipient manner, as most cases have yet to be documented and will correspond to information in a future product). In addition, a prior documentation process in San Onofre, Sucre and Vista Hermosa, Meta led to the birth of our report *Vivir*

4 Ibid. p. 188.

bajo sospecha. For this hands-on research, we developed an initial outline of the institutions, organizations, and leaderships in each territory, with the purpose of finding people with whom we could work to elaborate the context of the armed conflict in said municipality, to identify cases of prejudice-based violence toward LGBT people within the setting of the armed conflict, and, finally, to forge trusting bonds with the victims. The semi-structured interviews designed by Colombia Diversa were applied in Tumaco, Tolima, and Pasto. In Tumaco, we interviewed fourteen people: Alex, Baldomero, Cristóbal, Elías, Emanuel, Emilia, Félix, Gabriela, Silvia, Margarita, Tomás, Ricardo, Samir, and Sultana's mother. From these interviews we also came to know of Graciana's case. In Tolima, we interviewed nine people: Eugenia, Florentino, Horacio, Jacobo, Lina (in her role as a leader), Sebastián, Yeimy, and Nicol and Vanesa's mothers. Thus, we also came to know of Daniel's case. In Pasto we interviewed four people: Andrés, Humberto, Rafael, and Ruth. And in Putumayo the Diversas Incorrectas organization interviewed two people: Jorge and Gabriel.

It is necessary to point out that the information gathered by Colombia Diversa is not universal, as those interviewed include victims of the armed conflict, public officials, and social leaders. Given the nature of the conflict and of the responses given from a justice perspective, both delimited within a suffocating patriarchal regimen, the stories of lesbian women, bisexual people, and trans men were documented to a lesser extent. This is not to say that these people were not also victims of prejudice-based violence, but rather that the social regimen also hinders awareness of the incidents that affected them and, in consequence, hinders the possibility of documenting them broadly and justly.

Two cases are presented as iconic: that of a lesbian woman in Pasto (in chapter VI) and that of a gay man (in chapter V) whose homicide remains unsolved. People who were representative of the portion of civil society unharmed by the armed conflict were not interviewed. Additionally, it is worth mentioning the usual obstacles to handing in and collecting testimonies, among which we can find the national geography, the prioritization of resources, the intimate difficulty of narrating, the risks of reporting abuses, and the unextinguishable difficulties presented by LGBT-phobic prejudice itself toward the victims.

The second source of information are the cases recorded in the National Center for Historical Memory's reports (*Un carnaval de resistencias, Ser marica en medio del conflicto, La guerra inscrita en el cuerpo* and *Aniquilar la diferencia*) and SInViolencia's database, nourished by various human rights organizations

in regard to occurrences victimizing to LGBTI people. Nonetheless, it is worth clarifying that, although SInViolencia's cases have been reviewed, they were not included in the figures and graphs shown later in this report. This will be part of a future project.

To achieve the aforementioned purpose, this report is divided into six large parts. Firstly, we will expound the conceptual framework constructed to analyze LGBT victims' stories both serious and justly. Second, we will trace the history of exclusion of LGBT people in truth commissions around the world, hence showing the historical responsibility that falls upon the Colombian Truth Commission to shine a light on the violence imposed upon them. Subsequently, we will analyze the variations in the ways in which violence was inflicted upon LGBT people, based on a comparison between the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP) and the United Self-Defense Forces of Colombia (AUC), and a more detailed analysis will be done of the variations within the FARC-EP in accordance with the territory in which they operated. Fourth, we will review the institutional response to the violence suffered by LGBT people within the context of the conflict, with the intent to explain the stark contrast between the rights documented on paper and the material reality of LGBT people's abandonment by the state. Then, we will present an account interwoven with feminist and anti-colonialist arguments on the victims' forms of resistance. This is the one section to use only cases documented by Colombia Diversa and Diversas Incorrectas, as it required the –literal– sounds of the victims' voices, of the cries that invaded their narrations, of the pauses to catch their breath, and of the sad silences that plagued the exposition of their autobiographies. Finally, we will propose a series of recommendations to the Truth Commission for the clarification of what occurred, as well as to guarantee the non-repetition of the manifestations of violence suffered by LGBT people.

As previously stated, these analyses allow for the inauguration of a field of rigorous analysis founded upon feminism and armed conflict studies centered on Colombian LGBT victims. Hopefully these paths will be walked and reestablished by state, academic, and civil institutions. These analyses also allow us to recognize LGBT people's agency and show them not simply as victims, but rather as people with dynamic projects who insisted upon their identity and their sexuality despite the violence intended to "normalize" them. Additionally, they allow us to acknowledge that the means of violence are not innocuous, because although the purpose of violence is shared, the means through it is exerted can have individual and collective impacts that vary in their reach:

communal bonds of solidarity can be dissolved, personalities can be divided, households can be atomized, transitions can be interrupted, and, among many other possibilities, each individual's desires can be left in disarray. Lastly, these analyses allow us to see (if only a few) ways of repairing and protecting LGBT people in the future. In order to move ahead with these objectives, it is fundamental for the state to recognize its participation as perpetrator and tolerator of prejudice-based violence toward LGBT people.

The report that you, reader, are currently reading the repository (in many cases, the only one) of stories that deserve to be told, dissected, and analyzed with theoretical rigor within the transitional justice framework that Colombia aspires to move forward as a national project. This is an attempt at telling what no one else has wanted to tell, due to indifference, prejudice, or mere disdain. "Who is going to tell us?" Margarita asked in the midst of an interview with Colombia Diversa. Margarita, the Commission for the Clarification of the Truth, the Special Jurisdiction of Peace, and the Search Unit for Missing Persons will do so. Both the Integrated System of Truth, Justice, Reparation, and Non-Repetition and the state must do so in their everyday existence. Colombia is submerged in an episode of the national project's consideration, reconciliation, and reconstruction. Discrimination as a mechanism must be recognized as a decayed root that destroys societies from within and that merits a concrete state response in order to have a more realistic opportunity to live in true equality and freedom.

These are the stories of (some!) queers who continue to resist and die for being and for loving. Proceed with caution, as bodies, longings, and hearts will be scattered throughout each line of text.

II

THEORETICAL FRAMEWORK

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To start, it is of essence to establish the analytical coordinates that orient this report's analysis. In order to understand the violence exerted upon LGBT people within the context of war, we based our comprehension on the concept of *prejudice-based violence*, coined in academia[5] and used in activism[6]. In particular, we are interested in delving into prejudice-based violence due to sexual orientation, gender identity, and/or gender expression; this is to say, violence that is exerted upon bodies not delimited by a heterosexual and/or cisnormative logic[7]. In this report, this type of violence is referred to as a form of gender-based violence motivated by a prejudice against the victim's real or perceived sexual orientation, gender identity, and/or gender expression. To comprehend this concept's explicative potential, it is necessary to first understand the notions of prejudice-based and gender-based violence, as well as the relationship between both of these analytical categories, in order to then apply them to the scope of the armed conflict.

A. Prejudice-Based Violence

Prejudice-based violence is "that which is exerted upon bodies for being what they are"[8] or what they are perceived to be. Prejudice is an open category whose content depends on the social, political, economic, and cultural environment in which

5 GÓMEZ, María Mercedes. "Violencia por prejuicio". In: La mirada de los jueces. Vol. 2. Sexualidades diversas en la jurisprudencia latinoamericana. MOTTA, Cristina and SÁEZ, Macarena. Bogota D.C.: Siglo del Hombre Editores, American University College of Law, Centre of Reproductive Rights, 2008.

6 COLOMBIA DIVERSA. Cuando el prejuicio mata: informe de derechos humanos de lesbianas, gays, bisexuales y trans en Colombia. Bogota, 2012.

7 GÓMEZ, Violencia por prejuicio, Op. Cit.

8 Ibid.

the violence operates. In this sense, prejudice-based violence can occur as a result of prejudice related to sexual orientation, gender identity, race, ethnic background, class, disability, and political ideology, among other social categories.

The perpetrator's gaze is central to the definition of prejudice-based violence. Indeed, it is not an individual's personal characteristics that turns them into the target of a discrimination-motivated crime, but rather the way in which the offender views the person's characteristics, associating them with a particular group or segment of society. This gaze implies a series of social imaginaries that consider other ways of expressing identity as undesirable or inferior. Therefore, prejudice cannot be reduced to a mistaken idea about a social group (for example, the notion that LGBT people are carriers of HIV), but rather must be understood as the –usually negative– value judgement that the perpetrator makes upon the victim (for instance, the idea that LGBT people, for supposedly carrying HIV, are harmful to society).

Prejudice-based violence has two aims: symbolic and instrumental. While symbolic violence emphasizes the prejudicial purpose of victimization, instrumental violence focuses on the prejudicial selection of the victim. Symbolic violence is exerted by reason of the hostility that the perpetrator feels toward a certain characteristic (or group of characteristics) belonging to the victim, with the aim of keeping them in that subordinated position or of excluding them, at times even reaching the extreme of physically eliminating them. On the other hand, with instrumental violence it is not necessary for the perpetrator to feel animosity toward the victim. They need only to designate "certain traits that make them appear propitious or more vulnerable for their aims"[9].

Prejudice-based violence also has two uses: hierarchical and exclusionary. The former intends to make the victim inferior, this is to say, to remind them of their subordinated place in society. The latter use operates within a logic of elimination: it expresses a condition of absolute incompatibility between the undesired subject and the dominant social order, in which radical exclusion is deemed the only alternative. In the case of the hierarchical use, instrumental violence is frequently applied, whereas in the exclusionary use symbolic violence is always employed, "in which bodies are marked in zones associated with sexuality, or they are unequivocally deprived of the possibility of inhabiting a certain place through threats of physical elimination"[10].

9 Ibid.

10 COLOMBIA DIVERSA. Los órdenes del prejuicio: Los crímenes cometidos sistemáticamente contra personas LGBT en el conflicto armado colombiano. Bogota: 2020.

Finally, prejudice-based violence has three effects. Firstly, it is not directed solely at people in an individual sense, but rather at what they represent, in such a way that it threatens not only the person's identity, but also the group that the perpetrator assumes they belong to. Second, prejudice-based violence transmits a strong symbolic message of social rejection of the people who belong or could belong to said group. Lastly, this type of violence generates high levels of social and judicial impunity, given that prejudice-based violence germinates mainly in spaces in which stereotypes legitimize the violence directed at people who are perceived as part of a certain group. Consequently, the investigations done on these acts of violence tend to be insufficient[11], as it is common for both authorities and civil society to justify them.

B. Gender-Based Violence

Gender-based violence can be defined as forms of violence that respond to unequal power relations derived from the sex/gender/desire system, a concept with origins in the United States second-wave feminist movement.

Toward the end of the 1970s, Gayle Rubin stated that there is a part of social life in which the oppressions of women and sexual minorities are propelled. She named this part of social life the "sex/gender system". According to Rubin, said system "is the set of arrangements by which a society transforms biological sexuality into products of human activity, and in which these transformed sexual needs are satisfied"[12]. Regarding this category, Judith Butler would then add a new slash to this system in order to incorporate the category of "desire". With this, Butler explains that this system not only constructs social and cultural norms based on biological data, but also demands an arbitrary correspondence between sex (which will no longer be considered pure biology, but also a product of a social position assignment process from the moment of birth), gender (the roles assigned to each sex and based on which the most important of social hierarchies is established: men-masculine/women-feminine); and the desire permitted through the aforementioned expectations: heterosexual desire[13].

11 COMISIÓN INTERAMERICANA DE DERECHOS HUMANOS. Informe sobre Violencia contra personas lesbianas, gay, bisexuales, trans e intersex en América. OEA/Ser.L/V/ II. Rev.2.Doc. 36. 2015. Par. 44.

12 RUBIN, Gayle. El tráfico de mujeres: notas sobre la "economía política" del sexo. In: Nueva Antropología, 1986, Vol. VIII, No. 30. p. 98 – 145.

13 BUTLER, Judith. El género en disputa: El feminismo y la subversion de la identidad. Barcelona: Editorial Paidós, 2007. p. 82.

In this universe of theoretical considerations about the way in which the system of domination that subordinates the feminine in regard to the masculine operates, the notion of "heterosexuality" becomes central, given that it mobilizes said project. According to Monique Wittig, heterosexuality is "a political regimen based on women's subjugation and appropriation"[14]. This idea was supported by Adrienne Rich, for whom the reticence toward speaking about lesbian existence, or the insistence upon viewing lesbianism as an isolated phenomenon, impeded feminism from seeing the problem of compulsory heterosexuality, which, among other things, is the "means of assuring male right of physical, economical, and emotional access" upon women[15]. Said regimen, on top of guaranteeing –in the hierarchy established by gender roles– men's access to women's bodies, has also medicalized, pathologized, and subjected to great violence all sexual practices that do not obey the reproductive logic that characterizes the dispositive of modern sexuality described by Michel Foucault in *The History of Sexuality*[16].

Within the framework of the sex/gender/desire system, two significant patterns of social organization are configured, according to which it is assumed and imposed that gender must coincide with sex assigned at birth (cisnormativity) and that sexual desire must be directed toward people of the "opposite sex" (heteronormativity or compulsory heterosexuality). When a person challenges this system of correspondences, this is to say, they do not "adjust" to or "fit" within social expectations derived from the roles assigned to masculine-heterosexual-men and feminine-heterosexual-women, the violence directed toward them is accepted and legitimized, as it can be used to reinforce the social hierarchies upholding said expectations. In other words, the social and cultural system is protected via the perpetuation of an unscathed sex/gender/desire system.

C. The Link Between Prejudice-Based and Gender-Based Violence

While the fight against gender-based violence has laid out a battle against sexism and patriarchal values rooted in Colombian culture, to approach violence toward LGBT people, the fight is also against heteronormativity and cisnormativity. In this sense, although gender-based violence should explain violence toward LGBT

14 WITTIG, MONIQUE. El pensamiento heterosexual y otros ensayos. Translated by Javier Sáez and Paco Vidarte (Trans.). Barcelona: EGALES, S.L., 2006. p. 15.

15 RICH, ADRIENE. La heterosexualidad obligatoria y la existencia lesbiana. In: DUODA Revista d'Estudis Feministes, 1980, No. 10-1996. p. 35.

16 FOUCAULT, MICHEL. Historia de la sexualidad vol 1. La voluntad de saber. (1st. Ed. in Spanish). Madrid: Siglo XXI, biblioteca nueva, s.l., 2012. p. 61.

people, in practice, the tendency to obscure heteronormativity and cisnormativity as violent practices cause this concept to fall short when explaining the violence that is motivated in the victim's real or perceived sexual orientation or gender identity or expression. This is why the concept of *prejudice-based violence* has been particularly useful in the conflict analysis developed by Colombia Diversa, as it refers to the socially justified violence that occurs as consequence of a negative imaginary's existence over a section of the population.

Nonetheless, there is an indispensable relationship between the concepts of gender-based violence and prejudice-based violence due to sexual orientation, gender expression, and/or gender identity. This relationship is based on the meaning of sexuality within the sex/gender/desire system, given that prejudice-based violence occurs precisely because the roles, norms, and meanings assigned to those genders also imply the assignment of sexual behavior parameters to each of them. People with diverse sexual orientations, gender identities, and gender expressions transgress these parameters spectacularly and –in the aggressors' view– exemplarily. In other words, a lesbian does not behave as a Woman, for example; nor does a gay man behave as a Man.

The relationship between these two concepts can be seen in three aspects. Firstly, gender violence is also embedded within a system of prejudices regarding what a person can or cannot do upon being a man or a woman. For this reason, a series of roles has been constructed, which are attributable to each gender in view of their supposed characteristics and capacities. Second, gender-based violence cannot be understood solely as violence from men toward women, but rather as the violence of everything that a heterosexual masculinity represents against everything that non-heterosexual masculinized femininities or feminized masculinities represent. For instance, the most frequent victims of prejudice-based violence are gay men whose sexual orientation is "easily" perceived through their gender expression. Likewise, violence toward trans women whose transitions are perceived as unfinished or imperfect also predominates; this is, they do not abide by socially imposed beauty standards[17].

Finally, both gender-based and prejudice-based violence have similar intentions, as they both aim to subordinate or exclude. They aim to subordinate insofar as they justify certain groups of people being inferior to others, and violence seeks to perpetuate these hierarchies. They aim to exclude insofar as, if it is not possible to

17 GÓMEZ, María Mercedes. "Masculinidad y violencia". In: Derecho penal, género y feminismo. Bogota D.C.: Ediciones Uniandes, Colección Ciencias Penales (printed).

maintain and restore said subordination, then they intend to eliminate that which refuses to follow the socially imposed behavior norms. It is worth mentioning that, when gender-based violence aims to exclude, as is the case of femicides, it necessarily aims to subordinate, as well, since it uses violence as an exemplification to instruct and maintain the rest of society's women subjugated.

D. Armed Violence Toward LGBT People: Prejudice, Gender, and Moral Orders

In its report *Aniquilar la diferencia,* the National Center for Historical Memory offers a general hypothesis on how to comprehend the objectives of the practices of armed violence committed by armed conflict actors toward LGBT people in the following terms:

> The main purpose of these forms of violence is the consolidation of a moral order that is favorable to armed actors' interests of power; a moral order with marks of race and class, as it has markedly involved the working classes (...), which cannot be understood as a means to reach ulterior ends, but rather as an end in and of itself[18].

In order to substantiate this conceptual and analytical umbrella for the general comprehension of objectives of the armed violence toward LGBT people, the Center establishes the following two analytical frameworks as insufficient: the political economy and the theory of prejudice-based violence. Concerning the former, it indicates that:

> Classic political economy ends up being insufficient for understanding this report's messages, as what occurred with these victims, in most cases, is not in line with military, political, or economic logics. To understand these messages, it is necessary to accept that there is also a moral economy of the actors implicated in the conflict, which motivates and originates their strategies[19].

In regard to this aspect, Colombia Diversa concurs with the Center in the sense that, indeed, not only the classic political economy framework, but also the theory on armed conflicts and civil wars has analytic deficiencies when explaining the *what for*s of the armed violence toward LGBT people. Nevertheless, as will be seen further along –and in line with the work that the Center has previously carried

18 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Aniquilar la diferencia. Lesbianas, gays, bisexuales y transgeneristas en el marco del conflicto armado colombiano. Bogota, 2015. p. 25, 26.

19 Ibid. p. 25.

out–, this report aims to undertake a situated analytical exercise[20] that is also of a complementary nature between said general theoretical frameworks used as referents to consider the place of violence toward civilians within wars, with the use of tools unique to feminist and gender studies[21].

As to the second conceptual disagreement, this is to say, concerning the theory of prejudice-based violence, the Center indicates that as a notion –not as a complex theoretical apparatus– it can be useful to explain violence toward LGBT people outside of the conflict, but insufficient to explain war dynamics:

> Albeit prejudice (crystalized within discourses legitimizing violence) is one of the conditions of possibility of heteronormative violence committed by armed actors, there are motivations that surpass it. (...) Upon analyzing the contexts of war, this no longer has to do with prejudice per se motivating acts of violence toward lesbians, gays, bisexuals, or trans people, but rather there are social control projects that necessarily pass through the communities' moral regulation, and that are not altered by the sole intervention of the representational sphere. In other words, armed actors do not attack people belonging to LGBT social sectors because they have a mistaken idea of who they are due to prejudice, but because they know who they are, and they desire to exclude them from their project for the nation[22].

At Colombia Diversa, we agree with the idea that violence toward LGBT people, both within and without the conflict, adheres not only to the perpetrator's erroneous or a priori individual perception about what their victims are or seem to be, but also to the existence of regimens that back those viewpoints and hostile actions toward sexually and gender variant expressions, with multiple

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20 Haraway upholds the adaptation of an objective view of reality that may crystalize the feminist scientific project, embracing critiques and paradoxes, in opposition with the androcentric scientific project's binary and reductive views. She calls this objective feminist view *situated knowledge,* which implies a stance "arguing for politics and epistemologies of location, positioning, and situating, where partiality and not universality is the condition of being heard to make rational knowledge claims" (p. 335). This project entails neither an ingenuous relativism nor a universality that may substitute the current epistemological canon, but rather an objectivity that is constructed in a network, starting with the experience and observation of the place, time, an body in which one lives. See: HARAWAY, D. Ciencia, ciborgs y mujeres. La reinvención de la naturaleza. Spain: Ediciones Cátedra, Universjtat De Valencia, Instituto De La Mujer, 1995.

21 As stated by Mackinnon, feminist theory is at once both a theory of power and an epistemological approximation. Both of these constitute the feminist canon, which is nothing other than a challenge of the systemic, hegemonic, and *masculine viewpoint,* upon which reality is constructed. Hence, the use of a feminist lens to comprehend reality and the disciplines has a corrective effect upon this overbearing masculine view that constructs and constrains individuals' realities by virtue of their sexuality and the gender roles that emerge from there. See: MACKINNON, C. Feminism, Marxism, Method, and the State: Toward a Feminist Jurisprudence. 8 Signs: Journal of Women, Culture and Society 635, 1983, p. 869-886.

22 Ibid. p. 27.

objectives, such as those exemplified by the Center (punishment, regulation, expulsion, etc.)[23]. The prevalence of the use of violence against the civilian population and those who participate in the hostilities carried out by armed groups involved in the war provides said violence with a particular organization, in such a way that notions such as moral orders can be of great utility, precisely to show the organized, premeditated, and absolute nature of the violence imposed upon this community.

Even so, the conceptualization of prejudice-based violence analyzed by the Center ignores several elements which precisely take up this analysis and which have been alluded to since the beginning of this report, in such a way that it overlooks their ability to explain violence toward LGBT people, sidestepping matters that are essential to its comprehension as a category of analysis and as an autonomous conceptual and theoretical apparatus. We will specify the main errors in this interpretation, and we will propose a critical reading of the Center's general hypothesis.

Regarding the errors, firstly, the Center disregards the fact that prejudice-based violence is not simply a concept used by civilian population organizations to conceptualize the violence directed toward LGBT people, but also a theory founded upon a critique of the notion of *hate crime*, with the objective of highlighting the contextual and political nature of the violence committed against this community. Therefore, prejudice as a social and cultural operation is not the –exclusive– expression of an individual sense of animadversion toward what a person is or seems to be, but rather a form of political violence that society exerts through an individual perpetrator against the material and psychic integrity of those who, according to normative canons of gender and sexuality, represent something undesirable, reprehensible, subjectable, unmanageable, or dispensable.

In the second place, and derived directly from the previous point, the Center loses sight of the fact that this contextual, social, and political logic of the prejudice-based violence theory offers a series of analytical tools that acknowledge the moral operations effectively present when carrying out an act of violence toward people with diverse sexual orientations and gender identities. These analytical tools –instrumental and symbolic aims, hierarchical and exclusionary uses– are of great use for seeing the complexity of the forms of violence applied by armed actors upon encountering the LGBT community, as will be seen throughout this report. This

23 In the book Los órdenes del prejuicio (Colombia Diversa, 2020), there is an extensive explanation of this idea in relation to the international crime of persecution as a judicial category with the capacity to acknowledge the systemic reach of prejudice-based violence toward LGBT people within the armed conflict.

will contribute to overcoming the logic tied to the legalist discourse on human rights violations, providing its own frame of meaning and interpretation that recognizes the centrality of the political regimen, sexuality, and the hegemonic morality in acts of violence perpetrated against this community.

Finally, upon branding this theory as insufficient, the Center dismisses the possibility of finding analytical agreements that, in the most pragmatic sense, contribute to building conceptual bridges between critical criminology, feminist theory and gender studies, the theory on political violence in civil wars, and the political economy itself. Indeed, to assume that the macro purpose of armed prejudice-based violence toward LGBT people is the imposition of a certain national project (which for the Center seems to be synonymous with moral order) by conflict actors is to ignore that in certain contexts, and in direct relation with the way in which actors deploy their territorial interests via armed acts in various regions, the preexisting moral order is an excuse to instrumentalize LGBT people's lives and to maintain them in subordinated roles that generate concrete earnings for the actors.

In this sense, our main critique of disregarding these theoretical tools, or their subsumption under the general hypothesis that the Center is interested in defending, is that this also impedes the combination of several analytical frameworks that could clarify the relationship between that violence and the broader and more general conflict logics, particularly in cases in which a moral order or a national project unique to the armed group is not imposed, but rather those already discriminatory views are used to gain legitimacy and to operate other forms of control via the instrumentalization or exclusion of LGBT people. This is not to say that said violence is without its particularities: all the intellectual and political effort behind this report is focused precisely on underlining that political violence has nuances related to sexuality and gender roles, which more traditional analyses of conflict tend to overlook and, therefore, silence. Still, the existence of these particularities is not a hindrance when emphasizing their intrinsic link to the control and collaboration logics that actors develop upon delineating their tactic and strategic guidelines within the war.

This is why to the Truth Commission we propose understanding that **armed prejudice-based violence** is at once both a category of analysis and a complex theoretical apparatus that allows us to build the necessary bridges to explain the *what for*s of violence toward LGBT people within the armed conflict, which also offers a series of analytical tools useful for explaining the complexities of

these forms of violence as regards the macro-dynamics of violence, control, and collaboration exerted by the different actors in the Colombian conflict. Lastly, we propose that this analytical category be central in the investigations carried out by the Commissions' researchers when doing interviews, keeping in mind the content of categories regarding uses (instrumental and symbolic) and aims (hierarchical and exclusionary), as they refer back to the moral order hypothesis integrally and make the explanation of its reaches more operative, thus overcoming the traditional approach to forms of violence through repertoires, as the Center did in its 2015 report.

E. Additional Conceptual Clarifications

i. Continuum and Consubstantiality of Violence

As the NCHM has pointed out,

> the different settings in which structural heteronormative violence is produced and exerted (family, school, work, state institutions, churches, communities) are not isolated, since a chaining between these different experiences of violence is created, which ends up being continuous in time and eventually conforms a *continuum* of violence[24].

This implies that armed prejudice-based violence is executed against people whose lives have been intersected by other prejudices against their sexual orientations, gender identities, and/or gender expressions in the spaces in which their lives have developed. This can complicate the identification of acts of armed violence as special or differentiated. Nevertheless, the fact that it is possible to trace a thread of continuity that permits seeing the connection between socially installed prejudices and those reproduced through the motivations that precede the violence inflicted by armed conflict actors, does not imply that armed prejudice-based violence doesn't have its particularities and, above all, its own purposes intimately connected to the macro-dynamics of war.

The notion of a *continuum* of violence has been complemented with that of *consubstantiality*, with the objective of highlighting that, more than an exacerbation of violence, with the arrival of the conflict an articulated strategy between the dominating heteronormative system and war is triggered, designed to facilitate the subordination or elimination of LGBT people from the public space. In this way,

24 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit. p. 94.

quotidian discrimination and exclusion intend to "annihilate the worlds that make LGBT existences possible: it is a power strategy that, through annulling the right to inhabit a place, causes the community's members to withdraw, become lost, and disappear from the public sphere"[25]. The fact that LGBT victims of the armed conflict have experienced various forms of violence at different moments of their lives can only lead to reflect upon the profound sociocultural entrenchment that prejudiced practices have in our society and the legitimacy that we confer to them as a political community.

This report's methodological proposal goes beyond the linear analyses concentrated on the "case facts", underlining that when violence is motivated by discriminatory reasons, it is hardly ever exhausted by the incidents of a singular violent episode. Categories such as *continuum* or *consubstantiality* refer to these vital trajectories in which armed violence is but one item in the extensive list of violent episodes that add to the exclusion by families, communities, friends, peers, the Church, and a long etcetera. This acceptance is fundamental in understanding why throughout this document, and in line with Serrano Amaya, the reader will find descriptions of events by the victims which, rather than being sequential narrations, speak "not of continuities, but of overlaps between certain forms of violence, between certain perpetrators"[26].

In line with Serrano's[27] theoretical-political proposal, the collective construction of an account of the violence motivated by sexual orientation and gender identity in the Colombian war should lead to the development of an *expansive* operation, in the sense of acknowledging it as relational violence, which cannot be discerned outside of the context in which it is produced and of the lives it impacts, even when committed against a single person. It should also lean toward configuring a *multiplier* operation that allows us to acknowledge that this violence's damages, causes, and consequences transcend a purely individual scope[28]. This multiplier operation is, in short, a way to combat the expansive and destructive capacity of prejudice-based violence's symbolic aims.

25 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval para la resistencia, Op. Cit. p. 27.

26 SERRANO AMAYA, José. ¿Qué pueden decir las orientaciones sexuales y las identidades de género de la justicia transicional? Op. Cit. p. 179.

27 SERRANO AMAYA, José. ¿Qué pueden decir las orientaciones sexuales y las identidades de género de la justicia transicional? Op. Cit.

28 SERRANO AMAYA, José. ¿Qué pueden decir las orientaciones sexuales y las identidades de género de la justicia transicional?, Op. cit., p. 179.

ii. On the Notion of Patterns of Violence

The Final Peace Agreement, Legislative Act 01 of 2017, and Decree 588 of 2017 assert that the first mandate for the Commission for the Clarification of the Truth is to clarify and promote the recognition of

> practices and incidents that constitute grave human rights violations and International Humanitarian Law infractions, in particular those that present *patterns* or that are of a massive nature, and which took place in relation to the conflict, as well as the complexity of the territorial contexts and dynamics in which they occurred.

The Commission was created with the objective of clarifying and promoting the recognition of patterns of violence. In the book *Los órdenes del prejuicio,* Colombia Diversa proposes an extensive consideration of the place occupied by the notion of *pattern* in the national and international judicial systems for the prosecution of heinous crimes. Although strictly speaking this is not a legal category, its frequent use in the international penal courts and in transitional prosecution settings has led it to become one of the most debated notions in transitional justice:

> The notion of pattern is extralegal, and in general terms refers to the connections of time, form, and place that can be established between different episodes. In criminal investigation contexts, it illustrates the level of organization and rationalization with which criminal acts are committed, through the observation of various elements' repetition in time, hence revealing the modus operandi or a repertoire of actions based on which the pattern is constituted[29].

Due to its extrajudicial nature, it is convenient for the Commission to clearly determine this notion's reach, beyond criminological or legal debates which are prior to its centrality within the current transitional debate. Colombia Diversa suggests a critical reading of the notion of pattern, based on Francisco Gutiérrez Sanín and Elisabeth Jean Wood's[30] proposal, which was constructed precisely to carry out descriptive analysis practices of violence committed within the civil war or armed conflict context. As indicated in *Los órdenes del prejuicio,* a pattern has four elements:

> First, the repertoire of forms of violence, this is to say, what in criminal law would be the penal type or sequence of penal types. In the second place, the

29 COLOMBIA DIVERSA, Los órdenes del prejuicio, Op. cit., p. 53.

30 GUTIÉRREZ SANÍN, Francisco & WOOD, Elisabeth J. What Should We Mean by "Pattern of Political Violence"? Repertoire, Targeting, Frequency, and Technique. In: Perspectives on Politics, 2017, Vol. 15, No. 1. p. 20-41.

> civil target against whom the repertoire of violence is directed. In the third place, the frequency with which the events occur, this is to say, the number of attacks committed upon said target population. Finally, the technique, which refers to the way in which that violence operates, or the way in which the repertoire is executed[31].

This notion of pattern maintains an important closeness with the concept of repertoire as consolidated by the NCHM in 2015 (and it contains it, in fact). In *Aniquilar la diferencia,* it introduced its own version of the notion of repertoire of violence, highlighting the goals that they pursue through its clarification. Taking elements of the Center's previous research work, it indicated that:

> Reconstructing repertoires of violence does not consist of creating lists of victimizing events, but rather of clarifying this violence's operation through the comprehension of *who* perpetrated the acts, *upon what individuals* they did so, and *what goal* they pursue with these acts, which allows for the reconstruction of these forms of violence's *sense and meaning* in the framework of the specific dynamics of armed conflict in the territories[32]. (Emphasis added.)

Evidently, both concepts seek to answer the following questions: (i) Who? In other words, the individuals involved, both victims and aggressors; (ii) How? In other words, the *form* and means used, which also leads to solving the questions of when and where the acts were committed, in order to situate them temporal and geographically; (iii) Why and what for? In other words, both the causes (motivations) and the goals that these forms of violence pursue.

In this report, we adopted this approach regarding the notion of pattern as a conceptual umbrella containing the repertoire, with one stipulation: for pattern identification we consider that the *frequency* is not indispensable, for, as both the theoretical framework and the collected evidence suggest, the expansive effect of prejudice-based violence causes said message to be sufficiently efficient so as to render unnecessary that these acts be committed with temporal regularity.

Lastly, it is worth clarifying that the patterns identified in this report correspond to the acts of violence perpetrated by the FARC-EP toward LGBT people in Chaparral and Tumaco, where important fieldwork was carried out with the direct victims. Concerning the AUC and the public forces, rather than patterns, we have identified repertoires and some techniques of violence, based

31 COLOMBIA DIVERSA, Los órdenes del prejuicio, Op. cit., p. 53.

32 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit. p. 128.

on secondary and some primary information, hence, although we found some possible pattern hypotheses, it is necessary for the Commission to carry out a contrast exercise with its own sources, to verify or dismiss them.

iii. Preliminary Consideration of the Sexual Dimensions of Violence and Sexual Violence Toward LGBT People

To conclude this section, it is important to share a discussion on the sexual nature of this violence and on the importance of acknowledging the multiplicity of purposes behind armed violence toward LGBT people, which exceed sexual violence as repertoire of violence[33]. In the following pages, the reader will find that armed violence perpetrated by armed actors is disguised in various forms, which is to say that it is not exhausted through one particular form of victimization toward LGBT people, like sexual violence. That it has happened in this way does not mean that sexuality is not a relevant vital dimension to understand violence toward LGBT people perpetrated by conflict actors. On the contrary, what the cases to be presented here indicate is that, even when the acts of violence did not involve material acts of a sexual nature, they always involved improprieties, insults, blows, threats, and humiliations that revolved around pointing out the victims' sexuality as an element to be eliminated, subordinated, corrected, or capitalized upon.

Beyond the concrete repertoires of violence attributable to armed groups, sexual violence is present in many LGBT people's vital trajectories, whether because they have experienced it in their homes, with their partners, in the context of sex work, or through life's ordinary comings and goings. This cannot be interpreted as considering that LGBT people are destined to suffer sexual violence or, even worse, that they are homosexuals, lesbians, bisexuals, or trans people because they have had experiences of sexual violence at some point in their lives, as tends to be thought in a stereotyped and pathologizing way.

On the topic of sexual violence, it is essential to give one last warning. Wood's academic work has been extremely influential in the qualitative study of

33 This statement is important to us in that, up to now, and in accordance with the NCHM's contributions, the main *what for* of armed violence toward LGBT people was the desire to impose a moral order, which made use of violence toward LGBT bodies and life experiences to come into being. We concur in that a good part of the acts of violence that we have described here come from a totalizing, moralistic, and authoritarian view of sexuality. Nevertheless, in our opinion the variable of instrumentality requires multiplying the explanatory matrixes of armed violence toward LGBT people in war, therefore particularly unraveling the links between this

sexual violence dimensions and reaches in the contexts of armed conflict. For this theorist of civil war studies –particularly low-intensity conflicts–, sexual violence is not inevitable, and has nuances/variations in accordance with different factors. With the objective of developing a categorization of the goals pursued through this violence, as well as the nuances and variations with which it occurs, Wood made use of two common concepts in the study of political violence in war contexts: opportunism and strategic calculation as two opposing ends on a vast spectrum of probable analyses of armed actors' use of violence against the civilian population[34].

The distinction between opportunistic and strategic sexual violence became canon in the understanding of this repertoire's variations in armed conflicts. However, since 2009, Wood herself has cautioned about the problematic nature of this binary interpretation of political violence in conflict applied to the case of wartime rape[35]. Thus, in her later studies she introduced a third, intermediate category: the concept of *practice,* precisely to point out how problematic it is to believe admissible in the case of sexual violence the consideration that war creates favorable conditions for the satisfaction of combatants' sexual desire, without this having a direct link to the armed organizations' political actions.

Notwithstanding, and despite this fundamental analytical nuance, said false dichotomy between strategic and opportunistic sexual violence has moved forward in various Colombian institutions, including the NCHM and the Special Jurisdiction of Peace. In the former's case, in its report *La guerra inscrita en el cuerpo,* the Center falsely attributes this dichotomy's authorship to Wood, and, moreover, deliberately leaves out the concept of *practice,* which is fundamental within this author's intellectual work, at least throughout the last decade[36]. In reality, as previously mentioned, neither is Wood the author (this distinction comes from broader literature on civil war studies), nor is this dichotomy the center of

34 Wood has developed a lengthy bibliography, among which the following works should be underscored: WOOD, Elisabeth. Variation in Sexual Violence during War. Politics & Society. 2006; 34(3):307-342; Armed Groups and Sexual Violence: When Is Wartime Rape Rare? Politics & Society. 2009;37(1):131-161; Conflict-related sexual violence and the policy implications of recent research. International Review of the Red Cross (2014), 96 (894), 457–478, Sexual violence in armed conflict; Variación de la violencia sexual en tiempos de guerra: la violación en la guerra no es inevitable. Revista de Estudios Socio-Jurídicos, Universidad del Rosario, Bogota (Colombia), 14(1): 19-57, January-June of 2012 Rape as a practice of war: Toward a Typology of Political Violence. Politics & Society, 46(4): 513-537, 2018.

35 WOOD, Elisabeth. Armed Groups and Sexual Violence: When Is Wartime Rape Rare? Politics & Society. March, 2009. Vol. 1, No.37, p. 151.

36 CENTRO NACIONAL DE MEMORIA HISTÓRICA. La guerra inscrita en el cuerpo. Informe nacional de violencia sexual en el conflicto armado. Bogota, 2017, p. 48, footnote 9.

her theoretical work, as is the idea of sexual violence as a *practice,* according to which this is a widespread conduct in war that is tolerated by organizations, even in the presence of sanctions formalized in armed group operation and conduct manuals. Regarding the Special Jurisdiction for Peace, several magistrates' declarations and decisions made on this subject by the Courts and the Appeals Chamber have been profoundly influenced by Wood's work, and it has even been used as the basis in the creation of categories unique to this matter[37].

The warning consists of bringing about a reading more assertive than the strategy/opportunism dichotomy, which is without a doubt a fundamental theoretical contribution to understanding why sexual violence, despite being committed by all conflict actors, continues to be systematically denied, either under the idea that it was prohibited or that only a few individuals committed it (and through this, the two extremes of the strategy/opportunism binary are also denied). To acknowledge that sexual violence, as well as the persecution of LGBT people, is a war *practice* is to also admit a feminist reading of reality in which the patriarchy and compulsory heterosexuality substitute the strict and calculated planning/premeditation of acts of violence[38].

37 To expand upon this debate, see: Plataforma Cinco Claves. Conexidad entre la violencia sexual y el conflicto armado: un llamado al no retroceso en la Jurisdicción Especial para la Paz. 2020, p. 48.

38 To expand upon this discussion regarding planning, see the book Los órdenes del prejuicio, which thoroughly develops the discussion on the conflict actors' capacity for planning gender-based violence in war.

III

HISTORICAL DEBTS

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A. LGBT People in the Truth Commissions Around the World

For women and LGBT people, the realm of truth and memory has always been a space of struggle. As multiple feminist scholars and activists have noted, transitional justice has historically been "the dominion of men"[39], which is why gender was not considered a relevant analytical category for the clarification of truth until the 90s. On the contrary, transitional justice approaches –including the commissions' mandates– were conceived in "neutral" terms that ended up labelling men's experiences as universal, therefore excluding both women and LGBT people's experiences. Indeed, as remarks Elizabeth Jelin, although the symbols of pain and suffering are embodied in women, "institutional repressive mechanisms appear to 'belong' to men"[40]. In this vein, although the truth commissions would speak of restoring the dismal puzzle[41] of history's darkest eras, this figure remained incomplete.

Faced with this situation, both women and LGBT people fought to insert their stories into the official macro-narratives of dictatorships and armed conflicts. By the mid-90s, the women's movement began to accomplish this; the truth commissions formed in Africa and Latin America began to include gender as an axis of analysis for the clarification of truth. This is

39 ZAVALA GUILLÉN, Ana. Argentinian Transitional Justice Process: Women Behind. In: Journal of Peace, Conflict & Development, 2013, No. 20. p. 52-60.

40 JELIN. Op. Cit. p. 99.

41 COMISIÓN NACIONAL SOBRE LA DESPARICIÓN DE PERSONAS (CONADEP). Nunca Más. Informe de la Comisión Nacional sobre la Desaparición de Personas. Buenos Aires: Editorial Universitaria de Buenos Aires, 2016.

how women's distinguishing experiences in authoritarian and war contexts went from being not only social truths, but also institutionalized truths legitimized by the state[42]. Though this approach's incorporation continues to face both political and technical obstacles, it is undeniable that from that moment there have been great advances in the clarification of the forms of violence suffered by women, and the call for certain gender-based violence's non-repetition has intensified, particularly regarding sexual violence.

Nonetheless, although the truth commissions spoke of "gender" perspectives, the fact is that they did so based on a binary understanding of this concept, which was limited to explaining the differences between heterosexual and cisgender men and women, once more excluding LGBT people's truths. According to Spanish philosopher Celia Amorós, the undertaking of feminist studies and their resulting categories (such as the gender perspective) is to establish the connections that would be impossible to establish under the patriarchal view of violence. For Amorós, this awareness exercise passes through the unraveling of the logic underlying gender violence, in which patriarchal pacts between heterosexual males are forged with the aim of assuring the impunity of their acts and their perpetuation within the domain of power. This author stresses that the murder of women, sexual violence, trafficking for sexual exploitation, and prejudice-based violence toward LGBT people, among other expressions of gender-based violence, have been strategically designated as differentiated phenomena (meaning that there are no connections between them), hence they should have differentiated attention and prevention mechanisms[43].

Ergo, the interpretation of "gender" as equivalent to "woman" neutralizes its power as an analytical category, for it reduces it to just another identity among a litany of vulnerable groups (women, minorities, indigenous people, children, and seniors, among others), which prevents us from observing how patriarchal logics operate within authoritarianism or war contexts[44]. The consequences are twofold: on the one

42 When we speak of "social truths" versus "institutionalized truths", we are referring to the different categories of truth identified by Rodrigo Uprimny and María Paula Saffon: the judicial truth, obtained in judicial processes against those responsible for certain crimes; the institutionalized extrajudicial truth, produced through official extrajudicial mechanisms, such as the truth commissions; and, finally, the social truths, constructed through academia, social movements, and victims' organizations. See: UPRIMNY, Rodrigo and SAFFON, María P. Verdad judicial y verdades extrajudiciales: la búsqueda de una complementariedad dinámica. In: HOYOS VÁSQUEZ, Guillermo. Las víctimas frente a la búsqueda de la verdad y la reparación en Colombia. Bogota: Pontificia Universidad Javeriana, Instituto Goethe, Pensar, 2007. p. 151-188.

43 AMORÓS, Celia. Dimensiones del poder en la teoría feminista. In: Revista Internacional de Filosofía Política, 2005, No. 25. p. 11-34.

44 THEIDON, Kimberly. Reconstructing Masculinities: The Disarmament, Demobilization, and Reintegration of Former Combatants in Colombia. In: Human Rights Quarterly, 2009, Vol. 31, No. 1. p. 1-34.

hand, the dimensions of violence traversed by gender are ignored, and masculinity is not explored or questioned. On the other hand, it becomes impossible to study the experiences of transgressors to the sex/gender/desire system in depth. As Pascha Bueno-Hansen notes:

> Violence against gender and sexual minorities remains largely unexamined in the practice and scholarship of transitional justice because of an adhesion to a narrow construction of gender-based violence anchored in the normative male–female binary and its corresponding assumption of heterosexuality[45].

This is true in spite of the violence toward women and LGBT people having many intersections, such as the objectives, the under-reporting, the silence, and the community's lack of repudiation of these violent acts.

The first steps toward the inclusion of LGBT people's truths took place in South Africa. In 1998, the Truth and Reconciliation Commission's (TRC) report became the first to allude to the experiences of people with diverse sexual orientations. Though at no point was their inclusion contemplated, several people testified before the TRC about the discriminatory violence experienced by gay men and lesbian women[46]. Yet, in a report made up of seven volumes, these testimonies were reduced to a brief mention of the grave human rights violations committed by a psychologist from the military health service who tortured gay men with "aversion therapy" and electric shocks[47]. This does not go in depth regarding the context of social prejudice that made this violence possible, given that the events seem to be the result of said psychologist's individual homophobia.

Since then, the reports from the Peruvian (2003), Paraguayan (2008), Ecuadorian (2010), Honduran (2011)[48] , and Brazilian (2014) commissions have mentioned cases of violence toward LGBT people. The Nigerian report (2002) cited the case of an army major who, as related there, was detained and tortured along with his two sons after being falsely accused of having "homosexual relations" with minors, because he did not allow himself to be influenced in the trails of high-ranking military

45 BUENO-HANSEN, Pascha. The Emerging LGBTI Rights Challenge to Transitional Justice in Latin America. In: International Journal of Transitional Justice. 2018, No. 12. p. 126–145.

46 KUSAFUKA, Ayumi. Truth commissions and gender: A South African case study. In: African Journal on Conflict Resolution. 2009, Vol. 9, No. 2. p. 45-67.

47 This mention can be found on page 124, in chapter 5, volume 5, where the human rights violations committed by state health organisms are documented.

48 It is worth mentioning that the included case is not analyzed from a gender perspective, but rather is focused on political motives, as, on top of being a gay man and human rights advocate, the man in question was an opposer to the coup d'état and witness to the arrest of Pedro Magdiel Muñoz Salvador, a young 25-year-old man whose murder at the hands of the Honduran Guard shook the country to its core, about which he testified before the IACHR.

officials. With these experiences, both the dialogue with LGBT communities and the extent of the analysis of their experiences have improved. This passed from a brief mention in the South African report to an entire chapter in the Brazilian report, in which prejudice-based violence is tied to the Brazilian state's ideology of national security, the main human rights violations endured by LGBT people are identified, and the psychological and economic impacts of the violence are mentioned for the first time. Additionally, although the inclusion of LGBT people in the Peruvian, Paraguayan, and Honduran reports was coincidental, in the Ecuadorian and Brazilian processes it was contemplated from the beginning. This difference is due to the fact that, as in Colombia, there were processes and supplies in place that had made the violence suffered by LGBT people visible[49], as well as a research group focused on the gender perspective. This can be seen in the depth with which these reports address their experiences[50].

Finally, we can observe a general absence of LGBT victims' testimonies, even in the reports of the commissions that set out to work on the situation of LGBT people from the beginning. In some cases, this shortcoming is the consequence of there being no active effort to register their voices. In Ecuador, for example, although a focus group and six in-depth interviews were conducted with LGBT activists and organizations, no specific case of arbitrary detention, sexual violence, or torture based on the victim's sexual orientation, gender expression, and/or gender identity was investigated. In this regard, the Commission noted that it did not collect individual testimonies because "the victims did not come forward... to provide their testimonies"[51]. In South Africa, testimonies were collected –even if they were not sought out– that were not recorded in the final report. In Brazil, a hearing was held on dictatorship and homosexuality[52], but the final report relies mainly on academic, journalistic, and official sources. There has been no space for LGBT victims to intervene in the official narrative and recount their lives with their own voices.

49 In the Ecuadorian case, there was an Amnesty International report on LGBT people's human rights situation in that country. In the case of Brazil, apart from a robust LGBT rights movement, they had the book *Ditadura e homossexualidades: repressão, resistência e a busca da verdade,* organized by James N. Green and Renan Quinalha. See: AMINISTÍA INTERNACIONAL. Ecuador, orgullo y prejuicio. Es hora de romper el círculo vicioso de la impunidad por los abuses contra lesbianas, gays, bisexuales y transexuales. AMR 28/001/2002. GREEN, James N. y QUINALHA, Renan. Ditadura e homossexualidades: repressão, resistência e a busca da verdade. San Pablo: EdUDSCar, 2014.

50 It is worth clarifying that the Ecuadorian Commission leaned mostly on the Amnesty International reports.

51 COMISIÓN DE LA VERDAD. Informe de la Comisión de la Verdad. Ecuador: Ediecuatorial, 2010. p. 292.

52 BUENO-HANSEN. Op. Cit. p. 130.

The debts left by the truth reports to date are not minor. The decontextualized and hardly rigorous way in which LGBT people's experiences have been addressed prevents the development of serious explanations of the causes, circumstances, and consequences of the violence they suffered, which limits the state's capacity to attend to the victims in an adequate and timely manner, and to avoid its repetition. Along the same lines, the exclusion of both testimonies and the experiences of struggle and resistance calls into question the possibility of the victims' reparation and dignification, as it limits their ability to see themselves in and feel included in their countries' official narratives.

B. LGBT People in the Colombian Armed Conflict

In Colombia, the Commission's mandate is the first to contemplate the recognition of LGBT victims of the armed conflict in an explicit and interdisciplinary manner. Both the Final Peace Agreement with the FARC-EP and Decree 588 of 2017, thanks to which the Truth Commission is organized, establish the clarification of the conflict's differentiated impact on this community as an objective, among others.

Despite the enormous challenge of clarifying the situation of LGBT people throughout 50 years of conflict, compared to other truth commissions, this Truth Commission has a clear advantage: Colombia has been a pioneer in the construction of memory and intellectual production on the experiences of lesbian, gay, bisexual, and transgender people during the war. In the last decade, various efforts have been made by civil society, academia, and the state to salvage and make visible this community's victimizations and demands. A fundamental step was taken in 2015, when the NCHM published its report *Aniquilar la diferencia*.

Based on these experiences, it has been possible not only to thoroughly document the violence suffered by LGBT people in the conflict, but also to clarify the factors that make it possible. The research coincides in that: (i) LGBT people come to be targets of violence when they disrupt gender parameters, exhibit their sexual variance, and become organized; (ii) they are subjected to codes of conduct that seek to "correct" their deviations from gender arrangements; and (iii) they experience different forms of violence depending on their sexual orientation, gender expression, and/or gender identity. There is also consensus that such violence is framed within armed actors' strategies of social and territorial control, is reinforced by preexisting contexts of social prejudice, bears a strong social legitimacy, and is deepened by the lack of state response and community support[53].

53 COLOMBIA DIVERSA. Vivir bajo sospecha. Estudio de caso: personas LGBT en el conflicto armado en Vistahermosa y San Onofre. Bogota, 2017.

In addition to these findings, the exercises of memory and analysis of forms of violence have challenged the traditional concepts of transitional justice, including, for instance, what Bueno-Hansen calls "the limited conception of temporality within transitional justice"[54]. According to this gender and transitional justice expert, due to their brief mandates and the temporal delimitation, truth commissions tend to disregard the historical roots of the human rights violations committed in the time period being studied, thus feeding into their perceived exceptionality[55]. In the reports on LGBT people in the conflict, however, it is conceded that violence toward them does not begin or end with the war, but rather is part of a *continuum* of violence founded upon the same heteronormative and sexist logics[56]. Armed violence is not unrelated to the violence they face in everyday contexts (family, school, work, state institutions, churches, communities) and, therefore, both should be part of the conversation.

Clearly, the aforementioned investigations represent a fundamental contribution to the search for truth being carried out by the Truth Commission. However, as Serrano points out, although prejudice-based violence toward LGBT people in the context of war has been studied both in feminist and queer academia, as well as in armed conflict studies, such analyses have been carried out in an isolated way[57], so there are still gaps within them. To fill these gaps, it is necessary to connect these fields of study in order to examine the place of prejudice in war and to establish a clearer and more resounding link between the conflict dynamics, the armed actors' strategies of social and territorial control, and prejudice-based violence on the basis of sexual orientation, gender expression, and gender identity. Why is this violence exerted, and what for? What use does the imposition of hegemonic masculinities and femininities have for armed actors? If they are indeed part of their social and territorial control strategies, how do they contribute to the consolidation or exercise of this control? These are questions that have not yet been fully answered.

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54 BUENO-HANSEN, Op. cit.

55 Ibid.

56 In feminist literature, the notion of "continuum of violence" draws attention to the chain of different forms of violence, particularly structural violence and the various violent acts committed against women and, in this case, against feminized individuals, to account for a patriarchal regime that keeps women and people with diverse sexual orientations and gender identities in a situation of subordination. In the case of armed conflict, it has been used to identify how gender-based violence preceding an armed conflict affects violence committed in the context of said conflict. See, for example: COCKBURN, Cynthia. The Continuum of Violence: A Gender Perspective on War and Peace. In: HYNDMAN, Jennifer. Sites of Violence: Gender and Conflict Zones. Berkeley and Los Angeles: University of California Press, 2004.

57 SERRANO AMAYA, José. Homophobic Violence in Armed Conflict and Political Transition. Palgrave Macmillan, 2018.

There are also pending debts regarding the establishment of variations in the actions of different armed groups and even within each armed group itself. To date, progress has been made in the identification of the different repertoires of violence deployed by guerrilla groups (M-19, FARC-EP, National Liberation Army (ELN)), paramilitaries (a denomination that usually includes the groups from which the AUC originated, the AUC itself, and the post-demobilization armed groups (GAPD by its Spanish acronym) that emerged after their partial demobilization), public forces (army, police), and, to a lesser extent, the various AUC blocs. However, it is necessary to break down these categories in order to explain and refine the descriptions of these differences.

Finally, on top of the violence, the gaps persist when it comes to unraveling the complexities of the state response to the violence suffered by LGBT people in the context of the armed conflict. Since the enactment of the 1991 Constitution, Colombia began to be one of the Latin American countries with the most human rights guarantees for LGBT people, positioning itself as one of the most advanced in the world by the mid-2010s. However, most of the cases of prejudice-based violence recorded within the framework of this report are post-Constitution, having intensified considerably between the late 1990s and early 2000s. Although this period undoubtedly corresponds to one of the conflict's most critical, marked by the expansion and consolidation of the paramilitary phenomenon, the strengthening of the FARC-EP during the peace process of El Caguán, and the implementation of the democratic security policy by the government of Álvaro Uribe Vélez, the fact is that the conflict's escalation is not sufficient in explaining why the incidence of prejudice-based violence toward LGBT people persisted and even increased, as it is not a matter of indiscriminate violence, but of selective violence based on social prejudices against their real or perceived sexual orientation, gender expression and/or gender identity. Because of all this, it is necessary to question the effectiveness of the state response with the aim of identifying its limits with greater precision and, thus, beginning to improve the state proposal in terms of prevention, investigation, and punishment of prejudice-based violence.

IV

VARIATIONS OF VIOLENCE

VARIATIONS OF VIOLENCE

The literature on gender and armed conflict has called for the study of variations in the use of sexual violence in war. Wood argues that to prevent sexual violence it is necessary to understand why the variations occur, so that public policies can be designed to address the causes of the extent and specific modality of sexual violence faced by a particular society[58]. In this section, we take up this call to analyze prejudice-based violence on the basis of sexual orientation, gender identity, and/or gender expression. Though all the armed actors involved in the Colombian armed conflict have violated LGBT people, the fact is that they have not done so in the same proportions, nor in the same manner, nor with the same ends. The same is true for these actors' different armed structures. For example, both *Aniquilar la diferencia* and *Vivir bajo sospecha* recognized the intra-group variation in prejudice-based violence committed by the AUC, which explained the diversity of their actions as a product of their federated structure and of local contexts. This federation allowed the use of violence to depend on each leader's judgment and the context in which it was exerted[59]. Hence, there are variations worth studying to understand the causes of violence and to ensure its non-repetition.

58 WOOD, Elisabeth J. Conflict-related sexual violence and the policy implications of recent research. In: International Review of the Red Cross, 2014, no. 96. p. 457-478.

59 The NCHM noted that the blocs based on the Caribbean Coast demonstrated higher levels of tolerance for "non-heterosexual sexual practices" in their combatants than those in the department of Antioquia. In this regard, Colombia Diversa explained that the AUC's Montes de María Bloc's use of mandatory boxing matches to humiliate gay men and a trans woman in San Onofre, Sucre, was part of that municipality's longstanding boxing tradition. As reported in Vivir bajo sospecha, "'[i]n San Onofre boxing is not a pastime for just a few people, but can mean recognition and glory for the victorious. In this municipality of Sucre, boxing is a deep-rooted passion, with a historical backdrop of triumphs and champions". This sport also contains "a cultural logic related to the macho or patriarchal viewpoint, a sexist and discriminatory mentality". See: CENTRO NACIONAL DE MEMORIA HISTÓRICA. Aniquilar la diferencia. Lesbianas, gays, bisexuales y transgeneristas en el marco del conflicto armado colombiano. Bogota, 2015. p. 287; COLOMBIA DIVERSA, Vivir bajo sospecha, Op cit., p. 60.

Understanding therefore that there are two lines of comparison –inter-group and intra-group–, in this section we carry out two studies of variations. In the first, we limit our analysis to one armed actor: the FARC-EP, delving into the differences between its actions in two regions of the country: the Pacific coast of Nariño –namely San Andrés de Tumaco– and southern Tolima. Analyzing the differences in prejudice-based violence imposed by different FARC-EP structures in two territories that are quite different in political, economic, and social terms, and that also played different roles within the conflict, allows us to highlight the historical context's role in the variation of prejudice-based violence. By taking the armed group as a unit of analysis, traditional studies on inter-group variations often lose sight of this issue. However, analyzing intra-group variations in accordance with the context in which the units operate is fundamental because, as María Mercedes Gómez establishes, the context is precisely what gives meaning to prejudice-based violence. Context is the interpretative framework that makes it possible for a discriminatory act to *signify* and to impact[60].

It is also important to clarify the variations in the prejudice-based violence exerted by different FARC-EP fronts because, unlike the AUC or even the first generation of paramilitary groups, the diversity of their actions regarding this matter has not yet been recognized. We will show that there are significant variations within this guerrilla group, despite the fact that it is a vertical and disciplined army.

In the second study of variations, we compare the AUC and the FARC-EP's actions. Having chosen these armed groups corresponds, on the one hand, to an analytical challenge, as we wish to clarify the variations in the actions of an insurgent actor and a counterinsurgent actor, which enables us to elucidate the influence of ideology and armed competition in the persecution of LGBT people. On the other hand, it responds to the available information's practical limitations. Thanks to a peace process that allowed –and is allowing, in the case of the guerrilla groups– the uncovering of the violence they exerted in the war, the most robust and complete information on violence against LGBT people is related to the AUC and the FARC-EP.

To explain the divergences between the armed groups, we focused on both endogenous factors, that is, factors specific to the armed group or structure, and exogenous factors,

60 According to Colombian philosopher and political scientist María Mercedes Gómez, "[t]he context is the place of meaning. It is formed by the multiple and possible linguistic, cultural, economic, legal, and political conditions that inform our actions... the context marks particular times and spaces of interpretation, and contains the possibility of what occurs there to *signify;* that is, to have meaning and impact". See: GÓMEZ, María Mercedes. Problemática de la violencia contra personas con orientación sexual o identidad de género no normativas en Latinoamérica. In: Clínica Forense: una aproximación basada en enfoques diferenciales de atención. Bogota: Universidad Nacional de Colombia, 2018.

that is, factors specific to the context in which the group or structure operates. In terms of endogenous factors, we focused on their ideology, structure, institutions, and gender regime[61]. We selected these variables for three reasons. First, though in the academic output on civil wars its influence tended to be ignored or dismissed, in the last decade the role of ideology in the exercise of political violence has been vindicated. In particular, it has been shown that, though its influence is not decisive, ideology structures the combatants' thinking and actions, insofar as it offers a frame of reference for diagnosing the ills of society, prescribes certain strategies, tactics, and practices to solve them, including certain repertoires of violence's adoption or proscription, and defines the most suitable institutions for training, socialization, regulation, and punishment to put them into practice[62].

Second, a robust body of research has connected variation in the structure and institutions governing various armed groups' internal lives to variation in their repertoires of violence, particularly sexual violence[63]. This makes sense considering that armed groups –especially insurgent groups that have been characterized as "voracious institutions"[64] similar to sects– seek to absorb their members, subject them to military hierarchies, and mold their behaviors through training, socialization, regulation, and discipline processes, thus creating warlike subjectivities functional to the armed group. These processes encourage certain behaviors and discourage others, including those related to the exercise of violence, which changes the way in which combatants perceive and interact with the world, with the aim of aligning their attitudes and behaviors with the group's objectives at both the ideological and strategic levels. As Inger Skjelsbaek points out: combatants learn to identify scenarios in which certain forms of violence are legitimate[65]. In a comparative study on variations in the exercise of sexual violence in civil wars between 1980 and 2012, Dara Cohen Kay found that groups that used kidnapping as a recruitment mechanism

61 As will be explained, the concept of "gender regime" is an elaborate sociological notion that facilitates the understanding of how organizations institutionalize certain gender arrangements. See: CONNELL, Raewyn. Gender. Cambridge: Polity Press, 2002.

62 For more information, consult the state of the art in: GUTIÉRREZ SANÍN, Francisco y WOOD, Elisabeth J. Ideology in Civil War: Instrumental adoption and beyond. In: Journal of Peace Research, 2014, Vol. 51, No. 2. p. 213-226.

63 COHEN KAY, Dara. Rape during Civil War. Ithaca: Cornell University Press, 2016; GUTIÉRREZ SANÍN, Francisco. Telling the Difference: Guerrillas and Paramilitaries in the Colombian War. In: Politics & Society, 2008, Vol. 30, No. 1. p. 3-34; HOOVER GREEN, Amelia. Armed group institutions and combatant socialization: Evidence from El Salvador. In: Journal of Peace Research, 2017, vol. 54, num. 5. p. 687-700; WOOD, When Is Wartime Rape Rare? Op. Cit.

64 AGUILERA PEÑA, Mario. Claves y distorsiones del régimen disciplinario guerrillero. In: Análisis político, 2013, no. 78. p. 45-62; CENTRO NACIONAL DE MEMORIA HISTÓRICA. La guerra inscrita en el cuerpo. Informe nacional de violencia sexual en el conflicto armado. Bogota, 2017.

