

Violence against women and girls

All parties to the conflict subjected women to sexual violence, including rape, and other forms of gender-based violence.

■ On 18 May, an Indigenous woman was raped by an army soldier at the side of a road in Putumayo Department. The army unit to which the soldier belonged was reportedly only 100m away at the time.

■ On 16 March, eight heavily-armed masked men wearing civilian clothes and thought to be paramilitaries, entered an Afro-descendent community in Tumaco, Nariño Department. They threatened and beat residents, raped two women and sexually abused a 16-year-old girl.

Very few of the perpetrators of such abuses were brought to justice. However, in a rare success, on 27 August sub-Lieutenant Raúl Muñoz Linares was sentenced to 60 years in prison for the rape and murder of 14-year-old Jenni Torres, as well as the murder of her brothers, aged nine and six, and the rape of another girl, in Tame, Arauca Department, in October 2010.

A bill “to guarantee access to justice for victims of sexual violence, especially sexual violence in the context of the armed conflict” was before Congress at the end of the year. If approved, it will, among other things, amend the Criminal Code to make certain forms of conflict-related sexual violence, such as forced nudity, abortion and pregnancy, specific criminal offences.

The Special Representative of the UN Secretary-General on Sexual Violence in Conflict visited Colombia in May. During the visit she stated that more needed to be done to ensure access to justice for survivors of conflict-related sexual violence.

US assistance

In 2012, the USA allocated some US\$482 million in military and non-military assistance to Colombia, US\$281 million of which was for the security forces. In September, around US\$12 million in security assistance funds from 2011 was released after the US State Department determined that Colombia had made significant progress in improving human rights.

International scrutiny

The report on Colombia of the Office of the UN High Commissioner for Human rights (OHCHR), published in January, acknowledged that “[s]ignificant legislative

and public policy initiatives were undertaken [and] human rights violations were condemned [by state authorities]”, but that “these efforts have yet to achieve the desired results at the local level”. The report also noted that a “significant number of human rights and international humanitarian law violations are still committed, primarily by illegal armed groups, but also allegedly by State agents” and that this was having “serious humanitarian consequences for civilians”. According to the OHCHR, impunity remained “a structural problem”.

Amnesty International visits/reports

✈️ Amnesty International delegates visited Colombia in January, March, April, June, October and November.

📄 Colombia: The Victims and Land Restitution Law – an Amnesty International analysis (AMR 23/018/2012)

📄 Colombia: Hidden from justice – impunity for conflict-related sexual violence, a follow-up report (AMR 23/031/2012)

CONGO (REPUBLIC OF)

REPUBLIC OF CONGO

Head of state and government:

Denis Sassou-N'Guesso

Torture and other ill-treatment by members of the security forces were reported, in some cases leading to deaths. Three asylum-seekers from the Democratic Republic of the Congo (DRC) held without charge or trial since 2003 were released. Government critics were denied freedom of expression and detained for several months.

Background

On 4 March, as many as 300 people died, some 2,000 were injured and nearly 20,000 were made homeless by explosions caused by a fire in a munitions depot at the Congolese armoured regiment in the capital, Brazzaville. The government set up a commission of inquiry to investigate the cause and establish responsibility; more than 20 people were arrested at the end of March and were still held

without trial at the end of the year. Those arrested, who included army Colonel Marcel Ntsourou, deputy secretary general of the National Security Council, were initially detained by the General Directorate for the Surveillance of the Territory (Direction générale de la surveillance du territoire, DGST) security service and subsequently transferred to Brazzaville central prison. The former Minister of Defence, Charles Zacharie Bowao, who had been dropped from the government during the September reshuffle, was subsequently charged with “clumsiness, carelessness, inattention and negligence which resulted in the events of 4 March and caused deaths, injuries and significant material damage”. None of those accused in connection with the explosions had been brought to trial by the end of the year and the commission of inquiry had not published its findings.

Two rounds of National Assembly elections took place in July and August. They were won by the ruling Congolese Workers’ Party (Parti congolais du travail, PCT). Opposition parties and several human rights groups claimed that less than 20% of the electorate had voted.

Torture and other ill-treatment

Members of the security forces committed torture and other ill-treatment. In some cases, the victims died from their injuries and the perpetrators were not brought to justice.

■ Delly Kasuki died on 26 May after he was severely beaten by members of the Group for the Repression of Banditry (Groupe de répression contre le banditisme, GRB), who left his body at the university hospital in Brazzaville without informing his family. A local human rights organization reported that Delly Kasuki had been beaten when he resisted what he believed was an unlawful arrest.

■ In July, two bodyguards for a government minister and National Assembly candidate of the ruling PCT severely beat François Batchelli whom they accused of supporting a rival candidate. The bodyguards also briefly detained Felix Wamba, a suspected supporter of an opposition candidate, and beat his wife and children.

Refugees and asylum-seekers

Three asylum-seekers from the DRC who had been detained without charge or trial since March 2003 were released. Médard Mabwaka Egbonde was

released in June while Germain Ndabamenya Etikilime was released in September. Bosch Ndala Umba was released in November. Médard Mabwaka Egbonde sought asylum in Sweden. The future of the other two men and that of Germain Ndabamenya’s family remained uncertain as they continued to be denied asylum in the Republic of Congo or in a third country.

Thousands of refugees who had fled to the north of the Republic of Congo in 2009 returned to the DRC from May onwards.

Nearly 300 Congolese nationals whose refugee status had ceased were forcibly returned from Gabon. About 100 others reportedly returned voluntarily. Some of those who were forcibly returned claimed to have been ill-treated by the Gabonese authorities and to have lost their property.

Prisoners of conscience

Paul Marie Mpouele, a National Assembly candidate and Vice-President of the Congolese People’s Party (Parti du peuple congolais, PPC), was arrested on 17 April after the authorities accused him of insulting the President and of threatening him with death. The accusation was related to a petition Paul Marie Mpouele had initiated calling for the resignation of President Sassou-N’Guesso in connection with the munitions explosions in March. He was first detained by the DGST before being transferred to Brazzaville central prison. He was granted provisional release in September; no formal charges had been brought against him by the end of the year. He was prevented from travelling abroad or carrying out any political activities.

■ Two lawyers representing Colonel Marcel Ntsourou and others arrested in connection with the March munitions explosions were arrested on 9 April. Ambroise Hervé Malonga and Gabriel Hombessa had tried to hold a press conference to protest against being denied access to their clients and were accused of endangering the security of the state by attempting to hold it at Marcel Ntsourou’s home, situated in a military barracks. Ambroise Hervé Malonga was also accused of attempting to practise as a defence lawyer without a licence. Earlier, the lawyers had been prevented from holding the press conference at a hotel. Gabriel Hombessa was released in July and Ambroise Hervé Malonga in August.