



Violence against Lesbians, Bisexual Women, and Trans People in Colombia

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International Gay and Lesbian Human Rights Commission

Introduction

The International Gay and Lesbian Human Rights Commission (IGLHRC) is a non-governmental organization in special consultative status with the United Nations Economic and Social Council. IGLHRC works with activists throughout the world to advocate to end discrimination and abuse on the basis of actual or perceived sexual orientation, gender identity, and/or gender expression (SOGIE).

IGLHRC is submitting this communication, along with six others, to the Commission on the Status of Women (CSW) through its annual communications procedure. IGLHRC strongly urges the CSW to identify violence against lesbians, bisexual women, and trans individuals (LBT) people as an emerging trend and formulate appropriate policy responses.

Colombia Diversa, a Bogotá-based LGBT advocacy organization and an IGLHRC partner, recently published a Human Rights report that includes documentation of violence against LBT people.¹ Highlighting some of Colombia Diversa's findings, this communication includes 8 case studies of LBT individuals who have recently faced violence in Colombia. IGLHRC trusts that the CSW will find the information in this communication useful in its efforts to promote global gender equality.

Definitions

Bi/bisexual people have sexual and romantic desires for both females and males.

Cis/cisgender people are individuals whose gender identity matches their birth sex.

Gender expression refers to the ways people choose to express their gender. Some common mediums of gender expression include choices in hairstyle, clothing, behavior, speech, and gestures.

Lesbians are women who have sexual and romantic desires for other women.

MtF/transwomen are male-to-female (MTF) transgender or transsexual people who were assigned male at birth but identify as female.

SOGIE stands for sexual orientation, gender identity, and/or gender expression.

¹ Please see the Colombia Diversa website for more information:
<http://colombiadiversa.org/colombiadiversa/index.php>.

Trans/transgender people are individuals whose gender identity does not match their birth sex.

Violence, as defined by the World Health Organization's (WHO) World Report on Violence and Health, is "the intentional use of physical force or power, threatened or actual...that results in or has a high likelihood of resulting in injury...psychological harm, maldevelopment, or deprivation." This communication references two forms of violence:

- a) **Emotional violence** refers to mental and psychological abuse. Actions and behaviors that constitute emotional violence in this research are verbal abuse (e.g., insults, taunts, allegations of abnormality, etc.); threats (e.g., to discolore SOGIE to others, abandon, evict, imprison, harm self or others, etc.); discrimination (e.g., employment discrimination, refusal of access to gendered facilities, etc.); and more.
- b) **Physical violence** involves bodily harm. Examples include battery (e.g., beating, hair-pulling, throttling, kicking, pushing, burning, tying-up, head-butting, etc.); physical confinement and imprisonment; deprivation of basic necessities (e.g., food, shelter, clothing, etc.); murder; assault; and more.

Case Studies

- In February 2013, **Liliana**, a 24 year-old transwoman, was murdered in Rionegro. In the early morning, a mob approached Marcela and a male friend, mocked her gender identity using pejoratives and offensive language, and violently punched her in the head. She received emergency services but died a few days later due to the severity of her wounds.² Colombia Diversa has not been informed of tangible progress made by criminal investigators in determining the identities of the people responsible for this murder. The Antioquia Police Department did, however, report that it managed to collect evidence indicating that the February attack was motivated by intolerance towards Liliana's gender identity.
- In March 2014, **Tatiana Fandiño**, a 23 year-old woman who was murdered in Kennedy, Bogotá because she was perceived to be bisexual. Tatiana lived with her boyfriend and a heterosexual couple. Her boyfriend beat her on several occasions. When a rumor surfaced that Tatiana and her female roommate were having sexual relations together, their boyfriends

² *El Espectador*, "Miembro LGBTI, en coma," Print, February 9, 2013; *Q'Hubo*, "Muere por golpiza joven homosexual," Print, February 9, 2013.

retaliated by beating, strangling, and dismembering Tatiana.³ They left her body parts in a bag. While the 22nd Criminal Circuit Court of Bogota sentenced Tatiana's boyfriend to 25 years in prison for aggravated murder and captured her other perpetrator, it did not charge the perpetrators with the crime of torture. It also did not consider that the murders were motivated by gender or perceived SOGIE-based prejudice.