65 SJELSBAEK, Inger. Sexual Violence in the Post-Yugoslav Wars. In: de JONGE OUDRAAT, Chantal. Women and War. Power and Protection in the 21st century. Washington D.C.: United States Institute of Peace Process, 2011. p. 65-84.

were more likely to exert sexual violence. In these cases, rape, and particularly gang rape, was encouraged because it served to generate cohesion among members who would otherwise share no bond[66].

The third reason for choosing these endogenous aspects is that research on variations in armed violence has focused on the ideology, structure, and institutions of the different parties participating in the conflict, but we consider important to add a variable to the analysis: gender arrangements within the armed group. In *Variaciones en la violencia sexual en la guerra*, Wood notes that "for the thesis on combatant masculinities to explain the variation in sexual violence in the context of war, it would have to be true that the armies involved mobilize different constructions of masculinity"[67]. Although he does not expound on this analysis, one thing is certain: the gender arrangements cultivated within the FARC-EP were not the same as the AUC's, so they cannot be overlooked.

In order to study these gender arrangements, we incorporate the concept of "gender regime", a notion that comes from sociological research on the institutionalization of gender within the framework of organizations. In her book *Gender*, the Australian sociologist and masculinities expert Raewyn Connell argues that organizations institutionalize their own conceptions of femininity and masculinity, establish gender hierarchies, and promote certain roles and behaviors for women and men. Based on this premise, she outlines a distinction between "gender order", defined as the configurations of gender relations that take place in a society within a given historical context, and "gender regime", defined as the configurations of gender relations that take place within a particular organization. Gender regimes are often embedded in society's gender order and shape its members' behaviors.

Political scientist Luisa María Dietrich Ortega employs this concept to analyze gender arrangements in Latin American insurgent projects. She argues that insurgent groups mobilize, manipulate, and use their own gender constructions with the intent to create a gender regime suitable for war. According to Dietrich, the gender regime is characterized by the existence of two interconnected spheres: a broad, public, and collective one, in which prevailing gender arrangements are questioned and a "leveling" discourse that blurs the lines within sexual difference is adopted; and a restricted, private, and individual sphere, in which traditional gender patterns are reproduced and the privileges associated with hegemonic

66 COHEN KAY, Op. Cit.

67 WOOD. Op. Cit. p. 327.

heterosexual masculinity are kept intact[68]. Thus, she identifies both the insurgent political project's successes and limits in transforming the relationship between male and female guerrilla members, allowing us to understand how armed groups' internal discourses and institutions affect their behaviors in terms of gender. In view of this, and in accordance with Connell's theory and Dietrich's example, in this report we adapt the analytical scheme proposed by Connell to compare the gender regimes developed within the FARC-EP and the AUC.

As for the exogenous factors, in line with other research on intra-group variations[69], we studied the socio-political background, war economies, level of territorial control, and strategic value of territory in the war. Given all of this, the analysis is developed throughout three sections: in the first, we present a comparison between the FARC-EP and the AUC's ideologies, structures, institutions, and gender regimes. This exercise serves to expose the differences between the armed actors, which in turn explain the variations in their actions, and to contextualize the intra-group analysis of the FARC-EP. In the second section, we study the variations within the FARC-EP, comparing their actions in Tumaco and in southern Tolima. Finally, in the third section, we delve into the variations between the FARC-EP and the AUC.

In both variation studies, two types of comparisons are made: one quantitative and the other qualitative. On the quantitative level, official data on violence committed against LGBT people within the context of the conflict is analyzed, as well as figures systematized by Colombia Diversa from primary sources (fieldwork conducted by Colombia Diversa between 2016 and 2019) and secondary sources (reports on violence toward LGBT people in the context of the conflict)[70]. Regarding the data collected by Colombia Diversa, it is worth clarifying that the main unit of analysis is not the victim, but the violent episode, given that LGBT people are frequently the target of multiple violent episodes carried out by several armed actors, or are persecuted by one armed actor. It is also understood that, while some violent episodes are collective in that they are directed towards a group of victims (as is the case of the boxing matches organized by the Self-Defense Forces in San Onofre, Sucre), others are individual. Finally, it is worth mentioning that multiple victimizing events can occur in the same episode.

68 DIETRICH ORTEGA, Luisa M. La "compañera política": mujeres militantes y espacios de "agencia" en insurgencias latinoamericanas. In: Colombia Internacional, 2014, No. 80. p. 83-133.

69 See: ARJONA, Ana. Rebelocracy: Social Order in the Colombian Civil War. Cambridge: Cambridge University Press, 2017.

70 Only cases that occurred up to December 31, 2016 were taken into account.

In the example of San Onofre, three types of victimizing events are documented: threats, humiliation, and forced displacement.

In addition, we limited ourselves to systematizing cases of prejudice-based violence. We cross-checked sources to identify the universe of cases of violence, considering only cases in which there was sufficient information to discern the prejudicial motive. To do so, we used criteria developed by Colombia Diversa: the selection of the victim, the context of the events, the type of violence, a broad view of the social context, and the victim or third parties' perceptions[71].

Regarding the identification of the armed actor, it is worth clarifying that contextual information concerning the presence of armed actors and the dynamics of the war at the territorial level was used to identify the alleged perpetrator. In some cases, the victim or a third party (a leader, relative, or acquaintance) was able to identify the armed actor or person responsible. In these cases, the contextual information was used to corroborate the declarant's account[72]. In others, neither the victims nor third parties were able to name the person responsible, in some cases because they did not have that information and in others because it was a case referred to in a report on violence toward LGBT people in the context of the conflict in which the perpetrator's identity was not made clear. However, when a specific date and location of the episode of violence were available, the context was used to identify an alleged perpetrator. Nonetheless, it was not possible to establish the alleged perpetrator in all the identified cases of prejudice-based violence.

Despite this sensible research exercise, it is important to emphasize that, without a doubt, we face a very high level of underreporting. In many cases, LGBT people prefer to remain silent about the violence they experienced in the context of the conflict rather than denounce or testify before a state entity or become involved in organizational processes that involve recounting their experiences. The same occurs with their family members, who sometimes do not report the victim's sexual orientation or gender identity out of shame or ignorance. Additionally, it is possible that many of the cases for which we do not have sufficient information to establish

71 See: COLOMBIA DIVERSA, CARIBE AFIRMATIVO y SANTAMARÍA FUNDACIÓN. Entre el miedo y la Resistencia. Informe de derechos humanos de personas lesbianas, gays, bisexuales y trans. Bogota, 2016. Bogota, 2017; El prejuicio no conoce fronteras. Homicidios de lesbianas, gay, bisexuales, trans e intersex en países de América Latina y el Caribe. 2014-2019. Bogota, 2019.

72 This practice was only carried out when the victim's direct account was available, rather than a third party's; in other words, for the cases that were effectively documented by Colombia Diversa, and not simply mapped out based on secondary sources.

a presumed perpetrator may have been perpetrated by the FARC-EP or the AUC. For example, we found several cases in *Aniquilar la diferencia* and *Ser marica en medio del conflicto armado* in which it was stated that the perpetrators were paramilitaries, but the date of the events was not established. Without knowing the date, it is impossible to know whether the paramilitaries who perpetrated the violence were precursor groups to the AUC or the AUC itself. As a consequence of this underreporting, the figures presented below fail to capture either the proportions or the temporal variation of prejudice-based violence toward LGBT people by these two armed actors.

In this same sense, it is worth remembering the symbolic impact of prejudice-based violence toward LGBT people. Even if the figures were complete, they would never be enough to measure the scope of this type of violence, because it does not only attack one person, but a social group in a situation of structural discrimination. To that extent, even if the numbers are low, the fact is that just one case of prejudice-based violence, particularly in small and medium-sized municipalities that do not have an organized LGBT movement, can touch the lives of all people who have or could have diverse sexual orientations and/or gender identities. As seen in Pelusa's testimony at Armando Madriaga Picón and Jesús Noraldo Basto León's conviction, accounts of prejudice-based violence circulate, instilling fear in anyone who might identify as LGBT:

> "The best-known case in my community was that of 'Pichi', because I remember it was near my school, I was about nine years old when they grabbed him. They grabbed him because he was dressed in a way not appropriate for a man, they insulted him, they grabbed him by the hair, they dragged him, they beat him, it was like the most traumatic case I saw.
>
> That's where the fear of going out to show yourself comes from, most people hide their sexual condition as a result of that because this was a town [Ocaña] very suppressed by the paramilitaries. The event of "Pichi" had a lot of influence, at least on me it affected me in that it took me a long time to show myself to society and it traumatized me a lot because as a result of that, he got a wife while being homosexual, to have a different image before society and not to be subjected and beaten again."[73]

At the qualitative level, we compared patterns of prejudice-based violence, following the definition outlined in the theoretical framework of this report, namely: a series of acts of violence (repertoire) with similar characteristics in their

73 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Armando Madriaga Picon and Jesús Noraldo Basto León of December the 6th 2013. R.J. Uldi Teresa Jiménez López. p. 108.

execution (technique) committed by the same actor, which are repeated in a given period and geographical area, and whose execution does not necessarily respond to a previously agreed plan among those responsible, but is based on a set of moral and behavioral precepts that justify and legitimize this action (prejudicial motivation) against a specific population group (target)[74].

Although in the case of the FARC-EP it is possible to confirm the existence of a pattern of persecution both in the municipality of Tumaco and southern Tolima, in the AUC's case it was only possible to identify some elements indicating the possible existence of a sub-pattern[75] of social extermination of LGBT people in several areas of the country. This corresponds to a difference in the available sources as to the violence exerted by these two armed groups. In the case of the FARC-EP, we have a large amount of primary information (semi-structured interviews with direct victims or with victims' biological or social family members). In the case of the AUC, we relied mainly on secondary sources, especially NCHM reports and the Justice and Peace sentences. Thus, with regard to the AUC, we present information related to the repertoires and techniques of violence toward LGBT people at the national level, and we urge the Truth Commission to delve deeper into this information in certain territories to verify the existence of the sub-pattern.

In closing, three points should be made. First, although we are not focusing solely on sexual violence, we built upon this research because it is the most robust when it comes to connecting gender-based violence with armed conflict logics. In civil war research, there are still few in-depth studies on prejudice-based violence on the basis of sexual orientation and gender identity in the context of armed conflict. Second, it is important to recognize that the use of violence, including that which is motivated by prejudice, varies not only between armed groups and within an armed group, but also over time. It evolves, on the one hand, due to strategic changes undertaken by the armed groups and, on the other, due to the logics of the armed conflict. In this sense, in both sections, we seek to elucidate the temporal variations in the FARC-EP and the AUC's actions. Finally, though we draw analytical distinctions between the armed groups' actions, it is important to keep in mind that the experience of victimization does not necessarily distinguish between armed groups, particularly in disputed territories. This is

74 COLOMBIA DIVERSA, Los órdenes del prejuicio, Op. Cit.

75 According to Gutiérrez-Sanín and Wood, a subpattern of violence refers to a specific combination of violent acts (repertoire) directed against a given population group (target). GUTIÉRREZ SANÍN y WOOD, What Should We Mean by "Pattern of Political Violence"? Op. Cit. p. 27.

to say, although it is possible to reconstruct the scenarios and purposes of the violence and identify the alleged perpetrators ex post, at the time of the events the victims did not necessarily experience it as a discrete event committed by an armed actor. On the contrary, as Serrano explains, from the perspective of those who inhabit contexts of conflict and political transition, violence is not divided into distinct components, but occurs within complex interactions[76]. Recognizing this possible disconnect between the analytical exercise required to understand variations in violence and the victims' lived experiences is key in understanding the real impact of violence on those who experienced it.

A. Comparative Analysis of the Armed Groups Under Consideration: FARC-EP vs. AUC[77]

In order to contextualize both studies of variations, it is necessary to delve into three points of comparison between the FARC-EP and the AUC: first, the ideological trends and ideals of masculinity that gave rise to both the guerrilla and contemporary paramilitarism; second, the structure and institutions developed by both groups in terms of training, regulation and punishment; and finally, the gender regimes developed within these armed groups.

i. Ideological Framework

The promise to build a new society through the armed revolutionary process also entails a commitment to modify subjective conditions that in capitalist socialization have been an obstacle to consolidate a fair and egalitarian society. At least this is the ambition behind the Guevarist doctrine of the "new man". Derived from its Judeo-Christian, Marxist, and, according to Vezzetti[78], fascist influences, the revolutionary *homo novus* requires (I) a model of behavior to aspire to, which is usually embodied by the leaders and founders of the insurgent organization; (II) a foundational myth that justifies his aspiration to transform society by whatever means necessary; (III) a binary and uncritical reduction of reality through pseudo-ethical views that explain the world between extremes and take up the qualification of human behaviors to

76 SERRANO AMAYA, Homophobic Violence in Armed Conflict and Political Transition. Op. Cit. p. 105.

77 This section was co-authored by Luis Eduardo Fernández Molinares.

78 VEZZETI, Hugo. Sobre la violencia revolucionaria. Memorias y olvidos. Buenos Aires: Siglo Veintiuno Editores, 2009. p. 184.

define them as essentially good or essentially bad; and (IV) a malleable objective for transformation: youth as both subject and object of revolutionary struggle[79].

In turn, for the revolutionary enterprise's development, the new man must incorporate a series of traits and characteristics that allow him to achieve the "higher plans" involved in embarking on the process of radically transforming society: (i) the incorporation of the idea that brutality is a moral necessity of the revolutionary struggle, violence as synonym of glory and death as the revolutionary's noble destiny after sacrificing everything for the just ends of the revolutionary exploit[80]; (ii) the assumption of the logic according to which war and armed violence are inexorable and inevitable revolutionary means; and (iii) the reinforcement and exaltation of hegemonic masculine characteristics as a model to be followed.

The last point is of particular importance for the purposes of this study, and hence we will concentrate on it. The exaltation of characteristics traditionally associated with masculinity is a fundamental element not only in the consolidation of revolutionary leadership but also, above all, in the configuration of a combatant subjectivity willing to sacrifice everything for the revolution. To that extent, in addition to the obvious religious elements implied in the "conversion" of those who carry out the revolution (sacrifice, salvationism, and messianism), it is indispensable for there to be an exacerbated exercise of masculine characteristics, such as the capacity to make use of irrational violence or to hold a public honor derived from intellectual, political, or military training.

These characteristics radicalize sexual difference and the roles assigned to each individual within the sex/gender/desire system based on this divergence. This is true even in the context of guerrilla groups that have incorporated more egalitarian forms of relationships between men and women insurgents in their statutes and practices, at least from a strictly formal perspective[81]. In this regard, ex-combatants from this armed organization have stated that in the guerrilla formation processes there were no considerations of gender roles and their

79 PORTOCARRERO, Gonzalo. Profetas del odio. Raíces culturales y líderes de Sendero Luminoso. (1st. Ed.) Lima: Fondo Editorial de la Pontificia Universidad Católica del Perú, 2012. p. 137.

80 Ibid. p. 138.

81 LELIÉVRE AUSSEL, Christiane; MORENO ECHAVARRÍA, Graciliana and ORTIZ PÉREZ, Isabel. Haciendo memoria y dejando rastros. Encuentros con mujeres excombatientes del Nororiente de Colombia. (1st. Ed.) Bogota: Fundación Mujer y Futuro, 2004. p. 94

implications in the war endeavors, but they never believed it necessary as they all contributed equally to the organization's activities:

> "Of course, we didn't have a gender perspective or anything like that. Why? Because there was no need. Because we understood the condition of equality between men and women, to the extent of their capabilities. Not physical, but as a political subject."
>
> "You could perform any task, men and women cooked, washed their clothes, went on an exploration, went to combat, did nursing or military intelligence work. Any activity."
>
> "This does not mean that in the FARC we did not have many if this society's aspects, such as machismo. This could be seen in comments, jokes, in their attitudes and behavior. Comrades who subjugated their partners within their relationships because they were women, wash my clothes, bring me my food, fix my things"[82].

Based on all of the above, it can be affirmed that there are many transformations that he who carries out the revolution must go through in order to –as in his example– later promote change in society, but none of these transformations goes through a critical and in-depth review of "societies' oldest and most fundamental inequity, that of gender"[83].

Inequality between men and women, an overly constituent part of capitalist reproductive society, has not been confronted in the left's ideological debates, and much less in its armed manifestations until recently[84]. This matter affects the way in which civilian or insurgent women's demands are taken up within the guerrilla groups, and also reveals that the new man who will build the new society is not interested in deconstructing systems of domination other than that of class. All this holds true despite the fact that other systems such as racism, xenophobia, or the patriarchy have also ensured an inequitable, arbitrary, and unjust distribution of the material conditions for human existence in capitalist modernity so far.

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82 UNIVERSIDAD CENTRAL. Digital project: Masculinidades, relatos de excombatientes. Story: "Si hay una mujer, hay algo diferente", interpreted by Erika Castillo.

83 Ibid.

84 According to an ex-combatant's account, "a bit before the peace process, the topic of gender began to be incorporated, but in this transition it has increased and now there are more and more women in management roles, from the highest to the lowest level". In: UNIVERSIDAD CENTRAL. Masculinidades, relatos de excombatientes. Story: "Si hay una mujer, hay algo diferente", interpreted by Erika Castillo.

Nor has the new man been interested in the violent burden of compulsory heterosexuality as an organizing regime of desire and of the social roles upon which expectations of individuals are built. On the contrary, he has embraced it to guarantee being read as a virile and powerful subject, a spirited helmsman of the revolution. This heterosexual masculinity's individual and collective stimulation promotes the existence of a new society in its image and likeness: obligatorily heterosexual, reproductive, binary, and without nuances. The new man's society is not, under any assumption, a diverse society: the dogmatic egalitarianism from which the new man emerges prevents us from thinking of a revolution in which everyone is the owner of their own desires, genders, bodies, and, in short, of their lives. The new man, as Claudia Hilb says, pursues the consolidation of "a radically egalitarian society [that] could only be imposed under the form of a totalitarian regime, under a regime of terror"[85].

It is no coincidence that, in the development of its war model, a guerrilla group with the capacity to establish such dynamic and varied relations with the civilian population as is the FARC-EP –particularly in regions where its control came to develop various forms of counterpower– opted for violent control upon those who externalized sexualities and corporealities outside of the heterosexual canon. Here it is worth clarifying that we do not believe it be part of guerrilla nature to promote a specifically prejudiced agenda that eliminates all sexual and gender diversity. However, we do believe that in the process of the insurgency's ideological socialization there is no exercise of reflection or critique directed toward patriarchy or the sex/gender/desire system. In fact, regardless of wanting to carry out inclusion practices, the fundamental absence of a political examination of the overlap between class and sexuality placed the insurgent project on a plane of radical incompatibility with that of people's emancipation as regards their sexuality. Consequently, hegemonic cultural practices and learning remain intact, unlike the strong ideological critique that is furthered in the case of the class domination system.

In the paramilitaries' case, the political subject that led to the AUC's formation began to take shape in the early 1980s. During this period, multiple endogenous and independent expressions of paramilitarism emerged, which have been characterized as "the first paramilitary generation"[86]. Among these, experiences

85 HILB, Claudia. Moldeando la arcilla humana: reflexiones sobre la igualdad y la revolución. In: Nueva Sociedad, Democracia y Política de América Latina, 2009.

86 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Paramilitarismo. Balance de la contribución del CNMH al esclarecimiento histórico. Bogotá, 2018.

that stand out come from southern Middle Magdalena as the birthplace of the first great paramilitarism model[87], Córdoba and Urabá in Antioquia[88], and the foothills of the eastern mountain range. By 1987, the Ministry of Internal Affairs reported the existence of 140 paramilitary groups throughout the country, although many of them were just different names for the same organizations[89].

After a period of internal purges and a rift in the alliance with drug traffickers[90], but not with drug trafficking, they consolidated themselves as a political project within the AUC's framework. In this regard, the AUC's originating document, signed on April 18, 1997 during the first national Joint Chiefs of Staff conference, defined the paramilitary group in numeral 3 as a "political-military movement of an anti-subversive nature in the exercise of the right to legitimate self-defense, which demands that the state transform, but does not attack it". Likewise, the organization's statutes, adopted by the second national Joint Chiefs of Staff conference between May 16 and 18, 1998, express that the AUC was configured as an armed, anti-subversive, political-military civil resistance movement founded upon the defense of private property[91]. In this second generation of paramilitarism, the AUC moved from the "expeditionary, punitive, and fragmented paramilitarism of the 80s (...) onto a coordinated, territorialized, and politicized paramilitarism"[92].

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87 Although they emerged independently, it is worth noting the links between these early expressions of paramilitarism. For example, the Association of Middle Magdalena Ranchers and Farmers, *ACDEGAM,* created in 1984, whose influence extended to the municipalities of Puerto Boyacá, Puerto Berrío, and Cimitarra, replicated the Death to Kidnappers (MAS) movement's model, which was founded in 1981 by drug cartel members such as Pablo Escobar Gaviria and Gonzalo Rodríguez Gacha to defend themselves against kidnapping.

88 In paragraph 303 of the October 31, 2012 sentence determined by the Bogotá Court's Justice and Peace Chamber against Hebert Veloza alias "HH", commander of the Bananero and Calima AUC blocs, it was indicated that the Urabeño model of paramilitarism, which was created under the influence of the Middle Magdalena and Puerto Boyacá model and characterized by extreme violence and the use of inhumane, cruel, and degrading tactics and strategies against the civilian population taught in their own training schools, as well as their relationship with local unions and both legal and illegal economies, and collusion with political powers and the armed forces, was later replicated in other regions of the country, such as Meta, eastern Antioquia, Valle del Cauca, Lower Cauca, the Caribbean Coast, and northern Santander.

89 REYES POSADA, Alejandro. Paramilitares en Colombia: contexto, aliados y consecuencias. In: Análisis político, 1991, No. 12. p.35.

90 GONZÁLEZ, Fernán E.; BOLÍVAR, Ingrid and VÁSQUEZ, Teófilo. Violencia política en Colombia. De la nación fragmentada a la construcción del Estado, Bogota: CINEP, 2003.

91 Sentence from the Bogota Court's Justice and Peace Chamber against Salvatore Mancuso, on October 31, 2014, paragraph 266.

92 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Hasta encontrarlos. El drama de la desaparición forzada en Colombia. Bogotá, 2016. p. 139.

The numerous studies on paramilitarism[93] agree that this phenomenon arose from three sectors' confluence of interests: drug trafficking, regional elites (traditional and emerging, i.e., drug traffickers who had embarked on a voracious land purchase process[94]), and the military. In the 80s, these sectors found themselves in a scenario of political aperture marked by the Belisario Betancur peace negotiations (1982-1986) and a new decentralization scheme, which could mean the reconfiguration of local power balances and even potential changes in favor of the guerrillas, their allies, and sympathizers[95]. Faced with this threat, drug traffickers sought to protect themselves from the guerrillas' extortive practices; regional elites sought to extinguish any hope of agrarian reform; and the military, permeated by the virulent anticommunist ideology promoted by the School of the Americas, sought to defeat the guerrilla groups. Thus, despite their enormous heterogeneity, the support of regional elites and the initial participation of armed forces groups permeate the paramilitary phenomenon[96].

In this context, a new paramilitary identity began to be forged, bringing together "as if under an umbrella"[97] ideologies and ideals of masculinity promoted by different sectors of society that converged on some key points: the desire to maintain the status quo, a profound disdain for social mobilization, the rejection of difference, and the use of exemplary violence as a mechanism for conflict resolution. As far as drug trafficking is concerned, it is worth noting that the violence exerted by drug lords in the 80s was so bloody and their cooptation of institutions so profound that the international community wondered whether Colombia had become a failed state. It managed to penetrate the country's political leadership and its culture. The figure of the drug dealer emerged as a cultural institution, adorned with cars, women

93 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Paramilitarismo. Balance de la contribución del CNMH al esclarecimiento histórico, Op. cit.; COMISIÓN NACIONAL DE RE- PARACIÓN Y RECONCILIACIÓN – GRUPO DE MEMORIA HISTÓRICA. ¡Basta ya! Colombia. Memorias de guerra y dignidad. Informe general del Grupo de Memoria Histórica. Bogota: Imprenta Nacional, 2013; HUHLE, Rainer. La violencia paramilitar en Colombia: Historia, estructuras, políticas del Estado e impacto político. In: *Revista del CESLA,* 2001, num. 2. p. 63-81; REYES POSADA, *Op. cit.;* ROMERO, Mauricio. Paramilitares y autodefensas 1982-2003. Bogotá: IEPRI, Editorial Planeta Colombiana, 2003.

94 REYES POSADA, Op. Cit.

95 ROMERO, Op. Cit.

96 ROMERO, Op. Cit. p. 12.

97 In his article "El descanso del guerrero: The transformation of Francoist ex-combatant masculinity (1939-1965)", Alcade uses this expression to explain how, after the Spanish Civil War, the emphasis "on successfully performed arms service, as a definitive and defining feature of model masculinity" offered a "gender identity framework in which different ideals of masculinity promoted by the various sectors of the Francoist political coalition, from Falangism to traditionalism, could come together as if under an umbrella" (p. 180). We take up this notion to explain how the paramilitary identity in Colombia managed, along the same lines, to articulate various ideals of masculinity. See: ALCALDE, Ángel. El descanso del guerrero: la transformación de la masculinidad excombatiente franquista (1939-1965). In: Historia y política, 2017, No. 37. p. 177-208. p. 180.

(perceived as objects glorifying a heroic being), and luxuries that only a man of his stature could possess, who had the respect –or fear– of his people, and who could buy out the state. This figure became a referent of masculinity and the only hope of social ascent for a generation that adopted "his manner of speaking, of dressing, his ostentatious values, his contempt for difference and minorities, his exaltation of rurality, of horses, of crudeness, of disrespect for the rule of law..."[98].

Thus, a new value system was consolidated[99]: money as a yardstick for measuring success, unbridled consumerism, ostentation, honor's inviolability, the legitimate use of violence to "gain respect", and the objectification and pornification of the female body. These values had pernicious consequences for women and LGBT people because, as stated by Gabriela Castellanos and Katherine Eslava:

> Drug trafficking "encouraged the spread of consumer society" and led to unbridled ostentation. ... At the same time, its influence had serious consequences for women, especially in Medellín and Cali, where the boom in plastic surgery led to new aesthetic stereotypes and demands for the female body. An image of women as consumable objects and status symbols for drug traffickers was consolidated. In addition, the increase in violence and male authoritarianism contributed to higher rates of femicide[100].

Regarding regional oligarchies[101], it is important to remember that land control in Colombia has traditionally been exercised through force. As Rainer Huhle and Alejandro Reyes indicate, when these elites perceive that the democratic handling of a conflict could threaten their privileged status –derived from land possession

98 MEJÍA QUINTANA, Óscar. La cultura mafiosa en Colombia y su impacto en la cultura jurídico-política. In: Pensamiento jurídico, no. 30. p. 15-62. Available at: https://revistas.unal.edu.co/index.php/peju/article/view/36710/39499.

99 PARDO LEÓN, Jesús A. Transformaciones estéticas: la narcocultura, la producción de valores culturales y la validación del fenómeno narco. In: Calle14: revista de investigación en el campo del arte, 2018, vol. 13, nro. 24. p. 400-409. DOI: SÁNCHEZ GUZMÁN, Alejandro; GARCÍA, Valentina y ORCASITA PINEDA, Lina T. La representación de la masculinidad percibida en jóvenes universitarios en la narrativa de la serie "El Cartel de los Sapos". In: Informes Psicológicos, 2017, vol. 17, no. 2. p. 13-37 http://dx.doi.org/10.18566/infpsic.v17n2a01.

100 CASTELLANOS LLANOS, Gabriela and ESLAVA RIVERA, Katherine. "Hacia una historia del feminismo en Colombia: de las certezas sufragistas a las incertidumbres de hoy. El caso de Cali". In: GIL HERNÁNDEZ, Franklin and PÉREZ-BUSTOS, Tania. Feminismos y estudios de género en Colombia. Un campo académico y político en movimiento. Bogota, Escuela de Estudios de Género of the Universidad Nacional de Colombia, 2018.

101 The Bogotá Court's Justice and Peace Chamber ruled against Orlando Villa Zapata, the Vencedores de Arauca Bloc's second in command, underlining that "the paramilitary groups' discourse of justification was not exclusive to them; representatives of economic and even military groups have also referred to it. This means that there was not only self-justification on the part of those who committed the criminal acts, but that there was a group of people willing to support them, which undoubtedly aided their expansion process. (...) The discourse of various groups affected by the guerrillas was also in line with the need for greater state protection and the need to resort to self-defense". Sentence of April 16, 2012, paragraphs 172 and 174.

and control over natural resources– "they tend to apply violence at their own hand", dispatching private armies to crush social and agrarian mobilization[102]. In this way, they have historically resisted both agrarian reform and the aperture of the political system to mass participation. This was the case of Betancur's reformist policies and peace negotiations. Acting in alliance with the emerging drug trafficking elites, the other elites worked to restore the disrupted rural order, rejecting the peace process and branding the peasant movement as subversive[103]. In the framework of this alliance, a network of cooperation and a political identity were consolidated, which, as Mauricio Romero states, went:

> against social mobilization, the autonomous organization of subordinate sectors, and even state penetration, particularly regarding matters of peace and reconciliation. This identity also highlighted masculine values of honor and bravery, and promoted revenge as a form of conflict resolution. It is what Israelis call "the Law of Return", or an exemplary and disproportionate response to aggression[104].

Now, in Colombia, the military forces' institutions controlled much of the official response to collective mobilization and insurgency until the late 90s, relying on armed civilians to repress social discontent and, during the Cold War, to eliminate the communist threat[105]. Therefore, as Reyes explains, the mere announcement of peace "was a splash of cold water for the army, which felt that its war momentum had been disrupted precisely when it had thought that victory was in its hands, with the M-19's top brass in La Picota Prison in Bogotá[106]. Instead of complying with the peace policy, the army accentuated counterinsurgency tactics that had previously been employed only marginally, such as the creation of military training schools for civilians, patrols by military and paramilitary units, and incursions into towns considered guerrilla sanctuaries[107]. This permeability between the military and the paramilitary became a defining feature of paramilitary action. In some cases, Israeli and British mercenaries were also involved[108].

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102 HUHLE, Op. Cit.; REYES POSADA, Op. Cit.

103 REYES POSADA, Op. Cit.

104 ROMERO, Op. Cit.p. 78.

105 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Paramilitarismo. Balance de la contribución del CNMH al esclarecimiento histórico, Op. Cit.

106 REYES POSADA. Op. Cit.

107 COMISIÓN NACIONAL DE REPARACIÓN Y RECONCILIACIÓN – GRUPO DE MEMORIA HISTÓRICA. La Rochela. Memorias de un crimen contra la justicia. Bogotá: CNRR – Grupo de Memoria Histórica, Ediciones Semana, 2010. p. 278.

108 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Ramón María Isaza Arango and other exmembers of the Autodefensas Campesinas del Magdalena Medio (ACMM) of May 29, 2014. R.J. Eduardo Castellanos Roso.

Thanks to this alliance, the armed forces added their ideological anti-communism and counterinsurgency techniques learned at the U.S. School of the Americas and other training centers to "landowners and drug traffickers' quasi-natural aversion of the guerrilla groups"[109]. This ideology's determining influence is evident in their relentless onslaught upon the civilian population, the guidance offered at AUC training schools, and the use of torture techniques associated with the School of the Americas.

Under the national security doctrine, it is assumed that subversion is a cancer that, if not eradicated at its root, can insinuate itself and infect the whole of society, producing a deep crisis from which it is impossible to recover. In this sense, since the "subversive enemy" camouflages itself and hides behind civilians, it is necessary, on the one hand, to disarticulate the social bases that support or could support the insurgent political project and, on the other hand, to identify and destroy subversives hiding behind legality. As a consequence, the AUC's war strategy focused on the civilian population, not on direct confrontation with the guerrilla groups. Indeed, in his book *Mi confesión*, top AUC commander Carlos Castaño recounts:

> A telephone conversation I overheard between two guerrilla commanders comes to mind: "We have a traitor to the cause, and he is from our level". At that moment I asked myself: who are the guerrilla members, really? From that moment on, I dedicated myself to annulling the brains of those who really acted as subversives in the city. (...) I turned this conflict into a high-intensity war, which touches the sectors it has to touch: the guerrillas' hidden allies[110].

This strategy of stigmatizing civil society has been recognized in different rulings of the Bogotá Court's Justice and Peace Chamber. In the ruling against Salvatore Mancuso, it was expressed that paramilitarism used hate propaganda, the proliferation of negative stereotypes, and the imposition of prejudices against civilian groups they considered allies to their insurgent enemies[111]. In the same sense, the Court pronounced itself in Edgar Ignacio Fierro Flórez's sentence, in which it mentions that the Northern Bloc paramilitaries used pamphlets as a means to intimidate the civilian population and make them comply with the

109 HUHLE, Op. Cit. p. 67.

110 ARANGUREN MOLINA, MAURICIO. Mi confesión: autobiografía de Carlos Castaño. Editorial Oveja Negra. 2001.

111 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of October 31, 2014, paragraph 284 and onward.

armed group's orders, threatening to declare as enemies to the paramilitary project all people who did not comply with the imposed social order[112]. For its part, in the ruling against Hebert Veloza, commander of the Bananero Bloc, the Court evidenced persecution and harassment of members belonging to the Unión Patriótica political party and to union movements, on top of indiscriminate acts against all inhabitants of the Urabá region, such as massacres, collective displacements, and massive land dispossessions[113]. In the Bogotá Court's conviction of Rodrigo Pérez Alzate, commander of the Central Bolívar Bloc, it was proven that paramilitary persecution of the civilian population was also directed toward drug users, sex workers, street dwellers, journalists, social leaders, human rights advocates, or any other person who denounced the acts of violence committed by the criminal group[114].

Expressly, in the sentence against Jorge Iván Laverde Zapata, commander of the Catatumbo Bloc's Fronteras Front, the Bogotá Court's Justice and Peace Chamber stated conclusively that, due to the implementation of this stigmatizing paramilitary strategy "the civilian population was the most affected, given that this organization's strategy focused on victimization ahead of provoking confrontations; these were unilateral actions with the aim of eliminating the civilian base that supposedly fulfilled the role of guerrilla informant, to the point that 98% of deaths correspond to civilians outside of combat; this was known as the strategy of 'taking the water from the fish'"[115].

Hence, the confluence of ideologies and ideals of masculinity –stemming from drug trafficking, big landowners, and the military forces– provided paramilitarism with a value system marked by the repudiation of social mobilization, a predilection for exemplary violence, and bloodthirsty masculinity, constructed in total opposition to femininity.

112 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of December 7, 2011.

113 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of October 31, 2012.

114 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of August 30, 2013, page 326 and onward.

115 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of December 2, 2010, paragraph 141.

ii. Structure and Institutions

1. Training Mechanisms

Although little has been explored in specialized literature of the ways in which the FARC-EP carried out its training, there are some clues that have been revealed over time and that allow us to elucidate aspects of the construction of masculinity in this insurgent group which are worth taking into account. To start, the training combines military and ideological elements[116]. At the heart of the insurgent project, and particularly of the mixed warfare model adopted by the FARC-EP (prolonged popular war and insurrectional war), is the need to have a training that allows the insurgency-turned-army to combat with war tactics and strategies close to those used by their enemies, typical of modern armies. It is also based on the idea that the link with the insurgent cause responds to the need to react to an unjust system, and therefore political and doctrinal training is fundamental in understanding the implications of the link with the armed revolutionary project.

Despite the absence of specific information on how the ideological formation process was carried out and on what was the watermark of this instruction process's contents, it is possible to intuit that the recruits' intellectual formation necessarily passed through the Marxist doctrine interpreted under the ideological canons developed throughout the 20th century in the revolutions inspired by this intellectual and political project. It is to be assumed, then, that the training included learning about elements already described as central to the construction of the insurgent subject: sacrificialism, the exaltation of individual heroism, glorified death, and virility as a source of revolutionary energy, among others.

For their part, paramilitary training schools were set up throughout the country in areas such as the Eje Bananero, northern Urabá, Lower Cauca in Antioquia, Middle Magdalena, the Eastern Plains, and the departments of Caquetá and Putumayo[117]. It was in these areas that paramilitary leaders –and in some cases

116 VERDAD ABIERTA. Las escuelas de las FARC. 2017. February 22, 2013.

117 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Paramilitarismo. Balance de la contribución del CNMH al esclarecimiento de la verdad, Op. Cit.; CENTRO NACIONAL DE MEMORIA HISTÓRICA. Textos corporales de la crueldad. Memoria histórica y antropología forense. Bogota, 2014; COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Jose Rubén Peña Tobón and other exmembers of the Bloque Vencedores de Arauca, December 1, 2011. R.J. Léster María González Moreno; UNIVERSIDAD CENTRAL. Digital project: Masculinidades, relatos de excombatientes. Story: "El Chayanne", interpreted by Emmanuel Restrepo. COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Guillermo Pérez Alzate and others, September 19, 2014. R.J. Uldi Teresa Jiménez López.

military leaders– were in charge of training their cadets' minds and bodies, via arduous processes aimed toward desensitizing them to the suffering of others and preparing them to inflict the cruelest pain on the human body, in order to later provoke terror and subdue the community.

As the NCHM points out, the death schools served a "doubly pedagogical" function[118]. On the one hand, they were used by AUC members to learn how to wage war and to perfect their physical and psychological torture techniques, including mutilation, dismemberment, murder, and disappearances. On the other hand, they served to send a message of terror and domination to the inhabitants. Some former AUC members reported that the commanders evaluated new recruits depending on their ability to dismember and kill others. In some cases, they forced victims to witness the torture of other detainees, knowing that this was the future that awaited them.

The free versions of former AUC combatants show that the death schools were difficult and highly sadistic experiences that challenged their physical and mental capacities and left repercussions of the same kind[119]. Metro Bloc members, for example, were taught that the training should be as difficult as possible. In this sense, they were forced to "endure hunger and sleep deprivation for several days, eat dogs and cats, and learn to dismember in order to make people disappear"[120]. These affronts served to subjugate and discipline the recruits' bodies, as well as to generate cohesion within the group. To guarantee the students' obedience, they appealed not only to the fear –since they ran the risk of being killed if they did not comply with orders–, but also to masculinity:

> "I went to a training school in Bagre, Antioquia. There was a slogan there that said: 'The training must be so difficult that war seems like rest'. That says it all. You can't cry. Chants are very important to liven things up. For example, 'I want to bathe in a pool full of blood, subversive blood'. Or 'I am... the black vampire. I never had a mother and the last one I had I bit last night.' ... That is like part of manhood. You are a man and if you have to kill your mother, then you kill her"[121].

118 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Textos corporales de la crueldad. Op. Cit.

119 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Edinson Giraldo Paniagua of July 30, 2012. R.J. Uldi Teresa Jiménez López; Sentence of Fredy Rendon Herrera of December 16, 2011. R.J. Uldi Teresa Jiménez López; Sentence of Jose Rubén Peña Tobón and other exmembers of the Bloque Vencedores de Arauca of December 01, 2011. R.J. Léster María González Moreno.

120 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ, Sentence of Edinson Giraldo Paniagua of July 30, 2012, Op. Cit.

121 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: El Chayanne. Op. Cit.

The repertoires of torture used in the death schools, also used during the Southern Cone dictatorships, arrived to Colombia within the framework of the American counterinsurgency doctrine, passing from the military forces to the paramilitaries. In line with this doctrine's logic, the use of torture and illegal interrogations as weapons of war and intelligence is "part of a dehumanization process of the "subversive" or "guerrilla" or "terrorist" enemy or simply of a collaborator, who is presumed to be a danger to western, capitalist, and Christian civilization"[122]. However, according to former AUC members' voluntary testimonies, Israeli mercenary Yair Klein's participation was also decisive, as it helped to promote, articulate, and consolidate the paramilitary project in various parts of the country. Though it was a specific and localized event, Ramón Isaza Arango and others' sentences indicate that "the fact that the attendees came from the ground zero of various self-defense and paramilitary groups at the time meant that the instruction was not only military and physical, but also ideological, and strengthened the idea that the self-defense groups should exist"[123].

2. Financial Structure and Control

Although founded in 1964, it was not until the 90s that the FARC-EP went from being a regional guerrilla group of a "marginal, silent, hardly combative" nature that did not represent a threat to the state, to a national, powerful, and aggressive guerrilla group seeking to seize power[124], acquiring through this process one of its most distinctive features: its vertical, hierarchical, and bureaucratic structure. Taking power implied confronting the armed forces in a war over positions, and for this the guerrillas had to build a disciplined army whose members prioritized the armed struggle and the insurgent political project above all else.

As Gutiérrez-Sanín points out, the FARC-EP made strategic decisions aiming to cultivate cohesion and discipline within the group. In particular, guerrilla members were required, on the one hand, to make a lifelong and irrevocable commitment and, on the other, to completely sever their social ties[125]. In addition, they exercised centralized control upon finances for the same purpose. They did not pay salaries

122 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Textos corporales de la crueldad. Op. cit. p. 24

123 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Ramón María Isaza Arango and other exmembers of the Autodefensas Campesinas del Magdalena Medio (ACMM) of May 29, 2014. M.P. Uldi Teresa Jiménez López.

124 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Guerrilla y población civil. Trayectoria de las FARC 1949-2013. Bogotá, 2014. p. 18.

125 GUTIÉRREZ-SANÍN. Telling the difference: Guerillas and Paramilitaries in the Colombian War, Op. cit.

to their members, nor were these allowed an autonomous relationship with illegal economies such as drug trafficking. Although there were cases of corruption, in general the commanders were responsible for ensuring that the wealth generated by their fronts was redistributed throughout the organization[126].

In total contrast with the FARC-EP, the AUC was configured as a confederation whose members had relative autonomy to relate to other expressions of criminality and whose military hierarchy overlapped with drug trafficking. In the 1997 certificate of incorporation, the signatories documented that none of them was willing to fully submit to a unified command: "this alliance is produced under the ACCU precepts, which require: [...] independently assuming responsibility for their respective military actions." According to Huhle, many of the regional leaders who joined the AUC had no "greater political ambition", but allowed Castaño to use the AUC's platform to run a high-impact political campaign[127]. As a result, some authors have argued that, rather than counterinsurgency, the AUC's unifying thread was drug trafficking[128].

In the same vein, it is pertinent to mention that the AUC's statutes' internal normative power and the disciplinary regime it contemplated did not have an effective application in practice. This was adopted as a formal statement of intent document with no useful effect, as mentioned by the Bogotá Court's Justice and Peace Chamber:

> That said, despite having adopted these regulations, in practice the distance from what was enshrined therein is notable, to the extent that the then Staff member himself –Salvatore Mancuso Gómez– stated that "I have never read those Statutes". The sanctions, for example, do not mention death as one of them, although it was imposed upon some members for offenses classified as serious at the commander's discretion. Another example that shows the statutes only existed on paper has to do with the disregard of the fundamental principles that supposedly governed this illegal organization: 1) the defense of the democratic regime (...), 2) the defense of physical freedom (...), 3) and the defense and protection of private property[129].

126 Ibid.

127 HUHLE, Op. Cit. p. 70

128 ECHANDIA CASTILLO, Camilo and CABRERA NOSSA, Irene. Madurez para la paz: evolución de la territorialidad y las estrategias en el conflicto armado colombiano. Bogotá: Universidad Externado de Colombia, 2017.

129 Sentence of December 2, 2010, against Jorge Iván Laverde Zapata, Fronteras Front commander from the AUC Catatumbo Bloc, paragraph 133.

What was had, then, at the AUC's national level were general guidelines without considerations of non-violence toward women or LGBT people, while the sanctioning power came mainly from each bloc's leadership.

In agreement with Gutiérrez-Sanín, it is worth noting that the federated structure, the overlap between military leadership and criminal structures, the personalized connection to drug trafficking, and the AUC's payment of salaries led this armed group to have less cohesion and discipline than the FARC-EP. The fact that its members had more autonomy and an expectation of personal enrichment meant that they competed against and even killed one another in order to move up the paramilitary hierarchy and gain access to greater wealth[130]. This competition also took place between different blocs. For example, in the southeastern region of Tolima, the Tolima Bloc and the Centauros Bloc fought for control over the area's drug trafficking route[131]. This dynamic made use of and fed on violent constructions of paramilitary masculinity.

The AUC maintaining such close and diffuse connections to drug trafficking meant that, in some regions of the country, control of coca production, processing, transport, and commercialization took precedence over the counterinsurgency struggle. In regions where drug trafficking took precedence, members of this group behaved in accordance with the precepts and prejudices described in the previous section: consumerism, ostentation, pornification of the female body. In this sense, an ex-combatant recounts that "I paid myself four or three million and divided up the escorts. I spent millions in one night"[132] This is also reflected in the testimony of Samir, a trans man forcibly recruited by the AUC in Tumaco:

> "There was a lot of money, so much money, drugs, women, trips. I had never had so much money in my life, I had money everywhere. At that time there was a lot of money, a lot. They used to send me to bring the prostitutes from here to a brothel called "Happy Night". I was in charge of the errands of coming here to the center, getting women, they would send me on errands, to pick people up from the airport." (Samir, trans man, Tumaco)

130 GUTIÉRREZ SANÍN, Telling the Difference: Guerrillas and Paramilitaries in the Colombian War, Op. cit.

131 COLOMBIA, TRIBUNAL SUPERIOR DEL DISTRITO JUDICIAL DE BOGOTÁ, SALA DE JUSTICIA Y PAZ, Sentence of Jhon Fredy Rubio Sierra and other exmembers of the Bloque Tolima of July 3, 2015, Op. cit., p. 156.

132 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: Comando, deme parte, interpreted by Diana Carolina Cortés. Taken from: https://www.ucentral.edu.co/masculinidades/comando-deme-parte.

iii. Gender Regime

Connell proposes four variables of analysis to study a particular organization's gender regime: (I) culture and symbolism (e.g., discourses on the relationships between masculinity and femininity)[133]; (II) emotions and human relations (e.g., the role gender plays in mobilizing solidarities and antagonisms); (III) the generic division of labor (e.g., the roles occupied by women and those occupied by men); (IV) gender power relations (e.g., the exercise of authority and control from a gender perspective). We consider it relevant to illustrate the last variable proposed by Connell: on the one hand, the regulation of bodies and, on the other, the sanctioning of violence because, while there were consolidated generic norms regarding physical appearance and sex-affective relationships that were enforced, the same is not true for gender-based violence, especially when directed against LGBT people.

Before proceeding, it is worth clarifying the concepts of masculinity and femininity. According to Connell, masculinity is "at once the position in gender relations, the practices by which men and women commit to that gender position, and the effects of these practices on bodily experience, personality, and culture"[134]. Although this definition is much closer to a conception of gender roles than to the particularities of masculinity as one of the scenarios in which these roles present their most traditional expression, it does provide elements for understanding that, instead of being a set of behaviors derived from a given species' male nature, masculinity implies a series of socially developed practices learned through socialization processes. These processes are characterized by giving meaning to corporeality, personality, and sexuality, which in turn determine a position in society. Thus, *masculinity* is the traits that within a social, political, historical, cultural, and economic context are acquired by the roles assigned to males in the human species, which in turn generate social expectations about their behavior and their position in society.

To the notion of masculinity, we can add that of *hegemony*. This category, by qualifying *masculinity*, makes it possible to understand the scope of the positioning of certain types of masculine expression within a specific social context. Connell considers hegemonic masculinity as "the configuration of a series of gender practices that embody the currently accepted responses to the issue of the patriarchy's legitimacy, which guarantees (or intends to guarantee) men's dominant position and women's

133 CONNELL. Gender. Op. Cit.

134 CONNELL, R. La organización social de la masculinidad. In: VALDÉS, Teresa y OLAVARRÍA, José. Masculinidad/es: poder y crisis, Cap. 2, ISIS., 1995 (orig.) FLACSO: Ediciones de las Mujeres, No. 24 p. 31-48.

subordination"[135]. This set of practices is installed in its position of privilege insofar as there is a series of shared social ideals that place it there, as well as social, political, and cultural institutions that allow for its advancement and anchoring within the collective imaginary[136]. Its "current" nature corresponds to the temporal association of its dominant position: gender roles are neither ahistorical nor immovable. On the contrary, they respond to the dominant representations of what is masculine or feminine at a given time, so that what is conceived as the masculine ideal at one moment may not be at another[137].

Lastly, it bears clarifying that in studying these four elements, we are analyzing both the scenario within the ranks and the relationship with the civilian population. Although our aim is to explain the variations among the prejudice-violence directed towards the civilian population, it would be impossible to understand how combatant masculinities are configured without reviewing the behaviors encouraged within the group. As the NCHM asserts in *La guerra inscrita en el cuerpo*, though each combatant faces the training and disciplinary processes differently, the fact of the matter is that the training and cohabitation practices within the ranks shape and order their bodies physically, imaginarily, and symbolically. Therefore, gender-based violence within the ranks reflects and reaffirms the gender order defended by the armed group[138].

1. Discourses on Femininity and Masculinity

In the FARC-EP's case, particularly within the context of this insurgent group's historical and especially politicized presence, as in the south of the department of Tolima, and given the long history of armed peasant struggles dating back to the presence of liberal and communist guerrillas in the 1940s and then the FARC guerrillas since the 1960s, one of the hegemonic masculinity prototypes in this region is that of the *male warrior* who, in addition to defending honor, glory, and peasant tenacity, takes up arms to defend the just cause of equitable land distribution and against the oligarchies that replicated feudal practices. In this regard, the Central University study on combatant masculinities, based on the accounts of male ex-combatants, highlights the effects of this communitarian and peasant reading of the

135 Ibid., p. 10.

136 Ibid.

137 Ibid.

138 CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo. Op. cit. p. 158-159.

armed struggle, which also enabled the configuration of a deeply ideologized warrior masculinity, then faced with the reincorporation process:

> Another very significant aspect of FARC men's identity is their community dynamics. Faced with the state's proposals during the peace process, which aimed toward their individual social insertion in the prevailing productive system, we have a masculinity rooted in belonging to a collective project whose interests organize the social fabric as a communal whole[139].

In any case, beyond this romanticizing view of reincorporation and armed struggle as a space for the formation of an alternative masculinity focused on the achievement of collective goals more than individual ones, stripped of the patriarchal "manias" of western capitalist society, the ex-combatants who participated in the aforementioned study also considered there to be other traits reflecting the effects of hegemonic masculinities within the group. Indeed, as seen above, one ex-combatant pointed out that a feature of FARC manhood was that they "matured when still very unripe"; that is, they were forced to move quickly into adulthood, bringing with them the worst of "civilian" masculinity[140]:

> "In the FARC we are also a reflection of society, and one of the political actors suffering the most from conditions of exploitation, misery, and persecution are women. [...] This does not mean that in the FARC we did not have many if this society's aspects, such as machismo. This could be seen in comments, jokes, in their attitudes and behavior. Comrades who subjugated their partners within their relationships because they were women, wash my clothes, bring me my food, fix my things"[141].

With regard to women's roles, Leliévre Aussel indicates that, based on ex-combatants' accounts, it is clear that though formally within the FARC-EP it was established that men and women are equal (and this was indeed the case for daily tasks within the camp and in combat for guerrilla members at the level of private), as one ascended in leadership positions within the organization, not only was parity between men and women considerably reduced, but at the highest levels it disappeared[142].

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139 RIVERA, Carlos A. and ESCOBAR, Manuel R. Masculinidades guerreristas: subjetividades en el posconflicto (finished project). In: Nómadas [online]. 2018, No. 48. p. 263-266.

140 This expression is used colloquially in the insurgent sphere to refer to people who are not combatants or who are part of civil society.

141 UNIVERSIDAD CENTRAL. Digital project: Masculinidades, relatos de excombatientes. Story: "Si hay una mujer, hay algo diferente".

142 LELIÉVRE AUSSEL, MORENO ECHAVARRÍA and ORTIZ PÉREZ, Op. Cit. p. 94.

In terms of sexual and reproductive rights, it also became evident that the equality was merely formal, as there were acts of imposition such as forced abortions that ignored women's sexual and reproductive freedoms within this insurgent group's ranks. This was acknowledged by an ex-combatant:

> "If injection did not work, the woman was asked, 'Do you want to have it?' If she answered yes, then she was asked, 'Do we have the conditions?', because if we are in the middle of a heavy operative, if we have a bunch of army next to us, well we're not going to carry a girl with a big belly and without the possibility of removing her so someone could take care of her pregnancy. Obviously, there we had to tell her, 'Look, we don't have the conditions. It is necessary to apply the curettage because it can't be done at this moment'. Many comrades understood this, and they had it done many times, but then many of them later deserted and said, 'They forced me, they gave me an order'. It was not an order. Of course, I think it was an error when women had several curettages, because for some of them birth control definitely failed. They had more than three curettages, and that is physically and emotionally difficult, and well, what psychosocial support were we going to have in the war? [...] It's not like they were left there to their fates, the mindset was that they had to go on. But I believe that there was suffering, there was pain for the women. I believe that it was also the conditions"[143].

While the FARC-EP tried to push some gender equality discourses that promoted "insurgent femininities", the AUC's gender regime had no intention of rethinking gender relations neither as a political commitment nor as a recruitment strategy. As a result, the notions of masculinity inherited from their predecessors prevailed, though now they were intersected by dispute logics and corporal discipline processes, which consolidated even more violent masculine subjectivities.

In the AUC's discourse, the feminine or feminized held a place only as a sexual object. According to research conducted by the Universidad Central:

> [f]or ex-combatants of paramilitary groups, although they had been involved in different fronts that they agree in describing as quite independent from one other, there is a tendency to consider paramilitary men as superior to women both on the battlefield and in social life. They consider female power as seduction, and not their possible combat abilities or their intelligence; precisely those capacities are conceived as belonging to men. Such superiority implies, in addition to the stereotype of the vigorous and

143 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Op. Cit.

> strong man, a greater capacity to withstand cruelty and to exert violence. Likewise, the group's work seems to have a moralizing function in terms of a dominant tendency of the patriarchy to impose moral and gender values in the territories it controls[144].

Unlike the FARC-EP, which often did not comply with its discourse on formal equality, the AUC was more than consistent with this degrading discourse on femininity. Along these lines, the Bogotá Superior Court's Justice and Peace Chamber declared, in the sentence against José Higinio Arroyo Ojeda and other AUC Miners Bloc candidates, that the paramilitaries carried out different repertoires of violence in accordance with different characteristics of the population to be suppressed. Cases of forced prostitution, sexual slavery, rape, sexual harassment, forced pregnancies, forced childbirths or abortions, and the spread of sexually transmitted infections were recognized as manifestations of violence against women, among others[145]. In other pronouncements, the Bogotá Court has recognized LGBT people as victims, stating that the acts suffered by them derived from the perpetrators' intent to oppress, belittle, or punish people who did not comply with society's predominant gender rules, which were reinforced by the armed organization itself[146].

2. Roles of Women and LGBT People

In the previous section, it was noted that within the FARC-EP there was an equitable distribution of daily tasks. This is indicated by some ex-combatants: "[y]ou could perform any task, men and women cooked, washed their clothes, went on an exploration, went to combat, did nursing or military intelligence work. Any activity"147. However, this logic did not operate in the same way for tasks that entailed decision-making or the assumption of important responsibilities within the group.

In addition to this official version of formal equality in task distribution, discourses on the importance of women within the group also circulated, to contain the tensions derived from the presence of many men in the same space, during a

144 RIVERA and ESCOBAR, Op. Cit. p. 265

145 COLOMBIA, TRIBUNAL SUPERIOR DEL DISTRITO JUDICIAL DE BOGOTÁ, SALA DE JUSTICIA Y PAZ. Sentencia del 28 de abril de 2016, p. 258.

146 COLOMBIA, TRIBUNAL SUPERIOR DEL DISTRITO JUDICIAL DE BOGOTÁ, SALA DE JUSTICIA Y PAZ. Sentencia del 16 de diciembre de 2014 contra Arnudio Triana Mahecha y otros postulados de las Autodefensas Campesinas de Puerto Boyacá y sentencia del 24 de marzo de 2020 contra Juan Francisco Prada Márquez y otros postulados del Frente Héctor Julio Peinado Becerra.

147 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: *Si hay una mujer, hay algo diferente.*

long time, and in the precarious conditions of the insurgent group's clandestine life. Among other aspects, women's presence was seen as a necessity, since it facilitated the overcoming of vices derived from exclusively male cohabitation, such as sexual relations between men or rape:

> "[I]f women had not been allowed to enter, can you imagine what it would have been like to live in the wilderness among a bunch of men? That would have developed very complex dynamics like those that occur in the official armies: homosexuality, rape. Because being there does not isolate you from feeling and desiring other things"[148].

With this in mind, FARC women not only fulfilled the military and political roles that came from their role as guerrilla members. They were also called upon to fulfill a role similar to that of women in civilian life: as relievers of violent tensions between men and sexual partners. Respecting the latter, both female and male ex-combatants' perception is that sexual relations within the insurgency were free; this is to say, male and female guerrilla members could choose their sexual partners and the frequency with which they had sexual relations, without the need to engage in stable relationships. Nonetheless, as noted above, not all areas of sexuality were equally free. There was strict control of reproduction, which catalyzed forms of violence specifically directed toward women, such as the practices of forced abortions or forced contraception.

Finally, in relation to sexual diversity, there was a strong anti-homosexual discourse within the organization, and sexual relations between people of the same sex were forbidden. While in practice there was greater tolerance towards lesbian sexual relations, male homosexuality deserved exceptional reproach, as it was seen as a capitalist or imperialist practice[149]. However, the fact that this reproach did not present itself equally did not necessarily reflect the organization's openness to relations between women as a liberation practice, but rather reflected the prejudices toward sexual practices between men in a radically masculine context such as the insurgency:

> "In the FARC, the topic of homosexuals was not accepted. It was more common to see lesbians than gay men, although that was not allowed, either. They were there, but they were reserved; it was a completely forbidden subject. Because we are a product of this society, and as most of these people come from rural

148 Ibid.

149 As Darla Cristina Gonzalez stated, "For the FARC, homosexuality was seen as a Yankee affliction and a crime. My sexuality was incompatible with their rules." In: Milenio, "De niño soldado, a luchar por derechos transgénero en Colombia".

> backgrounds, which includes a conservative way of thinking, it was very difficult to have conversations about sexuality. [...] We viewed homosexuality as a degeneration of capitalism, but we were wrong"[150].

The available information is much scarcer in the case of transgender people. After the FARC-EP's demobilization, the voices of some ex-combatant transgender women emerged, and in particular three stories: two linked to the political project that emerged after the demobilization, and another who had escaped from the ranks years before and had been involved in LGBT rights activism and local politics for years. On top of having been in the insurgent ranks and having joined when they were still very young, all three share the fact of having transitioned after leaving the group or ceasing their armed activities. Darla González, a well-known activist and victim of recruitment by this organization, has stated on multiple occasions that not only was homosexuality forbidden and severely punished within it, but it was impossible to carry out a gender transition within the FARC-EP[151].

Unlike the FARC-EP, the AUC's recruitment strategy did not seriously consider women's recruitment. While the FARC-EP was made up by 23% of female members [152](although they did not occupy the most important positions within the organization), the proportion of women in the AUC did not exceed 2%, according to the databases consulted by Gutiérrez-Sanín[153]. According to the NCHM, "the perception of women within the group and their possibilities for advancement is related almost exclusively to the possibility of women having sexual exchanges with high-ranking men, or to the possibility of establishing themselves as partner to a person in command". Indeed, although some women managed to climb the paramilitary hierarchy, their command was constantly questioned by the men[154]. In fact, some members believed that women only joined the AUC to get a paramilitary boyfriend or husband. It is also reported that some commanders could "choose a woman" as a partner, subjecting her to a situation of forced cohabitation and even sexual slavery.

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150 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: *Buenos días a todos y todas. Op. Cit.*

151 According to Darla Cristina González, "Under their [FARC-EP] rules, homosexuality was forbidden and could even be punishable by death." THOMSON REUTERS FOUNDATION NEWS. "Ex-child soldier fights for trans rights in Colombia". February 21, 2019.

152 UNIVERSIDAD NACIONAL DE COLOMBIA. Caracterización de comunidad FARC-EP: Resultados Generales. 6 de junio de 2017. Recuperado de: http://pensamiento.unal.edu.co/fileadmin/recursos/focos/piensa-paz/docs/presentacion_censo_farc.pdf

153 GUTIÉRREZ SANÍN, Telling the Difference: Guerrillas and Paramilitaries in the Colombian War, Op. Cit.

154 CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo, Op. Cit. p. 165.

Additionally, although we know that tolerance levels for perceived non-heterosexual sex practices varied from region to region (apparently it was more permissible in places like Caquetá[155], the Pacific Coast of Nariño, and Middle Magdalena[156], where AUC members sought out gay men and trans women for sexual relations, than in Antioquia, where one ex-combatant describes the experience of being lesbian or gay in the Self-Defense Forces as "Armageddon"[157]), both the discourse and the violence exerted by the AUC exhibit the generalized perception of total incompatibility between paramilitarism and non-heterosexuality, particularly when it was a visible defiance of gender roles. For example, in victims and ex-combatants' accounts that there are frequently stories of paramilitaries prohibiting men from wearing earrings and long hair because these were "for women"[158] (although in the case of long hair it was also due to the association this had with the guerrilla groups). It is also telling that Samir, who was recruited by the Libertadores del Sur Bloc in Tumaco, felt that his physical and sexual integrity depended on his ability to prove himself as a man:

> "I had to do things very well, I had to show that I was there because I was a man. If I showed weakness, I knew I was going to be raped or something like that. But I always stood on the line, and I don't know, I was lucky in that way. The bosses liked me, I was like the pet there. They sent me to collect money, to receive money, to support the people with logistics". (Samir, trans man, Tumaco)

Despite their differences, both groups coincide in the relegation of women and LGBT people to feminized jobs, including laundry, running errands, and intelligence work. They also involved gay men and trans women to act as pimps. Colombia Diversa has been able to document three cases in which the AUC or the FARC-EP used gay men and/or trans women to bring together other gay men, cross-dressers, cisgender women, and transgender women –in some cases sex workers– to put on "shows" in which the women and LGBT people ended up being humiliated, abused, raped, and on one occasion went missing. The AUC's case occurred within the context of boxing matches organized by the Montes de María Bloc in San Onofre, Sucre in 2003[159].

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155 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit.

156 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Ser marica en medio del conflicto. Memorias de sectores LGBT en el Magdalena Medio. Bogotá: CNMH, 2019.

157 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: *El Chayanne,* Op. cit.

158 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. cit.; CENTRO NACIONAL DE MEMORIA HISTÓRICA. Un carnaval de resistencia: Memorias del reinado trans del Río Tuluní. Bogotá: CNMH, 2018; COLOMBIA DIVERSA, Entrevista semiestructurada, Ocaña; UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: *El Chayanne,* Op. cit.

159 COLOMBIA DIVERSA, Vivir bajo sospecha, Op. Cit.

Both FARC-EP cases occurred in San Andrés de Tumaco, between 2006 and 2008. Although we will go more deeply into the events in the next section of this report, it is worth noting that in both San Onofre and Tumaco it was believed that gay men –even though some were trans women, they were perceived as gay men– had an easier time attracting women than a heterosexual man.

3. Body Regulation Mechanisms

According to Mario Aguilera Peña, guerrilla groups operate as *voracious institutions*[160]. This suggests that the configuration of an individual's subjectivity is radically subjected to matters such as governmental power, family, or the collectivity in which life takes place[161]. The objective of this regime of control over subjectivity is to ensure unrestricted adherence to the mandates of insurgent morality which, as previously seen, has certain postulates requiring an unquestionable commitment on the part of its militants. To that extent, for Aguilera, insurgent groups in general, and Colombian insurgent groups in particular, are characterized by:

> **(I)** setting barriers between its members and society: this consists of breaking the combatants' bonds of loyalty and solidarity with the outside world. This implies ruptures with family members, partners, etc. According to Aguilera, in the FARC, relations with members outside of the organization could only be maintained with strict authorization and vigilance by the commanders. These provisions, according to Gutiérrez-Sanín, in addition to ensuring exclusive loyalty to the group, were based on the need to preserve the group's internal order and security[162].
>
> **(II)** controlling and standardizing its components' personality: as was seen paragraphs above, in the FARC-EP there was strict training that transcended purely military aspects. Political training through generic discourses catalyzing class grudges and anxieties is a way of standardizing guerrilla members' mentalities. Likewise, as Aguilera points out, behaviors subject to punishment also helped to standardize the combatants' conduct, as they could not demoralize the troops, or allow themselves to be demoralized, lest they be punished[163].

160 AGUILERA PEÑA, Claves y distorsiones del régimen disciplinario guerrillero, Op. Cit.

161 COSER, Lewis C. Las instituciones voraces: visión general. 1st Ed. (Spanish). México: Fondo de Cultura Económica, 1978.

162 GUTIÉRREZ-SANÍN, Telling the Difference: Guerrillas and Paramilitaries in the Colombian War, Op. Cit.

163 AGUILERA PEÑA, Claves y distorsiones del régimen disciplinario guerrillero. Op. Cit. p. 48.

> **(III)** deploying mechanisms to stimulate its members' adherence and absolute and unconditional loyalty: this consists of promoting the persistent exercise of self-criticism as a self-regulation mechanism[164], and of training in a logic of silent obedience in which nothing is questioned and no inquiry is made into that which does not concern the insurgent at the level of private. The logic of secrecy is an attribute that undoubtedly promotes this exercise, in which there is also a constantly latent tension of being identified as a traitor who can be ejected or executed for not complying with the most elementary guerrilla rule: to remain silent[165].

It is worth remembering that, despite the logic of apparent freedom under which sexual and affective relationships operated within the guerrilla group, the fact is that the organization kept a close watch on couples and on occasion punished the insurgents for any deviations in this area that could be detrimental to the group's internal harmony[166]. It is also worth noting the strict regulation of all combatants' body image and of women's sexuality. Women not only had to submit to the tight uniformity that guaranteed a supposed equality among all comrades, but also had to find ways to ensure their menstrual cycle did not affect their work as guerrilla members. Among the most extreme practices of body regulation was the obligation to use contraceptives and to have an abortion when the organization deemed it necessary, as mentioned above.

Despite the surveillance of gender expression mentioned in the previous section, the norms regulating bodies and behavior within the AUC's ranks were not as demanding as in the FARC-EP. This undoubtedly is due to the fact that the AUC did not have to consolidate itself as a disciplined army –as guerrilla groups did– because it did not have the need nor the aspiration to confront the armed forces. The paramilitaries were not required to sever their contact with the civilian population or break family and emotional ties. In fact, both women and men could remain in their villages and build a family. For this reason, while the FARC-EP was a space of profound regulation of biological processes such as reproduction, in the AUC fertility control was not a generalized issue[167]. Conversely, the responsibility for sexual and reproductive health

164 Hence, one of the sanctions to be imposed for serious misconduct was the "frank and constructive criticism when meeting with the organism that applies the sanction, and the demand for corresponding self-criticism on behalf of the person or persons who committed the misconduct" (Art. 2.1. del Reglamento Disciplinario de las FARC-EP).

165 Ibid.

166 Thus, for example, "deceiving comrades or guerrilla members" was considered a serious offense deserving of punishment according to the FARC-EP's Disciplinary Regulations.

167 Although it was not a generalized policy, the National Center for Historical Memory learned of forced abortion cases within the Casanare Peasant Self-Defense Forces, in the Libertadores del Sur the Northern Blocs. CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo, Op. Cit.

fell mainly on female combatants "who on many occasions must of their own accord keep their bodies from possibly becoming pregnant or ill, which includes contraception, in conditions of difficult access to medical services and medications"[168].

Nevertheless, even if paramilitary norms related to family and reproduction were lax, those aimed at controlling women's sexuality were strict. At the AUC's heart, the treatment of women was mediated "by patriarchal gender arrangements in which women are considered their partners' property, and therefore extensions of them"[169]. Consequently, women who had several partners simultaneously, contracted sexually transmitted diseases, or were unfaithful were punished, which was often done publicly, as it sought to teach lessons not only to the transgressor, but also to the other women in the group, even through practices such as forced nudity[170].

4. Gender-Related Sanction Mechanisms

We are not aware of any case in which a FARC-EP or AUC commander sanctioned one of his subordinates for exerting prejudice-based violence toward an LGBT person. In fact, as noted above, expressing homosexual desires within the ranks was explicitly prohibited, based on the crime of carrying out "any activity that goes against revolutionary morality, against the community's healthy customs, or that tends to reduce the FARC-EP's prestige before the people", as contemplated in article 3, paragraph ñ of the FARC-EP's Disciplinary Regime Regulations. Article 3, paragraph *k*, established that rape was a crime for which sanctions were to be assigned through the War Council, as indicated in article 4, section 3 of the FARC-EP Regulations. However, to date the FARC-EP has not clarified whether or not the respective War Councils were held for cases of sexual violence perpetrated by members of this armed organization within and without the ranks.

Finally, although the majority of demobilized paramilitary members who went through the Non-Judicial Mechanism of Contribution to the Truth pointed to the prohibition of sexual violence, indicating that the guilty parties were executed by their commanders[171], the truth is that no such prohibition appears to exist either on paper or in practice. In contrast with the FARC-EP, the Self-Defense Forces' statutes put together in 1998 do not include sexual violence as a crime or misdemeanor. In

168 Ibid. p. 172.

169 Ibid.

170 Ibid.

171 Ibid.

fact, the AUC statutes did not mention punishable conducts. Although the duties of the organization's members were expressed, they were compiled broadly, without specific references to any particular practice: to defend paramilitary principles, to obey superiors' orders, to promote the strengthening of the organization, to observe a conduct of loyalty, solidarity and comradeship, or to ensure the provisions' conservation and care.

Likewise, compared to the colossal number of stories of rape committed by paramilitary members both within and without the AUC, there are very few cases in which it is known that the perpetrator was punished. In one case cited in the report *La guerra inscrita en el cuerpo,* members of the Puerto Boyacá Self-Defense Forces "executed" someone's partner for rape, but in actuality they seemed more interested in punishing him because of his sexual orientation and not the sexual violence, as the perpetrator was understood to have raped the victim because he was gay[172].

B. Variations of Prejudice-Based Violence Within the FARC-EP

As noted above, this section seeks to elucidate some of the main variations in prejudice-based violence perpetrated by the FARC-EP, taking the territory in which the violence was commited as the central unit of analysis. This section will be divided into four parts. The first outlines a general context of FARC-EP actions in Tumaco and southern Tolima throughout the conflict, showing how the exogenous factors mentioned in the introduction to this section were configured: the socio-political background, the war economies, the level of territorial control, and the strategic value of territory in the war.

The second section will seek to present a quantitative outline of violence toward LGBT people committed within the context of the armed conflict, using as reference both the official figures collected on the subject and those that Colombia Diversa has been able to collect through the cross-disciplinary study of the various reports produced so far on this type of violence in the country. This section's objective is to identify some general dynamics of armed violence toward LGBT people, in an attempt to connect it with some exogenous factors such as the socio-political and economic context in which certain forms of violence were prevalent. It will also seek to identify some basic elements that allow for a characterization of the victims and of the main mechanisms through which violence was imposed upon them.

172 Ibid. p. 193-194

In the third section, and following a more qualitative approach, we will refer to the specific repertoires of violence, taking as our main source the cases documented by Colombia Diversa in the southern Tolima and Tumaco regions to identify the patterns of armed violence toward this population. In the last section, a compendious analysis is made, identifying and explaining variations in the repertoires from the point of view of typologies, motives, and forms of territorial control. Finally, some factors of this armed violence's persistence against people with diverse sexual orientations and gender identities will be identified.

i. General Context

1. The FARC-EP in Southern Tolima

The FARC-EP's 21st Front is one of its historic structures in Tolima and was the mythical Central Joint Command's (CCC by its Spanish acronym) main armed structure, whose primary center of operations was the entire Gran Tolima region (Tolima and Huila), particularly the territories that connect the central and western mountain ranges. The 21st Front established territorial control in southern Tolima, in the Central Mountain Range's middle and high zones, where the Las Hermosas Canyon is located, which is a geographic formation sheltering the Amoyá River and the Davis River valley. The canyon is located in the mountainous part of the municipalities of Chaparral and Rioblanco, and its area of influence covers the municipalities of Ataco and Planadas. The latter is a municipality particularly relevant in this guerrilla group's memory because in 1964 it was the scene of its genesis in Marquetalia. The canyon was very important for the FARC-EP, as it allowed them to consolidate a retreat zone at the country's center, of difficult to access due to the rugged terrain and poor tertiary road connectivity to the region and to other secondary and principal urban centers such as Ibagué and Bogotá, respectively. It is also an important strategic corridor connecting the Las Hermosas National Natural Park and expands through the mountainous area of the municipalities of Palmira, Tuluá, Buga, El Cerrito, and Pradera, on Valle del Cauca's western front, thus connecting the eastern and central zones with the western part of the country.

Since the Front's presence was particularly important in the mountainous areas of Chaparral and Rioblanco, these are the municipalities where its tactical and strategic actions were concentrated, and where control-collaboration[173] and exchange[174]

173 KALYVAS, Stathis. La lógica de la violencia en la guerra civil. (1st. Ed.) Madrid: Ediciones Akal, S.A., 2010. p. 165-212.

174 WICKHAM-CROWLEY, Timothy. The rise (and sometimes fall) of guerrilla governments in Latin America. In: *Sociological Forum,* 1987, vol. 2, no. 3. p. 473-499. p. 475.

relations with the civilian population were woven. According one of the interviewed victims' account, the 21st Front was present in the five townships of the municipality of Chaparral (El Limón, La Marina, Las Hermosas, Calarma, and Amoyá) and in one of the most elevated townships of Rioblanco (La Profunda). However, this armed structure was not present in all these municipalities' townships. The victim states that, while the FARC-EP focused on the most elevated settlements –La Profunda, Las Hermosas, El Limón, and La Marina– public forces had a permanent presence in the settlements of Calarma, Amoyá, and the municipal capitals.

As for the relations militias and armed structures had with the civilian population, given the long-standing presence of these guerrillas in the region, these relations range from exchange and collaboration to the imposition of control through violent means. It is worth noting that the people interviewed by Colombia Diversa –most of whom are under 45 years old and who grew up in rural rather than urban environments– recall that the guerrilla's relations with the communities were peaceful, but clearly tense. One of them, who grew up in the village of Calarma, affirms that it was controlled by a family of militia members of the 21st Front under the surname Oviedo (hence the name "Los Oviedos"), and that these people would occasionally congregate the municipality's inhabitants to inform them of norms related mainly to the regions' agricultural work and production. He explains that, although these people were "only" armed with revolvers, they were in charge of convening the Juntas de Acción Comucal, to whom they communicated the Front commanders' orders. These commanders were known as "those at the top" and only occasionally, and at the militia, the Board, or some other expression of the communal organization's request, did they intervene in conflict resolution (Florentino, gay man, Chaparral).

In addition to its intervention in disputes between civilians or in which the militia was involved, the armed structure's presence in the region ensured optimal security conditions for the population, as the guerrilla group took it upon itself to control, through threats, displacement, or executions, all behaviors threatening the peace of its inhabitants, such as robberies, fights, murders, and violence among family members:

> "It was, let's say, a very frightening time. The guerrilla members ran roughshod over the people, the peasants, whoever did not obey the rules or the orders they gave, they either killed them or kicked them out, displacing them from the territory. For me it was a hard time. Just as it was hard in parts, there was also, it was also calm, just like that, they maintained very strict control, very orderly, nothing happened. Except they were the only ones with the power. [...] I mean,

> there was like order. There were not so many delinquents, there were no thieves, there was nothing. [...] In that sense, it was kind of hard because the people, in part, felt safe, but in part there were times when they didn't know what to do" (Florentino, gay man, Chaparral).

Within the context of the application of justice by the Front or its militias, customary sanction mechanisms were created that were known to the community's community. One of the victims recounts that the most frequent sanctions were associated with doing work that benefitted the community, such as "guachapeo", that is, clearing weeds from roads, sidewalks, or cemeteries with machetes for several days (Eugenia, Chaparral; Florentino, Chaparral; Jacobo, Chaparral). Likewise, work was assigned to harvest coffee or subsistence crops, such as peas, on farms controlled by the militias in temperate zones or in the highlands directly controlled by the guerrilla military structure.

There was also knowledge of the practice of civilian executions. One of the victims reports that alias "Marlon", 21st Front and CCC commander, had a list of offenders and a point system that allowed him, through the Front's mid-level commanders, to identify repeat offenders, who to be executed after the third offense (Jacobo, gay man, Chaparral). Another interviewee specifies that, given the confluence of different rivers in the region, it was common for the bodies of those executed to be deposited in "el espumoso", a popular name for the rivers, mainly the Amoyá River (Horacio, gay man, Chaparral).

Finally, in the exercise of "legalizing" the conditions of existence of the communities under its influence, the guerrilla group imposed certain restrictions upon the mobility of the region's, via curfews or by establishing time slots in which no one's life could be safeguarded. These rules, according to the account of one of the interviewees, were designed to ensure discipline in the civilian population's behavior and the use of time on "non-leisure" occupations:

> "That we couldn't be outside the house after 8 p.m., that after 10 p.m. they weren't responsible. We couldn't be in places where alcohol was consumed, where billiards were played. We had to be studying or working, we could not be loitering around, we had to be busy. That was more or less what they proposed" (Sebastián, gay man, Chaparral).

These references corroborate the way in which the FARC-EP behaved in the development of the strategy to consolidate dual power in its rearguard areas. As noted above, not only was the eastern part of the Central Mountain Range the

scene of the 21st Front's genesis and evolution, but it was also its main retreat zone at the country's center. These elements were favorable for the consolidation of a counterpower in southern Tolima. As can be seen, this counterpower has involved (i) providing security services; (ii) the imposition of regulations related to land distribution and collective production in the regions under control; (iii) the armed structure, militia, and Board's involvement in the administration of justice in the territory, in line with the gradual model of counterpowers described by Aguilera[175].

At any rate, the description of this state of affairs corresponds especially to the late 1990s, at a time at which relations between the FARC's 21st Front and the civilian population could be described as of *peaceful tension* because, although guerrilla regulations were strongly imposed upon the civilian populations' daily lives, the fact of the matter is that these relations were marked by exchange and the consolidation of a new social pact with the aim of replacing the Colombian state's social contract, which undoubtedly had a presence in southern Tolima's rural areas[176]. In fact, as one of the interviewed victims mentions, from a military viewpoint the state's territorial presence was marginal in that there were only occasional visits by the police and much more infrequent visits by the army, despite the existence of the General José Domingo Caicedo Infantry Battalion No. 17 in the municipality of Chaparral since 1957. From a civic point of view, although basic public institutions such as the Mayor's Office, the Prosecutor's Office, and the police itself functioned with relative regularity in the municipal capitals, according to the accounts of the people interviewed for this study, these institutions were seriously co-opted by the insurgent power:

> "[...] I had to go to an area where the guerrilla group had a lot of influence [El Limón], a huge amount of influence, because they were the ones in power, we could say. There was no police force nearby, the army came from time to time. They were the ones to organize the Juntas de Acción Comunal, they were the ones to bring the community together, and they were the ones who set the regulations, the community regulations. For example, the kids could not enter the billiard rooms, the kids could not do this and that. They were the ones who gave the guidelines, many times to school children. Well, I call the children children, but they are high school kids, because I worked at a high school.

175 AGUILERA PEÑA, Mario. Contrapoder y justicia guerrillera. Fragmentación política y orden insurgente en Colombia (1952-2003) (1st. Ed.) Bogotá: IEPRI, Debate, Universidad Nacional de Colombia, 2014. p. 102-107.

176 WICKHAM-CROWLEY, Op. Cit. p. 481.

> The high school kids would receive the blueprint of how to behave in society" (Sebastián, gay man, Chaparral).

However, this situation was not sustained for long, and throughout the first decade of the new millennium, this relationship of *peaceful tension* with the civilian population quickly transformed into a relationship marked mainly by violent control. The primary reason is that the southern Tolima region went from being an area of guerrilla counterpower to a disputed zone. First, it was claimed by the paramilitaries, namely the AUC's Tolima Bloc[177]. In the second half of the decade, it was claimed by the National Army. Along with this dispute came new strategies for the maintenance of territorial control on the part of the 21st Front, which now not only sought to ensure the civilians' loyalty via the offer of security, but also imposed itself through the use of force and excessive violence toward the civilian population with the application of an exemplary-defensive justice model[178]. According to those interviewed, these acts of violence were aimed at punishing those considered to be informants to any of their enemies and at repressing all incentives through terror in order to prevent the propagation of their presence in the territory.

As one of the participants indicates, one of the strategies was to prohibit sexual and affective relations between women in the civilian population and among the army's members. This scenario facilitated the imposition of norms for regulation of the body and one's own identity expression.

> "Here the guerrilla group used to say that women could not be soldiers' girlfriends because they would be killed. At that time there was like an ideology that if you were a soldier's girlfriend you couldn't go to the countryside, you couldn't go to certain places because they would kill you. So, to hear that a woman had been killed meant that she was a hooker or a soldier's girlfriend, because here they were labeled as snitches" (Lina, trans woman, Chaparral).

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177 CENTRO NACIONAL DE MEMORIA HISTÓRICA. De los grupos precursores al Bloque Tolima (AUC) Informe No. 1. (1st. Ed.) Bogotá: CNMH, 2017.

178 In his study on guerrilla counterpower, Aguilera identifies three models of application of justice used by the insurgent groups, which are correspond to three periods of the war's development, namely: (I) exemplary justice, which seeks to have deterrent effects in the face of criminality outbreaks, and which can be defensive, expeditionary, or communitarian. This took place mainly between 1964 and 1976. (II) Retaliatory, also known as revolutionary or popular justice, used mainly by the M-19 and characterized by its spectacular nature (1976-1985). Finally, (III) there is justice seeking to conquer local power. This is administered in disputed or rearguard zones, and its levels of arbitrariness vary depending on the level of territorial control achieved by the insurgency. It was developed particularly between 1985 and 2003. In this case, it is confirmed that exemplary-defensive justice is applied, as the FARC uses arbitrary forms of possible informants' persecution in the face of the threat of losing control over the territory. See: AGUILERA PEÑA, Contrapoder y justicia guerrillera, Op. Cit.p. 126.

This process of dismantling the FARC-EP's hegemonic control coincided also with the construction of the hydroelectric project on the Amoyá River in San José de las Hermosas, in the charge of the energy generation and commercialization company ISAGEN[179]. With the hydroelectric project came increased surveillance by the military forces, who entered the township, traditionally controlled by the 21st Front and the CCC, with severe violence toward the civilian population. The territorial dispute became stronger, and the communities were locked in a game of loyalties between the army and the guerrilla groups, who also violently intensified their territorial control mechanisms.

Additional to the above information, there were also significant losses of relevant CCC and 21st Front commanders. In 2010, the army created the Zeus Task Force[180], with the purpose of neutralizing Alfonso Cano, who after the death of historic FARC-EP leader Manuel Marulanda was appointed as this armed organization's Commander-in-Chief in 2008. Military harassment intensified between 2010 and 2011, until the guerrilla commander was ultimately taken down on November 4 of that year in the so-called "Operation Odysseus", after moving from his refuge in the Las Hermosas Canyon to his final destination in the department of Cauca[181]. Around the same time, the army also killed alias "Mayerly", who served as Cano's right-hand man until her death in July 2010 in a rural area of the municipality of Planadas in southern Tolima[182].

At the start of the current decade, the 21st Front's actions seriously diminished, as it did not manage to recover militarily after Alfonso Cano's death. In this sense, according to the interviewees' accounts, in this decade the guerrilla groups' violent acts toward the civilian population were considerably reduced, while at the same time the military deescalated its belligerent actions, giving way to the installation of common crime in the territory:

> "While the guerrilla groups were there it never happened, because if they realized who was stealing, who was breaking into a house without permission, they would scrape them off, or kill them, at once. But not

179 EL NUEVO DÍA. Central Hidroeléctrica del Río Amoyá: una obra que a sangre y fuego salió avante. July 1, 2013.

180 The ZTF was made up of Mobile Brigades 20 and 8, attached to the 6th Brigade, and headquartered at the José Domingo Caicedo Battalion in the municipality of Chaparral, Tolima. At its creation it was assigned to the exclusive development of counterinsurgency and irregular warfare tasks, although in 2018 its name changed to Zeus Operational Command with the purpose of dedicating itself to security maintenance tasks in the municipalities of Ataco and Planadas after the FARC-EP's demobilization.

181 REVISTA SEMANA. El día que cayó Alfonso Cano. November 4, 2018.

182 REVISTA SEMANA. ¿Quién era alias 'Mayerly', la mano derecha de Alfonso Cano? 14 de julio de 2010..

now, now everything is out of control, because there are already gangs, groups of apartment looters have formed, they steal in the villages, they steal in the municipality, well, they steal everywhere" (Florentino, gay man, Chaparral).

2. The FARC-EP in Tumaco

The FARC-EP operated in Nariño via the Western Joint Command (CCO by its Spanish acronym), which also covered the departments of Cauca and Valle del Cauca. They were present on the Pacific coast mainly via the "Andrés Arteaga" 29th Front, the "Daniel Aldana" Mobile Column, and the "Mariscal Sucre" Mobile Column. The 29th Front emerged in the Coastal Foothills subregion in 1985 as part of the strategic shift undertaken after the Seventh Conference with the aim of pushing toward the center of Nariño to collaborate with the structures in Putumayo[183]. For their part, the 29th Front's Daniel Aldana and Mariscal Sucre Mobile Columns were created in the second half of the 90s –together with the "Omar Quintero" Mobile Column– to counter the attacks suffered within the context of Plan Colombia[184]. After their configuration, they became completely independent from this Front[185]. While the Daniel Aldana Mobile Column was based along the border with Ecuador –a scenario of high strategic value for the armed actors and, consequently, one of armed confrontation–, with access to the Pacific, the Mariscal Sucre Mobile Column was based in the municipalities of Barbacoas, Roberto Payán, and Magüi Payán[186].

In the mid-2000s, the FARC-EP was severely weakened both in Cauca and in the Pacific coast and Mountain Range region due to confrontations with the AUC, the ELN, and the National Army, particularly during the "Democratic Security" onslaught, which prioritized offensives against the structures operating in the Eastern Mountain Range and the southeastern municipalities between 2002 and

183 AGUILERA PEÑA, Contrapoder y justicia guerrillera, fragmentación política y orden insurgente en Colombia (1952-2003), Op. cit.

184 FUNDACIÓN PAZ Y RECONCILIACIÓN. Departamento de Nariño. Tercera Monografía. 2014.

185 FUNDACIÓN PAZ Y RECONCILIACIÓN. Proyecto de fortalecimiento de la gestión territorial de las entidades territoriales en materia de seguridad y convivencia ciudadana en la etapa de posconflicto en las regiones. Bogotá, D.C.: Fundación Paz y Reconciliación (PARES); Fundación Ideas para la Paz (FIP); Ministerio del Interior (Colombia), 2015.

186 FUNDACIÓN IDEAS PARA LA PAZ. Dinámicas del conflicto armado en Tumaco y su impacto humanitario. Boletín #69. FIP, USAID, OIM, 2014.

2005, as well as the Espada I, Espada II, and Espada III operatives in 2007[187]. The guerrilla units that resisted the attacks moved to the Pacific region of Nariño[188].

In a show of adaptability in the face of the military offensive, the FARC-EP launched the "Renacer" Plan in 2009. It was a political-military strategy with the objective of raising the combatants' morale, show their power, and "recover the political-social space affected by the 'the enemy's victories in the geographic space'"[189]. The Ideas para la Paz Foundation[190] notes that, as part of the strategy, the guerrilla group agreed to cease hostilities with the ELN and focused on the control of national border zones, with low state presence and of strategic relevance for drug trafficking.

This plan's implementation, together with the "progressive weakening of Los Rastrojos on the Pacific coast and the advantageous dismantling of the Aguilas Negras in northern Nariño," allowed the FARC-EP to establish itself once more in Pacific Nariño cities like Tumaco and El Charco, and to advance in Bajo Patía to the municipalities of Policarpa and Cumbitara in 2012[191]. Although they suffered strategic setbacks in municipalities such as Ricaurte and Ipiales at the hands of the military forces, from that moment on they managed to remain "one of the area's dominant armed actors" until the signing of the Final Peace Agreement[192].

It is worth noting that throughout the 30 years of FARC-EP activity in Nariño, the most powerful front was the 29th. It had the greatest capacity for action from the FARC-EP structures present in the department and managed to cover half of its municipalities and part of the Pacific in Cauca, stationed in Policarpa, through

187 PONTE, David y VARGAS, Andrés R. No estamos condenado a la guerra: hacia una estrategia de cierre del conflicto con el ELN. Bogotá D.C.: ODECOFI, CERAC, Depar- tamento Administrativo de Ciencia, Tecnología e Innovación (Colombia), 2011; SAT – DEFENSORÍA DEL PUEBLO. Grupos Armados Ilegales y nuevos escenarios de riesgo en el posacuerdo. Bogotá D.C.: Defensoría del Pueblo de Colombia, 2017.

188 ECHANDÍA CASTILLA, Camilo. Auge y declive del Ejército de Liberación Nacional (ELN). Bogotá: Fundación Ideas para la Paz, 2013.

189 EL TIEMPO. Planes secretos de las Farc. March 15, 2014.

190 FUNDACIÓN IDEAS PARA LA PAZ, Op. Cit.

191 ECHANDÍA CASTILLA, Auge y declive del Ejército de Liberación Nacional (ELN), Op. Cit. p. 13.

192 OBSERVATORIO DEL PROGRAMA PRESIDENCIAL DE DERECHOS HUMMANOS Y DERECHO INTERNACIONAL HUMANITARIO. Panorama actual de Nariño. Bogotá, D.C.: Fondo de Inversión para la Paz, Vicepresidencia de la República de Colombia, 2002; FUNDACIÓN PAZ Y RECONCILIACIÓN, Proyecto de fortalecimiento de la gestión territorial de las entidades territoriales en materia de seguridad y convivencia ciudadana en la etapa de posconflicto en las regiones, Op. cit., p. 41.

La Llanada, and occupying Barbacoas and López de Micay[193]. It also gained considerable autonomy from FARC-EP leadership thanks to drug trafficking. One interviewee described the 29th Front as a "loose front", noting that "sometimes it felt as if it did not necessarily obey the Secretariat". The Daniel Aldana Column was also significantly prominent. In fact, the FARC-EP was once again able to consolidate itself as the predominant armed actor on the Pacific Coast due to these two structures' actions.

ii. Quantitative Analysis

Of the 8,970,912 victims included in the Unified Victims Registry, 337,808 have declared on the topic of victimizing events that occurred in the department of Tolima. According to the UVR, there are 398,556 events related to the armed conflict in that department[194]. Within this world of victims, 208 lesbian, gay, bisexual, and trans people reported having been victims of an armed actor in Tolima, mainly through forced displacement (143), threats (34), and crimes against sexual integrity (13).

A large part of the victimizations that have occurred in Tolima against lesbian, gay, bisexual, and transgender people are concentrated in the southern Tolima municipalities. According to the UVR, 19 LGBT people were victims of different victimizing acts in the municipality of Chaparral: 12 of forced displacement, 4 of threats, 2 of homicides, and 1 of crimes against sexual integrity. In Rioblanco, of the 18 victims who testified, 12 were victims of forced displacement, 2 of threats, 1 of crimes against sexual integrity, and 1 of homicide. In Ataco, 20 victims testified about events that occurred in this municipality, of which 11 correspond to forced displacement, 2 to crimes against sexual integrity, 2 to homicides, and 2 to threats. Finally, 31 LGBT people testified about victimizing events that occurred in the municipality of Planadas, of which 20 correspond to forced displacement, 7 to threats, and 2 to crimes against sexual integrity.

193 FUNDACIÓN PAZ Y RECONCILIACIÓN, Proyecto de fortalecimiento de la gestión territorial de las entidades territoriales en materia de seguridad y convivencia ciudadana en la etapa de posconflicto en las regiones, Op. cit.

194 Figures obtained from the Red Nacional de Información del Registro Único de Víctimas, as of February 29, 2020.

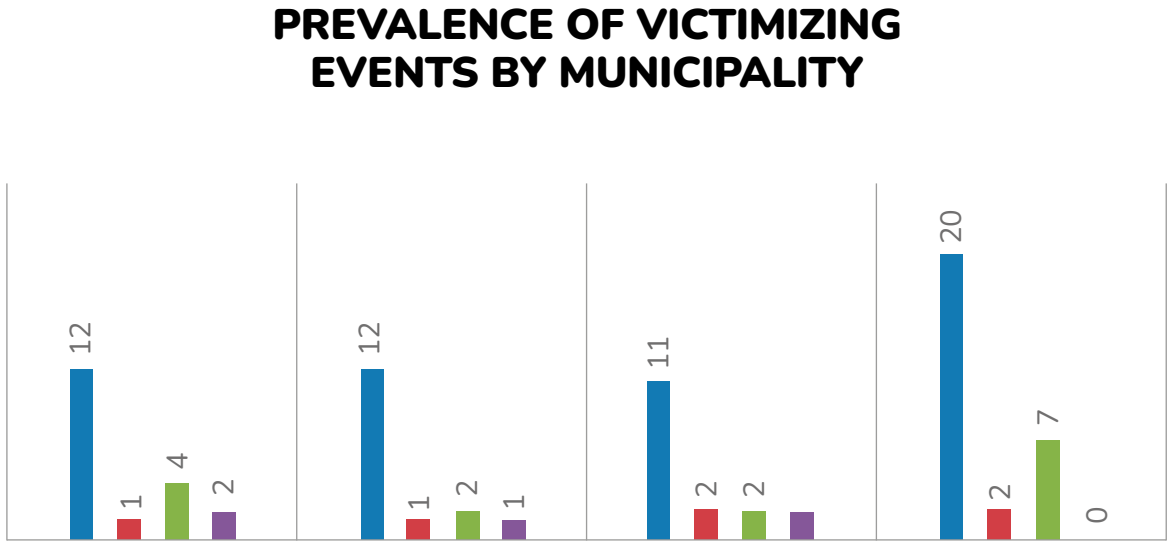

Table 1. Our own elaboration based on UVR figures.

Similarly, 170,967 victims have declared about victimizing events that occurred in the municipality of San Andrés de Tumaco. Within this world of victims, 162 LGBT people have been identified, among which cases of forced displacement (96), threats (26), sexual violence (22), and homicides (4) stand out.

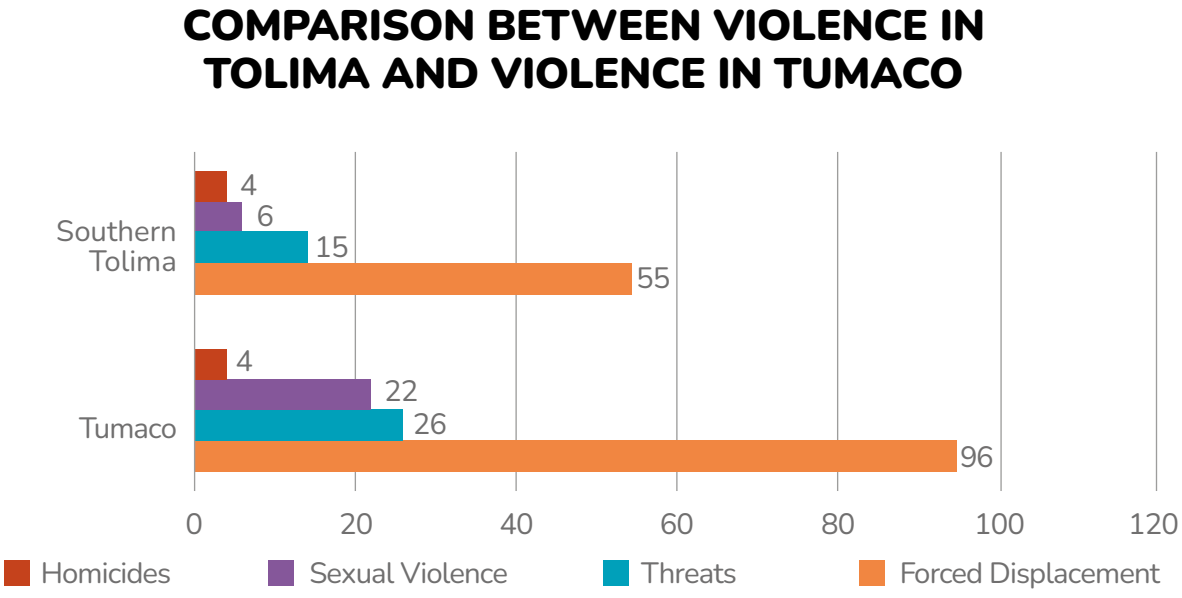

Table 2. Our own elaboration based on UVR figures.

As noted above, in order to understand these figures, the high underreporting and this data's numerous shortcomings must be taken into account. As a consequence, this data allows for neither the identification of the specificities of violence on the basis of the victims' sexual orientation and/or gender identity or expression, nor the motivations that preceded the violence, and much less does it tie the commission of these events (at least in the registry's public version) to a particular armed actor's responsibility. To this it must be added that toward the end of 2019, the platform underwent a drastic change, in which it was especially striking that in the differential approach the category of "intersex" was added to the variables associated with sex, as a category differentiated from the existing ones of "man", "woman", "LGBTI" (in which intersex persons should already be included), and "does not report". There is no explanation for this methodological change.

Despite reservations about these figures, it is possible to make at least three observations. First, both in Tumaco and in the southern Tolima municipalities, there is an important prevalence of forced displacement as a victimizing event. Second, the most frequent victimizing event after forced displacement is threats, which could indicate that several of the reported forced displacements were preceded by threats. Third, it is clear that the victimization of LGBT people reported in the municipality of Tumaco far exceeds that of the four municipalities in the department of Tolima. This prevalence of violence in Tumaco can be explained not only by each municipality's population density[195], but also by the intensity of the armed confrontation and the proliferation of multiple war and extractive economies, especially in Tumaco, which, as will be seen below, intensified the various armed conflict actors' armed activity with its presence in said municipality.

Now, in its case documentation work, Colombia Diversa has carried out a systematization of the information collected in the country on violence toward LGBT people committed within the context of the armed conflict. From this information – which has already been discussed at length in the previous sections– Colombia Diversa identified 28 episodes of armed prejudice-based violence toward LGBT people in southern Tolima. Of those 28 episodes mapped out through secondary information, Colombia Diversa was able to document 14 episodes of prejudice-motivated gun violence effectively and exhaustively. Several of these cases had been previously

195 While the DANE anticipated that by 2020 Tumaco would have 257,052 inhabitants, in the case of Chaparral 50,741 were anticipated, Ataco 19,117, Planadas 25,799, and Rioblanco 22,617. This means that by 2020, Tumaco will have 138,778 more inhabitants than the four municipalities in Tolima combined. See: DEPARTAMENTO ADMINISTRATIVO NACIONAL DE ESTADÍSTICA. Proyecciones de población. Recovered February 4, 2020 at: https://www.dane.gov.co/index.php/estadisticas-por-tema/demografia-y-poblacion/proyecciones-de-poblacion.

documented, particularly by the NCHM in its 2018 report *Un carnaval de resistencia*. Regarding these episodes, it is important to keep in mind that they were committed to nine people's detriment. All these cases are currently at the Special Jurisdiction for Peace's disposal, and from the victims' accounts it could be established that in all of them the perpetrator had a prejudicial motivation to commit them.

Of the 28 episodes with a prejudicial motive, 14 (77.8%) episodes are attributable to the 21st Front of the extinct FARC-EP, 8 (28.6%) to the public forces (6 to the army, 1 to the police, 1 to the public forces without distinction), and 4 (14.3%) to the AUC's Tolima Bloc. It was not possible to identify an alleged perpetrator for the remaining episodes. In at least 12 (42.9%) of these episodes, of which 6 (50.0%) correspond to the FARC-EP, 5 (41.7%) to the public forces (3 to the army, 1 to the police, and 1 to the public forces without distinction), and 1 (8.33%) to the AUC, multiple members of the responsible armed group participated; this is to say that they were collective perpetrators.

As to the victims of this violence, the 28 episodes involved at least 28 victims, mainly gay men and trans women[196]. Most of these episodes (24 or 85.7%) were imposed upon a particular individual, while the remaining four involved groups of victims. Of the collective episodes, 3 (75.0%) are attributable to the public forces (2 to the army, 1 to the police), while 1 (25.0%) corresponds to the FARC-EP. The latter is a case of threats and harassment that provoked the forced displacement of a gay man's family.

From a temporal point of view, the first recorded victimizing event occurred in 1996, and the last in 2015. This does not take into consideration that, as we will see in the fifth chapter of this report, Danna Méndez, a young trans woman from the Chaparral Diversa LGBTI Association, was brutally murdered by a Caicedo Battalion member in February 2017; that is, three months after the signing of the Final Peace Agreement. This murder occurred under similar circumstances to three other transfeminicides attributed to members of the battalion in Chaparral between 2006 and 2012. In this sense, despite the fact that the FARC-EP's demobilization turned southern Tolima into an authentic post-conflict territory, leading to a considerable decrease in the rates of conflict-related violence[197], Danna's case shows that militarization still constitutes a risk of violence for LGBT people.

196 It is worth remembering that some people are victims of multiple episodes of violence.

197 FUNDACIÓN PAZ Y RECONCILIACIÓN. Más sombras que luces. La seguridad en Colombia a un año del gobierno de Iván Duque. Bogotá: 2019.

The cases attributable to the FARC-EP were committed between 1991 and 2012. The events occurred mainly in rural areas or in small towns such as southern townships or villages, especially in the municipality of Chaparral. For their part, the three episodes attributable to the AUC were committed between 2000 and 2002, in the municipal capital of Chaparral. As for the public forces, the cases are concentrated in the period between 2007 and 2015, primarily in the municipal capital of Chaparral or its outskirts.

In general terms, the most frequent victimizing acts committed due to prejudice toward LGBT people in southern Tolima are threats, which are recorded in 16, or 57.1%, of the episodes. This is followed by homicide and forced displacement, the latter of which is recorded 10, or 35.7%, of the episodes. In several cases, there is a combination of threats and forced displacement (8 or 28.6% of the episodes). Although these figures support what is reported in the UVR regarding the prevalence of threats and displacement in this subregion, they also show that this Registry falls short in terms of homicides, as they do not reflect this victimizing event's true dimensions.

Along the same lines, in the 14 cases attributable specifically to the FARC-EP guerrilla, most episodes involved threats and harassment that jeopardized the victims' psychological integrity (9 or 64.3% of the episodes) or forced displacement (also 9 or 64.3% of the episodes). In addition, 7 (50.0%) episodes involved a combination of these two victimizing events. Additionally, 2 episodes involved sexual violence, 2 homicides, and 2 physical injuries. There were at least 6 episodes involving other types of conduct, including 4 in which the victims were subjected to forced labor. All these cases occurred during the 1990s, that is, before the appearance of threats to the hegemonic territorial control exerted by the FARC-EP via the 21st Front in that region of the country.

As in southern Tolima, in the case of Tumaco, 28 episodes of armed violence with prejudicial motivations toward LGBT people were identified. Of these cases, 18 (64.3%) are attributable to the FARC-EP, 2 (7.1%) to the AUC, and 3 (16.7%) to the AUC's armed post-demobilization groups. In most of these episodes (16 or 57.1%), there are records of collective perpetrators, and they were committed mainly (13 or 81.3%) by the FARC-EP. Here it is necessary to highlight the high level of underreporting of cases involving both public forces and paramilitary groups, including the AUC and its successors. According to the accounts of the people interviewed in Tumaco, these groups generated (and even continue to generate) considerable levels of violence toward LGBT people in the municipality, but no other specific episodes to

be registered in the database could be identified. Regarding the public forces, we consider that the absence of cases corresponds to a generalized fear on the part of its victims, who have not wanted to report their cases or participate in the transitional justice processes for fear of suffering more violence, especially upon understanding that Tumaco continues to be a highly militarized territory. In this same line, it is worth mentioning that several victims referred to the circulation of threatening pamphlets, identifying LGBT people, among other communities, as targets of the AUC's "social cleansing". However, as there was no clarity regarding the dates in most accounts, we only recorded them once to avoid the possible duplication of cases.

Concerning the victims, the 28 episodes involved at least 27 victims, mostly gay men and trans women, as in southern Tolima. There were also 4 episodes with collective victims, but with an important divergence. While in southern Tolima only 1 of the 4 episodes involving groups of victims were committed by the FARC-EP, in this case 3 episodes are attributable to this guerrilla group. The fourth corresponds to the collective threat (pamphlet) circulated by the AUC mentioned above.

Regarding the time period in which the violence occurred, the first reported incident dates back to 1985, and the last (prior to the signing of the Agreement) occurred in 2016. However, it is worth stressing that, unlike in southern Tolima, the upsurge of violence in Tumaco after the signing of the Agreement has been notable, intensifying even more in the context of the COVID-19 pandemic. This situation is due to the militaristic approach of the state response, as well as its repeated and failed drug policy, which, as experience has shown[198], are insufficient to confront the proliferation of illegal armed groups that occurred after the FARC-EP's demobilization in the municipality[199]. In the words of Nixon Ortiz, professor and director of the Arco Íris Afro-Colombian Foundation, the first legally constituted LGBT rights organization in Tumaco, "the post-conflict has been stronger than the conflict"[200].

198 It is worth remembering that the country, including Tumaco, experienced a similar situation after the AUC's partial demobilization in the mid-2000s. Indeed, just as is being observed in this "post-conflict" period, between 2005 and 2010, the armed actors in Tumaco multiplied and new struggles for territorial control began, including a new FARC-EP and ELN deployment to occupy the empty spaces left by the AUC and to confront the paramilitary successor groups (2006-2007), a war between these two guerrillas (2007-2009), the public forces' onslaught against the FARC-EP within the framework of the Consolidación Plan (2007-2011), the FARC-EP's implementation of the Renacer Plan (beginning in 2009), and fighting between the AUC successors themselves. CENTRO NACIONAL DE MEMORIA HISTÓRICA. Grupos armados posdesmovilización (2006-2015): Trayectorias, rupturas y continuidades. Bogotá: CNMH, 2016.

199 RAZÓN PÚBLICA. Tumaco, un posconflicto armado. January 22, 2018.

200 COLOMBIA DIVERSA. Entrevista con Nixon Ortiz. Tumaco. October 30, 2019.

In this sense, this municipality's LGBT people continue to report episodes of threats, harassment, beatings, homicides, and displacements, with the last recorded episodes of violence having occurred in June 2020. In particular, it is worth mentioning the homicide of Carlos Augusto Paneso, a gay man and activist of the Arco Íris Afro-Colombian Foundation, who was shot by members of an armed group called "Gente del Orden" while leaving his residence in May 2017[201]. This armed group is made up of militia members from the extinct FARC-EP who did not join the peace process. As in the case of Danna in Chaparral, Carlos's homicide marked a milestone in LGBT people's collective imagination in Tumaco –in fact, it was mentioned by multiple victims in interviews with Colombia Diversa–, causing anxiety and fear of becoming visible and defending their rights.

Now, returning to the cases registered before 2017, to the FARC-EP we can attribute events that occurred between 1985 and 2016, the year of its demobilization. In this regard, it should be noted that before the 2000s, only two episodes are attributable to the FARC-EP, which occurred in 1985 and 1995. The other episodes are concentrated in the decade from 2007 to 2016. This makes sense if one considers that, with the AUC's partial demobilization from 2006 onwards, new doors of opportunity opened up for the territorial occupation of the municipality of Tumaco. The events took place both in rural areas and in the municipality's capital. As for the AUC, only two specific dates are known: 2002 and 2003. The events took place in the municipal capital and coincide with the stage of the AUC's territorial occupation of the municipality.

Finally, with respect to the most frequent victimizing events in the municipality of Tumaco, threats also stand out, recorded in 18 or 64.3% of the episodes, followed by forced displacement, in 13 or 46.4% of the episodes, and sexual violence, in 12 or 42.9% of the episodes. Additionally, in almost half of the cases (12 or 42.9%), threats and forced displacement were combined, and in 5 (17.9%) cases, threats, sexual violence, and forced displacement were combined. In contrast to Tolima, the figures provided by the UVR are fully confirmed here. A striking point of comparison, moreover, is the recurrence of homicide in southern Tolima, where 10 cases were traced, compared to Tumaco, where only 4 cases were traced. Given that most of the homicides in southern Tolima correspond to the army or the AUC, it is possible that this difference is caused by the deficient information on cases perpetrated by these two armed actors in the municipality of Tumaco. The AUC's tendency toward

201 HSB Noticias. Capturaron al asesino de un líder LGBTI en Tumaco. July 28, 2017.

exclusionary violence, especially through social extermination, supports this hypothesis, as we will see in the section on variations between this group and the FARC-EP.

In the 18 cases specifically attributable to the FARC-EP, the same pattern is reproduced as in the municipality's overall figures. A prevalence of threats was found, appearing in 12 episodes (66.7%), followed by forced displacement, which appears in 10 episodes (55.6%), and sexual violence, in 5 episodes (27.8%). Likewise, the most frequent combination is threats with forced displacement (5) and sexual violence, followed by forced displacement (4).

As a whole, the data provided by Colombia Diversa ratifies some of the considerations raised by the UVR, but also yields new conclusions that fill gaps. Regarding this first point, we return to what was said in the paragraphs related to the prevalence of victimizing events in each region, in the sense that the Colombia Diversa figures ratify the prevalence of threats and forced displacement both in southern Tolima and in Tumaco, as well as the prevalence of sexual violence in the latter municipality.

However, regarding the comparative levels of violence, while the UVR categorically states that violence toward LGBT people was more recurrent in Tumaco than in southern Tolima, Colombia Diversa recorded 28 episodes of prejudice in both territories involving a similar number of victims: 26 in southern Tolima compared to 29 in Tumaco. Albeit we are comparing an entire subregion to one municipality, if we were to limit the figures to the municipality of Chaparral, we would only be subtracting 3 episodes (which occurred in San Antonio) from the figure of 28, resulting in 25 episodes of prejudice-based violence in that municipality, exerted upon at least 25 victims. To understand these figures, it is important to first clarify that, although the unit of analysis is different since the UVR does not focus on prejudice-based violence, a correlation between generalized violence toward LGBT people and violence specifically due to prejudice is intuited, since in contexts of armed dispute, which generate high levels of violence, armed actors tend to capitalize on prejudice as a territorial control mechanism, as we will explain in the next section. Therefore, it would be expected that the data on prejudice-based violence would yield results similar to those reported in the UVR. Colombia Diversa believes that the similarity between these figures may be related to the high underreporting of cases committed by public forces agents and by the AUC in Tumaco, but this can only be verified by magnifying the documentation process.

Despite this, it is worth noting that the figures we provide also offer new considerations on the FARC-EP's specific actions in each territory that the UVR is not able to reflect. Firstly, in Tumaco there is a higher proportion of violence committed by collective perpetrators (13 or 72.2% of the 18 episodes attributed to the FARC-EP in Tumaco, representing 81.3% of the total episodes with collective perpetrators registered in the municipality, compared to 6 or 42.9% of the 14 episodes attributed to the FARC-EP in southern Tolima, which represents 50.0% of this type of episode recorded in the subregion), and toward collective victims (3 or 16.7% of the 18 episodes attributed to the FARC-EP in Tumaco, representing 75.0% of the total episodes with collective victims in the municipality, compared to 1 or 6.25% of the 14 episodes attributed to the FARC-EP in southern Tolima, representing 25.0% of this kind of episode recorded in the subregion). It is worth mentioning that the 3 collective victims cases committed by the FARC-EP in Tumaco were committed with high levels of cruelty, as we will see in the following section, and that two of these episodes correspond to collective rapes, including the cases of Margarita and Cristóbal in particular. Given that the reasons behind this difference will become evident in the qualitative analysis, for the moment suffice it to say that this tendency is a reflection of, on the one hand, the differences in the relationship dynamics between the guerrilla groups and the civilian population in each territory, and, on the other hand, the necropolitical[202] regime governing Tumaco, which lead to higher levels of ruthlessness.

Second, the cases of prejudice-based violence registered in both territories reveal the guerrilla conflict's general dynamics in both zones. In this sense, we can see that 6 (37.5%) of the 16 cases of prejudice-based violence were committed by the FARC-EP in southern Tolima in the 1990s, and 5 in rural areas, which coincides with the height of their power in this area. Similarly, we can observe how, although in southern Tolima no cases after 2012 are registered, in Tumaco they continue until 2016, since it was precisely in 2012 that they strengthened their control over Tumaco's municipal capital. Finally, despite the prevalence of threats and forced displacement in both places, the recurrence of sexual violence in Tumaco marks a clear difference. While in southern Tolima two episodes of sexual violence have been reported, in Tumaco there is knowledge of at least five. We will go into more detail on this point in the next section.

202 The notion of necropolitics refers to the use of social and political power, particularly the power of the state, to dictate how some people may live and how some must die. The first scholar to develop this concept was Cameroonian philosopher Achille Mbembe, from a decolonial theory standpoint. For Mbembe, necropolitics was a death regime that not only entailed the right to kill, but also to let die; this is, to expose certain populations, such as colonized ones, to such subhuman conditions that their only outcome is death. On necropolitics as a system installed in Tumaco, see the "Resistances" chapter of this report. MBEMBE, Achille. Necropolitics. Durham and London: Duke University Press, 2019.

iii. Qualitative Analysis

1. Violence as Part of the Landscape: Variations in the General Features of Prejudice-Based Violence in Tumaco and Southern Tolima

Based on the notions of *continuum* and consubstantiality of violence, this section will identify the contexts of discrimination and exclusion in which LGBT people's life experiences take place in southern Tolima and in Tumaco. For this purpose, we will review the victims' and other participants' stories included in this research, through the different phases and scenarios in which social disapproval of their diverse sexual orientations and gender identities has manifested.

a. Family and Community Settings

One of the first scenarios in which LGBT people face exclusion and violence from a very early age is in their own homes and community settings[203]. As such identities are viewed through the lens of the binary and patriarchal domination system as abject and unnatural, LGBT children face ruptures as well as emotional and material losses that make it impossible to develop successful life projects.

In Tumaco as in Tolima, victims expressed having faced orphanhood at an early age, either because, given the conflict's circumstances, there are family losses that bring about a rupture with protective environments since childhood, or because, in the context of immediate family, peoples' diverse sexual orientations or gender identities are identified at an early age and, with this, they are excluded from the family unit. This is expressed in two testimonies of victims from both territories:

> "I was orphaned at the age of 5. When my mother passed away, I was just 5 years old" (Horacio, gay man, Chaparral).
>
> "The situation I lived through, I wouldn't wish it even for my worst enemy. It was hard for me to be left without a father, my mother mistreated me psychologically, she didn't feed me, she threw me out onto the street, I had to sleep on the streets. Do you think that is fair and necessary? For them to do that to you when you are a teenager" (Baldomero, gay man, Tumaco).

203 COLOMBIA DIVERSA & CARIBE AFIRMATIVO. La discriminación, una guerra que no termina. Informe de Derechos Humanos de Personas Lesbianas, Gays, Bisexuales y Trans. Colombia. Bogotá: 2017. p. 7.

The latter case reveals an extremely violent relationship between mother and child, particularly after the perpetrators carried out acts of sexual violence upon the victim:

> "An aunt had come from Cali, my mother was going to kill me. My mother was going to cut my head off with a machete. [...] She was going to kill me. Then, my aunt had arrived from Cali, so she went to where another aunt and I were that day, she threw me on the floor and she was going to launch the machete here to the back of my head. My aunt was telling her what she was going to do to me, she ran out pushed me out of the way, so she wouldn't kill me. [...] She said she didn't want to see me anymore, because she didn't love me if I was a faggot [...] because I had been raped, and that I was a disgrace to her" (Baldomero, gay man, Tumaco).

One of the victims reported, for example, that after he was "caught" having a sexual encounter with another boy, his grandparents beat him repeatedly and exhibited repudiation toward this sexual expression. The violence exerted by his relatives was also a form of punishment for the victim having assumed excessively feminine roles throughout his life, such as cooking or helping with the cleaning and family care. And it was in fact for this very reason that his grandparents agreed to the imposition of forced labor within farming estates controlled by the 21st Front militia in Santo Domingo, Calarma, as a corrective to the "deviation" that had taken place in his upbringing.

Although the fact that victimizations carried out by the FARC-EP occurred before the victims had reached adulthood will be discussed further below, an important variation to note in these accounts is that, while in southern Tolima there were corrective practices ranging from humiliation to some acts of physical violence on the part of families or communities, in general terms, the FARC-EP was free to choose the methods by which to correct the deviance, which were generally of long duration and mainly involved acts of forced labor. In contrast, in the municipality of Tumaco, LGBT people encountered protective and caring environments within their families, which did not directly expose them to the armed actors' violence. However, these settings were unable to protect them at a young age from experiencing episodes of sexual violence carried out by the FARC-EP.

In the case of southern Tolima, even when families were unaware of their children's diverse sexual orientations, it was well known that homosexual sex practices would eventually ential the imposition of physical punishments, such as whippings or beatings with other blunt instruments. Precisely for this reason, Horacio stated

that, although his parents were unaware of his sexual orientation, one of the reasons he decided to run away from home after his mother's death was the certainty that, if his homosexual sexual orientation became known, he would be severely reprimanded:

> "I ran away from my parents, because it was a lot of whippings, the way one used to be punished was through whippings, and now even more. If you disclosed that you were a gay child, they took you and hung you and beat you a few times, so that you would abandon your bad habits. I believe that one never gives these vices up because you are what you are. That was one of the rights violations that one sometimes had in one's own family" (Horacio, gay man, Chaparral).

> "Even if they saw you touching intimate things like that between boys, they would strike you, they would strike you because they said that was not to be done. What happened with a couple of girls was the same. [...] One could not disclose out in the open that I was gay. I had my relationships with little boys, with boyfriends, because I was another little boy, so I looked for my boys to be my age. But in the most hidden way possible" (Horacio, gay man, Chaparral).

The way in which LGBT people, especially trans women, take on the economic relationship with their families, also shows important variations between the two territories. In southern Tolima, friends of Nicol, a trans woman likely murdered by the army, indicated that, although trans women provide their households' economic sustenance, violence from their relatives does not cease. This issue exposes the rawness of discrimination originating within family settings: even when LGBT people contribute or are even the fundamental financial support in that environment, this does not dismantle their loved ones' prejudice and animosity. With this, people are subjected to prioritizing affection and the obligation to support their family, while silently enduring rejection and even incorporating it as part of affective expression.

> "Nicol did suffer all the pain of rejection. Starting with her older brother who was violent towards her just for being homosexual, and then her mother followed suit because she also, I don't know, her mother discriminated against her, but then she would seek out her financial support. However, she wouldn't stop abusing her" (Lina, trans woman, Chaparral).

Regarding this matter, in Tumaco, Margarita stated that her current work as a hairdresser provides the main economic sustenance to her household, which is made up of her mother, her mother's partner, a brother, and two nephews that Margarita

herself recognizes as her foster children. But in this case, and despite the cruel effects of violence upon her life, her family has given her protective environment:

> "Whatever might be missing, whatever he might need, everything, he tells me: 'Auntie, I need this, I need that. From here to here, all that'. And my niece is just 12 years old, we also started to raise her at the age of 5".
>
> **-Colombia Diversa:** What is your relationship with your family like?
> **-Margarita:** Great. Yes, we all have a relationship. For everyone I, how do you say it? It's like hard, hard work. [...] I answer for everyone because my mother doesn't work, because she is 51 years old and she doesn't work. And my stepfather, he looks for work as much as he can. But that doesn't go far. So, I have to make ends meet to pay for the water, to pay for the electricity, you know. Everything there (Margarita, trans woman, Tumaco).

Finally, the use of offensive nicknames demonstrating sexual difference and mockery of diversity was also common. In the case of southern Tolima, Jacobo from Chaparral tells us that he suffered beatings and insults at the hand of his father, who would also say to him "'Oh, Susi!', he would call me by the nickname 'Kiki', and that made me cry" (Jacobo, gay man, Chaparral). This nickname, which was allegedly given by his schoolmates, was used not only by his father, but also by other inhabitants where he grew up: "They used to call me 'el marica', 'el maricón', 'Here comes Susi, the *maricón*'" (Jacobo, gay man, Chaparral).

In Tumaco, insults of this nature were also frequently used, not only by the armed actors, but by the entire community. This is what Tomás, a gay man from Tumaco who suffered multiple harassments from the FARC-EP throughout his life, said:

> "Here there is a joke that they always play on us gays, and it's when there are two or three men, one says to the other 'Go on, I'll pay you there', when a man who seems gay passes by, do you get what I mean? I mean, "I'll pay you there" means that he will pay him with you, with the gay man. Do you know what I mean now? [...] That is mockery. So, they arrived with that attitude, with that same joke of 'Go on, I'll pay you there. What's yours is here now' (Tomás, gay man, Tumaco).

B. Life in School, the Streets, and Uprooting

Within the school setting, Jacobo mentioned that when he was a child, he used to wear gloves to school, as he did not want calluses from the forceful activities imposed on him in the institution. In this regard, he recounts an episode in which, upon noticing

his gloves, a teacher told him in front of his schoolmates "'Oh, careful, my sugar cube, what, are you a faggot? And you are a little sugar cube that is going to melt?'" (Jacobo, gay man, Chaparral). On many occasions, the hostility of the environments in which LGBT people grow up and develop ends up forcing them to move away from their places of origin or from where they have built a support system somewhat. In doing so, they become camouflaged within other settings where they are not recognized by anyone, thus being able to strengthen their subjectivity by often submitting themselves to risky and even illegal work procedures and scenarios[204].

As has been observed since the beginning of this section, forced displacement is the main form of victimization exerted by conflict actors against LGBT people[205], particularly in southern Tolima, which is no coincidence. The act of ordering another person to leave the territory where their cultural and social practices are rooted, due to a prejudiced view of the victim's sexuality and/or gender, detonates an uprooting process that admonishes the victim and tells them that they must have a hidden or clandestine life that is, at the same time, a hope for survival. Additionally, the actor generates profits from these frequent displacements, as they have a community living in fear, vulnerable, easily manipulated, or readily available. With this, the actors can reinforce their position as a regulatory authority of public morality, with the ability to maintain a certain space free of the undesirable presence of abject people, like LGBT people. But even when the social conditions are not in place for a given actor to gain moralizing legitimacy over these behaviors (for example, when it comes to territories under dispute between several actors where there is no hegemony or pretension to access it), their deployment allows them to configure a mass of subaltern individuals they can easily instrumentalize when deemed convenient.

Now, this issue is especially complex in the case of trans women, since their transitions are highly visible and, paradoxically, the desire to hide from violence can lead them to be overexposed to risky contexts in the search for their material sources of subsistence. On this topic, Lohana Berkins highlights the importance of recognizing that the street and public space are not inhabited by all people in the same manner, and that the norms seeking to limit or restrict the use of these spaces for certain types of people such as cross-dressers, women prostitutes, street vendors, or people living

204 BERKINS, LOHANA. Travestis: una identidad política. En: GRANDE, Alfredo. La sexualidad represora. (1st. ed.) Buenos Aires, Argentina, 2008. Recovered May 17 at: https://www.topia.com.ar/editorial/libros/la-sexualidad-represora.p.4.

205 Despite this violence's general prevalence throughout the country, the motivations that precede it differentiate its high rates in the case of LGBT people.

on the street, are another manifestation of the classist, racist, and patriarchal moral impositions that a sector of the population seeks to universalize.

Derived from this same scheme of ordering sexual and gender roles dictated by the family, many of the trans women and gay men from southern Tolima have been faced with the need (or obligation) to spend their lives in the streets' precariousness, where they are confronted with the irrevocable designation of sex work as the only option for work, and also with the consumption of psychoactive substances:

> "Upon suffering from family members' rejection, then, one falls into a first world which is the world of the street. There, on the street, we can see that trans women's and homosexual people's lives are very different from the moral family life they could have, if these people were accepted in their homes. [...] When you fall into the streets and start an undignified job, like sex work, apart from having a different sexual condition and doing a job of this type, of an erotic and sexual role, you are still more discriminated, segregated, more vulnerable. Not without mentioning that the armed actors, apart from making fun of you, apart from the fact that they abuse you by murdering you and all that, they also make fun of you and abuse you sexually, in different types of sexual conflict" (Lina, trans woman, Chaparral).