- In early August 2014 on an early morning, a 24 year-old transwoman was stabbed in the Nuevo Milenio neighborhood of Soledad-Atlántico. Early press reports claimed that the victim was involved in a passionate quarrel with a trans friend, drawing attention from passers-by and residents of the street that led to the murder.⁴ One of the victim's family members claims in a *Q'Hubo* newspaper article, however, that when she and her friend were walking from a party, they were stopped by a group of men who insulted her gender identity and stabbed her.⁵ Colombia Diversa has not been informed of tangible progress made in the criminal investigation of this case.
- In early August 2014, **Jessica**, a 33 year-old transwoman stylist, was found dead in her Bogotá salon. The perpetrator repeatedly hit Jessica in her face and stabbed her in the neck with scissors. The site was found in disarray and "full of blood."⁶ Colombia Diversa has not been informed of tangible progress made in the criminal investigation of this case.
- In September 2014, **Marcela**, a 46 year-old transwoman, was stoned in Medellín. At 1:30AM, a mob violently attacked Marcela and a male friend near the University of Antioquia. The friend managed to escape and alert authorities. Officers found Marcela's body lying in the street.⁷ Colombia Diversa has not been informed of tangible progress made by criminal investigators in determining the identities of the people responsible for this murder.
- On September 21, 2014, **Shirley**, a transwoman sex worker, was physically assaulted by a police officer that identifies with the alias "Harry Potter" in Carrera 20, Barrio Centro, Bucaramanga. Two months following, the same police officer physically assaulted her again in the same location.

³ *El Espectador*, "A Tatiana Fandiño la habrían matado por un chisme," Print, April 10, 2014.

⁴ *El Herald*, "En riña matan a miembro de la comunidad LGTBI," Print, August 9, 2014; *La Libertad*, "Homosexual mata otro a puñaladas," Print, August 9, 2014; *El Universal*, "Pelea entre gays deja un muerto," Print, August 10, 2014.

⁵ *Q'Hubo* Barranquilla, "Denuncian homophobia," Print, August 10, 2014.

⁶ *Extra*, "Hallan cadaver de estilista," Print, August 6, 2014; *Q'Hubo*, "Unas huellas, claves en crimen de 'Jéssica,'" Print, August 7, 2014; *Mío*, "Le dieron a 'Jessica,'" Print, August 7, 2014.

⁷ *El Espectador*, "Asesinan a miembro de la comunidad LGBTI en Medellín," Digital Edition, September 15, 2014; *La Partia*, "Lo asesinaron a piedra," Print, September 17, 2014; *La Libertad*, "Asesinan a pedradas a transgenerista en Medellín," Print, September 17, 2014.

- On May 23, 2013, at about 11pm, **Daniela** and **Laura**, romantically involved lesbians, were assaulted by state police officers. Two motorcycle patrolmen grabbed Laura, threw her to the ground, tried to pin her, and hurt her arm. Ten minutes later, three additional police officers, two men and a woman, arrived and contributed to the violence. The five of them pinned Daniela down, beat Laura on the legs and back, handcuffed the couple, threw a shoe at Daniela, and called them offensive names. Colombia Diversa has not been informed of actions taken to investigate this case or discipline the perpetrating officers.
- On December 2, 2012, **Carolina**,⁸ a transwoman, was assaulted by two police officers. They sprayed an unknown substance onto her body, burning her Carolina's breasts, abdomen, and arm. On August 27, 2013, one of the same officers violently punched her legs, leaving severe wounds on her silicon implants. Even after these officers were suspended for eight months, Carolina continued being harassed by CAI Navarra police agents. From 2012 to present, CAI Navarra has detained her eight times without justification. While, in 2013, the Justice Administration began investigating police officers that assaulted Carolina, Colombia Diversa has not been informed of tangible progress made in these proceedings.

⁸ This is a pseudonym used as a safety precaution.