All of the above reveals that prejudices towards sexual and gender diversity have deep cultural and social roots in the south of the department of Tolima, so it will be necessary to understand the relationship dynamics between the insurgency and the LGBT community through these complexities.

2. Patterns of FARC-EP Prejudice-Based Violence in Tumaco and Southern Tolima

As Colombia Diversa has asserted before the Special Jurisdiction for Peace, both in southern Tolima and in Tumaco the documented cases allowed for the identification of a pattern of persecution of LGBT people, associated with the context of this community's discrimination and generalized exclusion. This imputation translates the category of "prejudice-based violence" into "legal" terms. From a legal point of view, the crime of persecution can involve a series of behaviors that violate individuals' human rights, and that can be identified as such because there is an externalized animosity on the part of the perpetrator. Such animosity is associated with the existence of socially constructed prejudices that, according to article 7 of the Rome Statute, may be based on reasons such as race, religion, national origin, gender, and other identity categories which, from a legal perspective, are considered categories especially protected by the principle of equality and non-discrimination.

The violence described in this document was mostly founded upon a prejudicial perception of the victims' sexual orientation and/or gender identity. It should be noted that it is irrelevant for the purposes of this violence's social or legal analysis whether or not the victims actually acknowledge themselves as LGBT, since the defining element of the actions of subordination or exclusion through violent means is the perpetrators' gaze, who, based on their cultural repertoire, assign a series of meanings to the victims' gender expressions. Based on these meanings, they make the decision to abuse the victims, as they either consider that their placement under the label of "faggot", cross-dresser, or lesbian, among others, will enable them to strategically capitalize upon the special vulnerability with which they are perceived (thus exercising instrumental forms of violence), or they consider these to be undesirable social elements incompatible with the moral and political project they intend to impose, that should therefore be excluded via the use of violence.

As mentioned earlier in this section, the exclusionary use of prejudice-based violence transcends these practices of imposing a given moral order, and can serve to articulate with the civilian population in order to gain social legitimacy, thus reinforcing preexisting gender and sexuality canons or instilling terror through the imposition of excessive violence that efficiently communicates what the group is capable of doing when confronted with a person or group of individuals who go against the desirable social order, on the part of both the actors and the community. With this synthesis, it is now pertinent to address the patterns of violence that have been identified in the municipalities of Tumaco and southern Tolima from a comparative perspective, with the aim of identifying the watermark of the variations in the forms in which prejudice-based violence perpetrated by the FARC-EP guerrillas operated in those territories.

a. Pattern in Tumaco

Sexual violence –followed by offenses against personal dignity and forced displacement– was the main strategy of social control of LGBT people in the municipality of Tumaco. Of the cases of violence toward LGBT people documented for this report, six were of sexual violence, five of which resulted in forced displacement. These acts of violence seek to communicate to the victim, and those who may see/feel/identify with them, that their presence is undesirable and deserving of sexualized punishment to remind them of their socially subordinate place. This is Baldomero's account of the harrowing episode of sexual violence of which he was a victim as a teenager:

> "So, I told them not to do anything to me and they were like, 'You are gay, become a man or we will kill you right here.' [...] I am already here, I had to do whatever it took because my life was at stake. It was either rape me or kill me. So I told him: 'Do whatever you want.' [...] They told me 'Fucking faggot, become a man.' And that gay people shouldn't exist" (Baldomero, gay man, Tumaco).

The ages at which this despicable form of violence occurs also say a lot about its purposes. Emilia, a trans woman, was only 5 years old when she was sexually assaulted by FARC-EP members in one of the municipality's villages. She states that, through deception and, later, physical coercion, they took her to a remote section of her home in the jungle, to a place that looked like a camp. There, she was sexually assaulted by at least three men, who then left her on a path leading back to her home. She recalls that she was taken to this location because she was perceived as an effeminate boy, as she had not begun her transition at this time.

Most of the acts of sexual violence suffered by the victims show evidence of premeditation and extreme cruelty upon the victims' bodies. Margarita and Cristóbal were victims of different acts of sexual violence involving multiple perpetrators and in the context of an event for which they had been hired weeks in advance, when they were just teenagers. Margarita was contacted by a man with an imposing appearance, who held some position of command within the armed organization. He courted her for weeks at her place of work –a hairdresser's– until he expressed his intention to hire her to participate in a pageant/dance that would enliven one of the group's celebrations. Cristóbal was summoned to this same event by an acquaintance of his who seemed to be linked to the group and who was in charge of booking the people –all LGBT– responsible for that night's entertainment.

Both were taken in private vehicles from the center of the municipal capital of Tumaco to a discotheque near the road connecting Bucheli and Chilví. There, after a few hours had passed and after having been the life of the party, all the LGBT people who had been summoned to the event –eight, according to Margarita's account– were subjected to cruel sexual humiliation. Cristóbal was forced to perform fellatio on three of the armed group's men and was also subjected to rape. Margarita was forcefully penetrated by eight of the armed group's members, forced to perform fellatio, and beaten with sticks, and they covered her with ants that bit her and left multiple wounds all over her body. They shouted homophobic and transphobic insults at both of them amidst cruelty, mockery, and the threat of death if they did not succumb to their demands. Margarita was first sexually assaulted by the man who had been trying to seduce her for weeks. He "asked her

for it" publicly before his subordinates, whom he later authorized to carry out the same despicable acts against her:

> "They went out and threw us there, that's where it all started. But first he said: 'I'll fuck her first and then you'll do what you want'. As if to say that he sliced open the cattle and the others ate what was left. That's how it was. So, the others, for him what for, he just took off my clothes, he tore them off. Just like that: 'Come on', without consent, without anything. It was something he asked of me, it was about the flesh, and I began to hemorrhage and then the others arrived and started. One went to my mouth, another slapped me, another hit me on the face with his balls, another spanked me. A very ugly thing" (Margarita, trans woman, Tumaco).

In all the cases, the perpetrators removed the victims from their protective environments in order to rape them. When Elías was with five of his friends (two trans women and three gay men) in the village of El Jagua, a group of armed men identified as members of the Daniel Aldana Mobile Column took them to a jungle area isolated from the town center. There, they subjected the two trans women to sexual mistreatment of all kinds: they forced them to perform fellatio, they were anally penetrated by several of the group's members, and they were subjected to forced nudity. Elias and his two other gay friends were forced to watch while homophobic insults were shouted at them and they were beaten. What was to be a birthday celebration in a quiet space turned out to be a horror show:

> "[...] They said 'if you are acting like faggots, you are going to feel pain like women do'."
>
> "They said ugly things to them, they abused them, they told them: 'Faggots, you are fucking faggots, become men. That's how you become faggots even though we have so many women'. They hit us, they pushed us, things like that, yes. It's like saying that they put us in a position like when you're a spectator and you go to see a movie" (Elías, gay man, Tumaco).

The rupture of protective spaces extended to homes. This was Emilia's case, who was taken directly from her home, as described above. This also happened to Felix, a gay man who, in the dawn hours of a day in 2001, was assaulted in his home by men who had been harassing him for several days because they had perceived him as too feminine. His house was broken into, and he was forced to perform fellatio on his assailants. They tried to rape him, but ended up fleeing thanks to a repentant assailant's persuasiveness, after he urged his peers to leave the scene of pain and violence behind.

Gabriela, a trans woman, and her family members were forced out of their home by FARC-EP members, who permanently appropriated it as a trench and meeting place during a confrontation in 2013. Granted the selection of her home was not related to prejudicial perceptions of her sexual orientation or gender identity, this did have an effect on how the group members and Gabriela related to each other after this event. When she tried to go home to retrieve some of her belongings, she was forced to do laundry or prepare food for people in this group; in other words, she was forced to carry out feminized labor, stemming from their prejudicial perception of women and, in particular, trans women.

Gabriela's case allows us to connect the analysis to a central idea in this research's findings: persecutory violence toward LGBT people in Tumaco by the FARC-EP was not limited to sexual violence, although it was motivated by a prejudicial understanding of the victims' sexuality or gender expression. Alex, Tomás, and Ricardo are three gay men who, like Gabriela, received threats, humiliation, mistreatment, and insults (directly, through intermediaries, or on social networks) at different times and locations within the municipality. At the age of 17, Alex – who had been the victim of two episodes of sexual violence by members of the Los Aletosos group in his childhood– was intercepted by two FARC-EP members (among whom he identified alias "Wibo" or "Wiwo") for being effeminate. They tried to take him to an alley where he thought he would be raped or killed, so he reacted by clinging to a pole and persuaded them to take him home to give them money. He soon moved to Cali, but returned a few months later because he missed his mother. Two years ago, he was again threatened by an unidentified armed group over his community activism work, so he moved to Buenaventura, where this same group's criminal networks threatened him again.

Tomás was displaced under similar conditions, starting at his home department of Caquetá. The first episode occurred at a very young age, when he and his mother were forced to leave Solita, Caquetá, bound for Cúcuta because the FARC-EP commander alias "Juan Carlos" told his mother that Tomás "was ready to carry a rifle and put on his boots"; in other words, because they tried to recruit him:

> "When he said that to my mother, it was to tell her that in the guerrilla I was going to become macho and become a man because since I was a little boy my homosexuality was evident" (Tomás, gay man, Tumaco).

As an adult, Tomás suffered in the war again. His mother was killed in El Diviso, in the jurisdiction of Barbacoas, by ELN members. Before that, she had been harassed by the FARC-EP over a business she owned in Candelillas, Tumaco.

Tomás was displaced because of prejudicial perceptions of his sexual orientation and feminine gender expression on three occasions. The first took place in 2011, when he managed a billiard hall in La Sonadora, also in Candelillas. FARC-EP men attempted to extort him to pay a war tax with the business's profits. When he refused –since it was not his business– they began to shout prejudiced insults about his gender expression, saying "You complain a lot, girl. The business is earning well, soon you'll get a husband," and they warned him that they would take him as collateral to guarantee the tax's payment if they were not paid upon her return. At that point, he decided to go to Bogotá. The following year, during a visit to his mother in Candelillas, alias "Álvaro" threatened to kill him by firing shots in the air because there was a rumor that in the past Tomás had had sexual relations with his partner, expressing the humiliation he felt because a "faggot" had done so. Tomás left again for fear of being killed. Finally, in 2016, when he was back in Tumaco's municipal capital and had decided to work as a motorcycle taxi driver to survive, a passenger asked him to enter a neighborhood known in the municipality for its extensive guerrilla presence. When he refused, the passenger pointed a gun at him and forced him to go to a sector of the neighborhood where there were other armed men. There they shouted homophobic insults at him and told him they were going to kill him for being a snitch. He was able to save himself because Pastor, a gay artist from Tumaco known by the whole town and respected by all actors, defended his life.

In line with the episodes of threats and displacement is the case of Ricardo, a bisexual man who has been displaced from Tumaco on more than three occasions and who currently resides in Ecuador. The episodes began when he was just a teenager, at the age of 14. The guerrilla group began to contact him, as he had gained some visibility for his participation in traditional Afro-Pacific dance groups. In the eyes of the armed group's members, the fact that Alex was homosexual (or read as such) automatically made him an extroverted, friendly person, with an ample social life, all very beneficial assets for their organization. They then tried to persuade him to work as an informant for them in various ways (through text messages, messages with other people, or direct conversations). However, they failed, as Alex systematically refused to be linked to the group's illicit activities. From then on, a torrent of rumors was unleashed, pointing to Alex as a carrier of HIV, a disease that made him an undesirable individual and the target of all sanitizing violence. The spread of these rumors gave the guerrilla group the legitimacy to threaten him and force him to leave his village, thus putting an end to his dancing, his studies, and his plans to become a professional in the future.

The last four cases illustrate a particular way of operating in the face of dissident expressions of sexuality and gender that are admissible in a given context, in this case, in the context of Tumaco dominated by a system of necropolitical violence. In the first place, it is not true that whenever armed actors violate LGBT people on the basis of their sexual orientation and/or gender identity, they do so with the purpose of imposing a heterosexual morality upon their bodies or of reinforcing this regime in their environment. Prejudice, as has been said, can be instrumental, so it can be acted upon without a feeling of animosity or without being the axis upon which prejudice operates. In these cases, although there are traits of explicit animosity, as in Alex's case or in Tomás's second displacement, the fact is that often being or appearing LGBT only serves to reinforce the idea that they are subordinate or easily subordinated subjects, and to that extent armed actors will be able to fulfill the tasks required by their criminal projects more easily. Secondly, in effect, the war not only reinforces preexisting gender arrangements or orders, but also capitalizes upon them to achieve war objectives, such as using "the store's gay man" to charge the establishment's owners for protection, or to force him to be an informant.

This instrumental violence, however, quickly becomes symbolic. Graciana, a trans woman from the municipality, was sought out by FARC-EP men to act as the group's pimp. The prejudicial operation that preceded this behavior was the assumption that gay or trans women have greater abilities to approach cisgender and other trans women to recruit them into the sex work trade. Far from being a victim or an individual stripped of her agency, Graciana made a profit for herself and achieved great prestige in the municipality for her work. Nevertheless, though at some point she told her friends that she wanted to leave the trade, she knew there was no turning back. A FARC-EP commander asked Graciana to summon several sex workers to enliven a celebration that was part of the patron saint festivities on the Chagüí River. In all, about 10 cisgender women, Graciana, and a gay man showed up. Rumor had it that one of the women was HIV positive and, according to Graciana's friends, they were all murdered. Since then (reportedly in the middle of Alvaro Uribe's second presidential term), Graciana has been missing.

This case brings several discussions to the table. The first is that LGBT people can use an operation of prejudice of which they are victims to further their interests, even by harming the rights of others (as in the case of receiving benefits from other women's sexual labor and exploitation). The second is that LGBT people's agency is present even when heinous violence is committed against them. The third is, once more, that the roles prejudicially assigned to LGBT people in conflict contexts are functional to the interests of the actors involved, as evidenced by the fact that she was

called to be the pimp that would provide for the group, who quickly went from being instrumentalized to being done away with because of the rumor about sharing spaces with people with HIV.

Finally, it is worth highlighting the only documented case –so far– of transfeminicide in Tumaco attributable to the FARC-EP. It is the case of Sultana, a young trans woman from Tumaco who was killed by members of this insurgent group a few meters from the entrance to her house in the Panama neighborhood in Tumaco on March 31, 2015. Her mother remembers her as a cheerful person, who was just beginning her transition and was involved in Pacific dance groups. When she was identified amidst her transition process by Daniel Aldana Mobile Column members, which had controlled Tumaco's central neighborhoods, such as Panamá or Viento Libre, since 2012, she began to receive threats that she reported to the Prosecutor's Office, without this leading to the effective opening of investigations. As a result of these threats, she had to move twice: the first time to Cali in 2014, and the second time to Ecuador in early 2015. On both occasions, she returned to see her mother, until she was ultimately murdered by armed men on a motorcycle who shot her four times. Her case not only shows operations of exclusionary prejudice, but also connects with the other cases in that it denotes violence's circularity and the impossibility of studying each episode of violence separately and devoid of context.

Based on the cases reported in the municipality of Tumaco, Colombia Diversa identified a pattern of prejudice-based violence comprised of two series of behaviors, or modus operandi, attributable to the FARC-EP (29th Front and Daniel Aldana Mobile Column). The first modus operandi occurred as described below and was extracted from the analysis of 12 directly documented cases. It corresponds to an *instrumental selection* of victims, the execution of cruel, inhuman, and degrading treatment, and circular forced displacement or forced disappearance with symbolic effects:

> **(I)** The victims Tomás, Ricardo, Gabriela, and Graciana were instrumentally chosen by their perpetrators since the selection process was determined by the calculation of how their vulnerability or stereotypes about their diverse sexual orientations or gender identities could be taken advantage of to obtain strategic benefits for the armed organization. Such activities were (i) **to serve as informants** or to be identified as enemy informants based on the stereotype that "faggots" are gossipy or unruly by nature (ii) to carry out **feminized activities** of care such as cooking, washing clothes, or curing the sick for the benefit of organization members based on the stereotypical idea that this is the usefulness of trans women in particular; (iii) **to capture and subdue in order**

to articulate trafficking networks for the sexual exploitation of cisgender women and other LGBT people, based on the stereotype that transgender women have a better chance of building trust with the victims and that, because of their socially subordinate position, they can be easily discarded when their labor is no longer required or when there are difficulties in the development of such criminal activities.

(II) Once the victims rejected the activities imposed upon them or expressed their discomfort with those they were already carrying out, that is, once they ceased to be functional for the actors' purposes, they were subjected to insults, humiliation, threats, public discredit, and dissemination of rumors with the aim of intimidating them and causing unease for them, their families, and their peers. These issues are aggravated by the propagation of prejudicial ideas, such as the rumor of being a carrier of HIV, so that a generalized hostile environment is generated against the victim. This issue is particularly serious in Graciana's case, who had been telling those close to her that she was unhappy with the work she was subjected to. After agreeing to one of the many events prepared by the FARC-EP linked to the prostitution network in which she served as articulator, she was done away with based on the rumor that she and the other women were HIV carriers. These events have a symbolic and collectivizing effect in that they send a message of rejection to all other LGBT people in the municipality, echoing the idea that anyone who dare not cooperate could suffer a similar fate. It also reinforces the prejudiced and pathologizing view of LGBT people by presenting them once more as hazardous upon being exclusive carriers of sexually transmitted diseases.

(III) Due to the pressure exerted by the actors and the lack of generalized social reproach in the face of such harassment, the victims are forced to move, except in Graciana's case, whose whereabouts remain unknown. Since these episodes are constantly repeated, the victims report at least two consecutive episodes of forced displacement. It should be noted that in the cases of Tomás, Ricardo, and Gabriela, this circularity of the displacements is accompanied by the reproduction of the behaviors that preceded the previous displacements. In particular, in Gabriela's case, who has been subjected to forced labor by the FARC-EP for many years, she has once again been obligated to live with the latent threat of being forced to perform the feminized tasks to which she has been subjected before, now with said armed structure's dissidents.

(IV) Finally, all these cases remain in absolute impunity, as they have not merited any kind of reproach from society or the administration of justice. This exhibits LGBT people's precarious conditions of access to justice, and in addition to facing discrimination in their family and community settings, they must deal with the idea that when they are victims of conflict actors, the state is not there to support them or consider their demands for justice.

Moreover, the second series of conducts involved an exercise of symbolic selection of victims, the subsequent execution of acts of sexual violence, cruel, inhuman, and degrading treatment, forced displacement, or murder for hierarchical or exclusionary purposes.

(I) The victims were chosen by their perpetrators because they were considered particularly vulnerable or visible, always with expressions of animosity toward their diverse sexual orientations, gender identities, and/or gender expressions. This animosity reflects a socialization process that shapes the ways in which the population of Tumaco relates to sexual and gender diversity. In the cases recounted by Baldomero, Emilia, Félix, Margarita, Cristóbal, Elías, Sultana, and Alex, there was a selection motivated by prejudice incorporated into the organization's war logic via its members, either because the victims were considered inferior and therefore there was a hierarchical intent behind the acts' completion, or because they were considered disposable beings with accessible and disposable bodies and were persecuted with the intent to completely exclude them from society, as occurred in Sultana's case.

(II) Once chosen, the victims were abducted by the armed actors with the purpose of removing them from their protective environment, or of destroying it –as in Felix's case, who was sexually assaulted inside his home. Said abductions occurred through deception strategies or the use of physical and psychological force.

(III) Subsequently, the victims were subjected to physical and psychological coercion. At this point, the perpetrators' motivation became explicit, as through insults and humiliation they made clear their prejudiced view of their diverse sexual orientations, gender identities, and gender expressions.

(IV) Next, the victims were subjected to sexual mistreatment of all kinds, ranging from simultaneous penetration and forced fellatio to the obligation to observe forced sexual acts upon other people. During these episodes, prejudiced

insults toward sexual orientation, gender identity, and gender expression were intensified, and the exemplary and corrective intent underlying these behaviors was also manifested.

(V) Subsequently, the victims were abandoned at the place where the sexual violence had occurred, but not before being subjected again to threats and other offenses against their personal dignity. This was intended to remind them that talking about what had happened would lead to similar violence and even murder.

(VI) Given that the threats were extended beyond the episodes of sexual violence, the victims, save in Emilia's case, ended up being forcibly displaced within the municipality, like Baldomero, to other municipalities or departments, or even outside the country.

(VII) Finally, all these cases remained in legal and social impunity. The context of social complicity as well as the institutional weakness had a decisive influence on the lack of investigation, prosecution, and punishment of those responsible.

b. Pattern in Southern Tolima

In the case of the south of the department of Tolima, Colombia Diversa identified two patterns of prejudice-based violence toward LGBT people. The first was associated with the public forces and the second with the FARC-EP guerrilla group. Given that this section focuses on analyzing the variation of prejudice-based violence toward LGBT people committed by the aforementioned insurgent group, we will delve into the repertoires of violence attributable to the public forces in the next section.

The starting point of the relationship between LGBT people and the guerrilla in southern Tolima has to do with their identification. People who have gone through human rights violations motivated by prejudice against their non-normative sexual orientation or gender identity, through their bodies and life experiences, carried out at some point a sex act or a performative gender act in which a rupture with hegemonic gender roles, particularly the masculine one, became visible.

In Florentino's case, the fact that at the age of nine he was discovered having sex with another boy his age made him visible in the eyes of the militias controlling his village

in Calarma. In Jacobo's case, upon having a feminine gender expression widely known by the population of El Limón, when alias "Manurio" attempted to recruit him at the beginning of the 2000s, not only did he decide not to incorporate him within the guerrilla ranks, but he also chose to impose "guachapeo"[206] jobs to "correct" his feminine gender expression and his homosexual orientation. In Horacio's case, it was his long hair that led the armed structure present in El Naranjal, San José de Las Hermosas, to forcibly cut his hair when he was still an adolescent, and it was his feminine gender expression that years later led the same Front to force him to move from the rural and coffee-growing area where he worked as a coffee picker to the municipal capital of Chaparral.

All the cases mentioned above share important similarities. The first is that the identification of the victims as dissidents of the sex/gender/desire system occurred at very early ages (in childhood or adolescence). The second is that their recognition as "effeminate faggots" resulted in either the emergence of threats of displacement or murder, or to the imposition of forced labor aimed at correcting such deviations from the heterosexual canon. Third, in the cases of Florentino and Jacobo, the consubstantiality[207] of prejudices is evident, this is, a symbiotic articulation of the prejudice expressed by the civilian population and reinforced through the power of guerrilla weapons.

It is worthwhile to dwell for a moment on the topic of forced labor as a mechanism par excellence to correct the expression of diverse sexuality, and to make a methodological clarification in this regard. Given that the people who participated in the construction of this report are gay men and trans women, that is, women whose assigned sex at birth was male, it is obvious that the references to the guerrilla's corrective mechanisms are aimed at asserting masculinity within them, which is apparent in the work carried out in the peasant setting where their life experiences take place. This does not preclude that, in the case of lesbian women or trans men, it is possible to find other mechanisms to correct sexual dissidence, such as forced marriages and corrective sexual violence, among others[208]. At any rate, it is important to underline how, in each testimony and life experience, in different places within the same subregional geography, these strategies of forced labor to correct dissident sexuality and gender were replicated. In this process, both the militias and the armed structures participate in the exercise of control over subjectivity and the body,

206 Using a machete to clear weeds growing on roads and cemeteries, among other spaces.

207 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de resistencia, Op. Cit. p. 25.

208 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit.

supported by the community's prejudice and in the interest of ensuring the existence of a productive masculinity worthy of the honors attributed to peasant men.

In Florentino's case, it was his relatives who learned of sexual encounters he had with one of his cousins during his childhood and began spreading rumors about the victim's homosexual sexual practices among the village's inhabitants. The family itself was also the first to impose physical punishments, such as beatings by his grandparents, in order to condemn this expression of sexuality. These rumors reached "Los Oviedos", a family of militiamen who represented the 21st Front's authority in Santo Domingo de Calarma. According to the victim's account, this militia group not only confronted his family for not reprimanding the expressions of his non-hegemonic sexuality in a timely manner, but also imposed a regime of forced labor aimed at redirecting Florentino's deviated path, already well-known by the community's members.

Within this context, for three years, between the ages of 9 and 12, he was forced to work on one of the farming estates controlled by the FARC-EP militias in the township of Calarma. These jobs consisted of "swinging the machete, picking cocoa, picking coffee". However, after

four visits to his grandparents during this period of time to draw their attention to the fact that, despite the forced labor and insults, "he did not straighten up", on the last visit they stated that "they could not do anything more, that they had already notified me, they had already warned me, but I had not left those vices behind. So they said that I had to see what I was going to do or they would make decisions [...], that they wanted to say: I would leave the area or they would kill me, because nothing more could be expected from them".

In Jacobo's case, after being forced to do "guachapeo" work so that he would "leave the vices behind", the El Limón commander sought him out to kill him because he had supposedly been told that he was an AUC informant. Regarding this incident, it is worth reflecting on the counterpower's scope and the variations in the strategies of control over sexuality in accordance with the type of territorial control exercised over time by the 21st Front. This episode took place in the early 2000s, that is, at the time when the Front's hegemonic dominance over the southern region of Tolima began to decline, particularly due to the incursions by the AUC's Tolima Bloc.

Unlike the previous case, which occurred in 1997, here there was already a relationship of violent control and not only of peaceful tension with the civilian population given the

presence of these other actors. Therefore, it is no coincidence that one of the strategies undertaken to seek the execution of LGBT people *in limine* was their identification as snitches and informants. The outcome of this event is also deeply revealing of the insurgency's relationship with sexual and gender diversity. A militiaman passing through the area where Jacobo had had his encounter with Commander Manurio asked the latter to take his victim to Commander alias "Caresanto", who, by Commander Marlon's designation, was in charge of the villages of El Limón, La Profunda, and La Marina.

Once he appeared, Caresanto told him that he would not be executed, as he did not appear on the list in his possession of offenders and possible informants, and that he would punish Manurio for trying to kill him. At any rate, Jacobo made a statement that synthesizes what sexual and gender diversity were within the insurgent imaginary:

> "[...] 'if you are a thief, that wasn't serious, just don't do it again, okay? What we will not forgive,' they said, 'are snitches, extortionists.' They would not forgive them. 'If I had found out that you were a snitch, I would kill you myself,' he told me. He said, 'we do not forgive anyone who is a snitch, military helpers,' yeah? 'We don't want thieves or hookers,' he said, 'faggots, we don't want any of that, because that leads people to rebel, people to bad things,' he said. 'Like how could a sissy,' he said there, 'be a man! How old are you?' he said, and I said '12.' 'Ah, no! You have time to become a man, to join the ranks, to use a rifle, to fight for the homeland, for peasants' rights, for people's rights,' he said" (Jacobo, gay man, Chaparral).

Ultimately, given that neither sexual orientation nor gender identity are choices, but rather inseparable traits that cannot be replaced by an individual's wishes, none of the victims were able to correct themselves, despite the guerrilla group and its militia's enormous efforts. For this reason, of all the direct victims who participated in the preparation of this report, five were forced to move from their places of residence to different locations, particularly urban centers such as the municipal capital of Chaparral or Bogotá. These people's experience of associating with the guerrilla reveals the existence of this forced uprooting phase, in which people with diverse sexual orientations and gender identities are told that their place in the world is not the one where they want to stay, but the one where they "have to" be because it is the only one where they become sufficiently invisible so as not to attract new forms of violence and discrimination.

The most dramatic expression of this incessant uprooting produced after systematic attempts of behavior control can be seen in Daniel and Eugenia's case. Daniel was a

gay man, a peasant farmer from Chaparral, who dedicated his life to working as a jack of all trades in southern Tolima. Eugenia is a trans woman from Rioblanco who spent 15 years in a relationship with Daniel, who motivated her to pursue her transition in the late 1990s. Because of their relationship, both suffered discrimination from the community and, of course, from the FARC-EP's 21st Front. In 2002, Daniel worked as a candy and cigarette vendor on the road between the municipalities of Chaparral and Rioblanco. Because of his daily commute, alias "Yiyo", one of this armed group's militiamen, told Daniel that he should help transport orders to different population centers along the highway. On September 21 of that year, after Yiyo accused Daniel of having delivered an incomplete payment for an order, he asked alias "Marlon" to order Daniel's assassination. According to the testimonies gathered by Eugenia, Carlos Cicero, another of that group's militia members, had been in charge of carrying out the order. Daniel's lifeless body was found on the outskirts of the village of El Limón, in Chaparral, where Eugenia collected him and took him to his native Rioblanco for burial. From that moment on, a gale of violence was unleashed upon Eugenia, who lived the following years in constant exile.

First, she tried to confront alias "Marlon" about her partner's death. He told her that he had had him killed because he had been a snitch, and that she would suffer the same fate as her partner if she did not keep silent:

> "When Marlon summoned me up to San José, and I went to a place called Naranjales, Marlon told me, 'Yes, we killed him.' I said, 'Why?' He told me, 'because he was a snitch for the police.' One of the versions I was told was that he was a snitch for the police, and he earned $510,000 pesos a month" (Eugenia, trans woman, Chaparral).

After this incident, Eugenia was displaced for the first time and fled to Ecuador with her foster son, who had been born as a result of a casual sexual relationship between Daniel and a sex worker years earlier. Two years later, she returned to Chaparral, and there her son began to be harassed by 21st Front members in an attempt to recruit him. On one occasion, a group of guerrilla members violently entered her hair salon, asking for her son. She told them she did not know where he was, and they forced her to perform fellatio on the man appearing to be the operation's commander. Soon after, her son was finally recruited and taken to the mountains bordering Ibagué. Eugenia was able to contact him and send him money to escape. Together they fled to Cúcuta, where they stayed for a month, then moved to Venezuela, where they lived for about eight years.

Finally, these paternalistic and corrective intentions reached homosexual teachers in Chaparral. Sebastián, a teacher at the rural school in the village of El Limón, was the

victim of differential extortion for being openly homosexual. Every year, 21st Front members would go to the village to collect protection fees from the town's teachers. However, despite this being a widespread practice of violence upon the civilian population, Sebastián was forced to pay much more than other teachers because of his sexual orientation. In 2012, a member of the group came down expressly to charge him a one-million-peso protection fee, telling him, "A faggot like you is here in the region. You are harming people. You are a bad influence. You are going to pay double"[209]. They told him that if he did not pay, he should not dare return, as they would pull him off his motorcycle and burn it, and that if he resisted, he would suffer the same fate as his vehicle. The next day he went to the town center to pay the protection fee.

From the above accounts, the violence perpetrated by the FARC-EP's 21st Front in southern Tolima can be summarized through the following conducts:

(I) The victims were chosen by their perpetrators because they were considered particularly vulnerable or visible, always due to the fact that they were gay men or transgender women.

(II) The victims were harassed from a very young age and forced to repress their gender expressions both by their families and by the armed actors through explicit punishments, as in the case of Horacio, who was forced to cut his hair. A large part of this violence came to be through the circulation of rumors that publicly aired their diverse sexual orientations or diverse gender identities.

(III) The victims were forced to carry out work and services in favor of their victimizer for a prolonged period of time through acts of physical and psychological coercion. Most of these tasks required very heavy physical labor, which, according to the armed actor, is the way to restore the victims' masculinity.

(IV) At this point, the perpetrators' motivation became explicit, as they externalized their prejudiced view of the victims' diverse sexual orientations and gender identities and expressions through insults and humiliation.

209 COLOMBIA DIVERSA, entrevista semiestructurada, Chaparral.

(V) After several months and even years of forced labor, an event occurred that triggered the need to move away from their municipalities of origin. In Eugenia's case, it was the murder of her partner, Daniel. In Horacio, Florentino, and Jacobo's cases, it was a direct threat to their lives and those of their families.

(VI) In the end, just as in the Tumaco cases, all of these episodes of persecution went unpunished, both judicially and socially.

III. Summary of Variations

The previous section identified the patterns of violence perpetrated by the FARC-EP in the territories of Tumaco and southern Tolima, respectively. In this section, we will identify the specific variations of armed prejudice-based violence toward LGBT people exerted by this actor, comparing both territories. As mentioned above, armed violence toward LGBT people is part of a process of continuities and ruptures in which the coexistence of the dominant heteronormative system and war is strategically articulated to eliminate this community's possibilities of existence. These forms of strategic articulation have multiple typologies, purposes, and persistence factors.

1. Typologies of Repertoires of Armed Prejudice-Based Violence

The most evident disparity between the patterns of violence deployed by the FARC-EP in Tolima and Tumaco corresponds to the repertoires of violence exercised against LGBT people. There is an evident predominance of sexual violence in Tumaco, accompanied by threats and forced displacement, as well as an instrumentalization of LGBT people to benefit the armed organization. On the contrary, in Tolima, violence against LGBT people is marked by long-term practices, focused mainly on "correcting" expressions of sexuality and gender from an early age and at different moments of life. Thus, the forms of violence found in both territories can be typified as repertoires of merely instrumental violence, repertoires of symbolic and exclusionary violence, repertoires of symbolic and hierarchical violence, and repertoires of symbolic and simultaneous instrumental violence. These types of violence are combined in various ways in the two territories analyzed in this section, as will be shown below.

The repertoire of **instrumental violence** is characterized by forcibly employing people in feminized or caregiving activities, or in others specifically associated with LGBT people, such as being informants (because of their supposed gossipy nature).

Although the motivation behind these behaviors is not necessarily a moralizing and corrective view of the victims' sexualities or genders, there is prejudice in the sense that the victims are considered more vulnerable and therefore easier to recruit for the development of activities favoring the organization.

In the case of **Tumaco,** violence was primarily instrumental; that is, it was not mixed with symbolic intentions on the perpetrators' part. However, there was a clear moment of rupture at which the violence became symbolic: when the main grounds for employment disappeared; in other words, when the victims rejected their perpetrators' demands or when they decided to stop complying with their mandates. At this point, threats associated with the victims' sexual orientations and gender identities appeared, using stereotypes such as being HIV-positive to drive them out. In this event, violence goes from being purely instrumental to being **symbolic and exclusionary.** This implies that violence is exercised with the purpose of communicating a message of rejection toward that which the victims represent in a given context, which transcends the individual sphere and results in the dominant armed actor's presence being incompatible with the victim's, given the latter's loss of use for the armed organization; this entails the risk of being killed if they are ousted from the territory.

In Tolima, the use of violence was never purely instrumental. Indeed, the FARC-EP's 21st Front's behavior toward LGBT people in southern Tolima reveals a predominance of forced labor or subjection to various activities beneficial to the organization, but over much longer periods of time and with explicit intentions differing from those exteriorized in Tumaco.

The frequency with which forced labor was applied in jobs considered to require strength or as masculine and the externalization of the intention to link LGBT people to these jobs as a mechanism to correct their diverse sexualities and gender identities are a testimony to how this violence was simultaneously **symbolic-hierarchical and instrumental:** symbolic-hierarchical in that it sought to communicate to the victim, the community, and others in similar situations that any act outside of the heterosexual and binary norm would be reprimanded with sanctions of a similar nature, reminding the victim and their peers of the subaltern space they occupied; and instrumental because it generated various benefits for the FARC-EP. On one hand, it allowed them to gain legitimacy in the communities where they exercised territorial control, since this demonstrated their capacity to exercise punitive power over that which was deemed uncomfortable for them. On the other hand, it contributed to the labor machinery they had consolidated directly or via their militias, particularly in rural areas.

In our view, this violence has a **processual and complex** nature, inasmuch as it surpasses a particular violent act and constitutes a true process aimed both toward repressing expressions of sexuality and gender beyond the heteronormative system's scope, and correcting the individual so that they may adapt their behavior to said system's expectations. At the same time, the victim, who in the perpetrator's eyes has caused harm at a community level through the expression of their abject gender or sexuality, is obliged to retribute/repair the social whole via their labor. For this reason, the cases described in these patterns cover a broad time span, over the course of several years, in which the violence exercised by the FARC-EP varies in intensity and scale until the victims are ultimately displaced.

These displacements can be qualified as part of the repertoires of **symbolic-exclusionary violence.** The act of driving the victims out of their territories, the place of their protective –albeit fractured– environments or simply that which is familiar to them, derives from the rational and deliberate act of excluding them. This occurs given that it has proved impossible to correct their sexuality or, equally, because their existence as homosexuals or trans people is simply incompatible with the model of life promoted by the guerrilla group.

2. The Violence's "What Fors"

Although the typologies above describe the main intentions of violence toward LGBT people explicit, it is worth identifying the "what fors" associated with the deployment of armed action within the broader context of each territory, as well as its scope at the social and community level. These reasons are neither cumulative nor exclusive. In other words, they are not a list of objectives present in all forms of violence toward LGBT people, nor are they a set of characteristics unique to violence.

Now, regarding the reasons for these phenomena of violence, although any person who breaks the sex/gender/desire norm could become a victim of the armed conflict, certain aspects could expose them more clearly to the armed actors' violence. The most recurrent of these aspects is visibility. Gay men with feminine gender expressions and trans women, that is, people who very visibly defied the sex/gender/desire norm, were particularly vulnerable. Baldomero, a gay man and victim of the conflict, indicates that to avoid –to whatever extent possible– prejudice-based violence, "one should always walk right. Not walk as if they have their condition, but walk well presented", which means that gay men with feminine gender expressions were to masculinize themselves. Socioeconomic precariousness, being a carrier of

HIV-AIDS, and political activism also represent risk factors and reasons that make it necessary for the territorial armed authorities to exercise control.

LGBT people, particularly trans women, are seen as especially vulnerable or visible because of their gender expression that disrupts the established social order. In its report *Violencia sexual contra mujeres de Tumaco*, the Humanas Corporation explains that

"in the dynamics of armed confrontation for economic, political, and social control characteristic of armed groups, sexual violence and other gender-based violence have been developed as a form of war on women, in which their bodies and subjectivities become a disputed territory, in order to achieve their military and political objectives"[210]. Territorial control necessarily involves the control of the bodies that inhabit the territory. Social policies on gender and sexuality lend themselves to instrumentalization by armed actors as a control and regulation mechanism over these bodies due to their strong roots within society's collective imagination. In addition, there is an ethnic variable, namely corresponding to Afro-descendant racialization as an articulating factor within a hypersexualized identity fixated on black people's bodies, as in the case of Tumaco. In the words of a community communicator from Tumaco,

> "When the armed actors arrive, there is control over everything that is different... there begins to be control over sexuality, sexual orientation, but also over practices. Over women, women's sexual freedom. For example, whether she is with a boy, two boys, three boys, this also starts to be controlled. Whether she is lesbian or heterosexual, whether she uses drugs. Everything that can be annihilated, well, it was annihilated."[211]

After these introductory reflections, we will now detail some of the reasons behind violence toward LGBT people as observed by analyzing the cases documented by Colombia Diversa.

A. To Regulate Affectivity, Sexuality, and Gender Expression

One of the first elements revealing how prejudice is exercised by the various actors in the conflict is the acknowledgement that throughout the war multiple

210 CORPORACIÓN HUMANAS. Violencia sexual contra mujeres en Tumaco. Documentación y reflexión sobre los daños en mujeres racializadas. Bogotá: 2018.

211 COLOMBIA DIVERSA, entrevista semiestructurada, Tumaco.

forms of regulation of affectivity and sexuality have circulated throughout the war, while certain forms of gender expression have been authorized. Indeed, as has been pointed out in the texts from the National Center for Historical Memory and Colombia Diversa[212], the actors in the conflict who seek to take power over a given territory, whether they be insurgencies, paramilitaries, or the public forces themselves, dictate norms intending to reinforce the heterosexual imperative and the over-disposition of women's bodies (and other feminized corporealities, also) for the supposed satisfaction of the combatants' sexual desires. Nonetheless, as has become clear after decades of research on sexual violence in armed conflicts, these behaviors correspond to the desire to exercise control, power, and domination over women and other feminized subjects[213].

Likewise, women's bodies become a theme of dispute among the men who wage war, in such a way that prohibitions are established regarding the possibility of having affective or sexual relations with the opposing party's combatants. In the case of southern Tolima, according to information gathered on the ground, both the public forces and the guerrilla groups established de facto regulations on the matter. This is how a transgender leader from Chaparral tells it:

> "Here the guerrilla used to say that women could not be soldiers' girlfriends because they would be killed. At that time, there was this nor that if you were a soldier's girlfriend, you could not go to the countryside, you could not go to certain places because they would kill you. So, if you heard that a woman had been killed, it was because she was a hooker or because she was a soldier's girlfriend, because here, they were classified as snitches." (Lina, trans woman, Chaparral)

On the other hand, it is clear from the victims' accounts that they identify the use of sexual panic as one of the ways in which the LGBT community in southern Tolima began to experience paramilitary attempts to establish power over the territory:

> "It was when we began to be more that the faggots were going to be killed, after we began to want to free ourselves in Chaparral, to make ourselves visible. Then

212 See: COLOMBIA DIVERSA, Vivir Bajo Sospecha. Op. Cit. p. 27-28; Un parche que resiste. Recomendaciones para una reparación colectiva transformadora para lesbianas, gays, bisexuales y personas trans. Bogotá: 2018. p. 36.

213 The NCHM has taken up this longtime tradition of feminist reflection on sexual violence, emphasizing that it is "a form of gender-based violence, which consists of a practice of domination and power exercised violently and arbitrarily through the imposition of performing or witnessing sexual acts against a person's will. It is not considered indicative of unbridled instincts inherent to masculinity nor of a pathology obeying individual behavior, but of a form of gender violence used by perpetrators to express control over a territory-population and "over the other's body, understood as an annex of the territory" (Segato, 2013, page 20). In this case, the INVS considers sexual violence to be a rational action resulting from the ability and willingness to suppress another person in a state of defenselessness and/or vulnerability. Sexual violence reduces people to the inability to decide and have autonomy over their own bodies, as well as over their sexual and reproductive rights. In: CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo, Op. cit., p. 5-6.

> they came back with that fear in those notices that they killed potheads, faggots, that they killed thieves. So, we wanted to hide our gender identities once more." (Florentino, gay man, Chaparral)

B. To Indicate and Mark Undesirable Corporealities and Subjectivities

The association of LGBT people with other activities socially perceived as immoral, such as non-monogamous sexual practices or the consumption of psychoactive substances, is both a justification and an objective when carrying out acts of violence upon this community: a justification insofar as it uses social prejudices against these practices to violate the rights of said LGBT people with impunity, that is, without reproach or disagreement from the communities; and an objective because this type of conducts is linked to exercises of freedom generally incompatible with authoritarian and conservative environments. Given that armed actors tend to reinforce the authoritarianism that may be present within a given territory's political culture, or to impose an authoritarian order based on a different ideological framework, associating LGBT people with these practices of "indiscipline" is functional to their intention of marking the lives and identities that should not take part in the project of society that interests them.

Thus, one of the victims recounts that, according to his aggressors, the fact that he had long hair (which stemmed from the feminized gender expression that the victim had explored during puberty) automatically made him a pothead. This was sufficient justification to threaten his physical integrity and force him to move:

> "Because they never really said gay, they said faggot or queer, that was the way they treated us. Due to that they never threatened to kill me back then, but they did tell me that I had to cut my hair; that because I wore my hair long I was a pothead. But I never had any vices. Then I became friends with the other boy and we decided to come to Chaparral. That was the first time, because from there on up we couldn't pass because they wouldn't take responsibility for anyone's life." (Horacio, gay man, Chaparral)

In the development of these strategic articulations, decisive factors play a role not only in the victims' vulnerability, but also in their capability of reacting to the acts of violence perpetrated against them. For example, one of the manifestations of hegemonic masculinity in southern Tolima is that of the peasant man. It is therefore essential to include this element of analysis when identifying the elements of armed violence toward LGBT people in this department: rural life

and the proximity to peasant customs are conditions having a direct effect on the victims' vulnerability to violence and their capability of reacting to it.

In the stories compiled by Colombia Diversa, we were able to identify that LGBT people who were victimized at earlier ages were also those whose life experiences had taken place in the rural and peasant world (townships and villages). Three of the victims whose testimonies are included in this report were victimized by guerrilla groups between the ages of 9 and 12, and always in relation to externalizing their non-normative sexual orientations and gender identities. This indicates that while there may be similarities in the way heteronormative violence occurs in the countryside and in the city (families and community environments discriminate equally), war takes on a particular relevance as perpetuator of this domination system when expressions of sexual and gender diversity appear in rural environments, which in Colombia are often at the mercy of armed actors, especially insurgent groups:

> I personally come from a peasant background, from peasant roots. My father was a peasant, my mother was a peasant, and they left because of the conflict in the 1960s. Amongst the 1945 violence, they left. My mother came from Rioblanco, my father came from here in Chaparral, from the village of La Marina. So then the two of them got together. They met maybe here in Chaparral. I don't know where they met, but they built their married life and left that place. They bought a small farm here in the Chaparral municipality, in the township of Calarma. So, ever since I was a child they would take me there to the farm, and I grew up with those peasant roots. I like to work, to plant yucca, to dedicate myself to ordinary agriculture, to be a farmer. So, because of that I grew up, I educated myself, but my instinct was always: gay boy. I always liked it. My inclination was to be a gay boy. (Horacio, gay man, Chaparral).

c. To Ensure a Certain Model of Control in Accordance With the Forms of Dominance Achieved in Each Territory

The FARC-EP's relationship with each of the two analyzed territories is substantially different. While in Tumaco conflict was characterized by dispute with other actors, as well as actions revolving around illicit activities such as drug trafficking, in Tolima there was a strong ideological relationship with the armed group's founding motivations and a much more hegemonic presence –that is, less disputed– in comparison to other conflict actors.

Indeed, in the municipality of Tumaco there is a complex coexistence between illegal economies –particularly drug trafficking–, extractive projects, extremely

unequal relations with the country's centers of power due to racial, economic, and geographic issues, and the presence of multiple armed actors in both the municipality's rural and urban areas. For its part, in Tolima there has been a sustained presence of the FARC-EP since its foundation in the 1960s and an effective transition to dominant authority in the 1990s. Its presence and predominance also stem from the long tradition of peasant struggles that allowed it to build an identity for itself as an armed group, as established above. This context was marked by the presence of large estates, a rugged geography limiting the state's access, and a predominantly agricultural economy, with very few illicit crops.[214] In the last two decades, various megaprojects have appeared, especially hydroelectric plants and, with them, a greater army presence. All of these factors, too, have had influence upon the purposes of violence toward the region's LGBT people.

Regarding the scene of *territorial dispute* in Tumaco, both the National Center for Historical Memory[215] and Fundación Ideas para la Paz[216] indicate that in these contexts, armed actors tend to exercise sexual violence upon women and LGBT people in order to disarticulate the social fabric by generating distrust, annihilating everything related to the enemy and instilling fear to send a message of domination. This shows that in contexts of extensive confrontation over territorial domination, the conditions of territorial appropriation via physical violence become even more extreme, especially toward those seen as particularly vulnerable (subordination) or noticeable and disruptive of the social order, which is reinforced in contexts of confrontation, due to their appearance (hierarchization). As stated by an LGBT person in the FIP report,

> Paramilitaries, the FARC-EP, and the ELN have passed through the territory. This has been a patchwork quilt. In recent years, the paramilitaries and the FARC-EP did violate the LGBT community's rights, and they have continued to do so up to now. Displacement, murders (...) because of their sexual condition. And there are places where it is currently prohibited for an LGBTI person to go to those sectors; for example, Viento Libre, Panama.[217]

If to this we add the factor of war economies as a structuring element of a large portion of social relations, we find that the repertoires of instrumental violence have a place especially within scenarios in which individuals read as weak

214 According to FIP, there was only a short period in the 1990s of poppy cultivation in the Las Hermosas Canyon.

215 CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo. Op. Cit.

216 FUNDACIÓN IDEAS PARA LA PAZ, Dinámicas del conflicto armado en Tumaco y su impacto humanitario. Op. Cit. p. 47.

217 Ibid. p. 44.

social links must be available to carry out activities useful to the armed group's objectives of territorial control.

In this context of incessant dispute between actors, the explanations for prejudicial violence toward LGBT people, motivated by a corrective attitude, become insufficient, as much of this violence is exercised not only with the aim of imposing a given actor's moral regulation model, but also to demonstrate their ability to regulate the lives of those they intend to subject to their control and instill instrumental terror leading them to gain the civilian population's collaboration through the extreme use of violence. In the case of Tumaco, this is directed toward people perceived as weaker or more manipulable due to their lack of individual and collective agency to resist violence, or toward those who more explicitly break with the playbook of the admissible or the normative:

> "[We] gay people are very vulnerable to them, and we are people they can manipulate however they want, because we are not guerrilla members, we aren't armed, we don't have guns. So, they know that we are people, that we are a community they can abuse and upon which they can establish all their power. So, I think they do that to intimidate us. In other words, through what they do to us, they send a message." (Tomás, gay man, Tumaco)

Concerning this last matter, it is particularly relevant to highlight the role played by the rupture of the heterosexual canon within an Afro-cultural context such as that of Tumaco. Indeed, there is a tension between racial identity and the recognition of one's own sexuality or gender when it comes to Afro-Tumaquian LGBT people, which limits their possibilities of self-recognition and of being recognized within the Afro community as simultaneously black and lesbian, gay, bisexual, or trans. In this sense, Afro-Colombian feminist Mara Viveros Vigoya asserts that:

> [We can] illustrate the forms of representation and stereotyping of "black" people as symbols of a "natural" sexuality in which black women and men are assumed to be evidently heterosexual, rendering sexual practices that do not confirm these assumptions as impossible for them. For this reason, black people face the dilemma of not being able to be homosexual in order to remain "authentically" black. [...] Racism and heterosexism are systems of oppression that rely on one another to exist. It is their interrelationships that have upheld the assumption that all black people are heterosexual and that all LGBT people are white, distorting the experiences of black LGBT people and trivializing the importance of sexuality in racism and race in heterosexism.[218]

218 VIVEROS VIGOYA, Mara. La sexualización de la raza y la radicalización de la sexualidad en el contexto latinoamericano actual. S.f. Available at: http://ucaldas.edu.co/docs/seminario_familia/Ponencia_MARA_VIVEROS.pdf

In line with this approach, Emilia describes what it has implied for her to transition as a trans woman in the Tumaquian context. She emphasizes the importance of converging the analysis of this violence with the context, each actor's dynamics of territorial domination, and the parameters according to which the regime of compulsory heterosexuality in the territory is endowed with content:

> Society, because over time I felt like I was rejected by society at the same time. Because I used to say, "I dress as a man, they don't do anything to me. What will it be like if I dress as a woman? What will society be like?" So if I have to face society, then I have to face society. And I am not going to be like that anymore, I want to be what I want to be. I decided to face the facts like this. (Emilia, trans woman, Tumaco)

In contrast, in southern Tolima, the scenario of *relatively hegemonic territorial domination by the FARC-EP's 21st Front* allowed for the perpetration of violence of a nature much closer to the corrective impulse explanation. Indeed, the cases of forced labor of minors perceived as early-age homosexuals reflect the corrective intent of violence through activities assumed not only as expiatory of abject sexuality (the hard labor of countrymen), but also as long-standing processes highlighting the FARC-EP's capacity to: (i) function as a legitimate authority to decide how to correct an individual perceived as homosexual by their community, their family, or the insurgent group itself; (ii) sustain those decisions over time with full support of the social environment where the orders were executed (referring to the punishments' long duration and prolongation over time); (iii) intimidate and expel those children from the territory, even at very young ages, in order to eliminate from the social and community environment the aspects upon which the correction procedure had no effect.

Additionally, the socioeconomic context in southern Tolima is especially relevant to observe the mechanisms employed by the FARC-EP to undertake the process of correcting those who at an early age expressed their diverse sexual orientation (particularly gay boys). In particular, the centrality of a peasant economy, in which agricultural activities predominate, leads to the establishment of an ideal of masculine normativity in which the values of the peasant man are exalted and which also constitutes a space par excellence for the transformation of deviant masculinity.

According to Stathis Kalyvas,[219] there are several mechanisms that make it possible to understand the territorial control brought about by a collaborating

219 KALYVAS, Stathis N. La lógica de la violencia en la guerra civil. Trans. Pedro A. Piedras Monroy. Madrid: Akal, 2006. p. 183.

armed actor. Without a doubt, violence is the mechanism par excellence to achieve this. However, other elements such as mechanical adscription , the creation of credibility[220], or constantly supervising the civilian population[221] are also very efficient mechanisms to achieve this objective. The imposition of control upon individuals' sexuality and subjectivity in a territory under an armed actor's power can tend to generate credibility within the populace, insofar as, by means of sanctions, it reinforces the gender mandates in which the community believes, which are also intimately linked to its worldview. This allows the community to infer that this new authority is also there to support its most important beliefs. In turn, these expressions of repression of sexual and gender diversity also lead to an exercise of surveillance for which the communities give their unquestioning approval: being constantly watched by insurgent group members and their militias is a price they pay gladly if it ensures their peace of mind (provision of services such as security) and the survival of their identity values. Thus, the cases of southern Tolima reflect this articulated exercise in which the FARC-EP strengthened their presence by acquiring the civilian population's collaboration because of its defense of heterosexuality as the only model of sexual and gender relations among the region's people, among other reasons.

C. Variations of Prejudice-Based Violence Between the FARC-EP and the AUC

Having explored the variations within the FARC-EP, this section delves into the variations between the prejudice-based violence exercised by the FARC-EP and that exercised by the AUC. To do so, we followed a structure similar to that of the previous section. In the first section, we carried out a quantitative comparison of the data on prejudice-based violence cases in which the perpetrators were identified as FARC-EP or AUC members, either by the victim, a third party, or from the context of the events. As official figures do not include the alleged perpetrator, we focused solely on those gathered by Colombia Diversa. In the second section, we developed a qualitative comparison. Given that the repertoires corresponding to the FARC-EP were already analyzed in depth in the preceding section, here we will present a synthesis of relevant elements that have not been analyzed, and we will illustrate the AUC repertoires in more depth. From there, we will move on to the final exercise of synthesizing the variations' identification.

220 Ibid. p. 186.

221 Ibid. p. 189.

i. Quantitative Analysis

Based on the systematization of cases carried out by Colombia Diversa, there is a record of 50 instances of prejudice-based violence committed by the FARC-EP. Approximately half of the instances were reported in the department of Nariño (24, or 48%), followed by Tolima (14, or 28%) and Meta (5, or 12.5%). The remaining instances occurred in Antioquia, Caqueta, Huila, Putumayo, and Vichada. Of these departments, the only one presenting more than one case is Putumayo. Almost half (22, or 44%) of the instances occurred in rural areas or small settlements such as villages or townships, while approximately one third (16, or 32%) occurred in urban areas. The exact location of the remaining 12 cases is unclear. This distribution coincides with the historical rural presence of the guerrilla groups, which ascribes to its origins as a peasant guerrilla as well as the insurgent armed struggle's demands, since it was necessary to settle in remote areas difficult for public forces to access in order to seize power.

Regarding the geographic distribution, it is likely that the concentration of cases in these departments reflects not the intensity of prejudice-based violence committed by the FARC-EP at the national level, but rather the availability of information. As seen in the introduction, between 2016 and 2019, Colombia Diversa executed long-term documentation processes in Meta (Vistahermosa), Nariño (Pasto and Tumaco), and southern Tolima. For its part, Diversas Incorrectas documented cases in the department of Putumayo.

Likewise, secondary sources show a predilection for these areas of the country. The National Center for Historical Memory has an entire report on southern Tolima, *Un carnaval de resistencia*, cited several times throughout this report. Additionally, one of the cities focused on for the elaboration of *Aniquilar la diferencia* was Pasto, Nariño. The other interviews and workshops were conducted in Bogotá, Cartagena, Carmen de Bolívar, and Medellín. In Pasto, it was possible to document several episodes of violence that occurred in Nariño, not only in the capital but also on the department's Pacific coast. In Cartagena, Carmen del Bolívar, and Medellín, cases tended more towards paramilitary groups. In this sense, if one were to focus on other regions, particularly areas with a high incidence of FARC-EP, such as the department of Cauca or northern Caquetá, it is likely that a high volume of cases would be documented.

In the overall panorama of cases, 43 –the dates of the remaining seven are not available– occurred between 1985 and 2016. In the 1980s, only one case was reported,

which occurred in the municipality of Tumaco, as previously mentioned. This makes sense because, although the FARC-EP was founded in 1964, it was not until its VII Conference (1982) that it established the seizure of political power via the consolidation of a vertical and disciplined army as an objective, and at this moment it began to generate higher levels of violence. Also, it wasn't until that decade that LGBT rights activism and, therefore, awareness about them began to gain momentum.

From 1991 onwards, however, at least one case per year was recorded, apart from 1993, 1994, 1998, 2003, 2005, and 2010, although one of the instances for which a time range is available is said to have occurred between 1997 and 1998. Although the available information does not allow for an in-depth analysis of temporal variations, it does allow us to establish that prejudice-based violence began to increase during the second half of the 1990s, when the FARC-EP became an offensive guerrilla group with national projection. Since then, the figures have remained relatively stable, with two peaks: one in 2004 and the other in 2012, when 4 instances were recorded.

In more than half of the instances (27, or 54%), the presence of collective perpetrators was recorded, but on few occasions were collective victims recorded (7, or 14%). In both cases, most instances were concentrated in the department of Nariño, namely the municipality of Tumaco: 16 (59.3%) of the instances with collective perpetrators occurred in Nariño, 13 (48.1%) specifically in Tumaco, while 5 (71.4%) of the episodes with collective victims occurred in Nariño, 3 (42.9%) in Tumaco. Despite the methodological limitations outlined in the previous paragraph, the data in the analysis of the variations within the FARC-EP reaffirms the highly vicious nature of the symbolic violence exercised in this municipality. Regarding the identity of the victims, it can also be affirmed that most of the instances occurred against gay men and trans women, although there are records of violence toward lesbian women, bisexual people, and a trans man, claiming a total of at least 47 victims.

The most recurrent victimizing acts perpetrated by the FARC-EP were threats and harassment, which occurred in 33 events (66%), followed by displacement, in 28 events (56%), and, finally, sexual violence, in 13 events (26%). There are also 5 episodes (10%) involving forced labor, given that, while in some cases this was labor with a corrective intention, as in Horacio or Jacobo's cases, in others this was an instrumental recruitment to perform feminized work, as in Gabriela's case.

Further, at least 42 incidents of prejudice-based violence perpetrated by the AUC are known. The majority are distributed among the following departments: Antioquia (6,

or 14.3%), Bolívar (6, or 14.3%), Boyacá (5, or 11.9%), and northern Santander (5, or 11.9%). The other incidents were recorded in Atlántico, Bogotá, Caquetá, Nariño, Santander, and Sucre. In addition, two incidents from *Aniquilar la diferencia* were determined to have occurred on the Caribbean coast, without specifying the department. As can be seen, with the exception of Tolima, the departments where AUC incidents were concentrated do not coincide with those of FARC-EP incidents. Moreover, there is a more even distribution than in the case of this guerrilla group.

Once more, the geographic distribution of AUC violence corresponds in part to the availability of information, keeping in mind that, in addition to the focus on Bolivar in *Aniquilar la diferencia*, the National Center for Historical Memory has also published *Ser marica en medio del conflicto*, on the region of Middle Magdalena. Likewise, Colombia Diversa carried out a documentation process in Ocaña, northern Santander in 2016, which added to this information. However, unlike the incidents attributable to the FARC-EP, in this case, there is greater correspondence between the regions of strong AUC control and the events of prejudice-based violence attributable to said group, namely: the department of Antioquia; the Caribbean coast; particularly Montes de María; and Middle Magdalena; although the absence of the department of Córdoba is notable. This information could be complemented with the cases submitted by Caribe Afirmativo to the Truth Commission.

Now, the information regarding the exact location of each event is not as precise in the AUC's case as in the FARC-EP's case, since in almost half of the incidents (20, or 47.6%) it is not clear whether they occurred in urban or rural areas. However, regarding those for which the location is known, the majority occurred in municipal capitals or their outskirts (20, or 90.9% of the 22 for which such information is available). This tendency toward urban areas marks a strong contrast with the FARC-EP, but coincides with the AUC's functioning logics, insofar as its actions were characterized by overtaking capital cities or important regional urban centers, where it operated as a criminal network to generate illicit rents.

Concerning the timeframe of violence perpetrated by the AUC, at least 33 of AUC incidents occurred between 1999 and 2006. The remaining 9 incidents do not report an exact date or time range. Of the nine years (1997-2006) of AUC paramilitary activity, the only ones in which we did not record episodes of prejudice-based violence are 1997 and 1998. From those years on, at least 2 incidents per year were registered, with 2004 being the only exception, and even 4 or more incidents in 2000, 2002, 2003, and 2005, which denotes a greater saturation than with the FARC-EP. Here the point of comparison is noteworthy. Throughout just eight years

(1999-2006), the AUC generated levels of prejudice-based violence toward LGBT people comparable (in numerical terms) to those produced by the FARC-EP over approximately 30 years (1985-2016).

Proceeding with the data analysis, the information available on the type of victims and perpetrators does not reach the level of detail available in the FARC-EP's case. In 17 (40.5%) of the 42 incidents, it is not clear whether there were collective or individual perpetrators. Now, among the incidents for which such information is available, there is an almost equal distribution of incidents with collective perpetrators (13, or 52.0%) and individual perpetrators (12, or 48%). In this sense, the FARC-EP would surpass the AUC with regards to the number of incidents with collective perpetrators, both in numerical terms (27 v. 17) and in terms of percentages (54% vs. 31% when considering the total number of cases, or 58.7% vs. 52% if we exclude the cases that do not report this information).

In the victims' case, as occurred with the FARC-EP, the incidents corresponded mostly to gay men and trans women, although violence toward lesbian women and one trans man was also recorded. In numerical terms, at least 41 victims of paramilitary prejudice-based violence were identified, 6 less than in the FARC-EP's case. However, 12, or 28.6%, of the 42 incidents involved groups of victims. This is a higher proportion than that of the FARC-EP's case, in which, as noted above, 7, or 14%, of the 50 incidents involved collective victims.

The most recurrent victimizing events were threats, occurring in 24 incidents (57.1%), as well as homicides and physical injuries, each of which occurred in 13 incidents (31%). These are followed by forced displacement, recorded in 12 incidents (28.6%). Additionally, sexual violence was reported on 8 (19%) occasions, and forced disappearances on 6 (14.3%). Although threats and forced displacement remain among the most prevalent victimizing acts, three significant differences can be observed as to the FARC-EP guerrilla group's actions.

Firstly, while there are only three known cases of homicidal prejudice-based violence on the FARC-EP's part, homicide is one of the most recurrent victimizing acts among the AUC data. Similarly, while we know of only one event involving an LGBT person's forced disappearance attributable to the FARC-EP, in Colombia Diversa's outline of cases, there were at least 6 LGBT people made to disappear by the AUC. To analyze this trend, it is important to remember the distinction between hierarchical and exclusionary prejudice-based violence. To know whether a case of victimization corresponds to a hierarchical or exclusionary use, it is necessary to

review the case's context. In other words, there is no predetermined correspondence between this distinction and the victimizing events. In this sense, as indicated in the previous section, there are many ways to exclude a person from the dominant order, including threats or sexual violence leading to forced displacement. However, both homicides and forced disappearances are a clear expression of an individual's supposed incompatibility with the societal model that the victimizer seeks to defend. Thus, the recurrence of these victimizing acts within paramilitary practices suggests that the AUC was more likely to exercise symbolic-exclusionary violence toward LGBT people. This can be confirmed upon a detailed review of the cases perpetrated by both actors, which demonstrates, as will be shown below, that the guerrilla group relied more on symbolic-hierarchical or even instrumental violence.

On another note, the contrast between the data on sexual violence is striking, with higher levels in the FARC-EP's case. Indeed, according to the consulted information, the FARC-EP committed more acts of prejudice-based sexual violence toward LGBT persons than the AUC, both in numerical terms (13 vs. 8) and in terms of percentages (26% vs. 19%). This contrast can be understood in two ways. First, the FARC-EP perpetrated more acts of sexual violence toward LGBT people than is often thought, even compared to the AUC. Second, there is still a high level of underreporting of sexual violence with regard to the AUC, as we know from the comprehensive analyses carried out in other reports on the armed group[222] and even from the sentences handed down by the Justice and Peace Chamber, in which the AUC was characterized by committing multiple and atrocious acts of sexual violence toward women and other feminized individuals.

Finally, the recurrence of physical injuries in the cases attributable to the AUC also stands out, as these do not appear to the same extent in the data reported on the FARC-EP. This manifests the AUC's tendency to beat or even torture LGBT people, marking their bodies with extreme cruelty to remind them of their subordinate position or to externalize the intention to exclude their aberrant presence.

In summary, despite the clear limitations of the data presented, it is useful for a preliminary comparison of these two armed groups' actions. Above all, it is more than evident that both groups exercised prejudice-based violence in a repeated and sustained manner over time. Furthermore, in most cases, the victims were gay men and trans women, and threats and forced displacements were a part of both armed actors' conduct. There are also clear differences in their actions. For its part, the

222 For example, in: CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo, Op. Cit.

FARC-EP committed at least 50 acts of prejudice-based violence toward at least 47 victims between 1985 and 2016, with a maximum of four episodes in a particular year, mainly in rural areas or small towns, with a slight tendency toward collective perpetrators and presenting significant levels of sexual violence. In contrast, the AUC perpetrated at least 42 acts of prejudice-based violence toward at least 41 victims between 1999 and 2006, that is, in a shorter period than the FARC-EP, exceeding four episodes per year on at least three occasions. This occurred mainly in urban centers or their outskirts, with a marked tendency towards collective victims and presenting high levels of homicide, forced disappearances, and physical injuries compared to the FARC-EP.

ii. Qualitative Analysis

As experience shows, the differences between paramilitary and guerrilla groups are profound, especially when it comes to the FARC-EP. In the first part of this text, we already highlighted important differences related to the ideological currents and ideals of masculinity that gave rise to both the guerrilla and contemporary paramilitarism; the structure and institutions developed by both groups in terms of training, regulation, and sanctioning; and the gender regimes developed within these armed groups. Now that we have dealt in depth with the FARC-EP's patterns of violence within the two territories under study in this report, we will go on to propose a series of aspects to be taken into account when contrasting the prejudice-based violence deployed by the FARC-EP and the AUC.

1. HIV As a Social Control Mechanism

The specter of HIV is present in paramilitary and FARC-EP armed actions, but with important differences in its use. In this section, we will focus on recovering LGBT people's experiences, especially those of transgender women who were victims of persecution in Vistahermosa, Meta by the FARC-EP, which used HIV as a justification.

Before recounting this from our own archive, it is important to consider what HIV has meant in the life histories of LGBT people since the 1980s and the general features of its use by the two actors discussed here[223]. The Human Immunodeficiency Virus, or HIV, is believed to have first appeared in the 1920s

223 Details of the victims' memories of this event can be found in the Colombia Diversa report *Vivir bajo sospecha*, published in the year 2017.

in the Congo due the virus transferring from chimpanzees to humans. In the 1980s, the first cases of infection were reported in the United States. Since the virus had an outbreak particularly concentration among homosexual people in 1982, it was named the Gay-Related Immune Deficiency–GRID[224]. From then on, the stigma around the virus being carried and spread exclusively by the gay community emerged. And although the illness may have had greater incidence within certain sectors of the population (related to racialized, poor, and sex work) due to the living conditions that many gay men and trans women shared due to the context of social exclusion and economic precariousness, the truth is that sexual orientation had nothing to do with the ability to carry and spread the disease. Over time, it became known that the virus could be transmitted through any type of sexual intercourse or direct contact between blood and organic carriers. However, lack of knowledge and the deliberate sexual contact especially common among the LGBT community at the time led to the installation and dissemination of the idea that this was a virus caused by the supposed promiscuity and dirtiness of non-heterosexual intercourse. Once the damage was done, this stigma spread across the globe, and HIV became a justificatory device for violence and discrimination against this community.

In the following section we will see in greater detail the discursive operations behind the execution of the so-called "social cleansing", or rather, the policy of extermination of differences beyond the margins carried out by the AUC. Regarding HIV, suffice it to say that it was one of the vehicles to justify violence toward those considered undesirable and carriers of this contagious virus, which was perceived by the dominant social morality as the result of an obscene and unnatural sexuality. To that extent, under the eradication logic of "social cleansing", HIV was yet another element in the list of reasons used by the AUC to exterminate LGBT people.

This is not to say that the FARC-EP did not use HIV also as a justification for assaulting LGBT people, only that they did so via persecution and banishment. The case of Vistahermosa displays this instrumental use of HIV to "sanitize" the territories under guerrilla control. During the existence of the so-called *demilitarized zone* (1998-2002), then President Andrés Pastrana's government ordered the demilitarization of a total of 42,000 km2, comprised of the Meta municipalities of La Uribe, Mesetas, La Macarena, and Vistahermosa, and the Caquetá municipality of San Vicente del Caguán.

224 AVERT FOUNDATION. History of HIV and AIDS overview.

Although armed violence toward LGBT people existed before then, it intensified during those years. As Aguilera[225] notes, the demilitarized zone allowed the FARC-EP to roam freely throughout the lands that it now sought to consolidate as a dual power. Thus, it took control over the administration of justice, security, and police functions. It also arrogated to itself legislative powers, with which it decreed regulations such as Law 003 to sanction corruption within the management of public resources. Precisely in line with this form of authority, in 2001, the 27th Front ordered the application of HIV tests en masse in the municipality of Vistahermosa and its townships and villages. Although these tests were presumably aimed toward the entire populace as a means of identifying the inhabitants through a system different from the official identification system, as indicated in *Vivir bajo sospecha*, this measure had a differential and disproportionate impact on the municipality's LGBT people.

Colombia Diversa identified cases of at least three people –two who identify as gay men and one as a trans woman– who experienced the effects of this policy firsthand. One case is that of Andrés, who was expelled from the municipality in 1999 after receiving an ultimatum from Efrén, a 27th Front commander, and who was told that faggots were dirty people who transmitted diseases. Another is that of Jenny and Veronica, who endured sexual harassment, threats, beatings, and humiliation carried out by FARC-EP members for a long period of time. However, they were able to work somewhat peacefully as hairdressers in Piñalito, even attending important 27th Front leaders. In 2000, they were forced to move to Villavicencio, as they were accused of carrying the virus via anonymous graffiti that replicated throughout different parts of the town. This accusation aroused the hostility of Pitufo, one of the small town's commanders, who forced them to draw up a list detailing their sexual partners, including even guerrilla members. Upon returning to the urban center of Piñalito, someone informed them of a poster of the names they had given displayed in the center. This unleashed the town's wrath, leading them to be called "degenerates, liars, filthy, sick, AIDS-ridden"[226]. A trusted guerrilla member, alias "Kener", told them it was best for them to leave, because if they took the test as Pitufo had ordered and it came out positive, they would both be killed.

The siege upon the civilian population did not stop, and mandatory HIV testing, at least in the municipality of Vistahermosa, was extended to the end of the

225 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Guerrilla y población civil. Trayectoria de las FARC 1949-2013. Op. Cit. p. 253.

226 COLOMBIA DIVERSA, Vivir bajo sospecha, Op. Cit. p. 40.

demilitarized zone, even using resources from the San Juan Bosco Hospital and the Juntas de Acción Comunal's logistical support[227]. These practices were justified under the prejudiced idea that the municipality was experiencing a sort of disease outbreak, and an absolute ignorance surrounding the causes. This ignorance aided the reproduction of the stigma against LGBT people as carriers of the virus. Hence, in this investigation Colombia Diversa concluded that the FARC-EP subjected LGBT people to a double stigma that ended up intensifying the environment of discrimination against them: on the one hand, because of their diverse sexual orientations and/or gender identities, and, on the other, because they were presumably spreaders of the unknown virus.

2. Possible Sub-Pattern of Social Extermination

Undoubtedly, one of the clearest points of divergence between guerrilla and paramilitary violence is the so-called "cleansing", or social extermination, as the National Center for Historical Memory has called it[228]. Although there is still an important lack of information related to this practice, the available information points to a pattern of social extermination in several areas of the country, attributable almost exclusively to paramilitary groups, including the United Self-Defense Forces of Colombia and their successors. Within this pattern, a set of specific violence toward LGBT people can be perceived; that is, a sub-pattern of social extermination directed toward this community.

In order to address this potential sub-pattern, it is necessary to first establish a series of clarifications. Firstly, it is important to remember that in this report it is not possible to demonstrate the existence of this sub-pattern in certain territories with the same level of detail as in the section on the FARC-EP, since we rely mainly on secondary sources that allow us to identify only general trends. Along the same lines, although our focus is on the study of social extermination, this does not mean that the prejudice-based violence deployed by the AUC toward LGBT people is exhausted through this practice. On the contrary, it is likely that there are other patterns or sub-patterns of prejudice-based violence within the AUC's actions that were simply not documented in depth in the consulted sources.

Finally, although we use the category of "social extermination" instead of "prejudice-based violence" to name the AUC's violence toward LGBT

227 Ibid. p. 42.

228 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Limpieza social: una violencia mal nombrada. Bogotá: CNMH, 2015.

people referenced in this section, we cannot lose sight of the fact that social extermination itself is an expression of prejudice-based violence in its symbolic-exclusionary form. As will be seen below, social extermination aims to eliminate, mainly through homicide, stigmatized or disruptive bodies perceived as incompatible with the order that the paramilitaries sought to impose. We use the category "social extermination" because of its specificity, as it explicitly reflects this symbolic-exclusionary aspect as well as situates the violence toward LGBT people within the general dynamics of the relationship between the Self-Defense Forces and the civilian population. With these preliminary notes in mind, we now return to the study of social extermination.

As the NCHM has established, the practice of social extermination, defined as "repeated murders on the street of a socially conflictive identity",[229] transcends the armed conflict, emerging as a violent mechanism for resolving everyday social conflicts in cities. However, within the context of the conflict, social extermination has been a paramilitary practice: while the guerrilla groups committed two percent of the total cases registered in the CINEP database, "the paramilitary groups [...] used it systematically, unequivocally stating that their project was based on 'social cleansing'"[230]. Indeed, "social cleansing" is a main thread of paramilitary action. It was used during the first paramilitary generation, as in the case of precursor groups to the AUC such as Death to Kidnappers (MAS) in Medellín, and was later consolidated by the AUC as an incursion and social control strategy, eventually being inherited by the paramilitary strongholds that emerged after the group's demobilization, such as the Gulf Clan.

In LGBT people's case, in the compiled testimonies and consulted reports, no instance or mention of LGBT people's social extermination points to the FARC-EP or the ELN as responsible, but rather to paramilitary groups, including the United Self-Defense Forces of Colombia, and post-demobilization armed groups. This does not mean that the FARC-EP never attempted to annihilate people with diverse sexual orientations or gender identities in this way, but it does suggest that, unlike the Self-Defense Forces, this repertoire was not a systematic practice for this guerrilla group.

229 Ibid. p. 45. It is worth noting that Colombia Diversa does not agree with the use of the category "socially conflictive identities" in this definition, because, as the concept of prejudice-based violence shows, this type of violence is not motivated by the victim's identity, but rather by the perpetrator's worldview; that is, the value judgment that the perpetrator makes about the victim's characteristics.

230 Ibid.

Regarding the AUC specifically, the consulted testimonies, legal sentences, and investigations suggest the existence of a pattern of social extermination in various regions of the country , consisting of selective murder often combined with other forms of violence such as threats, humiliation, beatings, forced displacement, forced disappearances, and, to a lesser extent, torture and sexual violence[231] toward stigmatized or disruptive bodies, including those of sex workers, drug users or sellers, street dwellers, alleged criminals, mentally ill people, LGBT people, and people with HIV, a disease that, as mentioned in the previous section, was also associated with LGBT people, particularly gay men and trans women. As stated by a former AUC combatant: "if we arrived at a community and there was a faggot, a guy with long hair, a pothead, they had to disappear. Even based just on suspicion."[232] The space par excellence for social extermination was the street, generally in peripheral neighborhoods, where violence served as a sobering spectacle for the entire community.

In the sentences handed down by the Justice and Peace Chambers, this so-called "social cleansing" is referred to as an AUC strategy, pattern of conduct, policy, practice, or multi-structural program, including: the Puerto Boyacá Peasant Self-Defense Forces, the Catatumbo Bloc, the Cundinamarca Bloc, the Libertadores del Sur Bloc, the Metro Bloc, the Mineros Bloc, the Northern Bloc, and the Tolima Bloc. In several of these sentences, explicit reference is made to the "social cleansing" of LGBT people, particularly gay men and trans women, even naming it as a policy. For example, in the sentencing of José Higinio Arroyo Ojeda and other former members of the Mineros Bloc, it is stated that:

> The declarants reported that in the municipality of Tarazá it was paramilitary policy for homosexuals not to be accepted, so pamphlets threatening them with death were handed out, or they were forced to move; it was also established as a rule that men in the civilian population had to have short hair, not wear earrings, and be well-presented.[233]

Beyond the Justice and Peace Chambers, it is worth mentioning that Serrano Amaya identifies a pattern of social extermination of LGBT people (which he

231 Although homicide is the principal expression of social extermination, according to the National Center for Historical Memory, starting in 1996, that is, parallel to the AUC's formation, other forms of violence began to make way. At any rate, "homicide never lost its preeminence (except in 2009, when other modalities were registered as making up 45 percent of cases)". This is reflected in the Justice and Peace Chamber's sentences, which recognize the use of threats, torture, sexual violence, forced displacement, and forced disappearances within the framework of social extermination policies.

232 UNIVERSIDAD CENTRAL. Proyecto digital: Masculinidades, relatos de excombatientes. Relato: El Chayanne. Op. Cit.

233 COLOMBIA. TRIBUNAL SUPERIOR DE MEDELLÍN. Sentencia de José Higinio Arroyo Ojeda y otros exintegrantes del Bloque Mineros. April 28, 2016. M.P. María Consuelo Rincón Jaramillo, p. 327.

calls anti-homosexual violence or political homophobia) deployed by the Héroes de Montes de María Bloc in the Colombian Caribbean[234].

Although distinctions between the terms used to characterize social extermination (strategy, pattern of conduct, policy, practice, or program) is often unclear, the use of these categories denotes the reiteration of certain repertoires of violence, executed with specific techniques and toward specific targets; this is, patterns of violence that can be observed empirically, regardless whether or not they were ordered to be carried out. In this case, the sentences state that such actions were ordered by superiors. In this sense, social extermination becomes a strategy of (almost) national scope with certain particularities depending on the territory, as will be seen below. In terms of frequency, it seems that this strategy hit regions such as Lower Cauca in Antioquia, the Pacific coast, and Middle Magdalena with particular force, while it gained less strength in other parts of the country. According to the National Center for Historical Memory, the departments located in the foothills region of the eastern mountain range –Arauca, Casanare, Caquetá, Putumayo, and Guaviare– are characterized "by the low incidence of this phenomenon"[235].

As we have just mentioned, the actions or operations of social extermination were usually carried out under orders; in other words, they did not emerge as a practice (as in several cases attributed to the FARC-EP), but rather were part of a policy pertaining to the armed group's structures, executed within the framework of its incursion strategy, as well as within the imposition of territorial control once it was established in the territory. This was confirmed, for example, by Ramón Isaza Arango, commander of the Peasant Self-Defense Forces of Middle Magdalena (ACCM):

> 845. The facts that are subject to legality control demonstrate the commission of distinctive patterns of conduct by the ACMM, such as: acts of violence toward life and person, in particular homicide in all its forms, dismemberments, mutilations, cruel treatment, and torture committed under the unfounded and unreasonable assumption that the victim was a collaborator, informant, sympathizer, helper, or financier to the subversive groups; also, acts committed out of prejudice toward any person considered "harmful" to society, such as: common criminals, dealers or consumers of hallucinogenic substances, vagrants, homosexuals, transsexuals, rapists, and anyone who fell within the so-called "social cleansing". [...] RAMÓN MARÍA

234 SERRANO AMAYA, Homophobic Violence in Armed Conflict, Op. Cit. p. 36.

235 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Limpieza social, Op. Cit. p.

> ISAZA ARANGO emphasized that this *was a policy of the self-defense groups and that it had been an order given to the different front commanders at the time the illegal armed groups' expansion* (emphasis added).[236]

These actions or operations could come from the Self-Defense Forces themselves or from private actors, local authorities, or members of the public forces. In this sense, Deisy, a trans woman from Ocaña, Northern Santander, affirms that: "at that time the paramilitaries practically allied with the police to do social cleansing, to clean up a bit of the dirt, as they would say in the pamphlets". In 2003, in a case registered in SInViolencia LGBT, members of the Héroes de Montes de María Bloc murdered Topacio, a trans woman living in Sampués but workng as a hairdresser in Sincelejo, under order of Rafael Blanco Tous, then mayor of Sampués, who said that the victim was "corrupting" the municipality's minors.[237]

It is also likely that, in LGBT people's cases, families have been an important source of information. The aforementioned ACCM ruling, for example, mentions the case of a gay man who was reported to the armed group as an alleged child rapist.[238] The AUC considered the local population's reports to be a key aspect upon carrying out social extermination, not only because these outlined the targets of violence, but they also guaranteed collusion with local actors, generating legitimacy for the Self-Defense Forces and paving the way for the implementation of their political and economic project.

The sequence of violence is particularly clear during the process of AUC expansion, since, once they were instituted in a given territory, the use of social extermination as a social control mechanism seemed to present greater variation. In the case of incursion campaigns, the violence of social extermination usually began with the circulation of collective threats via pamphlets or graffiti in public spaces, announcing social extermination operations against stigmatized communities, including "faggots" and "transvestites", and imposing curfews:

> The first pamphlet I read said that it was a social cleansing in which they were going to do away with drugs, prostitutes, addicts, and faggots. There they didn't talk about homosexuals, but about faggots. And about all those who

236 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentencia de Ramón María Isaza Arango y otros exintegrantes de las Autodefensas Campesinas del Magdalena Medio del 29 de febrero de 2016. M.P Uldi Teresa Jiménez López, p. 351-352.

237 Sistema de Información de Violencia contra Personas LGBT en Colombia (SInViolencia LGBT).

238 Ibid. p. 639.

> were on the streets at night, that they didn't take responsibility for anyone. (Deisy, trans woman, Ocaña)
>
> When the pamphlets started coming out saying that they were going to kill gays, lesbians, prostitutes, all of those, because they said that one was already stuck in the role. [...] From then on, all those pamphlets started to come out. That's why the gays left, they hid. They [were] killed a lot. (Margarita, trans woman, Tumaco)

Although on occasion individual threats were made directly, the preferential use of pamphlets has a simple explanation. Disseminating pamphlets requires less logistical effort than direct threats, as not only do they reach more people in less time, but they also do not require further reconnaissance work throughout the territory. This also does not lose the desired effect, since pamphlets serve to impose homogeneous rules of conduct, regulate the behavior of the civilian population, and generate a sense of unease around the possible consequences of disobeying these rules.[239]

Subsequently, the AUC unleashed a strong wave of violence, consisting mainly of homicides, as mentioned above, as well as humiliations, beatings, torture, sexual violence, and forced disappearances. In LGBT people's cases, these repertoires were deployed as a form of exclusionary violence seeking to erase the presence or eliminate the bodies of those who dared to challenge traditional gender norms. Given the perception of LGBT people as feminized subjects, as well the AUC's hate speech, it is likely that forms of violence such as torture or sexual violence were employed upon LGBT people more frequently than upon other populations targeted for social extermination, but this hypothesis would have to be verified with an in-depth examination of these repertoires in certain areas of the country. Naturally, this onslaught of violence triggered forced displacements, sometimes of the victims' families or of those who identified with the victims, or both. In turn, violence toward LGBT people sent a strong message of rejection to other LGBT people in the area, forcing them to "adapt" to prevailing gender norms, break their organizational processes, and/or move in order to stay alive.

The homicides carried out in the context of these bloody campaigns were usually committed with firearms in one of two modalities: (i) "fulminating

239 SERRANO AMAYA, Homophobic Violence in Armed Conflict, Op. Cit.

action"[240], as the NCHM called it, under which the paramilitaries "sprayed" groups of people in places associated with stigmatized identities, such as sex work areas; or (ii) targeted action,[241] in which specific individuals were murdered where they were found (mainly in the streets, but also public places such as bars or homes, to a lesser extent), or after being taken from these places to the street or the outskirts of the neighborhood or urban area. For example, in the case of Puerto Boyacá, targets of "cleansing", as well as other violence (especially torture), were often taken from Los Transmisores, a property far from the urban center of Puerto Boyacá near the Magdalena River. In this second modality, the perpetrators approached the victims when they were alone or in small groups.

The available information does not allow us to determine which of the two modalities was used more frequently upon LGBT people. However, the consulted cases correspond to the modality of targeted action in both public and private spaces. In the first of these scenarios, the spectacle of violence served to teach lessons both to LGBT people who dared to occupy public spaces, both individually and collectively, and to the community in general, as well as to ingratiate armed actors with the latter. In the second scenario, AUC members sought out LGBT people in their homes with the aim of murdering them. This is manifested in the story of Marisol, a trans woman from Urabá, Antioquia, who said that when the paramilitaries, presumably AUC members[242], arrived in her municipality in 2003, they killed two trans women in what this armed group called "social cleansing". One of them was her friend Carolina, killed while sleeping in her own home:

> Several [paramilitaries] arrive, and that's when the other girls [other transgender women] start to do things. Then they start to say that they were going to finish off the town faggots. I never took the threats as directed toward me because my behavior has always been very different, so eventually they reach Carolina and kill her, in the house, while sleeping. They go after Karen and catch her and beat her up and she manages to get away. So yes, I wasn't

240 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Limpieza social, Op. Cit.

241 The National Center for Historical Memory names this modality "selective death", in which "people are selected to be taken out of the neighborhood, taken from a location to be killed in the street (it is common for this to be from a tavern) or simply killed in the place where they are found (the street, the house, or wherever)". However, at Colombia Diversa we consider that the distinction between indiscriminate and selective violence is insufficient to characterize the two techniques of homicide with firearms that are characteristic of social extermination because, by nature, such extermination is itself selective violence, insofar as it is directed at stigmatized bodies.

242 At the time, the AUC Elmer Cárdenas Bloc was implementing a "repopulation and territorial control strategy" in the Urabá region. See: VERDAD ABIERTA. Bloque Elmer Cárdenas de Urabá. October 15, 2008. Available at: https://verdadabierta.com/bloque-elmer-cardenas-de-uraba/.

> going to hang around waiting for what would happen to me, because it was said that they were going to kill people like that, and there were three of us, and upon seeing that it had already happened to the other two, that's when I left my town (Marisol, trans woman, Urabá, Antioquia)[243].

Parallel to the homicides, collective and individual threats were made. For example, graffiti was left on the walls with phrases alluding to "social cleansing".

When homicide was combined with torture, sexual violence, and forced disappearances, the techniques of violence were especially macabre, presenting high levels of severity that reveal a deep contempt for LGBT people. In the consulted cases, practices such as impalement, dismemberment, and, in the case of Montes de María, the use of crocodile farms as a disappearance technique (none of which have been documented in the prejudice-based violence imposed by the FARC-EP) were evident. These cases also serve to illustrate the territorial particularities of the social extermination policies.

For its part, impalement is a component of a broader repertoire of sexual violence used mainly by paramilitary groups, including the AUC, to reprimand women or LGBT people for daring to challenge their power, whether by confronting their victimizers, by maintaining affective relationships with FARC-EP members, or by breaking gender norms. According to the NCHM analysis, impalement, as well as beatings, mutilations, and cuts on victims' breasts, is a practice that "reveals the intention to attack that which is considered feminine; it is about subjecting women's bodies to maximum suffering, whilst simultaneously taking away the possibility of sexuality and marking through pain areas of the body considered intimate and private"[244]. In this sense, the aim of impalement is to leave physical and psychological effects upon the victim's bodily memory that will always remind them of their subordinate status.

In the case of social extermination, this practice was used as a technique for murdering gay men and trans women, serving as a punishment mechanism for "renouncing" their masculinity in open opposition to the gender order that the AUC defended[245]. This tendency is evident, for example, in Ricardo's[246] account

243 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit. p. 132.

244 CENTRO NACIONAL DE MEMORIA HISTÓRICA, La guerra inscrita en el cuerpo, Op. Cit. p. 341.

245 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit.

246 It is worth mentioning that this name does not refer to the same Ricardo that we used as a pseudonym for one of the victims whose cases we documented in Tumaco. This pseudonym was found in *Aniquilar la diferencia.* CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit.p. 239.

when he describes the social extermination operations carried out in Caquetá in *Aniquilar la diferencia*: "when they arrived, they brutally killed and raped trans women. They also raped lesbians horribly, and homosexuals, too. [...] They dismembered them, they impaled them. It was something brutal"[247]. Pages later, he adds, "they shot him here and impaled him, they stuck him with a stick like this, and it was ugly, because on top of that, later they opened the door and took him out on the sidewalk in front of the house where he lived, and dumped him there and left"[248].

Separately, although dismemberment and the use of crocodile farms were widespread practices, their repeated use upon LGBT people reveals an intention to punish them for defying the gender orders that armed actors defended in their territories. According to the Justice and Peace Tribunal in Bogotá, there is a link between the modalities of torture and the war objectives that were being pursued. When the Self-Defense Forces suffocated or electrocuted their victims, they sought to extract information quickly from civilians accused of belonging to or sympathizing with guerrilla groups. But when they used knives, machetes, or chainsaws to dismember them, fire or acid to disfigure them, and psychological torture such as confinement, chronic isolation, sleep deprivation, and public humiliation, they sought to punish them[249]. Therefore, it can be deduced that the AUC resorted to these repertoires of torture upon LGBT people as a punishment and elimination mechanism.

Two examples serve to illustrate this point. The first occurred in Puerto Boyacá in the early 2000s during the period of consolidation and restructuring of the

247 Although *Aniquilar la diferencia* states that the perpetrators are paramilitaries, from the context, it is possible to identify the Central Bolívar Bloc as the presumed perpetrators. According to the account, the FARC-EP exercised territorial control in this municipality until approximately 2005, when the paramilitaries arrived. According to Verdad Abierta and the Ideas para la Paz Foundation, between May 2001 and February 2006, the Central Bolívar Bloc spread to several municipalities in southern Caquetá, such as Florencia, Morelia, Albania, Curillo, Valparaíso, and Solita, with the primary objective of controlling and expanding the drug trafficking business. This was prior to its demobilization in 2006, when the FARC-EP regained territorial control. Therefore, it can be deduced that this violence occurred between 2005 and 2006 at the hands of the AUC.

248 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Aniquilar la diferencia, Op. Cit. p. 248.

249 In 2016, in the sentencing of Wilson Salazar Carrascal, Whoris Suelta Rodríguez, and Francisco Alberto Pacheco Romero, participants from the Héctor Julio Peinado Becerra Front of the United Self-Defense Forces of Colombia, the Justice and Peace Court of Bogotá conducted a socio-legal investigation on the forms of torture used by the AUC in different regions of the country. See: COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentencia de Wilson Salazar Carrascal y otros exintegrantes del Frente Héctor Julio Peinado Becerra, en otrora Autodefensas Campesinas del Sur del Cesar (ACSUC) del 27 de junio de 2016. M.P Eduardo Castellanos Roso.

Puerto Boyacá Self-Defense Forces (APB)[250]. Under the command of Arnubio Triana Mahecha, alias "Botalón", the APB persecuted, tortured, murdered, and dismembered young trans women and gay men who were becoming visible in the municipality. Four of these cases were recognized by the Justice and Peace Chamber of the Superior Court of Bogotá[251]. In the first, a member of the APB approached three young trans women, Mama Mía, Papuchina, and Vicky, who were observing handicrafts in the main park, and threatened to kill and throw them into the river. These threats caused Papuchina and Mama Mía's displacement to Bogotá.

Soon after, the Self-Defense Forces began to fulfill their terrifying promise. Between 2000 and 2001, they did away with Vicky. Under the pretext of a job, alias "Chiqui Bomba", an APB member she knew, took Vicky from her house. From Chiqui Bomba's motorcycle, they transferred her to cars that took her to Los Transmisores, where after three days they killed, dismembered, and threw her into the Magdalena River. In early 2002, she was followed by Mama Mía, who had returned to Puerto Boyacá. Mama Mía suffered the same fate as Vicky: a young man she knew searched for her in her house to transport her to Los Transmisores, where she was murdered with a firearm, dismembered, and thrown into the river. Finally, Jairo Cortés Contreras, a bisexual man, disappeared in mid-2003, following the same modus operandi. In fact, as stated by the National Center of Historical Memory,

> Memory work shows that the cases of forced disappearances of LGBT people had common characteristics in Middle Magdalena: they were preceded by threats, a person known to the victim was used to take them to the perpetrators, all the victims lived in a situation of economic, social, and familial vulnerability, and they were trans women or gay men with feminine gender expressions whose bodies ended up in the Magdalena River.[252]

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250 In the early 2000s, the Puerto Boyacá Self-Defense Forces underwent a process of growth and restructuring that marked their actions. In 2000, Carlos Castaño decided that small paramilitary groups should join larger ones or be co-opted. As a result, the acronym ACCM (Autodefensas Campesinas del Magdalena Medio) came to "include at least two blocs: the Middle Magdalena Bloc (BMM) and the Puerto Boyacá Bloc (BPB) (the third would be the Cundinamarca Bloc)" (p. 408). For their part, the paramilitary groups of El Carmen and San Vicente de Chucurí unified as the Ramón Danilo Front, adhering as a substructure to the BPB. Finally, by 2002, the BPB's growth in both members and areas of influence, as well as its problems with other paramilitary blocs, led to its restructuring into fronts. See: CENTRO NACIONAL DE MEMORIA HISTÓRICA. El Estado suplantado. Las Autodefensas de Puerto Boyacá. Report No. 4. Series: Informes sobre el origen y actuación de las agrupaciones paramilitares en las regiones. CNMH: Bogotá, 2019.

251 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Arnubio Triana Mahecha and others of December 16, 2014. R.J. Eduardo Castellanos Roso.

252 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Ser marica en medio del conflicto, Op. Cit. p. 160.

This shows that by studying these cases of prejudice-based violence in context, it is possible to identify the repertoires, techniques, and modus operandi that characterize the sub-pattern of social extermination that we propose existed in each territory.

Although the participants in the Justice and Peace process put forward the alleged sale of hallucinogenic substances as a motive in at least two of these cases, this was not demonstrated during the process. In fact, the type of violence exercised in the aforementioned cases does not correspond to the modus operandi used by the Self-Defense Forces of Puerto Boyacá to kill other alleged drug dealers (hired assassins)[253]. In this sense, although the participants argued that the victims had committed a crime to justify the violence, the externalization of prejudice through threats and insults such as "showy faggots, get out of here", as well as the use of dismemberment as a forced disappearance technique, show that the aim was to persecute "an incipient community process" that pioneered the social recognition of LGBT people in Puerto Boyacá[254]. In the words of the Center for Memory, behind each case there is a "devalued valuation" of LGBT lives, "which not only merits the extermination of the undesirable that the homicide entails, but also the disappearance of all evidence of their existence"[255]. Ultimately, this achieved its goal: "while some of the most visible trans women in the municipality were made to disappear, the survivors had to move in order to save their lives", seriously fracturing the incipient collective[256].

A second example of the cruelty used to punish and eliminate LGBT people as a way of "social cleansing" occurred in Montes de María, near Sincelejo, possibly in Carmen de Bolívar[257]. Although less information is available on this case, it is known that, under orders from the commander alias "Rodrigo Cadena", members of the Héroes de los Montes de María Bloc kidnapped gay men in the area and took them to a property far from the urban center to torture and do away with them. This violence is very similar to what happened in Puerto Boyacá, but there is also a shocking peculiarity: on this farm, they forced gay men to kill each other and threw them, alive, into a crocodile

253 Ibid.

254 COLOMBIA DIVERSA. Concepto sobre violencia contra población LGBTI en el marco del conflicto armado. Proceso contra Autodefensa Campesinas de Puerto Boyacá, comandado por Arnubio Triana, alias "Botalón", p. 14.

255 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Ser marica en medio del conflicto, Op. Cit. p. 159.

256 Ibid.

257 The report *A mí me sacaron me volada de allá!,* which documents this case, states that such violence occurred in Montes de María, not specifically in Carmen de Bolívar. However, in 2011, a former AUC combatant confessed during a Justice and Peace hearing that in Carmen de Bolívar the Héroes de los Montes de María Bloc threw live bodies into a crocodile farm to make people disappear without a trace. For more information, see: VERDAD ABIERTA. "A su hermano lo lanzaron vivo a los cocodrilos": desmovilizados. November 17, 2011.

breeding ground[258]. This is how Alexa, a trans woman from Sincelejo and victim of forced displacement, tells the story:

> Some AUC leaders in a nearby town took the gays, they took them, they approached them, they took them in a van, they tied them up, they took them to a far-away farm, and there they locked them up [...] like in a kiosk, and it was there that they would kill each other, they made them kill, kill each other, and there was a massacre years ago where this ringleader, Cadena, ordered the death of many gays, and it was a horrible massacre, and I think only one survived. [...] And whoever was caught was thrown into a pit where there were crocodiles because they managed crocodile breeding. They threw them into the crocodile pit, or they used scythes. [...] Everybody knew that he was the one who had ordered all that, and from then on, all the people left, they each had a different destination. [...] In one way or another, that's why I came here, because I was afraid that they were going to kill me and there were many who were killed, there were many. (Alexa, trans woman, Sincelejo)[259]

Finally, it is worth highlighting that social extermination operations tended to take place in two types of urban settings: first, in departmental capital cities, and even in Bogotá in the early 2000s[260]; that is, in areas where it was not necessary to dispute power with guerrilla groups, where the AUC infiltrated peripheral neighborhoods, co-opting or subduing local expressions of criminality and carrying out "social cleansing" campaigns, while bribing law enforcement officers and arranging alliances with politicians in order to control illegal economies and launder assets[261].

Second, these operations occurred in municipal capitals of various sizes located in areas disputed over by the FARC-EP or the ELN, where the AUC sought, hand in hand with public forces, to dislodge the guerrilla groups, using terror to break their ties with the civilian population; to defend the interests of regional and local elites, including landowners, businessmen, and traders; and, again, to pave the way for the control of illegal economies. In these scenarios, where, as the case of Puerto Boyacá demonstrates, violence tended to be more vicious, cases of social

258 PRADA, Nancy; HERRERA GALVIS, Susana; LOZANO RUIZ, Lina T. and ORTIZ GÓMEZ, Ana M., "¡A mi me sacaron volada de allá!": relatos de mujeres trans desplazadas forzosamente hacia Bogotá. Bogota: Secretaría General de la Alcaldía Mayor de Bogotá, D.C, y Universidad Nacional de Colombia, 2012. p. 101-105.

259 PRADA, Nancy; HERRERA GALVIS, Susana; LOZANO RUIZ, Lina T. and ORTIZ GÓMEZ, Ana M, Op. Cit., p. 101-105.

260 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Limpieza social: una violencia mal nombrada, Op. Cit.

261 DUNCAN, Gustavo. Los señores de la guerra: de paramilitares, mafiosos y autodefensas en Colombia. Penguin Random House Grupo Editorial Colombia, 2015.

extermination of LGBT people have been documented in places such as the Pacific Coast of Nariño, Urabá in Antioquia, Montes de María, Middle Magdalena, northern Tolima, southern Caquetá, and Catatumbo.

3. Summary of Variations

To conclude this section, we will briefly summarize the main variations in the repertoires of prejudice-based armed violence by the AUC and FARC-EP toward LGBT people in Colombia. As we have already exhaustively described the repertoires, we will now only state the most general elements of what has been said so far in order to conclude with the most substantial variations in armed violence toward LGBT people with regard to the two actors under study.

1. In the Repertoires Themselves

In the case of the FARC-EP, we have insisted that, despite being a hierarchical military structure with strict disciplinary rules, it had important variations upon deploying its actions of armed violence, depending on the logics through which it related to the territories where it was located. According to our findings, when experiencing periods of broad territorial control via the establishment of regional counterpowers, as was the case of southern Tolima in the 1990s, there is evidence of the use of longer-term, procedural violence that sought to correct sexualities deemed undesirable for the peasant and conservative environment in which these became visible. This violence, in general, appealed to the regularization of the victim's masculinity by forcing them to carry out work understood as masculine in these contexts. This reflected the guerrilla groups' deeply ideologized socialization, in which homosexuality was seen as a *degeneration of capitalism*, while insurgents were considered champions appointed to advance the feat of building a new society devoid of these capitalist aberrations.

In this scenario, the recruitment and training model for new recruits gained special relevance. Given that the privileged model of affiliation, at least in Tolima, was mechanical adscription, there was an important closeness to the communities and their cultural, social, and economic practices. Likewise fundamental as an analytical variable is the model of hegemonic masculinity, which took gender differences into account only on a formal scale (formal equality for women, but not for LGBT people). These two issues combined stimulated the need to preserve the communitarian order on gender and sexuality, now read through the lens of leftist revolutionary morality.

Conversely, when the levels of territorial control were lower and a scenario of dispute predominated, the violence began to resemble that of the AUC, diluting the corrective tone that characterized it –although this did not disappear– and establishing a record of prejudice around these individuals' potential to become a hindrance to the armed project's development (for example, by considering them snitches). Similarly, this occurred around the perception of these individuals as submissive and easily manipulated beings due to their condition of vulnerability. In these contexts, sexual violence also manifested as a predominant repertoire that externalized a predatory masculinity intending to make an example of abject sexuality.

Unlike the FARC-EP, the AUC resorted much more to symbolic-exclusionary violence through social extermination, its repertoire of violence par excellence. As we have seen, social extermination aimed to physically eliminate people considered incompatible with the social order sought to be established. This included those who deviated from gender norms or who were HIV-positive, a stigma attached to this community. The most recurrent form of "cleansing" the territory was through collective threats and homicides, along with forced disappearances in some territories. Likewise, we identified a considerable level of extreme cruelty in violent behaviors prior to the murders or forced disappearances. An example of this could be the use of impalement as a sexual violence/homicide technique, as well as dismemberment (Puerto Boyacá) or the use of crocodile farms (Carmen del Bolívar) as disappearance techniques. None of these techniques were present in FARC-EP cases.

Together, these repertoires of violence served not only to regulate the inhabitants' affectivities, sexualities, and gender expressions, forcing LGBT people to conform to the heteronormative system, but also to break their ties with the territory, so that they would move away with the full knowledge that returning would lead to their death. Although the violence exercised by the FARC-EP tended to share these ends, the big difference is the immediate and decisive nature of the violence exercised by the AUC. It is worth remembering that social extermination was an incursion and consolidation strategy; that is, it was one of the first forms of violence that communities suffered when these structures sought to assert or reaffirm their power. In this sense, within the context of social extermination, there was no place to undertake processes to "correct" aberrant sexualities or gender identities, as occurred in the FARC-EP's case in southern Tolima, nor to take advantage of LGBT people's vulnerability to employ them as informants or to do errands, as took place in the case of Tumaco. In fact, unlike what happened with the guerrilla groups, none of the cases of prejudice-based violence perpetrated by the AUC toward LGBT people consulted for this report were for instrumental purposes.

The prevalence of an immediate and inexorable symbolic-exclusionary violence, as well as the extreme cruelty upon LGBT people's bodies, reveals three issues, namely: (i) the combatants' socialization into a predatory masculinity with a radically violent gender regime; (ii) the counterinsurgency techniques they inherited from the national security doctrine and learned in the so-called schools of death, where not only was there no contemplation for human suffering, but also viciousness inflicted on victims was encouraged and rewarded; (iii) the recruitment mechanism, i.e. of young foreign males with no ties to the region where they were to operate, understood as yet another factor ensuring a disconnection with the victims' humanity.

Similarly, it is important to recognize that some variations in the repertoires within the group can also be identified, in accordance with the territories where they exercised their control. In the case of San Onofre, where the AUC had a greater degree of control, the repertoires of violence tended more towards hierarchical rather than exclusionary ends. In contrast, in other municipalities of the same sub-region of Montes de María, where this group was also present, but with a greater degree of disputes, the violence had an exclusionary and highly cruel nature, as seen in the previous section.

2. The Violence's "What Fors"

Violence toward LGBT people perpetrated by armed actors is not random. On the contrary, it is violence that corresponds to *strategic motivations* arising from their ideological frameworks, their interpretations of war, and the purposes they seek to achieve with it. The contrasts in this case are related to the utility/objective (what here we have named the "what fors") that each actor found in the execution of acts of violence motivated by prejudice against LGBT people.

In the FARC-EP's case, it is fundamental to consider the levels of territorial control and the ways of relating to the territory and the populations that inhabited it in order to understand the purposes for which they carried out acts of violence motivated by prejudice against LGBT people. In southern Tolima, a corrective, paternalistic, and procedural view of violence prevailed, which sought to position the group as protective leaders of the community's conservative values, but with a discourse based on radically different ideological frameworks: while the heteronormative morality of the region's peasant community stems from religious –Catholic– socialization processes, the FARC-EP's heteronormative morality stemmed from the revolutionary left's discourse, which considers homosexuality a capitalist degeneration. At any rate, it was a deviation that could be corrected through the

peasant man's hard work in tasks such as "guachapeo", coffee picking, or labor with other types of crops. An example of this is what Commander Marlon told Jacobo when he questioned him about rumors that he was a collaborator to the public forces in the village of El Limón, in Chaparral:

> "If you are a thief, it was not serious. Don't do it again," yeah? "What we will not forgive," they said, "are snitches, extortionists". They did not forgive them. "If I had discovered that you were a snitch, I would kill you myself," he told me. He said, "We don't forgive anyone who is a snitch, an army auxiliary," yeah? "We don't want thieves or hookers," he said. "Faggots, we don't want any of that, because that leads the people to revolution, the people to do bad things," he said. "Like with an effeminate man," he then said "he must be a man! How old are you?" he said, and I answered, "12." "Ah, no! You have time to become a man, to join the ranks, to use a rifle, to fight for the fatherland, for peasants' rights, the people's rights." (Jacobo, gay man, Chaparral)

In Tumaco, where a context of territorial dispute predominated, violence tended to be much more instrumental and vicious. The context of extreme disposition of bodies, added to the logic according to which black bodies are the object of appropriation for any trade or practice, including sexuality, gives special relevance to the reasoning that this is violence closely connected to the actors' militaristic interests. Indeed, we saw how the FARC-EP used prejudice against LGBT people to use them for their illicit economic activities (information, prostitution, collection of war taxes, drug trafficking, care work in confined spaces) or as recreational objects for the troops in environments where they socialized the overwhelming masculinity that stimulates war and its logics of body appropriation. And although this armed group acted like a criminal network –similar to the paramilitaries–, it also arrogated to itself the power to correct these deviant sexualities. However, unlike in Tolima, this violence, rather than procedural and paternalistic, was immediate and inexorably mediated by sexual violence.

In the AUC's case, social extermination served multiple purposes: first, to reaffirm the combatants' masculine power; second, to instill fear; third, to demarcate the limits of what was acceptable in order to regulate the conduct of the territory's inhabitants; fourth, to trivialize violence and gain legitimacy by exterminating everything considered undesirable, in order to justify its actions and operate with greater impunity. In this way, the AUC's various structures aimed to produce atomized, docile, appropriable subjects, adhering to traditional morality; that is, subjects suited to the ideological and economic interests (anti-communism, defense of private property, illicit economies, land accumulation, and exploitation of natural

resources, among others) of both the armed group itself and the landowners, cattle ranchers, businessmen, and traders who supported its actions. It was a reactionary, homogenizing, and sanitizing nation-state project that sought to reorganize the logics of relationships within society by extirpating difference.

In this context, LGBT people, particularly those from working-class sectors, represented the kind of dirtiness that was antithetical to the model of society being defended. By defying the prevailing gender canons, engaging in sex work, and being presumed as HIV-positive, as well as presumed criminals (a stereotype often ascribed to trans women sex workers), they not only rejected the morality of the "good Colombian", but also brought with them contagion, disorder, and insecurity. As Serrano states,

> social cleansing is a death practice that produces effects on many subjects based on the elimination of "negative others", such as street dwellers or homosexuals. Such effects are intended to produce subjects that are functional to the system of "production/ consumption/ existence", characteristic of the current colonial/ modern power system.[262]

In this regard, it is important to point out that social extermination served to produce economic returns for the AUC. On the one hand, in urban centers –mainly departmental capitals– the purposes of extermination were closely related to the objectives of the organized crime networks it managed or protected. Thus, while operating drug trafficking, prostitution, or arms trafficking networks –which lead to growing safety and violence problems–, the AUC publicly sold the moralistic discourse of "social cleansing" in order to ingratiate itself with the communities in which these activities were carried out. Violence toward "undesirables" is a high price that society is willing to pay, since it is preferable to coexist with an armed group than with these individuals. The AUC used the discourse of "general interest" as a justification for its persecution of different populations considered disposable, while creating a demand for safety that the group itself then made up for with the community's support.

One example is the city of Barranquilla, where "social cleansing" generated high levels of tolerance for the actions of the AUC's Northern Bloc José Pablo Díaz Front. As explained by Luis Fernando Trejos Rosero and Aura Posada Ramírez,

262 SERRANO AMAYA, Homophobic Violence in Armed Conflict, Op. Cit. p. 47.

> The community began to accept the illegal group's actions, justified by expressions such as "social cleansing", in which prostitutes, *jíbaros*[263], and drug addicts were murdered. Under this same figure, students, trade unionists, social leaders, and human rights defenders were catalogued as military targets, and although they made the respective reports, the community justified such murders as necessary to maintain the social order.[264]

In this sense, annihilating "undesirables", including LGBT people, was functional for the AUC to eliminate those who opposed its illicit activities. In addition to providing social legitimization, social exterminations allowed this Front to generate a false perception of safety in the city sectors where the AUC carried out its extortions, which, alongside their offer of safety services, was a lucrative source of income for the armed group[265].

In other contexts, social extermination served to facilitate the dispossession of land for the establishment of illicit economies such as coca harvesting for drug trafficking or for agro-industrial businesses such as livestock, African palm, timber, and rubber, which benefitted both the paramilitaries themselves and companies colluding with them. The AUC achieved these dispossessions through the assassination of social leaders who opposed its power by defending peasants' access to land or ethnic communities' collective rights, and through the depopulation of the territory by means of forced displacement. In both cases, social extermination played a fundamental role: primarily because it served to trivialize the leaders' assassinations and, and also because it provoked multiple displacements, as seen above.

This situation can be seen in the municipality of Tumaco. According to Eduardo Restrepo, after carrying out the typical intelligence and installation work, the Libertadores del Sur Bloc began to roll out "social cleansing" campaigns to gain legitimacy in certain sectors via the discourse of "order" and "safety"[266]. This legitimizing effect can even be observed in the accounts of LGBT victims of the conflict:

> The situation in Tumaco before was much better than now. Deaths could be seen, but since it was seen that they killed people who did wrong, it was like

263 This word refers to people who sell illicit drugs in a small scale.

264 TREJOS ROSERO, Luis y POSADA RAMIREZ, Aura. Paramilitares en la ciudad de Barranquilla: crimen organizado y mercados de violencia. In: Revista de Economía del Caribe, 2014, No. 14. p. 34-63.

265 Ibid.

266 RESTREPO, Eduardo. De "refugio a paz" a la pesadilla de la guerra: implicaciones del conflicto armado en el proceso organizativo de "comunidades negras" del Pacífico nariñense. Informe División de Antropología Social. Instituto Colombiano de Antropología e Historia, 2005.

> a kind of justice. Because if there were thieves or that kind of thing, or people who wanted to extort other people, some sort of cleaning groups would come and put an end to all that. It remained clean, it remained quiet. You could walk around at any time, you could talk along the way, wear whatever gold you wanted. That was justice. (Gabriela, trans woman, Tumaco)

At the same time, the paramilitaries beat social leaders of organized processes or of population sectors that hindered or could hinder the consolidation of their dominance in the territory.[267] These included those who advocated for black communities' collective rights, obstructing the accumulation of land[268]. Here, social extermination served to attenuate the perception of insecurity that could be generated by the murders, and as a mechanism for the normalization of violence.

Hence, it becomes evident once more that the prejudice-based violence deployed upon LGBT people by both the FARC-EP and the AUC pursued strategic ends anchored in their ideologies, war models, and economic incentives. This not only demonstrates that this violence is not random, as indicated at the beginning of this section, but also that it is absolutely interwoven with the political, economic, and social logics of war, and therefore cannot be reduced to a solely moral issue.

3. Impunity and Social Complicity

Impunity and social complicity are the common elements par excellence in the contexts of violence toward LGBT people committed by the two actors under study. It is quite obvious that this is so, as they arise from a context of structural violence and state negligence in the face of discrimination against LGBT people. This is beyond the actors' control, but still useful for their purposes. Indeed, the fact that these elements are not, strictly speaking, directly driven by the armed actors does not mean that they are not capitalized upon by them. On the contrary, as seen in the description of the patterns attributable to the FARC-EP and the AUC, the cases' social and legal impunity is a fundamental part of their repertoires of armed violence against LGBT people.

267 RESTREPO, Op. Cit.

268 COLOMBIA. TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ, Sentence of Guillermo Pérez Alzate and others of September 19, 2014, Op. Cit.

This impunity is also a factor in the persistence of violence not exclusive to armed violence. The state's inaction in the face of reports and complicity, on the one hand, and the social passivity or the community's participation, on the other, allow the cycle of violence to persist. The continuity, circularity, and consubstantiality of violence generates an environment without incentives to denounce violence, neither before state authorities nor before the armed forces' authorities. Likewise, in the case of murdered people, there is no social or institutional reproach, beyond that of the victims' relatives and direct friendships, to show that these crimes are serious and that they deserve a punishment proportional to the damage caused. This context of silencing contributes to high levels of impunity that seriously impact the victims' possibilities of accessing a government that protects them and a community environment in which they are safe.

To the above information we should add the set of unfulfilled promises made by the various victim attention and reparation programs that have come to the territory as institutional offers, but that have done little to nothing to improve the victims' conditions of existence nor the transformation of contexts filled with prejudice that gave rise to the victimizations in the first place. All of this combined leaves victims with the feeling that citizenship is not a matter thought out for them, and that no reporting will help them obtain answers regarding what happened and why. This point will be discussed further in the chapter on the role of the state:

> Yes, I appear in both cases, I appear in the book in the Victims Unit. I am there, but I never... I thought that because I was unemployed, and because I was a FARC victim, I believed, I thought that I was going to get better help, a better response from the Colombian state, from the Colombian government. That is still the naivety that I always say remains, but it has never been said to us victims: "Well, the issues, I the minister, I the senator, I the congressman, I the president of the republic, I am going to deliver these aids to the victims." And we are mentioned with our own name or something like that, which is the same as nothing. That is the question I ask myself: what do we do if we continue being the same victims as always and the government is not going to help us with even some groceries, nor with decent housing, nor with decent health. That is the question I ask myself: as a victim, what do I expect? What am I going to receive from the national government? When the national government, according to the 1991 Constitution, states that who must watch over the citizenship, health, food, decent housing is the national government, the president of the republic, not the governor or the mayor. That is the question I ask myself as a leader, as a citizen overseer. That is the question I ask myself. (Florentino, gay man, Chaparral)

4. Rumors: Vehicle and Stereotype

In its report *Un carnaval de restistencia*, the National Center for Historical Memory found that the community of Chaparral, where the Tuluní River trans beauty pageant was held, "spread harmful rumors that took advantage of the ghost of war to leverage their own hatreds of sexual and gender diversity."[269] The repertoires of violence that we have reviewed here have shown us the value of this analysis: rumors are a vehicle for armed violence toward LGBT people. Whether it be to undertake processes of social extermination by the AUC or to identify the elements that should be subjected to exemplifying and corrective processes in the case of the FARC-EP, rumors appear systematically as a factor of social dynamics that overexposes LGBT people to the violence of armed actors.

In the AUC's case, the permanent circulation of pamphlets singling out LGBT people's identities and sexual expressions as undesirable constitutes in itself the deployment of a rumor that would spread among the territory's inhabitants by word of mouth. The practice by which all community members are emboldened to monitor individuals' sexualities allows the victims of persecution to be cornered until they are left defenseless and at their tormenter's mercy. In fact, in addition to feedinginto their constant surveillance, rumors about a person's sexual orientation or gender identity also make them a target of violence, either because their relatives or communities turn to the AUC to request their "cleansing", or because the AUC itself becomes aware of it in some other way.

Likewise, in the case of southern Tolima, the National Center for Historical Memory estimated that rumors were one of the manifestations of the articulation between the community's prejudice and the heteronormative regime promoted by the armed actors. Specifically, it stated that in Chaparral "taking advantage of the atmosphere of fear generated by the war, [there was an articulation] to spread intimidating rumors used to stop the processes of visibility and politicization of this marginalized social group."[270] To that extent, when the community circulates and allows the spread of rumors about things that it knows could cost an LGBT person their life because of the way the armed group operates, it is exercising "a form of indirect aggression, the purpose of which is to exclude or affect other people's social status." This social practice "strengthens the rules of behavior of the society in which people live, thus making rumors an instrument to reproduce the

269 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de Resistencia, Op. Cit. p. 19.

270 Ibid. p. 53.

social structure" (Vázquez, 2008, page 145). In short, it is a social and discursive mechanism of aggression, which has psychological effects and justifies violence against people who transgress the hegemonic order of sex/gender".[271]

But rumors not only channel prejudice, or, in other words, function as a mechanism for amplifying and reproducing hostility toward LGBT people in all spheres of social life. Prejudice is also a stigma that LGBT people carry and that potentially exposes them to the armed actors' violence. In the description of the Tumaco cases, we were able to anticipate this issue. Indeed, gay men and trans women face a stigma in the Tumaco imaginary: that of "bochincheras"[272]. There is a generalized perception that LGBT people are extroverted and sociable, which, in the eyes of society, makes them gossipy or "bochincheras".

On the Pacific coast, *bochinche* has been identified as one of the most important factors of social divisiveness. Restrepo[273] indicates that "via bochinche and collective observation, behavior is recorded down to the smallest detail: where they go, who they hang out with, what they do". Therefore, *bochinche* is the mechanism through which every event that occurs in the municipality is made known and which allows the regulation of its inhabitants' behaviors. In the context of war, where multiple armed actors operate illegally and clandestinely, the perception that a person is a *bochinchera* can fall into the stigma of being an informant, which can cost them their life. When this violence takes the form of a person accused of being a member, collaborator, or informant for the opposing armed group, it fulfills symbolic purposes that surpass the directly affected individual and reaches several others: the victim, their community, and other people with similar personality traits or who share the same sexual orientation and/or gender identity. In the latter case, rumors ultimately operate as an efficient censorship mechanism that prohibits them from freely expressing their own sexuality.

To synthesize the scope of this discussion in the analysis of prejudice-based violence by armed groups toward LGBT people, we stand behind this reasoning from the National Center for Historical Memory:

> Rumors are not small talk. They are an evaluative, informal, and private communication between a person and a small, select group about the behavior

271 Ibid. p. 55.

272 Referring to people who are less worthy in social life because they are always finding ways to spark conflict and participate in fights.

273 RESTREPO, Eduardo. Aletosos: Identidades generacionales en Tumaco. 1999. p. 159.

> of absent people or events. They refer to events in the lives of a person or several people who are not present; they are confidential in nature (which is why rumors are spread in hushed tones) and refer to people known to the speakers. In addition, they have different social functions, such as functioning as a means to unite a group or delimit internal behavioral norms, and as a social order learning mechanism (Vázquez, 2008, pages 139-172). They serve to learn from the others' disagreements and to discourage people from acting in a given way, making them a necessary element for the functioning of power.[274]

The use of rumors in these contexts to the detriment of a person's integrity and because of their diverse sexual orientation or gender identity generates serious impacts on the victims' mental and even physical health, particularly when the violence's latency is eventually materialized in their bodies. Thus, as indicated by the NCHM, the consequences of rumors "range from the disruption of efforts to achieve LGBT people's autonomy, independence, and self-control over their bodies, and the destruction of their social projects and the devaluation of their honor, to the justification of physical violence or transfeminicide (Vázquez, 2008, page 159)"[275].

5. Punishments

As seen above, the FARC-EP had greater punishing capacity (behavior guideline manuals, misdemeanors, and felonies). Violence toward civilians was punished, as well as disturbances of the order within the ranks. However, we do not know of any trial or punishment applied to the violation LGBT people's rights neither within the civilian population nor within the ranks. This allows us to infer that, although there were punishment mechanisms, these were deliberately not applied either because acts of violence toward LGBT people were not considered infractions of the internal regulations, or because it was accepted as a tolerable practice within the ranks, even when this went against the regulations. This shows the violence's ideological and strategic standpoint.

In the AUC's case, although it had the capacity to punish, its members were openly homophobic and promoted this community's social extermination as an objective of their armed activities. To that extent, no punishment from the precarious disciplinary regime was applied for harming this community, as these acts were directly promoted and celebrated by the command, among other reasons.

274 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de Resistencia, Op. Cit. p. 68.

275 Ibid, p. 55.

V

THE MULTIPLE FACES OF THE COLOMBIAN STATE

THE MULTIPLE FACES OF THE COLOMBIAN STATE

Colombia is, without a doubt, one of the governments that has made the most progress in the recognition of LGBT people's human rights in Latin America. A good part of the decisions made seeking to recognize and transform the historical injustices to which LGBT people have been subjected have come from the Constitutional Court, a counter-majoritarian power that, since its creation in 1991, has contested, through tutelary and constitutionality actions, the deficiencies and structural discrimination of people with diverse sexual orientations and gender identities that are reflected in legal and constitutional regulations. These decisions are not free of deep criticism and reactionary movements that have sought to stop and reverse the effects of rulings advancing the recognition of LGBT people's rights.

Despite significant progress at the normative level, discrimination against LGBT people and its most serious expression –prejudice-based violence– have not ceased in these almost thirty years of constitutional case-law. Colombia Diversa has been recording this phenomenon for more than 15 years in its human rights reports, carrying out work that, albeit corresponds to the state, has had to be undertaken by civil society due to the state inertia and apathy regarding how LGBT people's bodies and lives are violated in discourse, in homes, in the streets, in schools, in war, and in all areas in which Colombian society develops.

In particular, Colombia Diversa has been able to record that between January 1993 and July 2020, 1,892 acts of homicide/feminicide, threats, and acts of police violence were committed against 2,013 LGBT people (or people perceived as such). Among these acts of violence were 1,223 homicides and femicides perpetrated against 1,253 LGBT people (or people perceived as such) between January 1993 and December 2018. Of these 1,223 homicides and femicides, nearly one-third (378 or 30.9%) were committed out of prejudice[276]. In addition, based on the systematization of conflict cases previously mentioned, we have mapped out (and in some cases documented) 171 instances of prejudice-based violence committed in the context of the armed conflict upon at least 154 victims between 1985 and 2016. The non-existence of official figures on this matter is one of the clearest expressions of the policies of not knowing that govern the Colombian state, as this absence of information leads to the maintenance of official ignorance and the justification of the state's lack of response to prejudice-based violence.

Although we have always been at the forefront of accompanying and celebrating the legal transformations that advance the recognition LGBT people's rights in Colombia, we believe that the Truth Commission has a crucial role to play in formulating mechanisms for the relationship between citizens and the state. The inclusion of people with diverse sexual orientations and gender identities continues to be very limited, even more so in regions where extreme poverty, armed conflict, and central authorities' indolent attitude strongly affect the possibilities of enjoying full citizenship.

With these considerations in mind, in this chapter we will address the issue of the paradoxical persistence of violence against people with diverse sexual orientations and gender identities, in a context in which –at least normatively– there have been significant advances, even above the average for countries in the region. For these purposes, we will briefly review the regulations that advocate for the recognition of LGBT people's human rights in Colombia. From there, we will go on to point out the reasons why the state's response reveals not only the limitations of its efforts, but also the way in which these normative advances have become forms of conditioned inclusion, impeding LGBT victims of the armed conflict in Colombia from exercising their full citizenship.

276 COLOMBIA DIVERSA. Numbers obtained from the Information System on Violence against LGBT persons in Colombia (SInViolencia LGBT) as of September 23, 2020.

A. LGBT Rights in Colombia: A Narrative of Progress[277]

The implementation of the 1991 Constitution signified a turning point for the recognition of LGBT people's human rights. The Constitution does not explicitly refer to sexual orientation or gender identity as categories protected by the principle of equality and non-discrimination (Article 13 of the Constitution). However, thanks to the regime of protection of fundamental rights and public freedoms[278] in general, the existence of a broad catalog of fundamental rights and easily accessible judicial resources (such as public actions of unconstitutionality and tutelary actions) allowed LGBT activists –first gay men and lesbian women, then trans people– to demand the recognition and protection of their rights through these mechanisms.

During the first half of the 1990s, a regime of compulsory heterosexuality predominated in the Constitutional Court's jurisprudential line of action, which based its decisions on prejudices toward homosexuality[279]. At this time, Colombia did not have a strongly organized LGBT rights movement, so it was individual activists who applied the sporadic use of judicial actions to transfer their collective action to the field of legal discussion, initially filing tutelary actions for discriminatory acts motivated by sexual orientation[280]. These activists also initiated early documentation of violence toward LGBT people in the context of the conflict, particularly that committed by the so-called "social cleansing squads" against transvestites and homosexual street dwellers, but they received little attention from national authorities[281].

Halfway through that decade, however, when the Constitutional Court adopted a more protective stance towards homosexuality, the first activists' demands

277 Inspired by LEMAITRE RIPOLL, Julieta. Los derechos de los homosexuales y la Corte Constitucional: (casi) una narrativa de progreso. In: BONILLA, Daniel and ITURRAL- DE, Manuel A. Hacia un nuevo derecho constitucional. Bogotá: Facultad de Derecho, Universidad de los Andes, 2005. p. 181-217.

278 At the time of the National Constituent Assembly's debates, there were two contextual issues relevant to understand why this matter was ignored by the constituents: firstly, there was a severely prejudiced view of any expression of sexual diversity, not only in Colombia but in the world, especially based on the outbreak of the HIV pandemic at the end of the previous decade and its consideration as a disease or a crime (in Colombia homosexuality was a crime until 1980 and only until 1990 did the WHO declassify it as a mental illness while the Assembly was taking place). Secondly, at that time, activism around LGBT people's rights was incipient, and the struggle focused only on decriminalization and the fight against HIV and stigmatization. See: x LÓPEZ MEDINA, Diego. Cómo se construyen los derechos: narrativas jurisprudenciales sobre orientación sexual. Bogotá: Legis editores S.A., 2016.

279 LÓPEZ MEDINA, Op. Cit.; LEMAITRE RIPOLL, Julieta. Love in the time of cholera: LGBT Rights in Colombia. In: International Journal of Human Rights, dec., 2009, vol. 6, no. 11. p. 73-89.

280 LEMAITRE RIPOLL, Love in the time of cholera: LGBT Rights in Colombia, Op. cit.

281 SERRANO AMAYA, ¿Qué le pueden decir las orientaciones sexuales y las identidades de género a la justicia transicional? Op. Cit.

for justice began to bear fruit. Little by little, the Court began to protect the "homosexual individual's" rights, as Diego López Medina names them, but without delving into issues related to couples, marriage, or the formation of the family[282]. Between 1994 and 2007, rulings were issued outlawing censorship of displays of affection or of LGBT people in the media (T-101 of 1994), eliminating homosexuality as a cause for misconduct in the Teachers' Statute (C-481 of 1998) and as an offense to military honor (C-507 of 1999).

As Julieta Lemaitre Ripoll mentions, the year 2000 marked a deceleration in the recognition of LGBT people's rights, since the Court denied the possibility for advancement in the recognition of property rights for same-sex couples (T-999 of 2000 and T-1426 of 2000), in addition to other decisions excluding same-sex couples from the possibility of adopting[283]. In 2002, the Constitutional Court ruled that school textbooks cannot limit students' sexual orientations because sexuality is an essential element for humanity[284], but the Court remained reticent on issues related to couples and family, ceding competence to the executive and legislative branches. Therefore, activists placed their hopes for recognition and justice in Congress.

Concurrently, organizational processes for the defense of the rights of people with diverse sexual orientations began to gain strength, even participating in peace activism in the framework of the Caguán peace process (1998-2002). Indeed, when the Plantea Paz Project began to promote civil society's participation in the dialogues, pioneering leaders and organizations emerged, such as the Ágora Club Foundation, which advocates for LGBT people's human rights in the city of Pasto, Nariño, to influence the formulation of inclusive peace proposals. The groups that participated in this process positioned their demands as a human rights issue, which gave greater legitimacy to their struggle. By highlighting LGBT people's humanity, this discourse served to present them as subjects with rights deserving of the same state protection as political movements and leaders who had historically been targets of violence, as well as to break with the perception that their struggle for equality was unconnected to other social struggles[285].

282 LÓPEZ MEDINA, Op. Cit.

283 LEMAITRE RIPOLL, Love in the time of cholera: LGBT Rights in Colombia. Op. Cit.

284 CORTE CONSTITUCIONAL DE COLOMBIA. Sentencia de Tutela T-435 del 30 de mayo de 2002. M.P. Rodrigo Escobar Gil.

285 TATE, WINIFRED. Counting the dead: The Culture and Politics of Human Rights Activism in Colombia. University of California Press, 2007. p. 172.

Thus, although the LGBT movement was not successful in the legislative field nor in the dialogues –due to the peace process's failure–, it did manage to strengthen and consolidate the recognition of LGBT people as a social sector. It was then, in the mid-2000s, that it took up its legal strategy before the Constitutional Court with a higher level of organization. Hence, between 2007 and 2016, LGBT rights organizations paved the way toward marriage and adoption equality[286] and advanced in the recognition of trans people's rights. With Ruling C-075 of 2007, the first decision that recognized the property rights of same-sex couples in the country, the Constitutional Court initiated a decisive period for LGBT couples' fundamental rights. Between 2008 and 2009, LGBT activism in Colombia reached many legal achievements, with several decisions recognizing same-sex couples' rights, such as to affiliate their partners as beneficiaries to the Social Security Health System; to receive a survivor's pension; as well as other civil, political, social, economic, migratory, and penal rights that had previously been exclusively for heterosexual couples.

Nonetheless, this period was also characterized by society's strong resistance, as it refused to reconceptualize the configurations of the family and heterosexual couples which were deeply rooted in Colombian daily life. This being so, despite the formal recognition of their rights, in practice homosexual couples continued to face other authorities and institutions that refused to guarantee their rights. The Congress of the Republic had two opportunities to regulate the issue of same-sex marriage, but no bill seeking to recognize these rights –or even to limit them– was approved, thus leaving a legislative void on the issue[287].

While advancing its legal activism before the Constitutional Court, the LGBT movement also professionalized its human rights activism, perfecting a *boomerang* strategy, as Serrano calls it, which consists of reporting violations in international arenas to generate attention from national institutions[288]. As a result of this strategy, in 2009, the Colombian government initiated contact with social LGBT organizations. Although activists of the LGBT rights movement had been reporting human rights violations against LGBT people for 15 years, in 2008, the Czech

286 CORTE CONSTITUCIONAL DE COLOMBIA. Sentencia de constitucionalidad C-577 de 2011; Sentencia de constitucionalidad C-886 de 2010; Sentencia de Unificación SU-214 de 2016; Sentencia de constitucionalidad C-683 de 2015; Sentencia de constitucionalidad C-071 de 2015; Sentencia de tutela T-276 de 2012.

287 COLOMBIA DIVERSA. Todos los deberes, pocos los derechos: situación de derechos humanos de lesbianas, gays, bisexuales y transgeneristas en Colombia 2008-2009. Bogotá, 2011.

288 SERRANO AMAYA, ¿Qué le pueden decir las orientaciones sexuales y las identidades de género a la justicia transicional? Op. Cit.

Republic made a recommendation on the matter within the framework of the first cycle of the Universal Periodic Review (UPR) carried out by the United Nations Human Rights Council[289]. According to Serrano, this recommendation was, in turn, an accomplishment of the LGBT movement, since it was these organizations, including Colombia Diversa, which brought this population's serious human rights situation to the Human Rights Council's attention, motivating the Colombian government to initiate this contact[290]. This is how the movement began to make its way into other state institutions in order to materialize the rights that had already been recognized by the Constitutional Court.

During this same period, important achievements were also made in terms of the recognition of LGBT victims of the armed conflict's rights to truth, justice, reparation, and non-repetition. In 2011, for example, Law 1448 of 2011, or the Victims' Law, was issued, which contemplates a differential approach for people with diverse sexual orientations and gender identities, especially in the recognition of the right to individual and collective reparation, and for their unprecedented registration within the statistics of violence related to the armed conflict. In the framework of this law, as previously mentioned, the National Center for Historical Memory began to produce specialized knowledge on LGBT people's situation in the context of the armed conflict. Finally, organizations and leaders of the LGBT population, including Colombia Diversa, participated in the Havana dialogues until achieving their unprecedented inclusion in the Final Peace Agreement with the FARC-EP, particularly regarding their recognition as conflict victims and as peace builders.

B. The State Response's Limits

Despite formal recognition, the Colombian state has been unable to dismantle the social prejudices that fuel violence toward LGBT people in order to enforce their rights and guarantee them a dignified life. This discrepancy between what is written on paper, the values that the Colombian legal system supposedly defends, and the bloody reality that is experienced day after day has multiple explanations. To understand it,

289 In the framework of the UPR's first cycle, the Czech Republic recommended to the Colombian State: "To carry out public awareness campaigns against social prejudice and in favor of the principle of equality and non-discrimination, regardless of sexual orientation and gender identity". See: CONSEJO DE DERECHOS HUMANOS. Examen Periódico Universal. Informe del Grupo de Trabajo del Examen Periódico Universal. Colombia. A/HRC/10/82.

290 SERRANO AMAYA, ¿Qué le pueden decir las orientaciones sexuales y las identidades de género a la justicia transicional? Op. Cit.

it is necessary to keep in mind that the government is not an ahistorical monolith, but a historical process with a human face[291]. According to Margarita Serje,

> far from being made up of a totalizing set of abstract institutions, the state is made up of the visions, practices, and interests of [the "dominant local groups"] [...] It is they who have access to "being" the state, to decide and speak on its behalf, and to define its project. To the extent that they control its structure and apparatus, they define its priorities and policies and, above all, determine the legitimate ways of reading and understanding reality. Their vision constitutes the official vision. Consequently, [...] [they] are, de facto, the state[292].

However, although institutions are influenced by the interests of those who hold power in society, the fact is that this influence does not translate into absolute control. Rather, their power is fluid, disputed, and even fragmented due to pressures exerted both within the state itself –between institutions or within the same institution– and by civil society. In this sense, as Serrano declares, a state can, as the Colombian State has done, pursue contradictory policies in the face of prejudice-based violence, mobilizing, on the one hand, strategies of inclusion and, on the other, policies of not knowing[293]. This is how in Colombia institutions such as the Constitutional Court and the Ombudsman's Office, historical allies to the defense of LGBT people's rights, coexist with institutions that, as we will see below, have fueled prejudice-based violence toward this population, whether by omission or by action.

To address these contradictions, we offer three explanations that will serve as an interpretative framework for the three parts that make up this section. Firstly, we focus on the patriarchal and heteronormative design of the Colombian state. On this point, it is worth reviewing Carole Pateman, Ochy Curiel, and Monique Wittig's intellectual production, as they question the contractual theories of nation-state formation from a feminist perspective. According to Pateman, the social contract upon which modern states are founded "really rests on another institutionalized, but not explicit or formalized, agreement: that of male

291 BACA, Lucía; DÍAZ VILLAMIL, Daniela and GARCÍA-JIMENO, Mariana. La paradoja del Estado ausente: estudio de caso sobre la relación víctimas LGBT del conflicto armado-Estado en Tumaco, Nariño. En: CORREA HENAO, Magdalena y PALACIOS TORRES, Alfonso (Ed.). El Estado constitucional colombiano en la periferia, Tomo I. Bogotá: Universidad Externado de Colombia, 2019. p. 175-225.

292 SERJE, Margarita. Geopolítica de la ocupación territorial de la nación en Colombia. In: Gestión y Ambiente, December 2006, vol. 9, no. 3, p. 21-28. p. 23.

293 SERRANO AMAYA, Homophobic Violence in Armed Conflict, Op. Cit. p. 109.

domination over women"[294]. In this sense, it is not only a political and social pact, but also a sexual one, which allows men to regulate and have access to women's bodies and their labor force, as Curiel points out, while ignoring women as subjects of the social contract[295]. In Pateman's words,

> The original pact is both sexual pact and social contract. It is sexual in the sense that it is patriarchal –that is, the contract establishes the political right of men over women–, and it is also sexual in the sense that it establishes an order of men's access to women's bodies.[296]

But this is only part of the story of subordination that the notion of social contract conceals. As we saw in this paper's the theoretical framework, Wittig challenges the idea that heteronormativity is apolitical, characterizing heterosexuality as a "political regime based on women's submission and appropriation"[297]. In this way, she connects heteronormativity to state-building processes, pointing out that the tacit agreements of coexistence that make up the social contract also demand that we abide by heterosexuality.

Curiel has built upon this foundation, arguing that political constitutions are the expression of a hegemonic power that constructs the national imaginary, conditioning "the relations of sex, race, class, and sexuality among nationals"[298]. Through a state's constitution, heterosexuality can be strengthened as an institution that governs people's relationships, emphasizing the sexual difference that has implications on the freedoms and subjections to which each individual can aspire or submit[299], and also as a political regime that excludes women and sexually diverse people's views, as if it were understood that the individuals or people on whom the state's protection falls are mainly men and as if there were not different ways to be a man or a woman[300]. Thus, Curiel affirms that the Colombian state is founded upon

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294 For a more in-depth discussion of this issue from Colombia Diversa's perspective, see: COLOMBIA DIVERSA, Los órdenes del prejuicio, Op. cit., p. 26-27; PATEMAN, Carole. El contrato sexual. 1st Ed. Español. Barcelona: Anthropos; México: Universidad Autónoma Metropolitana – Iztapalapa, 1995.

295 CURIEL, Ochy. La Nación Heterosexual: análisis del discurso jurídico y el régimen heterosexual desde la antropología de la dominación, Impresol Ediciones, Bogotá, 2013, p. 102.

296 PATEMAN, Carole. El contrato sexual. Anthropos Editorial del Hombre y Universidad Autónoma Metropolitana Unidad Iztapalapa, México, 1995, p. 11.

297 WITTIG, El pensamiento heterosexual y otros ensayos, Op. Cit. p. 15.

298 CURIEL, La Nación Heterosexual, Op. Cit. p. 33.

299 PATEMAN, El contrato sexual, Op. Cit. p. 16.

300 CURIEL, Ochy. El régimen heterosexual y la nación. Aportes del lesbianismo feminista a la antropología, Revista La Manzana de la Discordia, Vol. 6, No. 1, 2011, p. 25-46; WITTIG, El pensamiento heterosexual y otros ensayos, Op. Cit.

a heteronormative logic, showing the 1991 Constitution as a product and device of the period's hegemonic power, including the sex-gender-desire system:

> It is clear that the 1991 Constitution was a patriarchal pact, both from those who legitimately participated in its (symbolic) signing and from the type of analysis and proposals they made regarding women. These proposals did not question the nuclear family nor the naturalization of motherhood, nor did they touch on non-heterosexual people at all.[301]

The purpose of these arguments is to show that the Colombian state, like so many others, is traversed and even constituted by patriarchy and compulsory heterosexuality. This gives rise to contradictions regarding LGBT people's rights that prevent their full enjoyment. Hence, although progress has been made, and although allies who defend equality as a fundamental principle of democracy have been found, we still face a policy of not knowing around prejudice-based violence toward LGBT people, as specified in the introduction. This is why not even basic figures are available. This void is not gratuitous, but rather a reflection of the Colombian state's heteronormative design, which does not consider it important to recognize the existence of people with life experiences outside the sex-gender-desire regime, much less the violence against them.

This reinforces the perception that LGBT people's rights are "sacrificable". Although the struggle of LGBT people is a cause that summons us all to the extent that it seeks to deconstruct canons of behavior with violent consequences on the lives of all Colombians, not only LGBT people, it continues to be seen as referring to special rights that affect only a minority, and therefore as of lesser importance. Consequently, when it comes to adopting public policies to acknowledge the victims' suffering, identifying which specific public policies will be funded and how, and deciding who their beneficiaries will be, LGBT people are often not taken into account.

The second explanation for the disparity between formal recognition and the material reality of LGBT people is the institutional design of the state, which is characterized, on the one hand, by a low level of inter-institutional articulation, particularly when it comes to grounding guidelines from the central to the territorial level, and, on the other hand, by a profoundly unequal relationship between center and periphery.

Regarding the first point, Serrano states, "when the point of analysis is the state in practice, we must recognize the conflict not only between groups competing to

301 Ibid. p. 34.

exercise state power, but also between state institutions that dispute the meanings and implications of the changes they must materialize"[302]. In this sense, the fact that the Constitutional Court issues sentences recognizing LGBT people's rights does not guarantee that other institutions will abide by them. Likewise, the fact that the central level of an entity adopts differentiated guidelines to promote the inclusion of LGBT people does not guarantee that they will be implemented at the territorial level. This issue is reflected, for example, in the unwillingness shown by the territorial headquarters of the Victims' Unit to attend to LGBT people in Tumaco, despite the national headquarters having differential approaches to address the specific needs of LGBT victims of the armed conflict.

Secondly, it is important to bear in mind that the historical center-periphery relationship in Colombia is based on logics of exploitation, inequality, and apathy, in which certain territories described as violent and savage as well as devoid of legitimate representatives remain in a state of permanent "reconquest" because "they have been conceived and managed as a Theater of Military Operations and their inhabitants have been treated as spoils of war"[303]. This relationship has created such a discriminatory situation in terms of access to the state that Mauricio García Villegas and José Rafael Espinosa Restrepo have called it "institutional apartheid"[304]. In these territories, to which the central government does not direct its attention, local institutions are often co-opted by illegal groups, death is trivialized, and asserting LGBT people's rights becomes even less of a priority for the authorities, leaving them at their victimizers' mercy.

Finally, the third explanation is related to the political will of those who should bring about LGBT people's rights. Although there are laws and sentences protecting these rights, the duty to implement these regulations has often fallen on officials who disregard them. In the worst cases, these officials justify the violence imposed upon this population. In their view, LGBT people are "bad victims" who, upon failing to comply with the prevailing gender arrangements, drew the ire of and even deserved violence from the armed forces. This is, of course, deeply related to the profound roots of both patriarchy and compulsory heterosexuality in our society, as well as institutional struggles over the regulations' meanings.

302 SERRANO AMAYA, Homophobic Violence in Armed Conflict. Op. Cit. p. 108-109.

303 SERJE, Geopolítica de la ocupación territorial de la nación en Colombia. Op. Cit. p. 22.

304 GARCÍA VILLEGAS, Mauricio y ESPINOSA RESTREPO, José R. El derecho al Estado. Los efectos legales del apartheid institucional en Colombia. Bogotá: DeJusticia, 2013.

Thus, in the emblematic cases presented below, what emerges is not a guaranteeing state committed to LGBT people's rights, but an ambivalent, contradictory, and even violent state that has not been able to translate legal conquests into these people's realities. While the patriarchal and heterosexist design of the Army fuels gender violence toward both women and LGBT people, the absence of these behaviors' punishment derives from the (patriarchal and heterosexist) priorities of the Colombian state and the prejudices of the operators of justice. This is also demonstrated by the case we present regarding the difficulties faced by LGBT victims of the armed conflict when requesting administrative reparations in Tumaco, where it becomes evident that, despite some entities' good intentions, the state's priority was to satisfy indicators to demonstrate compliance with its national and international obligations rather than bring victims' rights to comprehensive, dignifying, and transformative reparation.

i. The State As a Direct Perpetrator of Violence

There is an even more alarming level of underreporting in the cases of prejudice-based violence perpetrated by public forces agents than in those committed by members of illegal armed groups. As Colombia Diversa has been able to verify in its documentation work, victims are more afraid to break their silence when they are violated by those meant to protect them, largely because the latter's presence is permanent and their actions covered with a special veil of impunity. While actors such as the AUC or the FARC-EP may eventually demobilize or withdraw for conflict reasons, and thus neutralize the threat of reprisals for reporting, this does not occur in the case of the public forces, as they apply the legitimate use of force –and therefore their actions are considered legal, in theory– and may remain in the region indefinitely. This level of underreporting is an emblematic case in the situation of Chaparral, where the Army has been the main victimizer of trans women throughout the last ten years[305].

1. The Context of Violence

The war intensified in southern Tolima between 2006 and 2016. The demobilization of the AUC's Tolima Bloc on October 22, 2005 led to a resurgence of FARC-EP power in the area. Faced with this resurgence, from the end of 2006, southern Tolima was the target of a very strong offensive by the public forces in the framework of the second stage of Democratic Security, which

305 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de resistencia, Op. Cit.

sought to eliminate Guillermo León Sáenz Vargas, alias "Alfonso Cano", and reduce the FARC-EP's presence in the region. Starting in 2010, these operations were reinforced during the government of Juan Manuel Santos, when Zeus Task Force was activated in southern Tolima.

In addition to the persecution of important FARC-EP leaders, what the government intended with the militarization of southern Tolima under both the Uribe and Santos administrations was to keep the area clear for the construction of mega-projects, such as the Amoya River Hydroelectric Plant, the Triangle Project, and road pavement between Ataco and Planadas[306]. Within the context of this offensive, the National Army managed to decimate the FARC-EP, leaving less than 400 guerrilla members where there were once over a thousand[307], and even kill Alfonso Cano and other Joint Central Command members, but at a very high humanitarian cost.

The public forces' attack caused the FARC-EP to retreat, producing a power vacuum that was filled –generating high levels of violence– by both the public forces (especially in the south of the department) and the post-demobilization armed groups that emerged from the AUC's remnants in other sub-regions (especially in the north of the department). According to the Ombudsman's Office in its 2016 Risk Report,

> The social control via constraint and threats exercised by the AUC was taken over by the new structures known as the "Black Eagles" and/or the "Gaitanista Self-Defense Forces". From 2006 onwards, there was a significant increase in the number of victimizing acts in the Department of Tolima; in 2007, the number of victims neared 30,000. Since 2008, the Gaitanista Self-Defense Forces of Colombia (AGC) have been in a process of territorial expansion, documented by the Ombudsman's Office in several risk reports issued for various regions of the country.[308]

In this context, an alliance was formed between members of the Caicedo Battalion and post-demobilization armed groups to "prevent the advancement of the FARC's strategic plan in the south of the country"[309]. At the heart of this alliance, a "social

306 FUNDACIÓN IDEAS PARA LA PAZ. ISAGEN y la construcción de la Central Hidroeléctrica Río Amoyá – La Esperanza. Bogotá: CDA; FIP, 2016. Available at: SAT- DEFENSORÍA DEL PUEBLO. Informe de Riesgo No. 009-16. March 30, 2016.

307 CARACOL RADIO. El Ejército asegura que las FARC en el Cañón de las Hermosas están diezmadas [online]. In: Caracol Radio. March 5, 2008. Available at: https://caracol.com.co/radio/2008/03/05/judicial/1204713180_558851.html.

308 SAT – DEFENSORÍA DEL PUEBLO. Informe de Riesgo No. 009-16. March 30, 2016.

309 FLÓREZ, Javier. "La doctrina conjunta en Colombia: análisis de la Fuerza de Tarea Conjunta Omega.", tesis de maestría, Bogotá, Facultad de Derecho y Ciencias Políticas, Universidad Nacional de Colombia, 2012.

cleansing" group emerged, known to Chaparral's people as "DOS"[310] or "BATCRIL"[311]. Until 2012, this group was in charge of carrying out extortions and exterminating those considered disruptive of its political, economic, and moral project, including trans women engaged in sex work, an issue that attests to the continuity between the AUC and its succeeding GAPD. Although there is little clarity on how the post-demobilization groups operated and the extent of their intervention in municipalities like Chaparral, according to Colombian political scientist Javier Flórez, alliances like DOS or BATCRIL were part of a military strategy called "joint doctrine", in which Army members established a form of shared work with paramilitary groups in the south of the country to achieve common objectives. There was no unified command in these alliances, but rather command responsibilities over more than one force were transferred to paramilitary commanders[312].

As the NCHM points out, in Chaparral's case there is no public information, whether academic or official, available about this intelligence and social cleansing command in which legal and illegal forces converged[313]. What is more, when preparing the report on the persecution of LGBT people in the context of the armed conflict for the Special Jurisdiction for Peace, Colombia Diversa sent a right of petition inquiring about the Caicedo Battalion's chain of command, affiliated with the National Army's Sixth Brigade, but this entity refused to respond, arguing that the requested information was confidential.

2. The Surge in Transfeminicides

As acknowledged by the NCMH report on the Río Tuluní Trans Beauty Pageant, trans women in Chaparral and southern Tolima are subjected to a process of exoticization and hypersexualization, due to which they are observed as objects for the satisfaction of the most abject sexual desires:

> The feminized bodies of trans women have historically carried with a stereotype marking them as exotic and excessive sexual subjects. This way of marking difference in transfeminine bodies has been used as a mechanism of domination to deny their rights, subordinate them, and promote aggressions

310 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de resistencia, Op. Cit.

311 This name was used by Dolores in her interview and by another trans leader interviewed as part of these cases' documentation.

312 FLÓREZ, Op. Cit.

313 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de resistencia, Op. Cit.

> against them. Trans women have been seen as sexed bodies, but not as citizens with equal rights.[314]

This context has made it easier for trans women in southern Tolima to find themselves confined to activities considered "transsexualized" in order to secure their material means of subsistence. At any rate, the persistence of these activities is not devoid of agency: trans women turn to sex work and aesthetic work precisely because they know this is how they can become involved in social undertakings and subsist in the context of a cisheterosexist patriarchy that denies them all possibilities of exercising full citizenship. In the contexts of sex work and hairdressing, they build solidarity and support networks. It is in these same contexts that their activism emerges:

> As there are no opportunities and no guaranteed rights, the only work available is prostitution because commerce doesn't turn out, doesn't provide opportunities to LGBT people, much less to trans women because trans women are seen through a sexual lens. We are always seen as a sexual ambition. Wherever we go, for men we are always going to be a sexual ambition, wherever we go. [...] Since there was this lack of opportunities or rights, we had to do sex work. Sex work, at night or during the day, what did we find? We found older men who only seek to impose their sexual desire, deriding trans women, because it is a mockery for a man to come and use one's body for just a few cents. (Lina, trans woman, Chaparral)

In any case, it is worrying that the prevalence of these activities upholds a hegemonic but surreptitious model of desire, in which trans women are considered aa particularly forbidden or abject object of desire, in such a way that their bodies are observed and used as receptacles for abjection through extremely violent sexual practices of male domination, which in some cases go as far as murder:

> The eroticism that springs from one side to the other, I imagine that these people's imaginations are blown to "I want to do that with that one". For trans women, experiencing certain unusual roles turns these into a type of abuse and a type of sexual abuse. As I just told you, it's not easy to take it out of the rectum and put it in his mouth because it's not easy. Or it's not easy for the man to tell you, "I'm horny, fuck my bottom or stick your finger up my bottom because that's the only way I'm going to come" or "suck my bottom". I'm supposed to be a woman and why do I have to go all the way there? These are a series of abuses that men have. We see that being a woman is denigrated because they don't look

314 Ibid.

> for us simply because we are a trans woman, but to satisfy certain humiliations and abuses. (Lina, trans woman, Chaparral)

This subordinating experience of hegemonic male desire upon trans women's bodies is expressed particularly strongly within the military forces, whose members are regular and recurrent clients of trans sex workers. In the context of this relationship, there is a predilection for this type of clientele, which can be derived from the performance of a hegemonic masculinity that, in the eyes of trans women, is complete, absolute, and vigorous. The sensation of sexual interaction with these "total" men is an exercise in affirmation of femininity, although it seems that for the soldiers it is just a way to satisfy a desire especially forbidden by the role they occupy as advocates of socially accepted and desirable masculinity:

> Soldiers are normal, ordinary people. The thing is that, as a trans woman, you look at the manliness they show when you see them. Because they really show a total manliness, different from that of the village man, who is more creole, slower, sleepier, stiller, whereas they are a little more active. (Lina, trans woman, Chaparral)

Sex work is a substantial part of this strategic articulation, especially regarding Army members. In fact, according to the participants' accounts, one of the reasons for the success of sex work and hairdressing as a means of subsistence for the municipality's LGBT people is the presence of the Caicedo Battalion. Military soldiers are the most frequent clients to both trades, and also the most coveted by those who provide such services.

> **Colombia Diversa:** "Do you think that if the battalion wasn't around, sex work here wouldn't be so good?
> **Lina:** "Neither sex work nor hairdressing, because both shifts come hand in hand."
> **Colombia Diversa:** "Sure, a haircut and then ..."
> **Lina:** "It's boring to say that we're tired of being hookers and hairdressers, but it also hooks as it's very good. That's like the commitment: the haircut plus the work." (Lina, trans woman, Chaparral)

Between 2007 and 2017, a series of transfeminicides took place, which shook the municipality's trans women to the core. Both the municipality's leader and the victims' relatives point out that the alleged perpetrators are active members of the public forces, part of the social cleansing group within the Caicedo Battalion[315].

315 Ibid.

It is worth noting that a common thread in the violence against these trans women was sex work. Ingrid[316], Vanesa, Nicol, and Danna[317] were trans women sex workers targeted for their vulnerability in the municipality and murdered with a heartbreaking level of cruelty. Although their perpetrators shielded themselves with justifying speeches that exempted them from responsibility and blamed the victims for their own murders, claiming that they led them to believe they were "real" women, the fact is that these transfeminicides show a high degree of planning. These women's homicides occurred after they were very violently taken to remote areas of the city, and finally their bodies were discarded in pastures far from the municipal capital. These three elements show the underlying contempt in these crimes and their symbolic meaning, but, more importantly, they show that the intention was always to kill.

As mentioned above, it was common for military soldiers to request the services of trans women sex workers. In a memory workshop organized by the Memory Center in Chaparral, Paola, a trans woman, activist, and conflict victim, emphasized that to the soldiers being trans signifies "a special attraction that makes them stand out in the Chaparral sex market. Many men demand to be penetrated by a woman with a penis, and this is part of the commercial exchange of sexual services traded with trans women."[318] In addition, all four victims were hired to provide their services, and in the cases of Vanesa, Nicol, and Danna, they were picked up by their perpetrators in the municipality's main square and taken far from the town's center. Nicol had even been previously threatened via a pamphlet[319]. Another trans woman sex worker received threats of the same nature, warning her that she could have the same fate as her friend, Nicol. She decided to leave the municipality before the threats were carried out.

While Nicol and Danna's bodies were found in "Llano del Loco", an urban area located on the outskirts near the Castañal neighborhood and at the exit of the road leading to the Tuluní River, Vanesa's body was found at the General Navas Pardo Airport. Both represent "geographies of terror", where women and gay men were raped and murdered[320]. This could be seen in the trans women's bodies that

316 According to the National Center for Historical Memory's report, Ingrid was murdered between 2006 and 2007.

317 As previously mentioned, although Danna Méndez was murdered in 2017, that is, after the signing of the Peace Agreement with the FARC-EP, her case is included because it is part of the same pattern of prejudice-based homicidal violence deployed by the public forces against trans women sex workers.

318 Ibid.

319 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Un carnaval de resistencia. Op. Cit.

320 Ibid.

were found: Vanesa had more than 30 stab wounds, while Nicol was shot in the anus, a place socially associated with a homosexual orientation. These murders generated panic among the municipality's trans women and gay men, who feared they would suffer the same fate[321].

The motive in all cases was contempt for the contradictory nature of trans corporealities. The community rejected diverse bodies and non-normative gender identities, given that the stifling masculinity of the transfeminicidal men was opposed to the femininities under construction that trans women traverse throughout their lives. In other words, the discomfort generated in the perpetrators by being associated with a trans person was the trigger for the crimes, since this relationship called into question their masculinity and heterosexuality. These two elements are indispensable for survival in a world so marked by patriarchal behaviors, such as that of the National Army, and in general in the world of war, which expects male soldiers to embody the virility required to defeat the enemy by force.

It is important to note that all these cases remained unpunished, both socially and judicially. The investigations for Ingrid, Vanesa, and Nicol's murders were closed by the Prosecutor's Office. With Danna's case, a historical precedent was set in Colombian justice: the recognition of a trans woman's feminicide in the indictment made by the Prosecutor's Office. However, more than three years after her death, there is no sentencing at first instance, largely because both the judge and the defense have allowed the case's extreme delay.

ii. Impunity Prevails

As indicated at the beginning of this section, Colombia Diversa has documented violence toward LGBT people and denounced the impunity that characterizes it for 15 years. In our human rights reports, we have shown how prejudices permeating both the police force and the Attorney General's Office have fueled impunity, either because they initiate investigations with biased hypotheses that do not consider the context of the acts of violence, or because they omit the duty to investigate violence toward this community. As we have pointed out on multiple occasions, not only are relatively few investigations related to acts of violence toward LGBT people initiated, but those that are initiated follow a path that leads to impunity: "in most cases, the perpetrators have not been

321 Ibid.

identified and the criminal proceedings continue in the stage of preliminary investigations. Few go to trial and more investigations are shelved than those that conclude with the offender's conviction"[322]. To date, there is only one known conviction for threats against LGBT people, for a case that occurred in 2015, while the remaining 206 registered cases (between 2012 and 2017) remain unpunished[323].

Impunity rates for violence towared LGBT people committed in the context of the conflict are also very high. It is worth noting that, although the AUC was ruthless against LGBT people, there is only one sentencing (a great social conquest) in the framework of the Justice and Peace Law acknowledging the paramilitaries' responsibility for crimes committed against this population[324]. Also, all the cases documented by Colombia Diversa in the context of this report remain in impunity.

Although part of the problem is that many people do not report due to shame, fear, or even the naturalization of violence, we have found that the police use non-reporting as an excuse to justify their lack of due diligence, particularly in cases of police violence. However, the police cannot condition their duty to investigate and punish these acts based on the victims' willingness to report them[325].

As has been mentioned several times throughout this report, this guarantee of impunity made prejudice-based violence profitable for the armed actors, as they were fully aware that they could use these bodies and life projects for their own purposes, from transporting coca to killing them to instill fear. The fact that prejudice-based violence remains unpunished legitimizes it in the eyes of the community, which in many cases ultimately uses the armed actors to silence or eliminate bodies they consider disruptive. In this way, impunity becomes a central element of the consubstantiality of violence.

An emblematic case in this regard is that of Álvaro Miguel Rivera, an agronomist and human rights defender who fought for equality until his death. He was a gay

322 COLOMBIA DIVERSA, CARIBE AFIRMATIVO y SANTAMARÍA FUNDACIÓN, Entre el miedo y la Resistencia. Informe de derechos humanos de personas lesbianas, gays, bisexuales y trans, Op. Cit.

323 COLOMBIA DIVERSA y CARIBE AFIRMATIVO. La discriminación, una guerra que no termina. Informe de derechos humanos de personas lesbianas, gays, bisexuales y trans en Colombia 2017. Bogotá: 2018.

324 TRIBUNAL SUPERIOR DEL DISTRITO DE BOGOTÁ. SALA DE JUSTICIA Y PAZ. Sentence of Arnubio Triana Mahecha others on December 16, 2014, Op. Cit.

325 COLOMBIA DIVERSA y CARIBE AFIRMATIVO. Op. Cit. p. 52.

man who had participated in several organizations and civil society projects in favor of the protection of LGBT rights. His work as a human rights defender boomed as he reported both the practice of forced HIV testing by the FARC-EP and the state's involvement in acts of violence toward LGBT people by the public forces. He was one of the first gay activists to denounce violence against LGBT people in the context of the armed conflict, even participating in the space convened by Planeta Paz to influence the Caguán dialogues.

In 2000, Álvaro Miguel was threatened and displaced from the city of Villavicencio by unknown armed groups. After this incident, he made his way to Cali, where he continued living as a leader and activist. He also denounced LGBT people's suspicious murders, including those committed by paramilitaries, drug traffickers, and public forces agents in the framework of "social cleansing" campaigns, which remained registered in unchecked files. These were cases of impunity due to state negligence. There, he again became the target of threats.

On March 6, 2009, one of Álvaro Miguel's neighbors found his corpse in the middle of the chaos that his residence had been left in. His body was on the bed, bound by the hands and feet and showing signs of torture, his head was beaten, and there was transparent tape covering his nose and mouth. The cause of death was mechanical asphyxia; the weapon, an artificial fiber belt with a metallic buckle. The state's investigation was a disaster from beginning to end, doomed to failure not only because of the indolence of those who handled it, but also because of their biased hypotheses. The information initially collected at the crime scene was not sent in its entirety to the Prosecutor's Office investigating the case. Subsequent studies and cross-checks were inconclusive in determining the presence of another person in the room. On December 11, 2009, the Criminal Behavior Unit sent the Prosecutor's Office an openly prejudicial report in which it qualified this homicide as an instance of common crime and assured that this was possible given the victim's sexual behaviors, as he had had sexual encounters without prior planning:

> Alvaro Miguel] is a high-risk victim due to his instability with partners, accidental sexual partners that he allowed into his home, and his HIV-positive status, along with unprotected sex. [...] Considering he was a person who practiced public defense and carried out activities in favor of the LGBT community's rights, it is inferred that this could be a factor increasing his risk level, but this was not the determining factor for his death. (fls. 210 a 221).

> The crime reflects a minimum participation of two assailants. [...] They managed to enter the place of residence without arousing suspicion, possibly through the use of deception. [...] There is no need for a pre-existing relationship with the deceased. There is no data that allows us to consider previous planning, so the act's catalyst occurred within the same development of the event. (fls. 210 a 221)

In other words, his sexual orientation was the object of repudiation and scorn, and his activism irked the most powerful legal and illegal armed groups in Cali. Both were completely ignored in the case's criminal investigation. The prosecutor in charge ultimately accepted the motives proposed by the Criminal Behavior Unit (common crime, made possible by the victim's sexual conduct) on May 25, 2010. However, she claimed that the perpetrator was a single individual. Although the next prosecutor assigned to the case issued orders for the Judicial Police to investigate possible similar modus operandi in other LGBT victims, the investigative body refused to obey these instructions. Finally, on May 18, 2017, the Prosecutor's Office archived Álvaro Miguel's case, justified by the impossibility of finding the crime's active participant. They say that the case may be reopened when new evidence "comes to light".

This is one of the cases that Álvaro Miguel himself denounced: a death without anyone held accountable, likely motivated by his sexual orientation and his socio-political demands for LGBT people. The Colombian state failed once more in its promises of equality and dignity for all Colombians. To date, Álvaro Miguel's case remains unpunished and the state remains inactive in the clarification of his death.

iii. No Possibility of Reparations: An Experience of Conditioned Inclusion[326]

In 2017, an inter-institutional initiative emerged that convened the Ministry of Justice and Law, the Presidential Advisory Office for Women's Equity, the Presidential Advisory Office for Human Rights, the Attorney General's Office, the Ombudsman's Office, and the Unit for the Integral Attention and Reparation to Victims (UARIV). The Red Construyendo Strategy was conceived with the purpose of facilitating the reporting of sexual violence toward women in the context of the armed conflict, which was expanded in its implementation phase to strengthen

326 This section is adapted from the following article: BACA, Lucía; D. VILLAMIL, Daniela and GARCÍA-JIMENO, Mariana, Op. Cit.

existing programs promoting access to justice and the strengthening of women's organizations and organizations for victims of the armed conflict with diverse sexual orientations and identities.

That same year, a team of officials carried out hearings for statements and reports from women and LGBT victims of sexual violence and other forms of gender-based violence in the Pacific region of Nariño. This was done with the objective of facilitating such statements' entry to the Individual Administrative Reparation Route contemplated in the Victims Law, as well as the opening of investigations in the Attorney General's Office for the crimes that said statements revealed. In this section, we will recount what this experience meant for the victims in Tumaco, in order to illustrate what at the beginning of this chapter we called an exercise of "conditioned inclusion" by the Colombian state in relation to LGBT people.

Two hearings were held in Tumaco in the second half of 2017. In the first, between July 5 and 7, 46 women victims of sexual violence participated. The second day, which took place from July 13 to 17, was dedicated exclusively to taking statements from LGBT conflict victims. 48 people with diverse sexual orientations and gender identities participated in these sessions. From the analysis of the information gathered, it was determined that the municipality of Tumaco ultimately contributed to 27.74% of the total number of victims assisted via the Strategy's hearings throughout the country. The victims interviewed by Colombia Diversa subsequently agreed that about 70 victims participated in the municipal capital and the municipality's rural area, in addition to other neighboring municipalities on the coast.

The victims whose cases have been presented throughout this report participated in these hearings and shared their perceptions of the process. To start, the victims' testimonies point to the recognition of the fact that, initially, when the call was made and the hearings' socialization processes prior to taking the statements were carried out, they considered these spaces as an opportunity to transform the subordinating and violent relationship they have historically had with the Colombian state. The officials who approached them made them feel, for the first time, like subjects of law rather than targets of mockery or violent subjection.

However, the statement and denunciation sessions' development fell far short of the expectations raised at the beginning. In particular, the victims pointed out that, despite the fact that most officials were educated in the treatment

of gender-based violence victims, the statements' reception was done through means uncomfortable to them, specifically by telephone. Limited human and economic resources prevented some statements from being made in person or with the proper assistance of the Ombudsman's Office's psycho-legal teams.

> **Colombia Diversa:** "In 2017, you testified. It was at that hearing organized by the Ministry of Justice here in [location not transcribed for safety reasons]. How did you make that statement?"
> **Elías:** "We did it over the phone. Directly with some officials from Bogotá. But I didn't like the statement because we didn't know who we were talking to, nor who the person interviewing us was. So, it is not something like a clear statement. I even go and ask, and nothing comes up. They never give me an answer. They say, 'You have to wait. Come in 15 days.'" (Elías, gay man, Tumaco)

Later, the strategy's implementation simply did not turn out as expected. Those who attended the hearings assumed that they would receive some form of immediate reparations for having recounted their experiences of violence. The fact that the victims understood reparations as an automatic result of their participation in these testimonial spaces cannot necessarily be attributed to the state's conduct. It is likely that the authorities' representatives in charge of socializing the Strategy's scope communicated poorly with the victims. In addition, despite the officials' efforts to provide an honest and grounded explanation, it is possible that the context's elements marking the relationship between the state and the region (such as welfarist social policies) led victims to assume that reparations would be assured and arrive without delay. This is contrary to what evidence has shown about the individual reparations process: it is long, cumbersome, and, more often than not, lacking the possibility to reach compensation.

Regardless of why the victims assumed this, the Strategy's advancement after the statement and denunciation hearings resulted in a new rupture in the relationship between LGBT people and the Colombian state. Indeed, as of the writing of this report, none of the victims have received reparations. Additionally, the follow-up corresponding to the process of declaration and denunciation to enter the individual reparations route has had to be taken on by them, forcing them to face difficulties inherent to the relationship dynamics of Tumaco's public institutions: after making the declarations, victims have not again had contact with the officials from Bogotá who attended the hearings, and the relationship they maintain with those who work at the Tumaco Victims Unit is marked by a deliberate denial of

access to relevant information on the reparation process's progress, accompanied by scornful treatment and mockery.

Although the victims have not again had contact with those who sought them out in the first place, the Ministry of Justice has followed up on the Strategy's implementation, particularly via telephone calls to consult with the victims about their processes' advancement. In other words, even though such progress should be formally reported by the entities that make up this inter-institutional effort –specifically the UARIV or the Ombudsman's Office–, institutionalism has preferred to place this burden on victims who did not have this expectation in their repertoire of unmet needs prior to the state's offer.

It could be thought that these follow-up processes are important to verify the system's shortcomings and the needs to be resolved so that the state's offer does not become a harmful action with harm. And, indeed, there is at least one precedent that proves this intention in the Ministry's supervisory actions: the 2018 Corporación Sisma Mujer consultancy to evaluate the Strategy's implementation. However, these monitoring practices have been especially aimed at showing indicators of compliance with commitments regarding access to justice for victims of sexual violence associated with the conflict, both nationally and internationally, and have not been aimed at modifying practices that affect the victims' ability to exercise their citizenship.

In line with the Corporación Sisma Mujer consultancy, we consider that this practice was extremely extractive, as it focused on requiring victims to take charge of a process with which they were not familiar and whose outcome –compensation– was not within their needs, and on which they must also report progress via phone calls with individuals they do not even know. It is also a process that curtails the possibilities of building strengthened citizenships with their own agency, which tend to connect to the state by means other than violence or welfarism. This despite the fact that the Red Construyendo Strategy, as well as others that preceded it, has been an institutional rallying cry to supposedly ratify the Colombian state's commitment with the rights of victims of the armed conflict, from a perspective seemingly sensitive to the differential and disproportionate impacts on them due to their diverse sexual orientations and gender identities.

However, in practice, the documents prepared based on this information are no more than compilations of data or empty statements that attempt to demonstrate

compliance a series of indicators. This is an attempt to settle a historical debt owed by the state to the victims of gender-based violence, while the absence of means for reparation that would help to reduce the conditions of material inequality in which they live persists, as well as the impunity of the crimes to which they have been subjected.

This strategy –particularly the data on victim assistance– has been presented before international bodies such as the Inter-American Commission on Human Rights[327] or the Committee on the Elimination of Discrimination against Women (CEDAW)[328] to prove compliance with the mandates of these bodies in terms of investigation, prosecution and punishment under due diligence parameters of sexual violence and other forms of gender-based violence committed against women and LGBT persons in the context of the armed conflict. It has also been used before national bodies for the same purpose, this time to account for how the entities do comply with the mandates of inter-institutional coordination to facilitate the realization of their duties in the implementation of legislation on these matters[329].

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327 In its 2014 report on the human rights situation in Colombia, the IACHR recommended that the state "implement and strengthen measures to comply with the duty to act with due diligence to prevent, punish, and eradicate violence and discrimination against women, exacerbated by the armed conflict, including concrete efforts to comply with its four obligations: prevention, investigation, punishment, and reparation of women's human rights violations." Regarding this measure of compliance, in its 2017 report, the IACHR noted that the state "reported on the scope of the inter-institutional strategy implemented to combat impunity and provide comprehensive care to victims of gender-based violence in the context of the armed conflict. This strategy, called 'Red Construyendo para la Garantía de los Derechos de las Mujeres' (Building Network for the Guarantee of Women's Rights), has arisen from the need to articulate strategies for the care of women survivors of sexual violence in the context of the conflict and to strengthen territorial institutions in this area. The Commission encourages the state to continue its efforts and to concretely implement the two lines of work identified to strengthen women's organizational processes, on the one hand, and to guide the work of public servants, on the other." In: COMISIÓN INTERAMERICANA DE DEREHOS HUMANOS. Informe Anual 2017. Capítulo V, Seguimiento de recomendaciones formuladas por la CIDH en sus informes de país o temáticos. Para. 275.

328 In the Ninth Report presented by the Republic of Colombia to the CEDAW, on the progress of the state's commitments to eliminate discrimination against women, the government indicated that, in the implementation of measures to combat impunity of gender-based violence in the armed conflict, "in view of the need to articulate the Strategies attending to women survivors of sexual violence in the conflict context, the Red Construyendo para la Garantía de los Derechos de las Mujeres was formed, led by the Permanent Committee for the Defense of Human Rights (CPDH) and the Ministry of Justice, in which women's organizational processes are promoted, as well as the strengthening of work with public officials on issues related to the protection of women's human rights" (para. 56). In this regard, the Committee, in its Concluding Observations, recommended that the state strengthen the justice system to ensure guaranteed access without discrimination against women (para. 14) and fully implement the gender policies arising from the 2016 Final Peace Agreement (para. 16).

329 For example, the Presidential Council for Women's Equity (CEPEM) included a chapter in its Second Follow-Up Report on the implementation of and compliance with Law 1729 of 2014 (access to justice for victims of sexual violence in the context of the armed conflict), dedicated to highlighting the Strategy's achievements, and mainly pointing out the number of hearings, people, and municipalities covered within its application.

The question then arises as to what objectives are pursued with strategies such as this and what the role of the state is in transforming its relations with victims of the conflict in Colombia, especially when the victimizations are largely the product of structural conditions of discrimination and exclusion that the state has committed to eradicate. What is the technical decision to allocate resources that considers it more relevant to call upon the victims to inquire about a procedure being carried out before the state itself, rather than to determine and alleviate the conditions hindering said process?

Our perception is that there are at least two purposes of this inefficient strategy's continuation. There is an explicit one, which stems from the authorities' desire to fulfill the commitments they have made over time in the fight against impunity, to guarantee the right to reparations, and to guarantees non-repetition for victims of sexual violence and other forms of gender-based violence in the armed conflict, in order to improve their living conditions and ensure their full inclusion in society, even though their lives have been marked by atrocity. And there is a veiled or surreptitious purpose, in which such promises of equality disappear –or end up relegated to oblivion– and compliance with these commitments ceases being a means to achieve higher ends and becomes an end in itself, that is, compliance for the sake of compliance. The objective is then to comply in order to fulfill indicators, in order to demonstrate that the state is doing its job well, in order to clothe itself in altruistic garb allowing it to gain its peers' (other governments) recognition, or that of the elites controlling the public debate, and to acquire new cooperation resources.

Both purposes existed in the Strategy's implementation in Tumaco, as the way in which officials initially approached the matter shows that, at least on a personal level, there was a commitment to fulfill the promises of inclusion and equality that underlie measures such as those intended to be implemented by the Strategy. However, the fact that there is no close follow-up and that victims are burdened with the obligation to report their processes' progress to the entities involved, so that the latter can then use this information to appear before national and international bodies in order to show total or partial compliance with the issue, reveals that the objective is to comply with any goal in mind, except that of transforming the conditions that have allowed violence toward and the exclusion of these victims.

Nonetheless, although these measures are based on the premise that all people are born free and equal before the law and that it is the state's duty to do

everything in its power to transform the conditions allowing different groups or societal sectors' historical exclusion, the fact of the matter is that these inclusion practices are insufficient because they ultimately cause the access to a dignified existence to be dependent on people acknowledging themselves as victims and taking on a series of burdens they did not have before doing so. And, given that the circumstances favoring and even heightening their exclusion continue despite the state's intervention, since unsatisfiable needs are created (unsatisfiable at least in the medium or long term), such precarious and limited recognition of LGBT victims' citizenship is ultimately reinforced.

In this sense, this is not only a historic opportunity for the State to carry out a conscious and sensitive assessment of how violence toward LGBT people has been utilized and allowed in the armed confrontation's development, but also a space to reflect on how transition policies have been implemented in the country and how they have impacted the possibility of building plural, diverse, and inclusive relationships with those who have been historically subjected to limited and subaltern citizenships.

VI

RESISTANCES: OCCUPYING THE MARGINS

RESISTANCES: OCCUPYING THE MARGINS

LGBT victims of the armed conflict have not received violence altruistically. On the contrary, the exacerbation of daily homophobic and transphobic violence ruptured the level of tolerance with which they coped with harassment and marginalization in their communities. This is important because LGBT people were already familiar with this violence, had already received insults before, had already felt shame about their identities, and had already felt the general disapproval of their existence:

> Once my father said:, "If I found out there's a faggot in the family, I'll kill that son of a bitch, let the guerrilla take him and kill that son of a bitch over there." With all the more reason I kept quiet because oh, my God! (Eugenia, trans woman, Chaparral)

> When you are gay on the countryside, you are very restricted because... there they are more closed-minded. "Oh, a gay, a homosexual!" And they insist that it's a sin... They looked a lot, and it still happens the same on the countryside... They turn you into a mockery. (Cristóbal, gay man, Tumaco)

> Just imagine, I was living so badly. They say things to me in my own house and if I am fighting before a society, and in my own house they were going to treat me like that, then where am I going to go? (Baldomero, gay man, Tumaco)

> I came out of the closet and people distanced themselves from me. My family has kind of

> distanced themselves from me. They don't seem to accept me as I am. As the saying goes, if they talk to you out of hypocrisy, they don't love you. (Lina, trans woman, Chaparral)

Victims from other regions of the country have also had to endure the disputing armed actors' assaults and counterattacks. Their resistances have begun by disassociating from the socially imposed stigma, as in the case of the department of Putumayo. Here, for example, the FARC-EP's domination of the area for almost twenty years led the AUC's Southern Putumayo Bloc to initiate their acts of war with exceptional violence, based on the conviction that the peasantry was in favor of the FARC-EP's project. This type of behavior reveals that the armed actors were also clearly guided by all kinds of prejudices formed in their minds (collectively) regarding specific population groups.

This means that the armed actors did not build a new strategy to undermine and dehumanize LGBT people's bodies, but rather extended their everyday beliefs via the authority probided by weapons and socio-political control.

> **Colombia Diversa:** "In your neighborhood, how did the FARC see gay men, the LGBT population? What did they think of them?"
> **Baldomero:** "That they were weird people who should not live, that they were people who could not live. They were denigrating men because of their sexual condition. They thought that gays should be killed." (Baldomero, gay man, Tumaco)

LGBT people's resistances, therefore, were not new, either. Forms of resistance existed long before the detonation of the armed conflict. With the incursion of violence into their communities, it was necessary to modify both the methods and purposes of resistance.

First, it must be stated that resistances took place both in the individual and collective spheres. In both cases there are similar concerns: immediate survival, economic solvency, the presentation and creation of oneself before society, and the survival of one's own culture through the subversion of a violent system. Violence expanded and exploited by armed actors accentuated discourses that exclude and stigmatize LGBT people. In order to analyze the techniques of resistance, it is necessary to understand violence's path and the violations that LGBT victims of the armed conflict must traverse. Unfortunately, this path begins before the appearance of any armed actor.

In their homes, diverse sexual orientations and gender identities were often tacitly or expressedly disapproved. This has led to LGBT life experiences being conducted, at first, in the shadows of secrecy, disapproval, and artificial invisibility. When concealment techniques fail, the rumor of their gender identity or sexual orientation spreads in the community, warning about a supposedly negative aspect of the individual, seen as a time-constrained threat that will lead the community's unwary members to the use of psychoactive substances, unrestrained sexual practices, and, consequently, the spread of disease:

> As if that were, let's say, a disease, let's say leprosy. [...] Discrimination for gays, for trans people is horrible. (Eugenia, trans woman, Tolima)

> After our friend's murder [...] armed men on motorcycles followed you wherever they saw you, chasing you, hunting you down, threatening you, saying, "Either you leave or you'll be killed, just like your friend. You have to leave because you faggots are not from this town." (Yeimy, trans woman, Tolima)

This social visibility makes them an easy target for armed actors because they are recognizable and, moreover, instrumentalized as regards the moral discourse intended to be spread throughout the community with respect to the sex-gender-desire system.

> At sixteen and onwards, the suffering continued for him. Wherever they saw him, those guys threatened him, hunted him down. There were times when he was in the middle of people, and someone would pass by and he would get nervous, because he could already tell them apart. He would go and file a complaint with the police, he would go and file a complaint with the Prosecutor's Office, and nobody would assist him because they did not give him hope, a voice of hope, in the... Supposedly, one day some part of the government gave him four hundred thousand pesos to leave Tumaco, when one afternoon some guys arrived looking for him here at the door of his house, some young men. (Mother of Sultana, trans woman, Tumaco)

LGBT people's bodies are one of the first places of resistance, since all armed actors seek to exercise control over them. The case of the department of Putumayo shows that the actions intended to establish a social order were opposed to LGBT people's free constitution of their identity. In order to establish a political and social order, it is also necessary to keep bodies in order, and those of LGBT people are particularly useful as they are already visible to the rest of society and are not read as *people* deserving of dignified treatment. Sometimes the actors used the same tactics, such as the propagation of stigma around HIV

in the municipality of Puerto Asis, as done by the Army, the Black Eagles, and the FARC-EP.

After being violated by the armed actors, many victims have had no solid support networks to turn to, given that they began to be singled out and scorned precisely in their homes or closest communities. Threats by armed actors and the lack of social support led to forced displacement, which in these cases is doubly victimizing. On the one hand, it drives people out of their communities, their social fabrics, and their economic livelihoods, as the National Center for Historical Memory explains in its report *Una nación desplazada*:

> When narrating the losses associated with displacement, it is notable how the family that one had [...], the land, the territory, the crops, the unity, and the trust and support among neighbors are evoked. All these elements and relationships that are lost or destroyed through displacement generate a rupture with the peasant way of life and ethnic groups' traditional and ancestral practices.[330]

This affectability corrodes the possibility of civil organization, the strengthening of democracy, and, in general, the extensive application of citizenship. This lack of protection has been so recurrent and massive that an entire subculture emerged in resistance to state and public violence toward these people. As the National Center for Historical Memory states in the aforementioned report, "[t]he denial of citizenship through the restriction of civil and political rights is also expressed in the way in which [...] a new identity category was constructed in Colombia: that of the displaced"[331].

On the other hand, forced displacement produces a profound lack of protection that is a fertile ground for other violent dynamics to besiege the victim. In the case of LGBT people, this "second violence" is also marked by structural homophobic and transphobic discrimination.

> [W]hen they came back and the order was to kill me [...], they gave me half an hour and I had to go down the road, displaced, with just a bag, one of those we call "costales", some clothes tied together because I didn't have a suitcase, and a small backpack that at the time we called the "witch face" backpack. [...] With that, I left. I walked for almost half an hour, when the Cointrasur bus met me and there I started my departure to the city, displaced, alone. I arrived in the city, at an aunt's house, and that's where my ordeal began. First because I was a minor. [...] Then I started to practice prostitution. I practiced prostitution for two years. Then I worked in a bakery. (Jacobo, gay man, Chaparral)

330 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Una nación desplazada. Bogotá: CNMH, 2015. p. 445.

331 Ibid. p. 465.

Yeimy: "At that time, I left, I went to the farm and I went to an uncle's farm. Not to my grandparents' farm, but to an uncle's. About a year later, I came back. I set back my transformation, I had a little setback."
Colombia Diversa: "You mean you became masculinized again."
Yeimy: "Because, well, the territory where my uncle lived was really homophobic, or transphobic. They didn't accept people like that much, with a personality like mine. [...] It was a forced change, it was something forced, against my reality. Because deep down I felt that my change would be of no use because my reality was that I was a woman and I felt like a woman. All my objectives were to be a woman. I always said... It's something that I did like under that pressure that in order to live on the countryside I had to assimilate to being a guy, a masculine boy to be able to enter into the role of country boys, and the people on the countryside are a bit tougher in the sense of accepting people like me. After the time I returned, I was able to recover my life. I was able to feel satisfied again, to feel like me again." (Yeimy, trans woman, Tolima)

No, in Bogotá. I had to help pack shrimp in a fishery., I had to get up at three in the morning, being a teenager. It was hard for me. I couldn't take it. I got sick and came back to my homeland. (Baldomero, gay man, Tumaco)

Colombia Diversa: "What difficult things did you have to face when you were displaced?"
Silvia Dayana: "Hunger, need, cold, desperation, infinite poverty. I don't want to remember that I had to eat a quart of rice two, three, four days, a quart, half a pound of rice. Sometimes, if I had breakfast, I didn't have lunch; if I had lunch, I didn't have a snack. It was horrible. It was very horrible. I don't wish poverty it on anyone. [...] I would say that prostitution was the only thing that lifted me up, because you know. As a prostitute I did two, three, four shifts, and each shift left me at least $50,000, $80,000 pesos. There were $20,000 pesos to be included in the same payment. With $20,000 pesos, you paid for breakfast, lunch, and dinner. And you could eat something small around there. I don't want to go back to experiencing displacement." (Silvia Dayana, trans woman, Tumaco)

They left me with nothing, so what could I do? I had to find something to do. First, I went to the countryside. A friend took me to a rural area. As she did nails, they helped me to buy nail polish and things like that, and there I started to work. (Gabriela, trans woman, Tumaco)

Victims of displacement's possible support networks are strongly weakened by their sexual orientations or gender identities, making it necessary to occupy a completely new territory, where there are no familiar hands. The only possibility left is to live on the margins, outside of their community of origin and outside of any possible receiving community, as the cause for their displacement is that they are considered undesirable in all of Colombian society, always deserving of daily violence and stigmatization:

> **Colombia Diversa:** "When did you go to Ecuador?"
> **Baldomero:** "I was around 19 years old. I had to work in a family home. I would get up at three in the morning. I would cook for them and then I had to wash some clothes. They abused me because I was an immigrant. [...] I had to clean until twelve or ten at night. They abused me because I wasn't from there." (Baldomero, gay man, Tumaco)

For LGBT people, these "habitable margins" are spaces with a profound lack of protections, notorious for the state's absence and dominated by informal authorities that instrumentalize displaced people's vulnerability. Hence, the victims leave their community due to being LGBT and, later, for the same reason are only half-received in another community, which takes advantage of the opportunity to extract the desired productivity or performativity from them. This marginalization has two problems that are constantly exploited: the worsening of the victim's economic situation –since there is no entity or formal authority to prevent labor precarity or exploitation– and the imposition of culturally feminized and disdained work, which causes them to be socially read as LGBT people who attract diseases and undesirable behaviors to a community.

> [For] a trans girl it is very difficult, very difficult to have a dignified job, a job where she received acknowledgement. No, she doesn't. [...] With all that I have, so far I have not been able to access a public position, not even in small micro-enterprises. If I hadn't set it up myself, I don't think I'd have a salary. There you can see how trans girls here in Tumaco are limited. (Silvia Dayana, trans woman, Tumaco)

The result has often been people with few social ties, without economic independence, socially discriminated against and stigmatized, in an alien and inclement territory. This cruel double effect of displacement is ultimately an unsustainable platform for any life project, leading many LGBT victims of the armed conflict to return to the territory from which they were displaced, despite the economic, political, and vital risks that this entails. This return is due to the fact that they consider the recognition of their own social, political, and cultural practices to be more valuable, along with

the social networks that may still remain. In the face of the receiving territories' inclemency, the ties created with the territory of origin through cultural practices, gastronomic traditions, political representation, and manifestations of racial and political identity have prevailed.

This return is a consequence of the double victimization of forced displacement, but it is also an act of individual resistance on the victims' part, as they decide to delegitimize armed authority and rebuild their social role in their territory based on the recognition of *that* as their place in the world:

> No! I have never felt such a great emotion in my life. It was the reunion with my mother after almost seven years... My mom. It was something spectacular. So it is [incomprehensible] which remains marked in one's life. (Jacobo, gay man, Chaparral)

> So, I have been advancing in that process. And currently, I am working, I want to work, I want to be mayor of Chaparral. I want to and I am fighting to be the mayor of Chaparral. (Jacobo, gay man, Chaparral)

The return to their territories is an act aiming to reestablish cultural integrity, which simultaneously heals all avenues of identity previously severed by armed actors. The social visibility acquired prior to their displacement may have increased or been completely disseminated, but in all cases where they returned to the territories, the victims have decided to do so without keeping their LGBT identity hidden. This makes them visible from a new position: that of their own story. Once this story about them has been narrated –explicitly or implicitly– by the victims themselves and by their actions, many of them take the step to resume their cultural participation in subverting from within their local culture's repressive structures, which oppressed them at the outset of this avenue of violence. The return, then, often triggers a cycle of resistance driven by the desire to belong to their community without renouncing their own identities:

> In response to the last thing they did, I gave my plan that I have been working on. My plan is around the LGTBI issue, peasant communities, the education issue, yes? That is what I want for Chaparral: to strengthen education because I didn't live and have all that, yes? (Jacobo, gay man, Chaparral)

An important element in this resignification has been the narration of their stories as LGBT people and as victims of the armed conflict. Through their stories, many of them have been able to validate their existence in the governmental and institutional eyes of their own community, with the conviction that they are contributing to

a structural change so that other lives may matter and may be lived with dignity, without the need to uproot oneself from their territory. Additionally, all the people interviewed by Colombia Diversa expressed relief in the story itself. This feeling of improvement is a form of resistance, as the victims position themselves as authors of a story that has constantly been taken from their voices, despite being inscribed entirely in their bodies. This resistance acknowledges the institutional and state obscurity in which these stories are submerged, and simultaneously attests to the redeeming capital residing in the act of narration and empathetic listening, despite the social context in which they must be strengthened. This is valuable because the context of Tumaco is not at all friendly to LGBT people:

> I have always said that the LGTBI community is like, we are like the town joke, we are the town clown. Here we have pageants, here, in quotation marks, we have full citizenship. But one is not a second-class citizen, but a third, third-class citizen. Here there have been many trans women who have had their beauty salon and have had a steady partner. There are gay guys, but there is always that barrier: the finger-pointing, the whole thing, the community. (Samir, trans man, Tumaco)

This urgency to tell and find stories that give meaning to the atrocities they have survived allows LGBT victims to forge new bonds of solidarity amid a social fabric that was once dissolved. In the midst of this polyphony, new alliances and social coordination mechanisms emerge to join efforts in creating a legitimate space in the culture that had previously exiled them.

Thanks to these encounters, practices have emerged that subvert the local culture through their sole existence. Consequently, many of the victims have acquired the necessary social capital to come together in collectives that allow for local the cultural practices' reception of LGBT identities. This is a task of cultural resignification of vital importance for the peace and reconciliation process in these territories, as it facilitates communication between the communities' autochthonous characteristics and LGBT people's dignified lives.

A. Forms of Resistance in Tumaco

The specific way in which resistances operated in Tumaco was not random. On the contrary, the violence's particularities determined those of the resistance and, in both cases, these corresponded to the social, political, cultural, and economic elements of Tumaquian culture. A deeply racialized community exercising its peaceful traditions resists violence in particular ways, as it must deal with structural adversaries while attempting to advance individual struggles. The structural issue of race is the most

important in Tumaco, since it is an identity constructed by non-black people and, therefore, appeared suddenly and surprisingly in a mostly black community. In other words, it is an identity defined through the negation of whiteness, which, due to its virtual non-existence in Tumaco, was not mentioned in that way in the municipality. However, the violence imposed (corporeally, discursively, and symbolically) upon racialized bodies has led to the construction of cultural practices that have become deeply imbricated with the Tumaquian identity.

As explained by Achille Mbembe[332], necropolitics is a violent expression of state power that presupposes the bodies of certain demographic groups as available and insignificant, through the right to kill that stems from the sovereignty of modern states. In Tumaco, this expression of power has been experienced in a dynamic and continuous way, as state abandonment has caused bodies to be recognized only as innocuous elements of an incessant wheel revolving around government bureaucracy, the control over armed actors, and daily social dynamics.

> Here we have kidnappings, extortions, killings. Right now it's quiet, but at any moment a gunfight can break out and people can die and other people can get hurt. Or they just kill each other. There are slaughterhouses here, slaughterhouses that you look at and you are close to seeing the situations and you can't do anything, because it's either they finish murdering whoever they are killing or they kill you, too. You can't do anything, you never go to the police or say that you are going to call the police, because the police themselves say who called them. Nobody can do anything. It's impossible. Even if someone wants to help, they can't. [...] For my part, and what I see, what I experience, I haven't gone to report anyone because here you can't report because you run the risk that, if you report, you have to know that you have to leave here before you can die. If you're going to put your life, your situation, at risk, it is better to learn how to adapt than to be physically or verbally assaulted. You have to live like that, and the abuses. They come to your house, they ask for what they want, and you have to give it to them because the one who has the weapon has the power. (Gabriela, trans woman, Tumaco)

The Tumaquian wheel of death is strongly nourished by the colonial hierarchies that will be exposed below through Frantz Fanon's decolonial theory. The hint of homicide, corpses, and bloody hands is not exceptional in Tumaco, as they are just one of the –very few– signs of the Colombian state's presence in the territory. One of the ways in which this wheel is kept in motion is via racist stereotypes that are fed back,

332 MBEMBE, Achille. Necropolitics. Durham and London: Duke University Press, 2019. p. 120.

internalized, and promoted by individuals in society. Consequently, Tumaquians are deeply racialized and forced to participate in the dynamics of power and death under the blessing of the Colombian state.

As Ramón Grosfoguel rightly points out, the framework of colonial power is made up of eight latent hierarchies in the western capitalist system[333]: the international division of labor; an international system of dominant-dominated states; and class, ethno-racial, gender, sexual, spiritual, and epistemic hierarchies. Global colonialism began in the 15th century, but its domination practices survive to the present day, as colonial systems have managed to reproduce the value system that supports capitalism without the need for an explicitly colonial administration. Since the independence of states invaded by European powers, coloniality has managed to perpetuate itself by way of cultural and academic artifacts in all the western territories. This translated into the absorption of the colonial power framework by independent and autonomous communities, even in places with a strong development of their autochthonous cultural identity.

Tumaco is one of the territories with a strong racialized cultural identity. Despite native customs and continued ethnic and cultural survival, the colonial power framework has also reached this territory to impose its hierarchical and violent effects. For the present case, we insist on the peculiar way in which racial, gender, and sexual hierarchies have been installed. The first is defined as "an ethno-racial hierarchy in which white Europeans dominate in terms of power, status, and prestige over non-European ethno-racial groups constructed and constituted as culturally and/or biologically 'inferior otherness'"[334]; the second, as "a gender hierarchy in which men enjoy greater powers and permeate social relations with a virile, patriarchal, and sexist construction of national, political, and/or cultural discourses"[335]; and the third, as "a sexual hierarchy in which heterosexuality is privileged over homosexuality"[336]. The conjugation of these three hierarchies oppresses LGBT people from Tumaco in a particularly painful way, as they are inferior beings, starting with the unmodifiable fiber of their very existence: because of their race, their gender, and their sexual orientation. This triple oppression is well summarized in the report *La memoria histórica desde la perspectiva de género* (Historical Memory from the Gender

333 GROSFOGUEL, Ramón. Hibridez y mestizaje: ¿sincretismo o complicidad subversiva? La subalternidad desde la colonialidad del poder. In: Hegemonías culturales. Barcelona: Gedisa, 2004.

334 Ibid. p. 55.

335 Ibid.

336 Ibid.

Perspective) from the Historical Memory Group of the National Commission for Reparation and Reconciliation:

> The feminine was conceived not only as distinct from the masculine, but also as the opposite-inferior of the masculine. Likewise, in an international colonial system, blackness/indigeneity was read as the opposite-subordinate of whiteness; barbarianism, as the inverse-devaluation of civilization, and healthiness was associated with a single sexual option: heterosexuality.[337]

The violence celebrated and carried out by armed actors accentuates the violence that the colonial power framework had already destined for certain bodies, as the actors use combat and the atmosphere of control to execute their most conservative premises. The victims' resistance, consequently, was also tripartite.

First, the Tumaquian victims discovered and redefined their relationship with race. In most cases, the recognition of race as a profoundly differentiating element in their cultural participation occurred during the displacement process, as they were immersed in communities less racialized than Tumaco and with much more explicit racist attitudes. This is important because anti-racist resistance cannot exist before recognition as a racialized being. Forced displacements to Ecuador, Pasto, Cali, and Bogotá meant that the victims lived in communities with a larger population of mixed race and white people than in Tumaco, so they directly and explicitly felt the structural racist discrimination embedded in society. This discrimination was less hierarchical in Tumaco due to the region's large Afro population, which made it impossible to create practices of racial supremacy by mere lack of object.

Thus, the resistance on the part of the LGBT victims consisted of recognizing and reappropriating their race. To do so, they had to reread the body (to interpret it as *black*) and reappropriate the labels that the new territory's gaze (white, alien to Tumaquian practices, and indifferent to each victim's personal history) intended to impose upon them. This racial resistance allowed LGBT Tumaquian victims of the armed conflict to find and reclaim an identity trait not even previously explicit in their personal story until the forced displacement.

Secondly, LGBT victims in Tumaco resisted the painful intersection of gender and race by protecting and adapting their cultural notions of masculinity and femininity after the victimizing events. Peter Wade has insisted that the exclusion of Afro-descendant groups has historical structural causes that maintain active

337 COMISIÓN NACIONAL DE REPARACIÓN Y RECONCILIACIÓN – GRUPO DE MEMORIA HISTÓRICA. La memoria histórica desde la perspectiva de género. Bogota, 2011. p. 21.

components of racial discrimination[338]. These mechanisms (and their consequences) are extended due to the disinterest that black lives arouse in the Colombian state (in itself a result of structural discrimination, as well). However, the intersection with gender accentuates certain forms of violence and produces entirely new ones. Because of this, Wade concludes that society creates more barriers to access for black women than for white women in identical situations:

> The evidence indicated that in many respects black immigrants to the city of Medellín suffered from the same problems as white immigrants as regards housing and employment, but that there were disadvantageous concentrations of black women in the domestic service and black men in construction.[339]

Despite the Colombian legislation's attempts to acknowledge the cultural differences of the Pacific's Afro-descendant communities and to effectively protect ethnic and cultural diversity, the scope of such care has not sought to permeate the cultural sphere of discrimination from the traditional Afro-descendant perception of body and gender.

In Tumaco (as in most western areas), to be homosexual is to be less of a man or less of a woman, since the cornerstone of masculinity and femininity is heterosexuality. Heterosexual attraction –even if forced– allows sexist prejudices to be "justifiably" endorsed: women must be delicate so that men will protect them, men cannot express their emotions because they must balance out women's emotional ecstasy, and an infinite etcetera. In Tumaco, masculinity and femininity are delimited by their appearances, their occupations, and their behavior with regard to the desired social and familial role. This also corresponds to the extractive economic model upon which Tumaco has historically been built (logging, illicit drugs, fishing), combined with strong militarization as the main form of state presence. Consequently, the types of masculinity and femininity that can be exploited through physical labor and the military discourse are those of the male-provider or male-warrior and the female-caregiver or female-object.

Tumaquian LGBT victims have also broken these boundaries established by the forms of masculinity and femininity imposed by the political, military, and social regime that nourished the conflict. Two of the victims directly confronted their aggressors, and three others began to occupy spaces where discrimination was more costly on a

338 WADE, Peter. Etnicidad, multiculturalismo y políticas sociales en altinoamérica: Poblaciones afrolatinas (e indígenas). In: Tabula rasa. Bogotá: Colegio Mayor de Cundinamarca, 2006, No. 4.

339 Ibid. p. 62.

social level for their aggressors to exert. Thus, they resisted being assigned the label of "body to be expropriated" that the armed actors attempted to set upon them.

> I have been threatened so many times, but I don't just sit by, I don't sit by, either. Sometimes I also stand up to them, even if they point a gun at me. If they are going to kill me, then let them kill me once and for all. My temperament is what keeps me here, otherwise they would have killed me already. That's what keeps me alive, that I don't sit by. (Gabriela, trans woman, Tumaco)

This perception of black LGBT bodies as something to be expropriated is an assimilation of sexist violence, as the aggressors read gay men as "lesser men" and trans women as "pseudo women". Hence, they consider it necessary to exert a corrective act similar to that which would be imposed upon a woman's body to remind her of her "true" role in society (i.e., to remain in the private sphere, muted, submissive, and available for the male-warriors' pleasure).

This prejudice-based violence with a hierarchical purpose was resisted, then, through the explicit rejection of the places assigned to the victims by their aggressors within the discourse, the municipality's spaces of concurrence, and the return: seven victims returned definitively to Tumaco, despite having been forcibly displaced from the territory. Disobeying is not something that a "lesser man" or a "pseudo woman" is permitted to do, yet the Tumaquian victims did so nonetheless and occupied spaces with new cultural meanings: they resisted with their presence and their voices, directly affecting Tumaco's social environment.

Thirdly, the Tumaquian victims resisted the armed actors'homophobic violence (rooted in the framework of sexual coloniality) by meeting and creating bonds of solidarity and affection among themselves. As previously explained, the colonial power framework includes the superiority of heterosexuality over any other erotic or affective practices. Homophobia and transphobia were adopted by Tumaquian society, sin such a way that LGBT people felt fear in their everyday lives and came to deny their own identities. Such is Gabriela's case, who on a motorcycle taxi ride crossed glances with a man who began to insult her and look at her violently:

> I try to look him in the face, but not to show fear. I look him in the face, yes, because I know he is talking to me. I tell [the driver], "buddy, go faster, please. Take another street." He took the beach road and I say, "Go back, go back." I got scared and went back to the house. That man was going to kill me. I was praying, and tears came to my eyes because I was very afraid. [...] I didn't want to remember, because I remember, and I feel terrified. Sometimes things happen. Sometimes you pass by and men yell at you horribly. You experience many things here. The life I have, my life, I don't wish it upon anyone. If it were in my

> hands for no more children to be born with my condition, I would make sure they were not born with that condition. It is really very difficult to live like that. (Gabriela, trans woman, Tumaco)

These sexual stereotypes intersected with the racial aspect were studied by Viveros Vigoya. According to the author, the desire system plays with multiple mirrors in which blacks and non-blacks adopt the racial stereotype of considering black people as "beings with Dionysian tendencies [...], fundamentally interested in the enjoyment of the senses through the consumption of alcohol, dance, and sexual pleasure."[340] For Viveros, stereotypes about black people emerged during the European colonization process, fueled by Christian symbolism, the familial institution, and body-spirit dualism, and have also been taken up by black people themselves via the subversion of their connotations. The reappropriation of artistic talent, erotic performance, and bodily association with nature as regards the black race has been part of a cultural domination weapon presented as flattery or as offense, depending on the context in which it is presented –even without varying its prejudicial content.

Black populations' adoption of these prejudices in turn perpetuates male domination over women (hence the importance of recognizing black men as "powerful lovers" and black women as having an insatiable sexual desire). The prejudice around black people's erotic role stands on the shoulders of the binary gender system, in which the male population must dominate and control the female population via compulsory heterosexual attraction: "in everyday life, the experience of being male and being black is simultaneous and not sequential"[341]. Masculinity is defined through the fulfillment of the positive components within prejudice about black men. In turn, femininity within the complicated margin of sexual desire and "honor". In the case of LGBT victims in Tumaco, it is clear that a deeply eroticized narrative of bodies and, therefore, of their social function, fell upon LGBT bodies.

On this particular topic, anti-colonialist physician Fanon's theory is important, which advocates for individual liberation, as will be explained in depth in the analysis of the context of Tolima. In the case of Tumaco, this individual liberation from colonial institutions begins with the consideration of oneself as deserving of respect and dignity. Turning to a mental health professional, as Emanuel did, leads to a greater valuation of oneself and a more robust process of overcoming the structural prejudices

340 VIVEROS VIGOYA, Mara. Dionisios negros: estereotipos sexuales y orden racial en Colombia. Bogotá: Universidad Nacional de Colombia, 2016. p. 1.

341 Ibid. p. 10.

with which one was socialized. This is how one of the trans women interviewed by Colombia Diversa narrates her perception of herself and her dignity:

> **Colombia Diversa:** "What has helped you to move forward, to face everything you have lived through, what you have felt?"
> **Silvia Dayana:** "Courage. Wanting to be someone in life, not being run over by anything or anyone, that has kept me, made me really stand up for myself. [...] It is my strong engine, full of gasoline. To be respected, to be loved without being loved, for people to see that everything is possible with effort, I like that very much and I will achieve it. Trusting in God, I will achieve it. I'm going to show the world that it is possible. I hope that the day, if I make it to the council, I will show the world, the whole of Colombia, that a trans girl gave Tumaco, Nariño a new vision." (Silvida Dayana, trans woman, Tumaco)

The recurrent and profoundly cruel presence of sexual violence in Tumaco is one of the most painful implications of the sexual coloniality framework in Tumaco. As already explained at length, the starting point for the binary division of gender is compulsory heterosexuality. Without a doubt, this is the great resistance that LGBT Tumaquian victims have advanced since long before the victimizing events around their mere existence in the Tumaquian public sphere (and not by giving in to living falsely heterosexual lives or with a false gender identity). However, as all the other resistances mentioned above, the conflict accentuated their needs and significance in Tumaquian society.

The victims have been able to participate in the disarticulation of the cycle of violence (which begins and culminates for social reasons, traversing armed and sexist means of combat) by proactively and peacefully taking part in cultural resignification. The formation of the Arco Íris Afro-Colombian Foundation has been decisive in the dismantling of compulsory heterosexuality as an indisputable cultural artifact:

> We decided to find a name, so we said "to make it more inclusive, let's call it the Afro-Colombian Foundation". And we thought of the rainbow: Arco Íris Afro-Colombian Foundation. We looked on the internet to see if there was another one with the same name, and there wasn't, so it stuck, that was the name. [...] Growing little by little. After that was settled, I got fully involved in activism. I am still in activism, but I don't do it as I did at the start, with a lot of fear. (Alex, gay man, Tumco)

Most of the victims from Tumaco have been part of the aforementioned foundation, and this work has made the LGBT community visible and destigmatized in the eyes of their fellow citizens. This resistance is continuous and each day adopts new features

additional to the first resistant act of existing with honesty around one's own identity and sexual orientation: as an activist, as a mediator of social conflicts, as manager of the Foundation's activities and, above all, as a story that other Tumaquian LGBT people can proudly tell and emulate.

i. Surviving Sexual Violence

Thanks to the relationship between race, gender, and sexuality in Tumaco, it is clear that the particularly cruel sexual violence exerted upon the LGBT victims had the purpose of instrumentalizing, humiliating, and disregarding their bodies. As Rita Laura Segato explains, sexual violence is one of the control mechanisms utilized by patriarchy. This system is a "gendered relationship based on inequality. It is humanity's most archaic and permanent political structure"[342], which can only be overthrown through constant ethics of dissatisfaction and, consequently, by reaching a different narrative and vital possibility:

> As long as we do not dismantle the patriarchal foundation that is the basis of all inequalities and expropriations of value that make up the edifice of all powers –economic, political, intellectual, artistic, etc.–, as long as we do not cause a definitive crack in the hard glass that has stabilized humanity's patriarchal prehistory since the beginning of time, no relevant change in the structure of society seems possible.[343]

Hence, sexual violence was truly a key mechanism when establishing domination in a territory where gender and sex are directly linked to men and women's social worth (in the hegemonic and binary sense of gender). Resistance to this particular form of violence consisted of three strategies: survival during the attack, publicity given to the attack, and inner reconciliation with the trauma produced by the attack.

Firstly, due to the intensely cruel nature of sexual violence toward LGBT people in Tumaco, it is common to encounter a particular conduct of resistance for the sole purpose of survival: to not fight back. Much has been said about the behaviors of victims of sexual violence during attacks, particularly regarding the importance of surviving the aggression. These behaviors vary widely, ranging from physical oppositional struggle to psychological dissociation, to pandering to the aggressor for the purpose of saving one's life. In sexual assaults, life itself is also at stake, and

342 SEGATO, Rita. La guerra contra las mujeres. Madrid: traficante de sueños, 2016, p. 19.

343 Ibid.

therefore making it out of a sexual assault alive is worthy of a (sad) celebration. The Tumaquian victims were no exception:

> "If you don't give us your ass, we'll kill you" ... I told them not to abuse a 14-year-old boy. So right here I got cut with a broken bottle. (Baldomero, gay man, Tumaco)
>
> They told me to perform oral sex on them, but I didn't want to. They opened my mouth and everything. I told them no, no, no, no. But then when you have two guns on you, one here, the other one here, well I ended up giving in. (Cristobal, gay man, Tumaco)
>
> **Colombia Diversa:** "Are those bruises on your back also from that incident?" Margarita: "All of it. Imagine... It's something like sometimes I put on clothes... [and] people think it's an ilness... In other words, it's horrible. One would cry, one would say to herself that she wanted to take her own life, one would say, 'be thankful they didn't kill us.'" (Margarita, trans woman, Tumaco)
>
> It was a moment of... I mean, I felt helpless because he is bigger than me, and at that time I was still a kid and I wasn't... I had little strength to put up a fight with him, so I decided that... it would happen, but without wanting it to happen. (Alex, gay man, Tumaco)

The different reactions to such violence exist due to the possible responses that the human body (consciousness, unconsciousness, and nervous system) may execute during an attack. At that moment, the body perceives a possibly lethal threat and almost automatically delivers a response that it believes can safeguard it from further harm. Due to life histories, cultural settings, and the attack's contextual details, among many other aspects, victims of sexual assault responded with what their bodies considered to be their best bet for survival. Baldomero, Emilia, Félix, Cristóbal, and Elías identified imminent danger during their sexual assaults, such that they were convinced that their lives depended on their aggressors' benevolence. Cost-benefit analysis led them to reasonably believe that the only way to stay alive was to not vigorously reject the sexual violence.

Indeed, this instinct to please the aggressor prevented the sexual assaults from transmuting into massacres. This act of resistance must be viewed through the lens of the dignity, intelligence, and courage it deserves. In the midst of life and death situations, of inhumane acts of torture and the stripping of the most intimate freedom, these people managed to survive, return with their wounded lives, and,

now, tell their stories. This allows us to understand Tumaco, the armed conflict, and the homophobic and transphobic violence intensified by said conflict through a framework of transition to peace. In other words, not content with surviving a tortuous attack, they managed to structure and narrate their stories in order to construct memory and country. Surviving in this way is no small feat.

Second, the victims differentially decided to disclose or conceal their sexual assaults from their support networks. The majority (Emilia, Félix, Cristóbal, and Elías) opted for the second option. Baldomero immediately disclosed the assault to his mother, and Margarita disclosed hers to her support network fifteen years after the fact. There is broad consensus regarding the therapeutic function of narrating the events. This is necessary because, as Michael Pollak explains, "extreme experiences" can lead to "unprecedented actions", since "when the world's naturalized order is broken, individuals must adapt to a new context by redefining their identities and their relationships with other individuals"[344]. This therapeutic purpose is achieved by allowing victims to organize the facts into narrative threads that makes sense (to them), and thus designate to their assaults a fixed place in their stories' past. This past autobiographic "place" permits them to distance themselves from the events and avoids the trauma's abrupt resurgence, which hinders daily activities.

In this case, both possibilities (to tell or not to tell) are acts of resistance due to the meaning that each victim gives to the acts of speech or silence. On the one hand, those who reported the attack to their support network expressed –as is natural in speech acts– a commitment to belonging to their environment by enunciating their identities ("I") and their stories' importance within the evolution of society (as if saying, "I was attacked and it is important that you know about it"). Mentioning these events to their support networks means becoming part of the collective construction of meaning, inserting themselves as individual memory within a narrative elevated by *all* Tumaquians, and, therefore, in what history tells us both about that individual and the impact said individual had on society. This resistance, of course, is in opposition to the aggressors' desire to eliminate LGBT identities in Tumaco.

This narrative resistance, it should be mentioned, extended to the criminal charge of sexual violence (in two victims' cases) and to the recounting of the victimizing events to the United Nations Refugee Agency (UNHCR) (in two victims' cases), the Ombudsman's Office (in three victims' cases), the Ministry of Justice (in two victims'

344 POLLAK, Michael. Memoria, olvido, silencio. La Plata: Ediciones al margen, 2006, p. 11.

cases), the Victims Unit (in two victims's cases) and, finally, Colombia Diversa (in the cases of all victims documented here, including those who did not disclose the episode of sexual violence to their support networks).

On the other hand, those who kept silent about the sexual assault found resistance in this silence because they were able to avoid the subsequent stigmatization to which victims of sexual assault are constantly exposed. This stigma's expressions are broad and range from unempathetic listening to holding the victim responsible for the assault, via the presumption of the victim's dishonesty, the incisive request for evidence exceeding titanic standards of proof, and perennially labelling them as a "victimizer" for harming their aggressor's reputation. Baldomero's case illustrates this stigma:

> I arrived home. My mother asked me what had happened, and I told her that I had been raped. They threw me out of the house and I had nowhere to go. [...] I stayed away from home for about a week. One day my mother came to look for me and told me never to come back to her house again. (Baldomero, gay man, Tumaco)

> And it was the first time that I came to... to have a sexual experience with a man, and it was very painful and at the same time very sad because... it was very difficult to get it out of my head. After that, I never told my family for fear that he would act aggressively toward my family, or that he would do something to me later on. I was around twelve years old. (Alex, gay man, Tumaco)

Thirdly, dealing with the trauma produced by these attacks has been one of the resistance techniques with the greatest proliferation of methods. Baldomero, Margarita, and Elías insist on religion as a practice that has helped them cope with their painful memories of the violence:

> Either way, I say that in spite of the things that happen to you, you have to strengthen yourself in many ways and move forward. My God protects you now and always. I am always grateful to him, and I hold on to him and he fills me with a lot of strength. Even though they have hurt me psychologically and morally, I ask God to fill me with faith and hope, because if he has me for something in this life, may it be his will. (Baldomero, gay man, Tumaco)

Baldomero and Tomás cut family ties of affection that, thanks to their assimilation processes, they recognized as harmful relationships whose existence was only justified by the social expectations that fell upon them. Emilia and Margarita began their transitions as trans women with the purpose of reaffirming their identities.

Baldomero, Félix, Margarita, and Elías established stable relationships of love, solidarity, and eroticism:

> A very special person in my life that I always remember, in brief, marked my life with few details. With love, in the affective part, which I didn't find at home, in my mom, in my family. (Baldomero, gay man, Tumaco)

> My husband is straight, and he is not ashamed to go out with me. He hugs and kisses me in the street. (Margarita, trans woman, Tumaco)

This is a particularly significant form of resistance, as the sexual assaults destroyed the possibility of trust and intimacy even in other victims from Tumaco:

> Either way, I no longer trust. I am so skeptical about the relationship because in spite of everything, most men have an objective. They always think about the productive things that can favor them. They do not think about that person's situation because of their sexual condition. They seem to want to abuse. There are many [forms] to find a way out, to stay on my own, fighting, strengthening, many things that God has prepared for me on a daily basis, I say. But still, I don't trust anymore. (Baldomero, gay man, Tumaco)

Baldomero and Cristóbal attended psychological services, which demonstrates both the recognition of an unresolved traumatic event and the possibility of dealing with it under a third party's expert guidance. This possibility of reliving trauma in order to unravel it and, eventually, see it as a past event is an act of resistance and psychological fortitude that reveals the endurance of the Tumaquian LGBT victims' strength:

> I see life differently, psychologically, morally. There are things that have changed my life for the better, that have made me see things differently. I always tell you: I ask God for a lot. I always live with God. I ask him for a lot of strength because he knows that deep down I am not a bad person. Unfortunately, things have happened in life that have to happen in human life, and he put them in my path, and may it be his will, and may it be spiritually strengthening, and may it be only the Lord's will. (Baldomero, gay man. Tumaco)

> I try to hardly remember it. The psychologist told me to keep trying. I have tried to forget. (Cristóbal, gay man, Tumaco)

> I can't quite accept myself... From going to the psychologist, I've been changing things a bit. (Cristóbal, gay man, Tumaco)

ii. Surviving Forced Displacement

Individual resistance, as already mentioned, was marked by displacement to areas with few support networks, where it was possible to start precarious jobs with acquaintances or work in inhumane conditions with strangers. In the words of Maren and Marcelo Viñar, the wounds of displacement produce immediate pain and, as time goes by, a "nostalgic object", which is the longing for the place within the state of affairs prior to being affected. However, this nostalgic object is not fulfilled, so that its longing becomes, in turn, mourning for something that can never be that way again:

> People are hurt, the earth is hurt. We are born and they cut our umbilical cord. They banish us and no one cuts our memory, our tongue, our colors. [...] And where is their land? Far away. From it come letters, relatives, friends, in long and recurrent pilgrimages. They approach it without being able to reach it. [...] This is the "nostalgic object", unique to the exiled. Their relationship with it is not what constitutes mourning, because in mourning the object is lost, as it is dead, whereas the "nostalgic object" is not dead. It is alive, but access to it is impeded. That is where the nostalgia comes from: the painful desire to return.[345]

Baldomero, Margarita, Elías, and Tomás's displacement to Ecuador allowed for an improvement in survival –compared to those who were displaced to Cali, Bogotá, Chocó, or Cúcuta– due to the UNHCR's participation in the neighboring country. This humanitarian aid enabled the victims to obtain precise and rigorous information on their migratory statuses, their rights, and their legal possibilities in the face of the victimizing events they had suffered. Legal empowerment via humanitarian aid allowed for the decision to return to Tumaco to be made with more precise expectations.

In the territories that received them, Tumaquian victims managed to survive economically thanks to traditionally feminized jobs: in the kitchen, in domestic work, and in hairdressing salons. Several of them used –and wore out– the last familial link available to them. Despite the dismal experiences in the receiving territories, Tumaquian LGBT victims were resilient in reflecting on their own identity outside of Tumaco. Recognizing themselves as Tumaquians complexly intersected by several ties of identity allowed them to see their own connections between the notions of family, territory, race, and traditions in Tumaco. This

345 VIÑAR, Maren and VIÑAR Marcelo. Fracturas de memoria. Montevideo: Trilce, 1993, p. 11.

cultural intertwining brought back LGBT victims displaced by the conflict, since their holistic worldview has no equivalent in the receiving locations' dominant white and capitalist culture (Cúcuta, Bogotá, and certain areas of Cali).

> You might say, "Why do you live here?" The thing is, despite there being a lot of violence in Tumaco, as you are born here, you grew up here, in one way or another someone gives you a hand, in other places it is very difficult. When you don't have options, you have to put up with it. (Gabriela, trans woman, Tumaco)

The impossibility of finding meaningful relationships with the receiving locations' territories, gastronomies, and cultures forced LGBT victims of the conflict to return to Tumaco to reappropriate their traditions and make them compatible with their identity. Returning to Tumaco with the clarity of what elements are *their own* and what elements are constitutive of their identities allowed the victims to intervene these cultural artifacts to perpetuate their positive and community-building effect.

Here it is worth insisting on resistance within mere existence. LGBT people in Tumaco were threatened and forcibly displaced for a clearly prejudicial reason. Once they are victims of an aggression, an escalation of violence begins, which is briefly legitimized in the immediate social environment. As Margarita and Alex summarize it:

> **Colombia Diversa:** "It seems that every time there is an episode of violence against the community, the violence intensifies even more."
> **Margarita:** "And they start the displacement because they themselves start to instill fear, and when they also start to talk, they start to say, [...] 'hide, save yourself, don't get yourself killed, you fool.'"
> **Colombia Diversa:** "So from that violence they feel more legitimized to insult and violate other LGBT people."
> **Alex:** "And sometimes they tell you, 'become a man, and you won't get killed.'" (Alex and Margarita, gay man and trans woman, Tumaco)

At this time, several victims identified the need for more tools to participate in Tumaco's political and social development. Baldomero, Emilia, Félix, Margarita, Cristóbal, and Ricardo studied in their territory thanks to agreements offered by the SENA. Studying is perceived as an act of dignity in that it assembles their identities beyond the identity component directly related to their sexual orientations or gender identities. Additionally, it is seen as an objective added value in their professional paths.

> I have a diploma in human formation. I have a diploma in public policies, and I understand many branches. I really like to study. I don't want to

> remain a hooker because those are the three arts that trans girls should have: hooker, cook, or, who knows, behind a dressing table. Those are the three arts that we can have, clearly. Because a public position is difficult for us in Tumaco, as a trans girl. (Silvia Dayana, trans woman, Tumaco)

Obtaining academic recognition for completing any of these studies is perceived by the victims as a way of existing in the territory outside the stigmatized place to which society had confined them.

The greatest effort on the part of Tumaquian victims seems to be concentrated on dismantling bochinche as a method to harass the LGBT community. In Tumaco, this type of daily harassment takes the form of insults, stones being tossed at you, mockery, and employment and social discrimination, among other practices. In this sense, the victims' resistance has been much more structured as to its possible development in the long term: they intend to teach Tumaco that LGBT people exist and that, with respect and solidarity, bridges can be created that are beneficial for all involved.

The Arco Íris Afro-Colombian Foundation has been decisive in this process upon being a formal space in which LGBT existence has a place. However, the great resistance against the bochinche has been the resilience and courage of each of the Tumaquian LGBT victims who go out every day to exist authentically in their communities, to participate in commercial, social, and employment networks, and who remain in the territory while loving and being an active part of Tumaquian culture. The bochinche has decreased in its frequency and intensity thanks to the fact that LGBT people have decided to be visible to others to show them that they are, above all, human beings.

iii. Surviving Everything

In Tumaco, there is a chilling popularity and mixture of forms of violence. Emanuel, for example, suffered threats, beatings, and forced displacement: an evident cycle of persecution motivated by prejudice. The conflict is relentless, and the LGBT victims had to make use of numerous resistances of numerous resistances to maintain their lives and dignity in an agitated municipality. Gabriela, a trans woman, witnessed paramilitary groups shoot her eleven-year-old brother in the head while he was hiding from them to avoid being recruited. After this event, she and her family built a new house and lived there until an armed man came to their door, fired shots in the air, and took everyone out of the house. After this internal displacement, the FARC-

EP contacted her to demand the payment of six million pesos in exchange for her life. This dispossession and subsequent extortion ended her chances of continuing with her professional studies. She found herself stuck in a situation in which she didn't have experience in any trade nor had she completed formal studies with which she could access other jobs.

> I had to find something to do. First, I went to the countryside. A friend took me to a rural area. As she did nails, they helped me buy nail polish and things like that, and there I started to work. (Gabriela, trans woman, Tumaco)

Emilia, a Tumaquian trans woman whose case we have already mentioned, was just five years old when a man whistled at her and, after drawing her attention, tied her hands and took her to a wooded area, where there was plastic and tanks in which "the coca was cooked". There, three more men tied her to a tree with her back turned. The leader wore camouflage clothing and the other three were dressed in black. One by one, they raped her while the others laughed and mocked her for two hours. When they finished, they left her in the middle of a path and told her that if she told anyone they would kill her. These actors perceived her, at the time, as an effeminate boy.

She returned home to bathe, to fear, and to use rags to hide the blood that flowed from her body for four days. Just a year later, Emilia's father was killed by a man he owed money to. After this event, her entire family moved to Cali. During her youth, she witnessed threats made through pamphlets, e-mails, and phone calls. During her adulthood, she suffered abuse from the Tumaquian society for being a trans woman:

> Sometimes you walk down the street, and they insult you or call you anything. Like that. Or sometimes you walk down the street, and they start throwing stones at you for being like that. (Emilia, trans woman, Tumaco)

Even when violence comes from different actors, it is often based on the same prejudice around LGBT people being undesirable or their identities being susceptible to forcible change, lest they be severely punished. For example, Alex learned of the case of a trans woman who sold cellphone minutes and was involved in a procurement scheme directed toward other trans and cisgender women in Tumaco. With individuals from the armed groups, she managed several women's sex work, by virtue of the economic prosperity brought about by the coca industry and the social stereotype around LGBT people having a better relationship with cisgender women.

> Here in Tumaco, there is... an ideology, of the people, around telling them that gays, because they are gay, have more connection with women, yes?

> More direct connection. So for example... if a guy comes from anywhere and wants to take some women to X or Y path, or to the municipality, he will not look for another woman. He will look for a gay man, because gay men always try to keep those friendships, no? Of any kind, any kind of company... be it a prostitute, whatever, yes? So they always look for the gay man for that, and then the gay man innocently introduces the girls. Then it depends on the girl if she wants to or not. (Alex, gay man, Tumaco)

As a trans woman, she was socially stigmatized, and a rumor was created about her being HIV-positive. This woman's aspirations were to continue with her transition, until one afternoon she, another trans woman, twelve cisgender women, and a gay man went to an event in Chagüí, from which none of them returned.

> That was when people [started] the rumors that they had killed some women there who were sick with AIDS, they said. But we don't know if it was true or false because none of the girls appeared again. Neither did she, but the people who came down from the town said that they had been killed, and that they had beaten her to a pulp and thrown them into the river. (Alex, gay man, Tumaco)

Two bodies were found and buried. Several mothers and fathers went to the area in search of their daughters, but nothing was known about this trans woman; no one looked for her, no one knew what had happened to her nor where she was. Her stay in Tumaco had been the result of her father kicking her out of the home for not complying with the masculine cisgender mandate,. Therefore, at the time of her disappearance there were no family members looking for her body or her story.

Tumaquian LGBT people come to feel so much disapproval that they even subject their existence within their family environment to conditions of acceptance or tolerance:

> He would give me conditions. He would tell me, "Mommy, when you don't want to accept me as I am, tell me and I'll leave my house and go anywhere. Don't feel bad mom. Tell me what's going on." I would say, "No, son, I am not going to throw you out of the house." ... I told him, "I'm going to talk to your older brothers, so that they don't see you as a lesser object." (Mother of Sultana, trans woman, Tumaco)

Thus, the resistance in Tumaco went through strategic measures to survive, the impact on culture, and, finally, the healing of the multiple wounds that came from many places and that left traces on each of their emotional, economic, and political environments.

B. Forms of Resistance in Tolima

In southern Tolima, violence toward LGBT people was more specialized in terms of the function assigned to bodies and the possible military utility of each of the attacked individuals. This is a consequence of the much more politicized context of Tolima's culture, ranging from state presence to the consolidation of the revolutionary struggle and its subsequent taking up of arms. This deep politicization of the discourse by the armed actors translated into more detailed tactics of victim control and oppression. Of course, this same context also produced individuals with politicized resistance techniques, refined and specialized in disassociating themselves from the particular interest that an armed actor would have regarding their existence. The highly politicized nature of the southern Tolima context demands a sensible approach to the colonial structures that have operated for purposes of oppression and alienation of politicized indigenous communities.

For Fanon, colonialism is clearly infectious in the way it operates, since it is installed in a culture with the purpose of pseudo-dehumanizing the colonized in order to maintain control over a still useful population. Jean-Paul Sartre explains it thus in his introduction to Fanon's book: "Colonial violence not only aims at keeping subjected men with a respectful attitude, but also tries to dehumanize them"[346]. According to Fanon, the essence of being human is the perennial quest for freedom. This constitutes the "essential being", which must find harmony in its daily actions ("existential being") in order to free itself from alienation. However, this connection is impossible and continually cut short in those inhabit colonized territories, given that the environment around an individuality determines the (latent and potential) characteristics contained in each person.

The wounds of war (a product of the anti-colonial struggle, according to Fanon) can also be mental and affect people's lives indefinitely. This occurs from the first act of colonization, as the colonizer acts as a psychiatrist wishing to "normalize" their patient, which in this case is the entirety of Latin American society. This form of affecting begins with diagnosing the people to be colonized as "abnormal", leading to the appropriate treatment to readjust their psyche and, subsequently, their behavior. Both those who exercise violence and those who suffer and resist it find themselves at the center of infection of the germ of colonialism which, on the one hand, uproots colonized societies from their true autochthonous political and economic

346 SARTRE, Jean-Paul. Prefacio. In: Los condenados de la tierra. México D.F.: Fondo de Cultura Económica de México, 1983. p. 9.

representations and, on the other, throws individuals into an abyss of psychological and psychiatric affectedness:

> Yes. I got sick. I would just cry and cry. I ended up in a hospital, and toward the end, I left that environment. My friends would say to me, "Don't cry, don't cry." I ended up in a hospital. I got sick. They told me one thing and then another. And that's it. That's very hard for me, but, well, I leave it in God's hands. (Mother of Nicol, trans woman, Chaparral)

> I was very nice to him. I loved him very much. I mean, in other words, if he was alive, my life would be different. [...] He was the *cubita*. Holy Mary, he was. I almost went crazy. Every day I went to the cemetery at six in the morning.... [T]hat's where my son, Juan, was buried, and here Rafael. A grave in between. I went there every day, and a lady told me not to go back like that, because after a while I'd end up fighting with them. [...] [I] would be happy to see them, and then I would get angry upon knowing that they had not done as I said. Then, I would bend down and punch his grave, both of theirs. (Mother of Vanesa, trans woman, Bogotá)

This mixture exposed by Fanon is highly dangerous since colonized societies are subjugated from outside and within. Formally, institutions fail to transmit the true experiences beating throughout the community, as they are but imperfect and atemporal copies of European and American institutionality's long history. Subjectively, each person unravels their own very personal social fabric and, consequently, disrupts the abstract social order of which they had believed to be a participant. A society with plastic and alien institutions is inhabited by individuals with deep anxiety attacks who are not really belonging to their community, and with severe stress leaking through the violence. No community will survive for long under these strenuous conditions.

The institution of colonialism advances slowly (from individual to individual, from generation to generation), until violence is the communication mechanism and first line of resistance among the colonized people. This state of prolific violence in colonized territories (regardless of whether the formal processes of independence have already taken place or not) is "the dialectical result of the independence stage's semicolonial state",[347] which for many years was materialized in authoritarian Latin American governments, without going through the parliamentary stage that would "normally" come before (as in Europe).

347 FANON, Frantz. Los condenados de la tierra. México D.F.: Fondo de Cultura Económica de México, 1983. p. 159.

According to Fanon, colonialism is initially implanted through physically violent means in the territory it aims to colonize, and later seeks to uphold itself via other instruments that distort the colonized subjects' self-perception, namely being education and language. The survival of colonialism (a logical extension of the capitalist system) is ensured through the imposition of the colonizer's own social and political structures that alienate the colonized individuals' identities. In this cycle of establishment and perpetuation of oppression, Fanon states, there are suddenly cracks in how the colonized subjects communicate their individual identities. These emerge through self-destructive nihilistic acts.

Violence from the colonized toward the colonized is an act that, contrary to colonized individuals' communitarian ambitions, widens the gap previously opened by colonialism, ultimately producing greater alienation and distance between themselves and their true representation in governing institutions. These actions place the attainment of real freedom, which consists of the sum of the state's formal freedom (independence processes) and each citizen's individual and internal freedom (internal decolonization), further and further from reach.

LGBT victims in southern Tolima resisted the armed actors' violence (self-destructive escape as a product of colonialism, according to Fanon) by decolonizing themselves. To explain this finding, firstly, decolonization according to Fanon will be described; and secondly, decolonization as resistance will be exemplified through the relevant categories exposed by Fanon: changing and substituting the political institutions established by the colonialist regime and liberating one's own consciousness.

According to this author, decolonization consists of "seeing that the achievement of political freedom and individual freedom is a single and inseparable social and political process".[348] That is, it consists of recognizing the indissolubility between the public and private spheres, since personal liberation requires dismantling colonial institutionality and replacing it with structures that truly represent the identity of the people living in the colonized territory. This is, in turn, one of the oldest and most current feminist slogans: what happens in so-called "private" space has everything to do with what is done and said in "public" space. Interrupting communication between both spaces is a serious mistake affecting those who are subordinated in public discourses and actions

348 HANSEN, Emmanuel. Frantz Fanon: Social and political thought. Columbus: Ohio State University Press, 1977. p. 63

through private instruments of oppression. This is also how the LGBT victims from Tolima see it.

LGBT victims in southern Tolima transformed colonial political institutions by significantly changing their content. This occurred thanks to the political and social empowerment that the victims themselves created and bestowed upon themselves. According to Fanon, coloniality advances its oppression by creating and implementing institutions that presuppose the existence (and regulation) of oppressed and alienated subjects incapable of recognizing or promoting their interests. The first step in changing and replacing institutions begins with maintaining freedom, which refers to the subversion of the unjust oppressions to which they have been subjected.

Three victims directly confronted their victimizers and harassers, regardless of whether they were armed actors (FARC-EP), religious authorities, civilians, or family members. This shows that in several cases the desire for freedom (to shake off the forcibly heterosexual colonialist oppression already widely exposed in the Tumaco case study) came to fruition within direct interpellations that required reaffirmation of the Self. On the political side, this liberation has also existed thanks to the differentiated, autonomous, and staggered participation presented by indigenous *cabildos*, in which at least two of the victims from southern Tolima expressed a desire to participate:

> I'm taking steps to belong to a council. [...] I work in the communal part ... and all my life I've been very restless. (Jacobo, gay man, Chaparral)

The second step in changing and replacing colonial institutions is the expression of freedom. This is to say, these new institutions allow the individuals' autonomy and authenticity to develop with tranquility and space for institutionality. In the context of Tolima, this has translated into governmental requests and direct democratic participation, in some cases through the endorsement of indigenous councils, and in others by taking up positions as politicians in favor of the LGBT cause. Thus says Fanon in *the Wretched of the Earth*:

> Challenging the colonial world is not a rational confrontation of viewpoints. It is not a discourse on the universal, but the impassioned claim by the colonized that their world is fundamentally different. The colonial world is a Manichaean world. The colonist is not content with physically limiting the space of the colonized, i.e., with the help of his agents of law and order. As if to illustrate the totalitarian nature of colonial exploitation, the colonist turns the colonized into a kind of quintessence of evil.[349]

349 FANON, Op. Cit. p. 20.

The resistance in southern Tolima managed to overcome Manichaeism by inserting itself into political discussions, especially in elected office positions and in the general interest around politics. These debates bring audience members closer to a form of conciliation in which bridges between historical public interests and LGBT people's interests and demands become visible.

Five victims decided to participate in or begin their electoral path to enter the local political arena: Boards of Directors, Municipal Boards, Councils, Town Cabildos, and Local Administrative Boards. In addition, four victims have asked the Victims Unit for economic reparations for the victimizing events. This means that the institution of representative democracy –as imperfect as so many other inherited colonial institutions– has its own mark from the communities of Tolima that seek to make it their own by identifying, organizing, and selecting their interests as urgent aspects in the Colombian state's construction.

This handling of the democratic system is a true demonstration of the decolonization process proposed by Fanon, as it provides new social and political institutions with the purpose of maintaining and expressing each individual's freedom. All these political participations and aspirations require the inclusion of a discourse once exiled from public debate: that of LGBT people's interests. This drastic change in the institutions' content translated, materially, into its substitution. The inclusion of the LGBT agenda in the state agenda in southern Tolima meant that institutions could now contain LGBT identities.

In addition to institutional substitution, Fanon insists that individual consciousness must be liberated through self-knowledge, acting appropriately with respect to one's discovered identity, and, finally, avoiding social and cultural degradation. Self-knowledge takes on a special form in the context of the southern Tolima conflict, with regards to one of the control and punishment techniques employed by the FARC-EP that has profound psychological consequences: forced labor in situations of isolation. This practice was intended to rearrange the masculinity constructed by each of the victims:

> **Eugenia:** "In several cases it happened, that one saw them taking him away. People would say, 'That guy's like a faggot. They have him over there working so that he becomes a man.' [...] There was no road at that time. You had to go from Rioblanco to San Mateo, which was seven hours on foot, taking mules, bringing mules, as a muleteer. Or taking, bringing loads from there to here. You had to climb a ridge called the snake's ridge, because it was really steep. You had to bring panela from there, bring beans from there, because they were harvested

over there. [...] And they made you go over there to see if you would become a man, and the guerrilla right in front of you, in front of you, watching."
Colombia Diversa: "And did you ever have to do that?"
Eugenia: "Of course because they took us there to spend our vacations. Especially me, to make me a man. And one time a guerrilla member shouted at me, "Hey, gonorrhea son of a bitch, grab that *mocho* at least with your dick, goddammit, because...!" (Eugenia, trans woman, Chaparral)

They always used to bully me... They called me 'faggot', 'queer', said that I was a disgrace, that I was harming young people at the time. One day they came to take me out and kill me; thanks to the father... The heads of the community and commerce asked them why they were going to kill me... that I was a worker... that I wasn't doing any harm to the people. So then they put me to work in the *guachapeo*, to open sewers, to do everything, because of the way I am. (Jacobo, gay man, Chaparral)

Situations of forced labor were intended to cause Tolima's hegemonic masculinity to permeate the community; masculinity defined as the strong, provider, rural, hard-working man. Loneliness, on the other hand, was intended to weaken the convictions or elucidations that the victims had built about themselves up to that point. The victims managed to resist this alienation technique and maintain their identities and identity construction after the fact. The purpose of indoctrinating them and disrupting their self-perception as LGBT people was fortunately not achieved. As Thema Bryant-Davis[350] explains, recovery from trauma requires an intersectional view addressing all the oppressions that have intersected within the victim and, therefore, have caused unique and specific affects in their identity. It is clear that surviving this type of attacks is a form of resistance, but a full life requires more than survival; it requires the individual's prosperity and their possibilities to effectively flourish as a person. This prosperity cannot be guaranteed without effective care and attention to ensure that particular individual's –with all of their characteristics– success and happy life. This type of violence was seen only (with its particular loneliness and masculinized referents) in Tolima. This is no coincidence, because in the context of Tolima, political identity is an individual element of great importance, so the armed actors expect it to be "adequately" forged in accordance with their own values. This, in turn, corresponds to Tolima's deep conviction in electoral participation as a mechanism for social expression and participation.

350 BRYANT-DAVIS, Thema. Thriving in the wake of trauma. London: Praeger, 2005.

Some victims were forced to reverse their gender transitions in order to survive during this affectedness. This is a clear example of the psychological effects that violence (a product of colonial violence) leaves on all those involved. Other victims, on the contrary, managed to return to the democratic forum without renouncing their identities:

> I feel proud to be gay because it's something I didn't want, because it's something that came with me. So, I say to those people that... let's not be afraid, let's fight. (Jacobo, gay man, Chaparral)

As previously explained in the case of Tumaco, every time the victims have told their stories, they have also reached out to participate directly in the country's construction, under the deep conviction that their stories are important because each individual existence is relevant in the Colombian state's democratic project. This belief is seen from the conviction to listen and understand in scenarios such as the Colombia Diversa interviews:

> First of all, thank you for the opportunity you give us trans women to be able to vent. To say that yes, the guerrilla groups have done us a lot of harm, very great harm. That cannot be repaired, not even with money. Do you know what it could be repaired with? What you are doing with me. You are dialoguing, you are listening, my fears, my ailments, my shortcomings, my strengths. Where do I get them from? From what you are doing with me, listening to me and telling me, "Don't worry, this is going to be solved". Even if it is not a solution, but it is giving me peace of mind. Thank you for this opportunity to listen to a voice that comes from the bottom of my heart. So much pain, so much ardor that I had. Because this hurts. Apart from the fact that I am a trans woman, showing this face to people, it hurts. Apart from so much damage that has been done to me, and you take all afternoon to listen to my things. Thank you, thank you because no one, no one, no one in my life had ever sat down to listen to me. (Eugenia, trans woman, Chaparral)

> Good afternoon to everyone, to whoever is listening. Thank you for visiting me here in Chaparral. I never expected an opportunity like this, but maybe it is a good thing for me, a good thing for my children, to take care of my three kids... It is hard to work, but you have to take courage from where there is none to get money for a roof over your head, for a meal. [Weeping] The truth is, for me it has been very hard that they have done something to my son, and these are things of destiny that come at the moment... I look at him and I start crying to see that he is not with me. Now that he does not exist. Believe me, this is very hard for me.

> The truth is that I expect from you, I don't know what else to tell you. (Mother of Nicol, trans woman, Chaparral)

> **Colombia Diversa:** "How do you feel now that we are talking?"
> Nicol's mother: "I feel as if I have had a thorn removed from my side, that one is listened to. You can like rest a bit because those things go unpunished... you keep a lot inside." (Mother of Nicol, trans woman, Chaparral)

The victims' insistence on telling their stories is a way of resisting the erasure that the armed actors tried to make of LGBT people. Despite the profound uprooting of identity to which they were subjected, each of the victims reaffirmed their LGBT identity and took ownership of its individual and authentic meaning.

> When I lived in Bogotá, I had my queerness, but it was like my secret. Then when I came here, I said, "I want to come out of the closet. I don't want to keep this secret in my life anymore." I pretended I was a man, but no, I said, "I don't want to go on with this anymore. God knows what he does, and if people want to slander me, let them slander me and tell me whatever they want, I don't care." People around here, whoever wants to greet me, greets me. (Lina, trans woman, Chaparral)

This resistance is particularly intense in Eugenia and Yeimy, who decided to start their transitions after the victimizing events. This resistance is also expressed in the formation of the Chaparral Diversa organization, which presupposes exposure, publicity, and agency as LGBT people in the territory and as spokespersons.

> **Colombia Diversa:** "The relationship with your family?"
> **Lina:** "Very little ... [M]y support network is like the Chaparral Diversa group. That's my group of friends and like family. [...] Yes, because from the family you don't expect anything, you don't expect anything from the family. The only thing the family expects from you is to see if you die, to see what you leave them. (Lina, trans woman, Chaparral)

The three victims who returned to their places of origin after having been violently displaced also acted –after recognizing the threads of identity that compose them– in favor of their interests and in resistance to the armed actors' violence. It is no coincidence that these same three victims are part of the group now interested in participating in local politics, as their resistance (and introspection about their interests) translated into empowerment as relevant political agents. This self-perception is the result of a better understanding of their existence as a useful and valid contribution to society.

Along this same path of improving self-perception, the victims from Tolima's apparently invisible forms of resistance move on: their longings. In the interviews conducted by Colombia Diversa, four victims made their dreams explicit, even though it was not a question directly posed or prepared for this occasion:

> Well, I would like, I'd say, it's a dream, because you always have to dream. You never have to settle with your dreams. What you have to do is not leave your dreams buried there, but carry them out. As an entrepreneur, seeing that I was a peasant, a peasant boy, a little gay peasant. (Horacio, gay man, Chaparral)

This spontaneous enunciation of their dreams allows us to see that a projection of the self towards the future exists in the victims from Tolima, which means that they have a strong conviction with respect to their biological existence, their economic plans, and their participation in society. The dreams mentioned were: to have a job, to have their own house, to go back to school, to be mayor, and to pick coffee again.

> [M]y dream has always been to be a great coffee picker. I'm still a stylist, but my dreams, what I sometimes dream when sleeping, and dream about, is picking coffee. I love coffee... Not a coffee planter, not a corn farmer, not a rice farmer, it's coffee picker. I dream of picking coffee, and imagine how many years it's been since I've gone to the countryside. But my dream is to pick coffee, that is to say, it's something that I have in my mind, something that God gave me, something that I know is a gift I was not born with, but that God gave me. (Horacio, gay man, Chaparral).

This dreaming practice is of special importance when acknowledging the victims of the armed conflict's resistance, since it is a will that refuses to give in to the demonstrated "de-peasantization" produced by forced displacement. This is explained by the NCHM in its report *Una nación desplazada*:

> The scenarios of violence on the Colombian countryside, prolonged over time, have affected the peasant way of life and traditional and ancestral land use practices. [...] Where there has been a greater magnitude of the population, [...] the effects of de-peasantization are more critical, since it is not only about a quantitative loss, but also the destruction of community ties, the shattering of family or neighborhood relationships, and the installation of fear and distrust as ways of life.[351]

> I lived very well there in San Antonio because there was good food there, it was good to go out and walk, to work, you'd get a job. I got a job. He got a job, too. We

351 CENTRO NACIONAL DE MEMORIA HISTÓRICA, Una nación desplazada, Op. Cit. p. 226.

> lived well. But now that they kicked us out, we came here. It was always hard. It was always hard here. For food, I had to go to Abastos. We collected and sold trash. That's why I say that we used to live very well over there, but now we have to be here. (Mother of Vanesa, Bogotá)

There is also an authentic syncretism in which the institution of peasant identity –which in the context of Tolima would be incompatible with being an LGBT person– is redefined in favor of what Fanon would call autochthonous political representation and, simultaneously, an act of internal decolonization. This individual liberation is particularly powerful because, as in the Tumaquian case, it is intended to change the meaning of social institutions through existence and participation within each one of them. Being a peasant and LGBT (rather than being a peasant *despite* being LGBT) is a chant of powerful resistance and identity reaffirmation.

As a second liberating element of consciousness, we have the victims from Tolima's escape from social and cultural degradation. This was socially possible thanks to direct participation in institutions seeking to maintain or influence the societal order in southern Tolima. Four victims belong to Chaparral Diversa, an organization advocating for the protection of LGBT rights; one victim decided to enlist in the Army; and six decided to pursue studies in systems engineering, public administration, styling, horticulture, law, and nursing. These decisions are important because they are activities leading to the victims' participation in the Tolima market in various scenarios. Thus, from a different starting point, their identities will become part of the market where they will encounter other citizens and be able to extend their existences' validity.

Conversely, on the cultural level degradation was avoided through strategic decisions by LGBT victims to authentically manifest their identities in public and private spaces. This allowed southern Tolima culture to incorporate LGBT lives into the cultural mainstream, from strengthened family ties (three victims) to the formation of dance groups and the celebration of trans women's beauty pageants.

> For me, the pageants mean freedom of expression, to express what you are, what you feel, how you feel, how you want to see yourself. That is what the pageants mean. And here in Tumaco, it has been a very strong struggle to make people aware that we are a community, we are human, and we also have our moments of fun, and we show it that way, with a pageant, with a parade, with a theatrical presentation, with a dramatization, where we are not afraid if we have to play a woman's role in the dramatization, we do it, and we try to

> do it well so that people feel good when they look at us, so... yeah, for me the pageants and the stages where we have to perform dramas, dramatizations, mean freedom of expression, freedom to show myself the way I want to show how I feel. (Alex, gay man, Tumaco)

The Tuluní River trans pageant (extensively recorded and analyzed in the National Center for Historical Memory report *Un carnaval de resistencia*) was held in the outskirts of Chaparral from 2000 to 2015. The participants paraded in a territory popularly known as unsafe, particularly for the LGBT population[352]. The population of Chaparral attended this event with a high turnout and, according to the participants, this was due to the citizens' double standards. On the one hand, several men desired them and even made comments of desire or approval of their bodies[353]. On the other hand, several citizens tried to sabotage the event by obstructing the catwalk, creating rumors of copious unsafety during the event (bomb threats or guerrilla actions), and spreading harmful rumors about the participants and their role in Tolima society:

> In opposition to geographies of terror and scenarios of exclusion and violence, in the river pageant the LGBT people of Chaparral projected a momentary strategy that allowed them to produce a space to express themselves with relative freedom, shouting to the world through their made-up, high-heeled, and feminized bodies that they existed and deserved respect.[354]

The Tuluní trans carnival was one of the strongest and bravest moments of resistance that the community of trans women put forth in southern Tolima, as it made their existence public, exposed their bodies, and led civil society to participate in their celebration. In spite of ending due to the landlord of the farm where the carnival was held being murdered (apparently due to urban crime), this resistance allowed several LGBT people in Tolima to know that there were more people like them even willing to exist in public in a friendly cultural competition. This visibility, the rejection of threats, and the insistence upon organizing and executing the event, along with the solidarity and friendship networks that emerged during the carnival, are a great and spectacular example of how to resist as an LGBT person amid the armed conflict.

352 CENTRO NACIONAL DE MEMORIA HISTÓRICA. Un carnaval de resistencia, Op. Cit. p. 158.

353 Ibid., p. 156.

354 Ibid., p. 160.

C. Forms of Resistance in Putumayo

> "Monster" comes from the Latin *monstrum*, a word designating that which the gods wished to point out. Hence, *monsters* showed the future and marked the boundary between the human and the divine. From this same word come the Spanish words "mostrar" (to show) and "demostración" (demonstration).

The department of Putumayo was documented and studied by the Diversas Incorrectas organization. Their fieldwork allowed access to an informed look at the department's context and two people's cases. Thanks to their work, in this department it is possible to see demonstrations of the theory of monstrosity as interpretation of LGBT lives.

There is an open wound in the department of Putumayo difficult to remove from the collective consciousness: the genocide of indigenous people and their oppression during the rubber trade's slave regime at the beginning of the 20th century. It is estimated that at least 20,000 people were mortal victims of this regime[355]. This first massive disturbance in the midst of a republic is difficult to understand, as it is gravely defrauds the Social Rule of Law's promise for a reason as banal as the Casa Arana's business interests. Subsequently, there were two waves of migration accompanied by militarized state presence and consolidation of illegal economic traditions. In 1933, after the war with Peru, the Colombian government encouraged migration to the departments of Putumayo and the Amazonas, even declaring them commissariats[356]. At the same time, military bases were created in Puerto Leguízamo and Puerto Asís[357]. In 1950, the Nariño smallholding crisis caused a new migration of settlers from the department, who settled near the road between Mocoa and Puerto Asís. This period also saw the consolidation of the extractive oil industry (led by the Texas Petroleum Company), which led to the establishment of the municipality of Orito and settlements along the new Santana-Orito-San Miguel roads[358]. Simultaneously, the coca economy was consolidated, providing great economic and demographic growth to the former settlements.

355 COMISIÓN ANDINA DE JURISTAS PUTUMAYO. Serie Informes Regionales de Derechos Humanos. p. 18.

356 CORTÉS, Arsenio. 1984. Parte histórica de la Intendencia Nacional del Putumayo. CAP. Mocoa. Mimeografiado. Cited in: Devia, C. (2004). Orito y la Explotación Petrolera. Un Caso De Colonización En El Medio Putumayo, 1963-1985.

357 Ibid. p. 48

358 PNUD. 2016. Putumayo: Análisis de conflictividades y construcción de paz. p. 12.

These characteristics attracted the armed actors' interest in the region and in coca production and its subsequent transport. Putumayo produced 36% of all the country's coca[359], so the FARC-EP had great interest in controlling this product's cultivation and commercialization. The 32nd Front was formed in 1982 during the Seventh FARC-EP Conference[360] and was located in Lower, Middle, and Upper Putumayo, while the 48th Front was formed in 1991[361] and settled in Lower Putumayo, concentrating on the Guamuéz Valley. These armed actors remained there until their demobilization in 2016.

> I moved to Puerto Asís to work, to fight because at that time there was a coca boom, so that was what brought in money, and what did I do? I went to work on farms, I picked the coca. I worked in that for about four years. (Jorge, gay man, Putumayo)

Further, in 1987 paramilitary groups arrived in the department to carry out their own coca-growing operations. Their "Los Combo" (rural) and "Los Masetos" (urban) Blocs operated until 1991, when the FARC-EP consolidated its territorial hegemony. The guerrilla group generated social control strategies and behavior guideline manuals for the civilian population[362] that established restrictions on mobility, land use, trades, and other provisions regulating the daily lives of the area's inhabitants[363], among other measures. This large FARC-EP presence encouraged the stereotype around the Putumayo peasantry collaborating with the FARC-EP. In 1997, paramilitary groups tried to regain control over the territory and, of course, were merciless to those they believed to be their adversaries' collaborators. They were responsible for massacres in El Tigre, Valle del Gamuéz, La Dorada, and Placer throughout 1999. Paramilitaries from the Southern Putumayo Bloc murdered at least 2,500 people and left 5,500 victims, according to records from the Justice and Peace Unit of the Attorney General's Office. For almost ten years, they sowed terror in several municipalities throughout the southwest of the country. Although this violence was committed under the pretext of fighting the guerrilla groups, the ulterior motive was territorial control and control of illegal economies, including drug trafficking[364]. In 2006, 504 paramilitary group members demobilized, but still today post-demobilization armed groups maintain their presence via actions of intimidation, drug trafficking, and control over citizens' behavior.

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359 UNIVERSIDAD NACIONAL DE COLOMBIA. 2012. Coca Política y Estado. El Caso de Putumayo 1978 -2006. p. 31.

360 VERDAD ABIERTA. 2012. Las Conferencias de la expaxión 1982-1993. CNMH: Petróleo, coca y despojo territorial p. 189.

361 CNMH. 2012. El Placer. Mujeres, Coca y Guerra en el Bajo Putumayo. p. 37.

362 FUNDACIÓN PAZ Y RECONCILIACIÓN. (2014). Informe Putumayo. p. 59

363 FUNDACIÓN IDEAS PARA LA PAZ. Conflicto Armado en Caquetá y Putumayo y su Impacto Humanitario junio 2014. p. 3

364 VERDAD ABIERTA. 2010

Amidst a context of armed actors' strong social control, economic dependence on illicit markets, and conflicts over land use, in Putumayo there is disdain for non-normative gender identities and sexual orientations. This is of particular interest and deserves a careful analysis. Why are certain identities and certain loves looked down on in a terrain where one lives off coca, one walks carefully so as not to step on landmines, and one depends on the approval of heavily armed men and on navigating the strict rules of conduct that said actors regulate? How is there room there for additional control, for more violence of interest to both armed actors and citizens? For Colombia Diversa, this repulsion's origin can be found in a rejection of that which is monstrous, for that is what the notion of LGBT is considered to be. According to Caroline Picart and John Browning[365], this is possible thanks to conceiving the notion of LGBT as "monstrous", being this an ethical and aesthetic code imposed upon humans. However, LGBT people from Putumayo have resisted the negative connotation of "being monsters" and have decided to be happy monsters:

> It used to be rejection, when I was a young man about 17, 18 years old. Rejection. There it was "No, the faggot...". I don't know. Most people treated me badly like that, but then I was like, aha, what am I going to do? Have a wife? I'm not in the condition to do that. [...] Because that's what they told me: "It's okay if you're a faggot, but get a woman and there you can cover everything up". I told them, "No, but I'm not going to be like that because I'm going to be unhappy. [...] I don't want to hurt myself or hurt that woman. (Jorge, gay man, Putumayo)

The discipline charged with observing and studying these issues is teratology, which investigates "the abnormal" in medicine, biology, and culture. This definition of the abnormal, as Foucault has explained at length[366], begins with the assumption that there is a Normal behavior corresponding to the values and social expectations that are approved and, therefore, considered appropriate. By opposition, whatever deviates from that Norm is seen as perverse, sick, undesirable, or criminal, and is persecuted and disciplined through institutions aiming to contain or eliminate the "deviation". But these abnormalities are, in fact, acts of great resistance and decision directed toward being oneself without yielding to the demands imposed by society through the discourse of "normality".

365 ICART, Caroline Joan & BROWNING, John. Speaking of monsters. London: Palgrave Macmillan, 2016.

366 In his famous works *The History of Sexuality and Discipline and Punish.*

i. Surviving Threats and Forced Displacement

In Putumayo, the FARC-EP played a role as organizers of civilian life and administrators of justice. This is how Gabriel narrates it:

> We were not allowed, let's say, we never had the opportunity to participate in a municipal pageant. We had support neither from the mayor's office nor from the government, not even for the dance groups or the theater groups, nothing. They were simply for those who lived in comfort. The children of the richest were the ones who could go out dancing to other municipalities, choreography shows and all that.

In places like Puerto Guzmán, the FARC-EP imposed the "Manual de convivencia para el buen funcionamiento de las comunidades", a series of "commandments" written on placards posted in public spaces. All the inhabitants knew them and were obligated to comply. Otherwise, they would face the consequences: fines, forced labor, exile, or murder. The Juntas de Acción Comunal (JAC) became an important platform to "oversee due compliance with that Manual" (Cancimace, 2014, p. 118)[367]. They also regulated commercial transactions, social events, employment relations, family relations, and the education system. Violence toward LGBT people, which began in the home, seemed to have no respite. This is how a participant of this report relates it in a group documentation:

> Even the parents themselves were fierce about it because they would not allow a female daughter to be with another woman or a male son to be with another man. It was such a big sexism issue, so strong it was not possible to make their situation visible. By making it visible they arrived... well... that's how far the story goes.[368]

In middle and lower Putumayo, all illegal armed actors used pamphlets to propagate threats. Social control was imposed through these pamphlets, singling out people socially stigmatized as drug consumers, thieves, and sex workers, and people with diverse sexual orientations, gender identities, and gender expressions. These pamphlets were particularly targeted at social leaders involved in human rights processes. Some were murdered days later, while others were permanently displaced from the territory. Gabriel, for example, did not want to report a threat of forced displacement because he was convinced that the perpetrator had been another citizen:

> I was on my way home when I found my mother crying. I found everything in disorder. They had turned the whole house upside down. They had made a

367 CANCIMACE Andrés (2014) Echar raíces en medio del conflicto armado. Resistencias Cotidianas de colonos en Putumayo. p. 118.

368 Focal group #1. Diversas Incorrectas.

> mess and they had left a message for my mother saying they gave me three days to... for me to leave the town, that they didn't want to see me here in Mocoa anymore. (Gabriel, 2018, Putumayo)

This is how strong the social reprimands against LGBT people could be. In this case, Gabriel resisted by breaking up his family unit, believing he could protect his mother from violence. However, later his house was burned down and, as a result, he moved to Huila. It was only there that he executed one of the best known forms of formal resistance:

> I moved to Pitalito. I reported my case there. [...] It was a year during which I couldn't come here to Mocoa. [...] I had to start from scratch, paying for a room. (Gabriel, gay man, Putumayo)

The AUC, on the other hand, carried out mass forced disappearances in Putumayo. As a result of this paramilitary practice, during the first half of 2007, the Attorney General's Office found 56 mass graves in the municipalities of San Miguel and Valle del Guamuéz, with approximately 211 skeletons, including Ecuadorian citizens who had been reported missing[369]. According to the UARIV, between 1985 and 2018, 6,834 forced disappearance victims were reported in the department.

Collusion between paramilitaries and the government[370] is of particular importance when considering control over identities and sexualities. This alliance relied on a previous pact among citizens: the pact of compulsory heterosexuality. In this sense, there are multiple circumstances in which people with non-normative sexual orientations, identities, and gender expressions were violated by community members without reproach. An example of this is the case of a young lesbian woman from Puerto Colón in the municipality of San Miguel, who became pregnant as a result of a "corrective" rape by a group of men in the area[371].

At the time, citizens of Putumayo communicated directly with the paramilitaries, who, in turn, easily used weapons and state structures to single out, punish, and banish those perceived as "monsters". One of the Putumayo victims states it thus:

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369 DEFENSORÍA DELEGADA PARA LA EVALUACIÓN DE RIESGOS DE LA POBLACIÓN CIVIL COMO CONSECUENCIA DEL CONFLICTO ARMADO. 2005. No. 041-07 Segunda Nota al Informe de Riesgo No. 002-05 February 18, 2005. p. 3.

370 According to the report *El Placer: Mujeres, coca y Guerra en el bajo Putumayo,* collusion between the state and the Putumayo paramilitaries dates back to the late 1980s, with the collapse of relations between Gonzalo Rodríguez Gacha and the FARC-EP. At that time, this drug trafficker advanced an anti-communist discourse that brought him closer to state law enforcement.

371 Focal group #1. Diversas Incorrectas.

> It was so visible that when combat occurred, the Army helicopter would arrive to support the paramilitaries after 10, 15 minutes. At a roadblock, you would encounter people from the Army, and you would look back and they would be paramilitaries.

At that point, violence was continuously exerted by the AUC and the National Army. This form of power began with the definition of what was Normal, on the one hand, and what was monstrous, on the other. In this scenario, the civilian population was caught in the middle, at the mercy of the armed groups' actions. Naming what is monstrous is useful to enforce social norms that would otherwise seem too abstract. This is how Picart and Browning explain it[372]:

> Though [we are dealing] with the "disciplinary" function of the "monstrous" – that is, the function of policing the boundaries separating the "normal," "rational," and the "citizen" from the "abnormal," "irrational," and the "criminal"– what also emerges is that the site of the "other-than-normal" is also the nexus upon which, potentially, brave new worlds may be reimagined and forged.

LGBT lives are a monstrous event in which one loves, exists, shows themself, and lives without obeying those boundaries and, therefore, in a field constantly reprimanded and rejected by society. This is so because the *monstrous* "designates less of a 'thing' than a category or class"[373]. The monstrous helps show that which is supernatural, which marks the end of civilization and the beginning of a place in which the lack of rules also predicts a lack of happiness and respect. Hence, monsters are not universal and atemporal, but rather correspond to resistance of the specific social and cultural framework that generated them[374].

This conception of LGBT people as monsters includes their *dehumanization*. Thus spoke an armed actor to Jorge:

> "You are the first thing we are going to eradicate." Then the other said, "Yes, we know that you are the main one going around here being a fag with the people from here and gossiping with them because you hang out soldiers." (Jorge, gay man, Putumayo)

The use of the word "thing" instead of "who" or "the one" denotes Jorge's objectification, in an attempt to turn him into an object and not see as a person. This is but a linguistic demonstration of the monstrous and disgusted conception that armed actors have of LGBT people in Putumayo. What happened next demonstrates this prejudice's reach on a corporal level:

372 PICART & BROWNING, Speaking of monsters, Op. cit.

373 Ibíd. p. 2.

374 Ibíd. p. 15

> So then I wanted to come over here. [...] One of those men came and grabbed me from here [points to his shirt]. [...] I couldn't get away. [...] They threw me to the ground. [...] They started kicking me, punching me, and one of them said, "No, this faggot son of a bitch, we're going to finish him off in one go." Then he pulled out his revolver. (Jorge, gay man, Putumayo)

Once they desisted from killing him, they decided on another crime:

> They said, "No, you know what, we are going to do everything we do to all faggots." [...] They were going to rape me. [...] I hugged a tree and said, "No, no, don't do that to me, no, please." [...] And I said, "No, if you're going to do that to me, you'd better kill me, instead." [...] There were about twelve people. (Jorge, gay man, Putumayo)

LGBT people from Putumayo resisted by insisting upon their monstrosity upon seeking out other LGBT people, getting to know each other, and establishing relationships based on affection and trust. This was particularly courageous in areas far from urban centers, where their monstrosity was more notable and gossip around their gender identities or sexual orientations spread more easily. There, LGBT people resisted by creating codes of communication allowing them to connect in public without being "outed".

However, when the risk was too high, they decided to hide their true identities, curtail their affection for their partners, and relinquish their gender identities. The focus groups recounted three homophobic events in which these forms of resistance were not enough to bring peace of mind to a lesbian adolescent and two gay adolescents, who committed suicide after their sexual orientations were revealed. For LGBT people, the stakes are not low within the entanglement of social and armed control that erases and rejects their existence. This rejection (labelling them as *monstrous*) was perceived by Gabriel, one of the victims interviewed: "We were ashamed here. Everyone kept quiet, everyone as if it were a taboo."

This shows that the acceptance of monstrosity is not a mere act of self-understanding or resignation. It is also an affirmative attitude requiring greater efforts to continue constructing one's own authentic monstrosity of self. George Haggerty puts it very well in his queer interpretation of the novel *Frankenstein or the Modern Prometheus* upon acknowledging the familiarity that LGBT readers feel when reading this novel because "[it is not that] we all create monsters, but we do create ourselves, and in doing that we sometimes destroy those we love whether we want to or not." This means that the reason why this novel still haunts us so much is because "the Promethean myth that it embodies does nothing less than explain what it is to be a human being.

To be a breathing, desiring, needing, feeling creature, that is, can only be measured in levels of monstrosity."[375]

This monstrosity, in turn, is the great human impulse to defy the determinism that shackles their daily lives and, on the contrary, to explore their identities and desires through forbidden channels (such as storytelling by women or life gestated by a man, which are monstrous answers to the fundamental questions that Frankenstein asks, according to Barbara Johnson in her text *My Monster/My Self*). In this way, the Putumayo LGBT victims' vital impulses were labeled as monstrous and unnatural. Conversely, in their reinterpretation, their identities and freedoms persisted because queerness (according to Normal society, the *monstrous*) is that which resists the dominant ideology, for queerness "can never define an identity; it can only ever disturb one"[376].

Gabriel was one of the victims who actively resisted by inserting himself into politics, championing Putumayo's LGBT interests: "I focused on working for the community and I am currently on the municipal board representing the LGTBI community." Gabriel initiated debates in the Mocoa Council, then worked for the creation and implementation of the department's LGBT public policy. Jorge also decided to become an activist and participate in the municipal victims committee to represent the interests of LGBT people in Putumayo.

ii. Resisting Childhood Damage

In Putumayo, as in the other territories reviewed in this report, LGBT childhoods and adolescences are not safe or comfortable periods. Suspicions around their monstruous identities begin at an early age and, consequently, so do punishments and acts of violence. In Putumayo, as previously stated, at least three adolescents committed suicide in 2016 after anticipating the stigma and social sanctions they would receive for being homosexual. This lack of protection is largely ignored by the Colombian state, which so insists upon protecting children and adolescents through strategies such as hindering adoption by same-sex couples or censoring sex education in primary schools. However, children and adolescents who are or appear to be LGBT receive corporal and psychological sanctions and even abandonment by family

375 HAGGERTY, George. What is queer about Frankenstein? In: The Cambridge Companion to Frankenstein. Cambridge University Press, 2016, p. 119

376 EDELMAN, Lee. No future: Queer Theory and the Death Drive. London: Duke University Press, 2004, p. 4

members and strangers –particularly third parties to whom the family entrusts the minor's "conversion" through military training or forced labor to reinstate hegemonic masculinity or femininity.

Gabriel was a victim of violent rape at 11 years old. He did not report or tell anyone what happened. At the age of 16, he recognized himself as bisexual, leading him to leave home and fall into the cycle of tragedies mentioned above: he had to seek economic survival in illegal or unprotected sectors, aggravating his feelings of helplessness and loneliness. Despite this serious affectedness, in his adulthood he decided to influence the formal conditions of Mocoa and Putumayo to obtain improvements for LGBT people. This turn towards community improvement is a very important form of resistance, as it is the opposite of self-destructive actions. The latter usually occur when the person considers themself responsible for the event in which they were victimized, so acting in solidarity and community improvement highlights the dignity and the valuable vindication of their LGBT identity.

Upon being driven out of their closest family circles (either to hide their gender identities or sexual orientations, or to explore them in peace) LGBT children and adolescents also found themselves closer to scenarios with a lack of protection and greater exposure to violence.

> When I was a kid, six, seven, eight dead people would arrive every day, and I would see how they opened them up. (Gabriel, gay man, Putumayo)

> When I was 13, 14 years old, my uncles were like very sexist, and they started to treat me badly: "What's up with you? Are you a faggot? Don't you like women? [...] What's wrong with you? Are you going to be a faggot?" And it was always like that. I lived like that for about seven years, and now I live here very traumatized by them. (Jorge, gay man, Putumayo)

This early and indiscriminate exposure to violence increases the possibilities of suffering from anxiety, desensitization, and splitting of the self with respect to its environment. In their adult lives, these two victims have decided to build spaces of political (activism) and formal resistance (incidence in public policies). This is a manifestation of the resistance that LGBT people from Putumayo managed to drive forward, despite their monstrosity, the threats, the displacements, and the deep wounds from their childhood. Through monstrosity, they continue to show the Normal's limits, yet no longer to prevent and punish those who cross them, but to celebrate and dignify non-hegemonic lives in democracy.

D. Forms of Resistance in Pasto

The situation of violations and extremely high levels of violence in the department of Nariño has already been described at length. In Pasto, we were able to interview four people who, despite the violence committed against them, materialized the "struggles for dignity" exposed by Serrano Amaya in his book *Homophobic violence in armed conflict and political transition* (2018). This theory fits particularly well with the events in Pasto because it refers to a different form of resistance, since homophobia as a political act was implanted in the Colombian conflict (fueled, as stated above, by a discriminatory familial and social context). Therefore, the resistance in Pasto was marked by a highly political insistence on the victims' dignity and, almost ironically, caused their emergence as consolidated political entities[377], as on their bodies there is a "conglomerate of violences" that can be traced back to the colonial system (as we have already explained extensively in the cases of Tolima and Tumaco). This means that resistance and the struggle for dignity also permeate colonial institutions and seek to approach the institutional authenticity recommended by Fanon for personal decolonization.

The first moment of resistance in Pasto, as in the other territories reviewed, begins in the home and the spaces intended to protect and educate children. Ruth, a lesbian woman, activist, and victim of sexual violence whose victimizing events occurred in Putumayo due to her activist work in Pasto, recounts these experiences as follows:

> **Colombia Diversa:** "What was the community's perception of LGBT people?"
> **Ruth:** "Of course, it was not good there. I mean, it was the worst thing that could happen in families, in society."
> **Colombia Diversa:** "What was said? What did the community say about LGBT people?"
> **Ruth:** "That they are sick, that they come to harm others. They were taken out of schools. They didn't let us go on. I studied at the Normal School and from there I went to the Champagnat, and some teachers would not let me continue studying. They almost kicked me out."
> **Colombia Diversa:** "Because of your sexual orientation?"
> **Ruth:** "Mmhm, but I told them no, I didn't know yet, but they said yes, that I hung out with friend who you could tell was a lesbian. She would answer back to them and would shout that yes, she didn't care. She was my friend. I hung out with her. So, they wanted to call my friend too. They called my dad, my mom,

377 SERRANO, Jose. Homophobic violence in armed conflicto and political transition. London: palgrave macmilan, 2018, p. viii.

> and told them that they would make me graduate only formally, on paper, and things like that." (Ruth, lesbian woman, Pasto)
>
> In a world like this, which I have always lived in, it has been very heterosexual. The traditional family, everything traditional. So, I am starting to remember things that maybe I had hidden in my mind. So, maybe I realized that I did not obey that heterosexual pattern, that I was not heterosexual like the idea they sell to you, but that I felt different. I began to realize that since long before, since I was a child, I felt different from my peers. Although in high school I had a girlfriend. [...] That is what I have been remembering. A time during my adolescence that I did feel that I didn't have friends with whom I could talk specifically about it. I have been remembering that at one time I did feel like alone in that, I did feel different. (Rafael, gay man, Pasto)
>
> My family already knew about my sexual condition and everything. Even if I had problems with them, because sometimes they accept you, sometimes they don't, but my family already knew about my sexual condition. (Humberto, gay man, Pasto)

From an early age, dignity is at stake for LGBT people. Humberto's parents began to take him to psychologists and hypnotism sessions in the hope that his homosexuality would disappear. Identity, education, and the possibilities of sustaining friendships or living in an environment free of prejudice are privileges almost unknown to LGBT children and adolescents.

This struggle for dignity is led by the victims themselves, and ultimately also becomes part of the decisions made to tell their stories through academia, the courts, and other institutions (such as the Truth Commission). Just as Ruth begins her story with the institutional resistance of the organization she leads, so too those who study homophobic violence must track the spaces of light and dignity the victims have given themselves:

> [The organization] is a space for women. Initially, it was for women victims of gender-based violence, but later LBT women and women victims of violence in the context of the armed conflict joined. (Ruth, lesbian woman, Pasto)

Similarly, Rafael found his passion for activism in the university:

> **Colombia Diversa:** "Did you begin your activism in Pasto?"
> **Rafael:** "Yes, I have always done it here. I mean, in college, when I entered the university I started doing things related to human rights. Then this led me to get involved in LGTBI activism, which I started later, about four years later." (Rafael, gay man, Pasto)

> The first threat came and then one of my friends got involved with the topic of "Planeta Paz". He went to an event, he found out about the LGBT acronym, which we didn't know about here, and when he came, he proposed that we create a group. So, I liked the idea. I already identified as a homosexual man, so I thought it was interesting and we got started. On the side, learning what "LGBT" was. I'm a bit of a nerd, a bit of a bookworm. I started to investigate what it was, and I started to like it. (Rafael, gay man, Pasto)

Ruth also began her interview by saying that she dedicates her time mostly to activism and art based around the feminist and LGBT movements' influences. This intersectionality is not random, as it speaks to the experiences of LBT women victims of the conflict in different Colombian territories. In order to resist violence and to develop one's own dignity, one must make use of all the tools that tip the scales of justice and solidarity toward all that one *is*: race, class, sexual orientation, the conflict, and cultural interests, among many other aspects.

The homophobic violence Ruth endured began when, in her youth, she saw LGBT people murdered and hung from trees by the road:

> **Ruth:** "In Lower Putumayo, you couldn't say that people were LGBT because they killed them at once. [...] They impaled them, killed them, and left them on the roads. [...] In the trees, you would pass by in a car and see them.
> **Colombia Diversa:** "Was it known who impaled these people?"
> **Ruth:** "It was the FARC because they signed the trees: FARC 48." (Ruth, lesbian woman, Pasto)

This signal was obvious and persuasive enough in itself. In fact, cases of prejudice-based violence toward LGBT people are so similar and widespread that victims recognize it as a national occurrence:

> **Colombia Diversa:** "Is there any violence or experience unique to Putumayo for LGBT people?"
> **Ruth:** "No, it's very similar to the rest. [...] They take us away from where we live, they tell us women that they are going to teach us how to be real women, the rapes." (Ruth, lesbian woman, Pasto)

However, prejudice-based violence came directly into the lives of the LGBT people interviewed. Like the rest of the persecution dynamics of persecution that have already been narrated, in their adulthood it started with the armed actors' threats and harassment:

> In June 2012, since January I was already receiving threats like the ones that are happening now again. They would call me. They would send emails to my

> dad with pictures of me. [...] They would send emails to my dad with pictures of me and my partner. [...] They would tell him that since I was into activism and all that, they told him that if my dad didn't shut me up, they would shut me up. They would go to my house, they would look for me, they would call me. I had to change my number all the time. I could not go to Sibundoy anymore. (Ruth, lesbian woman, Pasto)
>
> He threatened me with those exact words: "Here faggots are not wanted. Here faggots are killed." (Humberto, gay man, Pasto)

Given the insistent threats, Ruth's parents told her to go live with them in Sibundoy, to accompany her. There, four men from the FARC-EP's 48th Front entered the house, beat her, threatened her with a gun, and separated her from the other people there. Then, each one of the armed men gave violently raped her, while the other three pointed their guns at her. They told her that if she screamed, they would hit her even harder. They alternated between death threats directed toward her and the rest of her family, who were confined to the courtyard. This rape lasted two hours.

> They called me a whore, a bitch, and said that this was the only way for me to learn to be a real woman and not harm the other girls there in Sibundoy. (Ruth, lesbian woman, Pasto)

Upon finishing the crime, these armed men told her that she had to leave and "never again return to Sibundoy". Ruth went to Pasto the next day, wearing the same clothes she had worn during the attack.

Herein lies the second great resistance in Pasto: to flourish. Her political and activist work did not cease in the violence's aftermath, but rather grew stronger. Despite the situation of precarious safety, Ruth insists on navigating the threats to continue doing her activist work:

> The thing is, the threats still persist and, for me, staying put in one place is very difficult, especially in these departments where the attention required or that you ask for never arrives. So, when they call me to threaten me or call to say things to my family, I have to be on the move. (Ruth, lesbian woman, Pasto)

This is due to the engine of dignity and authentic life for LGBT people being a much more valuable motive than the armed actors' threats. Andrés and Rafael resisted by maintaining a close affective and survival relationship, on which they relied to survive the armed actors and to organize through activism to demand their rights' recognition and application. This vindication of their rights after the latter's violation indicates that the victims from Pasto did indeed develop their dignity.

> **Colombia Diversa:** "Is there a particular reason why you decided to dedicate your life to defending women's rights?"
> **Ruth:** "Yes. At first, since 2011, it was because I suffered violence. At home, the violence toward my mother was terrible. So, I came to Pasto to study in 2008, [...] and then in 2012 they kicked me out of Sibundoy, and then I got involved in the issue defending rights in the context of the conflict." (Ruth, lesbian woman, Pasto)

> Giving thanks to God, you have to just get up and move on. And so I have moved on with my life, and all that, but always, as I said... um... in guerrilla zones, or where there were guerrilla members, it is preferable... I don't like to go there. Those parts, I don't like to go to them. Because it seems that they are going to be there and that they are going to do something to you. Now I'm already afraid to face this. (Humberto, gay man, Pasto)

Rafael also experienced several verbal, cyber, and written threats. After he consolidated his LGBT activist platform, Agora, his victimizers identified themselves as the "Hitler Brotherhood". These threats were serial, and the criminal organization harassing him claimed responsibility for the murder of two trans women in Pasto. Simultaneously, Rafael was trying his luck in the Pasto political scene through the Polo Democrático party, in an attempt to participate in the city council. During this campaign, his political slogan was *"The first openly homosexual candidate for the Pasto City Council"*. This political decision shows how discourses of oppression can be reinterpreted by the people who withstand them. During this campaign, he received threats yet again, and one night two people who identified themselves as paramilitaries entered his apartment and told him that they knew what he was doing and where he was. They lifted up their jackets and showed him the weapons teach of them carried on their belts. His communications were intercepted (landline, cellphone, e-mail). In the midst of the campaign, in early January 2007, men broke into his apartment and stole only his computers (despite money and luxury items also being available).

Dignifying political resistance is profoundly valuable for Colombian democracy. The victims themselves acknowledge the difficult paths they walked to reach their current participation and dignity:

> **Ruth:** "I fell into a terrible depression. I think I didn't study at the university for a semester because I wouldn't leave the house, the apartment, the place where we lived. I wouldn't make an effort to bathe, to eat, to change my clothes. My partner had to bathe me. I couldn't touch myself, I couldn't change, I wouldn't

buy clothes. Nothing. [...] I couldn't feel my hands. I was not aware of my body parts. So, I said that if my hands had not served to defend myself, what good were they now? [...] If I had done as they said and kept quiet, and not continued with the issue, none of this would have happened."
-Colombia Diversa: "Not continue with what issue?"
-Ruth: "With the defense of rights, with continuing to talk about rights, about the LGBT population."
-Colombia Diversa: "For you, was explicit that what happened was because of your work as an activist and for LGBT rights?"
-Ruth: "Mmhm, and because I am LGBT." (Ruth, lesbian woman, Pasto)

It took me a long time to get over this, through many tears and a lot of pain. Before, I could not tell the story like that. Although now it causes me a lot of pain, before I could not even tell it. At the National Center, I didn't tell it like I tell it now. It was very superficial, but I think that other people's help by listening to you and there being some spaces that help to mitigate this pain, leads you to getting back on track with your life. Because staying silent and not talking about it is even more painful. You start to be consumed and consume that pain, and it is not good. (Ruth, lesbian woman, Pasto)

But after the threat, it's like you go to a town, you go to do something, and who knows if they're going to be there, or if they're going to say something to you. You don't want to go out to bars. You don't want to go out to clubs. Nothing. You want to spend your time, better... preferably more shut away. You don't try to show what you are. (Humberto, gay man, Pasto)

I started to become very bad-tempered, very distrustful of everyone, paranoid. I became... because you begin to change. My character changed. I became a distant person. I felt odd. I didn't think just about myself, but also about the people around me. "If they kill me, whatever, but if they do something to him or to my partner, or to my family..." (Rafael, gay man, Pasto)

We would go into the house, stay in the house, and not go out at all. Every once in a while, we would go out for a little walk, and that was it, then we'd come back. (Andrés, gay man, Pasto)

I was afraid to go out on the street. I mean, I would see a motorcycle pass by, I would see someone pass by, and I was already trembling and I didn't want anything. [...] You don't want to go out. You think they are going to kill

> you, that they are already on to you. If they knock on the door, sometimes you get scared because you think it's for you, that they are looking for you. (Humberto, gay man, Pasto)

This political resistance is important because, in addition to nurturing democracy and benefitting all those unconnected to the incident, it also allows the victims to deal with the trauma and heal seemingly incurable wounds. "So much violence cannot go down in history as if nothing had happened. [...] Reconciliation requires taking charge of the past and acknowledging and making reparations for the victims by incorporating their memories and the memory of the struggle through conditions of justice and equity"[378]. Only in this way, as Elizabeth Lira explains, can the horrors be alleviated through the political and judicial system, as they can "also play a therapeutic role by confirming the victims' experience (which has been denied for decades) when the judge defines the abuse and injustice suffered by people as a crime, orders the perpetrators' punishment, and determines reparation measures"[379].

Ruth's case is particularly painful because the damage deeply affected all her vital spheres. She bled for four months. As a result of the gang rape, she became pregnant and had to voluntarily interrupt her pregnancy in an irregular manner, as she felt too ashamed, guilty, and afraid to go to a formal medical service. She also became cold and distant from her family members, as she blames them for not helping her during the episode of sexual violence. Her father still considers the cause for so much violence to be her relationship with another woman, and not the armed actors' will and discrimination. In mid-2018, the threats against her continued, alluding to the episode of sexual violence and warning that it could be repeated if she continued her social leadership as an LGBT activist. But one of her forms of resistance began, as Serrano describes, with these victimizing events that disturbed her and imposed a regime of distrust and fear upon her:

> **Colombia Diversa:** "You had told us that your relationship was one of the things that helped you move forward and deal with what happened to you. Is there anything else?"
> **Ruth:** "The *batucada*. Yes, because I was very afraid of the drums and it was because of the sound. Yes, because of the sound, I couldn't assimilate it. It scared me to death. My heart would race when I heard it. Yes, horrible. I would start sweating, I would leave. But when I started being in the *batucada* and playing the bass drum, I felt it was a part of me. From that moment on, I once again

378 LIRA, Elizabeth. Trauma, duelo, reparación y memoria. In: Revista de Estudios Sociales. Bogotá, 2019. Vol. 1. No. 36. p. 15.

379 Ibid. p. 16.

> realized that my hands were good for something else. That's why I love it. I love my bass drum because, as I told you, I felt like I told you, I felt that I had no hands, that they were useless to me. If they hadn't been useful to defend myself, what are they going to be useful for now? After playing the bass drum, I feel that my hands are good for something else." (Ruth, lesbian woman, Pasto)

Like Ruth, two lesbian women were victims of violent rape by FARC-EP members for "corrective purposes". That is, with the objective of "expelling" homosexuality from their bodies via sexual violence. Surviving sexual violence is one of the forms of political resistance because, in Ruth's case, she reconnects with the feminist *batucada*, a group that makes noise, shows itself openly, and demands attention for feminist issues. In addition, as Segato has extensively explained, "the expression 'sexual violence' is confusing because, even if the aggression is executed *by sexual means*, its purpose is not of a sexual nature, but rather related to the power structure"[380]. Thus, to survive a sexual assault is to survive a power mandate about the feminine/masculine hierarchy.

This political resistance even had to be implemented against the police. In Rafael and Andrés's cases, the threats and interceptions upon initiating their political activity came from e-mail addresses known only to the police, as they had been created at the police's request to communicate previous threats. Thus, amidst resistance to violence by illegal armed actors (reports of previous threats), it was necessary to carry out resistance to threats from officials who were supposed to represent the state and protect its citizens.

Rafael and Andrés are the protagonists of the third great for of resistance in Pasto: the reconfiguration of cultural references. They stood against Pasto's bishop, who publicly complained about Rafael's political participation and insisted on the general rejection of LGBT people. Knowing that the bishop had been in a relationship with his personal secretary for over ten years, Rafael published a statement with this sentence:

> I will not allow myself to be judged in public by the person who invites me to his bed in private. (Rafael, gay man, Pasto)

This was the beginning of a personal and public discussion in which the bishop threatened them, telling them that he would have them imprisoned and that he would take legal action, among other things. One of the public presentations of the organization that Andres and Rafael created depended on the bishop's approval, but the mayor and the secretary of culture supported them, and the march was carried out, resisting the homophobic bishop's rejection and intimidation.

380 SEGATO, Rita. Op. Cit. p. 18.

On another occasion, seven armed men entered Rafael and Andres's apartment. Only Rafael was at home. One held a gun to Rafael's temple while the other six beat, insulted, and threatened him. They told him he should shut up and leave Pasto. They subjugated him and tied him up. Three people watched him while the other four searched the rest of the house.

> They called me all kinds of names. You could tell they knew. They insulted me, they pushed me with their feet, they started throwing a lot of things on top of me. The whole closet, the blankets, they even threw the mattress on me, I think. Because I felt that they started to cover me, I felt a lot of things on me, and they told me to stay still or "you die". So, what else do you do, if I couldn't even move? (Rafael, gay man, Pasto)

His aggressors constantly came back for the information on his computers. There, he had information on LGBT victims of the conflict, including their names and other contact information. This activity of leadership and case documentation is one of the most important forms of resistance, because, as Rafael himself puts it, they were making a place for themselves in the national narrative about what happened in Colombia for so many years:

> Because there was a time, several years, during which nobody believed in the institutions. Nobody believed that there were LGTBI victims, so we were fighting against that: to recognize that within the LGTBI community, there were victims within the context of the armed conflict. So, we were starting to document information. We had already had the opportunity to go out to some municipalities to try to see, as it was not known. [...] We were looking for LGTBI people who were victims. [...] That didn't exist. [...] Long before the Center for Memory and other entities began to work on the issue. (Rafael, gay man, Pasto)

Eventually, Andres returned to the apartment to find Rafael tied up under a large mess of his clothes, and beaten, frightened. Computers full of LGBT victims of the armed conflict's personal information had been taken.

The third form of resistance is education. In Pasto, pedagogical processes are an essential point for LGBT victims' resistance. Two people are professionals, and one is a SENA technician. This shows that, despite the different damages they suffered, formal education is a non-negotiable issue in the development of identity exploration. This is resistance worth celebrating in Nariño, where the drug trafficking business is one of the department's most normalized markets, despite the risks and its undeniable connection to the conflict. Hence, these victims managed to escape from the heteronormative social logic and, moreover, from the drug trafficking logic of production that leads to more

direct participation (voluntary or not) in the armed conflict. The decision to stay away from this illicit market is a great struggle for dignity to validate their thoughts, worldview, and participation in the economy through activism, professions, and trades unlinked to the businesses that financed the conflict. Humberto, for example, resists the conflict's pull by dreaming of setting up a food business:

> The truth is, my life project has always been to set up a business. [...] I would like to set up a fast food business of Mexican or Peruvian food. (Humberto, gay man, Pasto)

Finally, as Serrano foresees, new skills and appeals for their lives to count in a dignified and valuable way flourish through their affectedness, leading them to demand that institutions tell their stories and impart justice in their cases, just as they are willing to do their part in the reconciliation process:

> **Colombia Diversa:** "And what do you think nowadays about everything that has happened to you?"
> **Humberto:** "Well, that those are experiences that mark you for life. That this will never be erased. How to change now, no, it will always be there. And that this helps you to live, to know that sometimes time changes and people also change. That we cannot judge everyone for what happened to us. We have to forgive.
> **Colombia Diversa:** "What day-to-day recommendations would you give so that this does not happen to other people?"
> **Humberto:** "Report. [...] What we have to do is report and stand up for who we are."
> **Colombia Diversa:** "Any recommendations for the government?"
> **Humberto:** "Raise awareness, make people see, inform them that we are not a thing, we are not a disease. We are human beings. We are people. That we feel, that we are the same as them. We are not animals." (Humberto, bisexual man, Pasto)

VII

RECOMMENDATIONS

RECOMMENDATIONS

We conclude this report with the certainty that LGBT people are not "bad victims" and that their stories deserve to be told. The armed conflict inexorably marked their lives, like those of so many Colombians. In addition to suffering the indiscriminate violence that shook Colombia for so many decades and experiencing the pain of seeing their country enveloped in a bloody war with no apparent end, being or appearing LGBT made them a constant target of violence. Lesbian women, gay men, and bisexual and trans people were viewed as incomplete and undesirable individuals, as appropriable bodies susceptible to being violated, with which one could do whatever they wanted. Based on these prejudices, armed actors used the power of weapons to assault, humiliate, rape, do away with, displace, and murder LGBT people. Neither their communities nor the state protected them. On the contrary, the social rejection was so deep and so great was the state's negligence, that these factors aided the armed actors in their persecution of LGBT people.

Indeed, inhabiting, abandoning, and even dying –or seeing others die– in these geographies of terror[381] has left deep scars on LGBT victims of the armed conflict. Fear, anxiety, mistrust, poverty, loneliness, and the inability to establish affective or sexual bonds are just

381 It is worth remembering that in its report *Un carnaval de resistencia,* the NCHM uses the category "geographies of terror", coined by geographer Ulrich Oslender, to refer to the places where the violence of families, the community, institutions, and armed actors converge, turning the space into a "landscape of fear and rupture in social relations". In our report, this category has been taken up to explore precisely how the confluence of such forms of violence creates spaces of fear, hopelessness, and distrust for LGBT people in several areas of the country. See: CNMH, Un carnaval de resistencia, Op. Cit. p. 34.

some of the marks of war they have endured. Many continue to carry the weight of that pain, of the incessant violence of prejudice, of the other war that LGBT people suffered amidst the Colombian armed conflict. These realities continue to permeate not only how the direct victims view themselves, but also how all LGBT people who came to know those stories do. They also continue to permeate the general imaginary about diversity and its place in the country, in many cases fueling and legitimizing even more violence toward LGBT people.

Now, despite having lived for so many years at the mercy of the armed forces and even continuing to live this way in some regions, as LGBT victims of the armed conflict and LGBT people of Colombia, we remain standing. We have no doubt that our greatest resistance was to continue existing. And through that existence, we continue to question the patriarchal and heterosexist system that seeks to erase us.

That is why, with this report, we direct a key question to the Commission for the Clarification of the Truth: *who is going to tell us?* Who is going to make sure that the official history of Colombia includes and dignifies the voices of the lesbian, gay, bisexual, and transgender victims of the armed conflict? How will this history be told so that it does not reproduce the official and unofficial forms of exclusion and silence that nurtured the violence against them? How can we ensure that the Colombia to be built in this period of political transition will vindicate diversity rather than rejecting it? Given the gaps in its peer commissions, the armed violence that continues to seize LGBT people throughout the country, and the global advancement of fundamentalist groups seeking to deny both their existence and human rights, there is no more important time for the Truth Commission to perform its work as official historian of the last 50 years of conflict in a diverse and inclusive manner. To that end, a series of recommendations are outlined below:

A. General Recommendations

1. Acknowledge that **discrimination, including that which is based on sexual orientation, gender expression, or gender identity, was one of the main catalysts of violence in the war.** This report has shown that armed actors used pre-existing prejudices against LGBT people to advance their war objectives. Likewise, the victims' communities took advantage of the war context and LGBT people's historical lack of protection to erase the identities or expressions they considered disruptive. This is one of the multiple forms of discrimination –of ideology, race, and class, among others– that fed into the constant stigmatization of that which is considered different throughout

the Colombian conflict. In this sense, it is not a secondary effect, but rather a structuring axis of armed violence.

2. Implement a differential approach for LGBT people, not as an analysis of identities that affects a specific population, but as an **axis of analysis aiming to explain how the sex-gender-desire system influenced the dynamics of the war**. As such, this system serves as an instrument of social and territorial control for armed actors. It creates a context conducive to violence both by all armed actors and by civilians toward those who defy its mandates, an issue not limited only to LGBT people.

3. Include in the Truth Commission's final report a **specific chapter on LGBT people's** (including those who identify or are perceived as such) **situation in the context of the armed conflict** that may clarify its differentiated impact on this population, as ordered by Decree 588 of 2017. Within this clarification, we recommend addressing, at a minimum: i) the violence suffered by LGBT people, especially that motivated by prejudice against their sexual orientations, gender expressions, or gender identities; ii) the state response to this violence; iii) both collective and individual forms of resistance; and iv) the material, cultural, and psychosocial impacts[382], in order to acknowledge them not only as victims, but also as peace builders.

4. Guarantee that **the differential approach for LGBT people be interdisciplinary**. This must be done while keeping in mind that, on the one hand, discrimination, including that motivated by sexual orientation, gender expression, or gender identity, traverses the armed conflict in its entirety, and, on the other hand, the impacts of the instrumentalization of the sex-gender-desire system as a regime of control over bodies transcends LGBT people. In addition to a specific chapter on the experiences of LGBT people in the war, it is important to incorporate an interdisciplinary differential analysis of sexual orientation, gender expression, and identity.

5. **Build upon what has already been built**. As outlined in the section on historical debts in terms of truth and memory for LGBT people, Colombia has been a pioneer in the production of specialized knowledge on their situation in the context of the conflict. It is important to take up this research in the

382 In the reports that Colombia Diversa prepared for the Special Jurisdiction for Peace, we delved into the impacts of violence on LGBT victims of the armed conflict in Tumaco, Nariño, and southern Tolima.

final report in order to develop a thorough and profound understanding of LGBT people's experiences in the war.

6. **Fill the gaps** left up to now by the processes of memory reconstruction and knowledge production around the conflict's differentiated impact on the Colombian LGBT population, included in this report. Considering that the Truth Commission has privileged information on LGBT people's experiences in the war, this report proposes, in addition to an understanding of the conflict, a series of tools –including the concept of prejudice-based violence, the study of variations of violence according to the armed actors, and the contrast between normative advances and LGBT people's grisly realities in the regions of war– that can serve the Commission to process both the testimonies and the civil society reports it has received on the experiences of LGBT people in the war. Colombia Diversa makes these tools available to the Commission in order to nurture the analysis carried out thus far, delving deeper into issues such as the differences in the violence exerted by the different armed actors and the temporal variation of violence, which have yet to be clarified.

7. Recognize **the armed conflict's differentiated impacts regarding the victims' sexual orientations, gender expressions, and gender identities**. Although this report refers to the "LGBT population" as political vindication, the fact of the matter is that this acronym does not cover all the diverse sexual orientations, gender expressions, and gender identities that exist or have existed in Colombia because, although it has served to draw attention to the struggles of those who break with the sex-gender-desire system in certain fields, both gender and sexuality are processes under constant construction that must be understood in context. In this sense, it is important to remember that the identities included in the "LGBT" acronym are not equivalent or interchangeable.

8. Analyze the conflict's differentiated impact on the LGBT population from an **intersectional perspective**, with special emphasis on **the focuses of race, ethnicity, class, and territory**, with the understanding that, on the one hand, these analysis and identity focal points detail the particularities of the violence against them and of their forms of resistance and that, on the other hand, LGBT people's war experiences are inscribed in the dynamics of war that marked their territories. This takes into account the difficulties and oppressions that arise when adding layers of vulnerability to LGBT identities.

9. **Allow LGBT victims to speak with their own voices** in the final report. LGBT people who were victims of the armed conflict have their own ways of understanding, naming, and expressing the experiences they had during the war. It is important to consider their words, which have helped them make sense of what happened, so that they can see themselves and feel included in the final report, thus contributing to repairing and healing the scars left by the war.

10. Show the substantial role the armed conflict has played in **the configuration of subjectivities**, not only of those who live in the regions where it has developed with greater intensity, yet particularly there in order to show, on the one hand, how **gender arrangements were reconfigured** due to the war, often curtailing LGBT people's possibilities of existing freely in their territories, and, on the other hand, how the LGBT people inhabiting these geographies of terror are also subject to a process of identity formation rooted in the dynamics of war.

B. Specific Recommendations for the Clarification of Violence

1. Use the concept of **prejudice-based violence** as a lens of analysis to approach violence based on the victims' sexual orientations, gender expressions, or gender identities, keeping in mind that this concept allows us i) to understand **prejudice as the factor that articulates the multiplicity, diversity, and complexity of violence committed against LGBT people** in the context of the armed conflict; ii) to recognize that the cause of violence based on sexual orientation, gender expression, or gender identity is neither the victims' identity nor characteristics, but rather the negative value judgment made by the perpetrator about those characteristics; that is, **the perpetrator's prejudiced gaze**, which in turn is fed by a social context of rejection and discrimination; iii) to account for this **social context of prejudice** that nurtures violence toward LGBT people; iv) to explain the **instrumentalization of LGBT people** by the different armed actors; and v) to show the **symbolic impact** of violence toward LGBT people, insofar as it does not target people at an individual level, but rather any person who could identify with their characteristics.

2. Emphasize **structural discrimination and social complicity as factors of persistence** of prejudice-based violence in the context of war. Regarding the latter, delve into how LGBT people's communities or families legitimized the

violence exerted by the armed groups or took advantage of their presence to carry out violence against them.

3. Further examine **the patterns of violence** exerted by the different armed actors against LGBT people, taking into account their diverse ideologies and institutions in order to clarify how such violence was inscribed in these actors' political and war projects in the different territories and stages of the war. To this end, the information provided to the Commission should be contrasted with the analysis presented in this report in order to strengthen the identification of patterns of violence in accordance with actor and territory.

4. Expand the analysis of **prejudice-based violence committed by the public forces** in the different territories, elucidating its connection to the conflict in order to address the very high rates of underreporting associated with these cases. In the elaboration of this report, Colombia Diversa faced a great deficit of information regarding violence committed by the public forces against LGBT people. In our opinion, these victims experience generalized fear that prevents them from telling their stories, in part because the public forces occupy the legitimate use of force and continue violating LGBT people in various areas of the country. However, without the stories of LGBT victims of the public forces, it will not be possible to portray the prejudice-based violence that occurred in the conflict context in all its complexity nor clarify the state's responsibility in this situation.

5. Show the reach of **sexual violence toward LGBT people as a form of attack** intended to mobilize two war strategies. On the one hand, to demonstrate dominance over civil society and to reinforce the heteronormative and patriarchal values shared between civil society and armed actors. On the other hand, to segregate LGBT people in order to "remind them of their place" in society and maintain their autonomy curtailed, hidden, and alienated from any political or social discussion that the armed actors might have to engage in with civil society.

C. Recommendations for the Clarification of Affects

1. **Incorporate discussions about diverse sexual orientations and gender identities when considering the analysis of damages and, therefore, reparations for all victims, not only LGBT victims**. Recognizing that the

heterosexist and patriarchal system has deep roots that maim the beneficial development of Colombian society would allow for new options and proposals to rethink the social structure and lead to a more equitable society. The prejudice that has violated LGBT people is just one of the expressions of great contempt for femininity, of state control over bodies, of the surveillance of desires, of the politicization of hatred and segregation as a tool for institutional order. Reparations for all victims would be substantially improved if they were accompanied by mechanisms of de-heterosexualization and de-patriarchalization of Colombian society.

2. **Recognize the impact of psychosocial affectedness** (humiliation, fear, pain, anxiety) on the LGBT population that accentuates the already affected sphere of emotions and anxiety. This prior affectedness is the result of a society that discriminates and segregates people who are LGBT or perceived as such. On the one hand, the victimizing events deepened this psychological affectedness, and, on the other hand, they increased the difficulty of continuing an authentic identity construction, which for LGBT people is already truncated. This cut with the free development of personality has particularly painful thorns for LGBT people, whose identities are constantly denied, rejected, or questioned both in public spheres and in private environments. It also curtails LGBT people's ability to weave bonds of affection, since the feelings of fear, guilt, and shame often produced by prejudice-based violence –particularly in cases of sexual violence– prevent or hinder them from accepting and coming to terms with themselves as LGBT people in public or in private.

3. **Recognize collective harm caused by making it impossible for LGBT people to come together**, which in turn made it difficult to tell their personal stories, make group claims for justice and reparations, or collectively heal wounds from prejudice. This was achieved through the strategy of persecution, which atomized and cornered every LGBT person to make them feel vile, unwanted, monstrous, unnatural, sick, and, above all, profoundly alone. This strategy was successful: it alienated and imprisoned LGBT people during the conflict, confined them to a wounded loneliness on all sides, and convinced them that it was their responsibility for being a lesbian, gay, bisexual, or trans person. In turn, this state of atomization kept LGBT people on the margins of public discussion, denying them the possibility of having a voice and choice in so many decision-making spaces, as well as of asserting their struggles in the public sphere, which would help deconstruct the discriminatory logics

that feed prejudice-based violence. In this sense, it is not only an individual or collective affectedness, but also a social one with repercussions on both LGBT people and Colombian society.

4. **Recognize the vulnerability and profound lack of protection of children and adolescents who are LGBT or perceived as such**. In Colombia Diversa's work, there are enough accounts of homophobic and transphobic discrimination beginning in LGBT people's homes from an early age. This "domestic" prejudice was resolved in several cases by sending the child or adolescent –suspected of being LGBT– to the punishing, exterminating, and military hands of the armed actors in order to impose upon them the –sexual, gestural, oratory, and conscience-related– behaviors of compulsory heterosexuality. This hope that punishments or military training would drive LGBT traits out of children and adolescents put them at greater risk of sexual violence, illegal recruitment, displacement, and forced disappearance. This affectedness, having been carried during childhood or adolescence, leaves traces of self-contempt, humiliation, and other self-harming behaviors in these people who manage to survive the trauma, on many occasions, through their painful memories' repression or justification. As is evident, these bodily and psychological damages added stress and weight to the subsequent appropriation of their LGBT identities.

5. **Show the unequal impact of displacement** (present in all the victims documented by Colombia Diversa) on LGBT people. Daily life in their places of origin had already escaped prejudice's most crushing impositions, but when displaced, they found themselves thrown into much larger cities, where LGBT people's dynamics of survival were unknown to them, and, therefore, they suffered even greater impoverishment, discrimination, and risks of being violated once more by other armed actors (the state, paramilitary groups, or the FARC-EP yet again). Although victims of forced displacement generally suffer this affectedness regardless of their sexual orientations or gender identities, it is aggravated in the case of LGBT people because, on the one hand, in many instances they subsist on informal economies, particularly styling, which depends on clientele networks that are difficult to rebuild in unknown places and, on the other hand, leaving their territories ruptures not only their support networks, but also the protective environments that had served them as refuge from discrimination. Along this line, in the case of San Andrés de Tumaco, it is important to acknowledge how, for this municipality's Afro-Colombian LGBT people, the differential impact of

forced displacement also resulted in an **affectedness of cultural identity**, as it breaks the ties woven between their culture, support networks, and territory and causes a profound uprooting in this sense.

6. **Recognize the conflict's economic impact on LGBT people in its double scope**. On the one hand, armed groups took advantage of LGBT people's historical lack of protections to extort them, even demanding higher protection fees as a sort of "price for existing", as well as to assault and intimidate them when collecting these fees. On the other hand, violence prevented LGBT people from living their day-to-day freely, which in most cases forced them to move and, consequently, to lose any source of livelihood obtained up to that point. This displacement pushed them to communities where homophobia and the patriarchy prevailed (as occurs throughout the country) and where they had no support networks or prior contextual knowledge to handle the situation. This loneliness (a product of displacement), added to structural prejudice, forced LGBT people, especially trans women and gay men, to seek a source of income in jobs historically stigmatized, precarious, and lacking in state control or labor regulation (sex work, domestic work, informal jobs).

D. Recommendations for the Clarification of Resistance

1. Recognize the existence of LGBT people in order **to deconstruct the heterosexist and patriarchal norms of Colombian society**. LGBT people's resistance via their life stories has led the (violent) rigidity of sex-gender-desire norms to somewhat loosen in their communities and in their immediate social circles. This has allowed more people to be free and authentic, and LGBT rights discussions to gradually be better received. They do this in their jobs (by challenging the sexualized assignment of labor), in gatherings intended to make them more visible (pageants, contests), and, in general, in their participation in the markets of their places of residence. The free existence of difference in society nourishes its self-criticism and strengthens its democratic foundations.

2. **Expand the analysis of collective initiatives carried out by LGBT organizations in the country**. The Truth Commission must find and support these organizations to make them visible and place them in the public forum, as they are some of the voices that counterbalance the heterosexist and patriarchal system. In addition to locating these organizations, the

Commission must recognize and highlight their participation in peace-building processes. With these regional organizations' aid, it has been possible to establish a national communication and advocacy network, which continuously promotes peace, reconciliation, and the social fabric's constant recovery as a place with democratic space for all people.

3. Recognize **LGBT victims of the conflict's survival as the great resistance** that they have advanced through their daily lives and in spite of the armed conflict. The existence of people who identify as LGBT despite incessant historical –metaphorical and literal– beatings, their bodies and desires' invisibility, confinement, stigmas, cruel and perennial mistreatment in their homes and villages and at the hands of armed actors, and despite their most immediate survival instinct telling them to adapt to heteronormativity, is LGBT people's great victory. This individual empowerment has in many cases occurred even in the absence of an LGBT rights movement. LGBT people have resisted despicable, direct, violent, psychological, forced, hypocritical, and disloyal eradication by both institutions and armed actors, even when absolutely alone.

4. Recognize **"ordinary" acts as constitutive of resistance** in LGBT people's cases, such as experiencing love or not denying their gender identities or sexual orientations. The existence of LGBT people is the great act of resistance. What the patriarchal and heteronormative society (expressed in opinions, institutions, cultural practices, symbols, etc.) wants is to eradicate LGBT people for not complying with the "minimum" norms of conduct: compulsory heterosexuality and acting in accordance with their assigned male/female genders. Thus, armed actors also wished to break, do away with, displace, and "correct" LGBT people through their acts of war. The fact that, despite these attempts to rearrange identities and sexualities, LGBT people lead authentic lives in which they are who they want to be and love whomever they please is an immense resistance, allowing other LGBT people to exist and try to advance their life projects freely.

5. **Recognize LGBT people's public or political participation as an act of resistance**. After being rejected, rendered invisible, and violated, as an LGBT person, wishing to show yourself in the public forum and adhere to democratic institutional norms, subjecting yourself –literally– to popular opinion and elections, is an act that requires a profound will to reconstitute the social fabric.

E. Recommendations for the Clarification of the Institutional Response

1. Recognize **the state's negligence as a perpetuating factor** of violence toward LGBT people in the context of the armed conflict. Due to the Colombian government's heteronormative and patriarchal design and the prejudice individually professed by its officials (in varying forms, varying degrees, and, of course, in most cases), LGBT victims were particularly unprotected throughout the conflict. Institutional provisions have not sufficiently addressed their specific needs and exclude them from access to other institutional provisions due to the prejudice of officials and/or the institutional design.

2. Recognize **the absence of governmental data on violence toward LGBT people as a perpetuating factor**. To date, no serious effort has been made to compile systematic and comparable information on violence toward LGBT people (neither within nor without the armed conflict). In the context of the armed conflict, the only existing figures on violence toward LGBT people are found in the Single Registry of Victims (RUV), which i) uses unclear concepts to refer to LGBT people (victims are registered as "LGBTI" and "intersex", which is confusing as presumably the last letter of the LGBTI acronym already includes intersex people); ii) does not distinguish between sexual orientation and gender identity; and iii) does not allow us to establish when the violence was motivated by prejudice, as it was not created for this purpose. The existing data's inadequacy attests to the heteronormative and patriarchal system that governs the Colombian state, since it does not even seriously contemplate the existence of this violence –and, therefore, the need to prevent, investigate, and punish it. In this sense, what should be the state's obligation has become an additional burden for LGBT activists and victims, who must count their own victims for the government to deign to acknowledge them.

3. **Underline the historical contrast** between discourses constitutionally furthered in the high courts or in the institutions at the country's center, and the difficulties around applying guidelines in territories other than Bogotá. In this long list of difficulties, the Commission must also give place to prejudice as an institutional and individual phenomenon that prevented an equitable state response to LGBT people, due to both discrimination personally professed by state officials and unsupervised institutional discrimination occurring in parts of the country other than Bogotá.

4. **Highlight the historical impunity** that prevails in cases of human rights violations against LGBT people in the context of the conflict, emphasizing how this impunity has operated to produce distrust toward the judicial system, silence victims, and legitimize violence against them.

5. Show the **differential difficulties** faced by LGBT victims as a result of the prejudice invading the state entities that could have prevented, accompanied, repaired, or received reports of victimizing acts, moreover emphasizing the very high rates of impunity that characterize violence toward this population.

F. Recommendations for Non-Repetition

1. Recommend that local governments **promote the participatory construction of public truth and memory policies with a broad gender perspective that considers the inclusion of LGBT people** in order to ensure that the findings of the Truth Commission's final report may serve to address the structural causes of armed violence and dignify the memory of the victims of the conflict in their departments or municipalities.

2. Recommend that the Office of the High Commissioner for Peace **provide support to memory initiatives** proposed by local institutions, social organizations, or affected communities that seek to go deeper into the differential and disproportionate impacts of the armed conflict on LGBT people, so that the Truth Commission's report may serve as a starting point to catalyze deeper discussions on the matter.

3. Propose the **adaptation and harmonization of variables pertaining to victims of human rights violations' sexual orientations and gender identities in the state's information systems**, particularly those of the Attorney General's Office, the Inspector General's Office, the National Institute of Legal Medicine and Forensic Sciences, and the National Police, in order to obtain official data on violence and discrimination toward LGBT people, both within and without the armed conflict[383].

383 It is important to note that for over a decade Colombia Diversa has reiterated this request through its annual human rights reports. To see the most recent report, please consult: COLOMBIA DIVERSA. Aunque intenten borrarnos: informe de violaciones a los derechos humanos de personas LGBT en Colombia – 2018. 2020.

4. Recommend that the Attorney General's Office **strengthen the strategies focused on the criminal prosecution of perpetrators of hate crimes**, particularly within the **Special Investigation Unit** aimed toward dismantling criminal organizations and conducts responsible for homicides and massacres, created by the Final Peace Agreement to dismantle criminal organizations known as successors of paramilitarism, which continue to attack LGBT people's lives and integrity. This should done with the additional understanding that, according to Decree 898 of 2017, the SIU has the obligation of carrying out its work from a differential gender perspective that recognizes the population's particularities regarding sexual orientation and gender identity to ensure their effective access to justice.

5. Recommend that the Special Jurisdiction for Peace **strengthen the differential gender perspective in all procedural stages**, so as to guarantee access to justice for LGBT victims of the armed conflict.

6. Recommend that the Unit for the Integral Attention and Reparation to Victims and the Special Jurisdiction for Peace **adopt a transformative approach to both individual and collective reparations for LGBT victims of the armed conflict**. This approach should contemplate, on the one hand, a process of harm identification that takes into account the contexts of discrimination and exclusion in which the victimizing events occurred and the armed actors' prejudicial motives. On the other hand, it should contemplate adopting reparation measures that seek to directly address the contexts that made possible and even legitimized armed violence toward LGBT people.

7. Propose, as a non-repetition guarantee, the **implementation of training for new officials** in order to dismantle prejudicial imaginaries about LGBT people, as well as the adoption of measures aimed at preventing the officials' rotation from affecting the fulfillment of LGBT people's acknowledged rights, particularly in the case of the Attorney General's Office and the Victims Unit. Trainings with this same objective should also be recommended for the public force. In both cases, it is suggested that these measures' progress be evaluated not only with management indicators, but also with impact indicators.

8. Recommend that the High Department for Stabilization and Consolidation **promote full compliance of all measures included in the Final Peace Agreement with a differential approach for LGBT people**, hand in hand with civil society, as well as LGBT people's **qualified**

participation in the instances created by the Agreement. In this sense, the differentiated challenges faced by LGBT people in rural areas must also be contemplated and addressed.

9. Recommend that the Ministry of Education **promote public policies to foster school environments free of discrimination** and to encourage respect for sexual and gender diversity, as a guarantee of non-repetition of the violence suffered by LGBT victims of the armed conflict.

10. Recommend that the **media promote a multiplicity of discourses on its various platforms** so as to produce plural and non-stereotyped information on LGBT people, particularly those who have been conflict victims due to the armed actors' prejudiced views.

VIII

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