**Development
Progress**

PROGRESS DESPITE ADVERSITY
Women's empowerment and conflict in Colombia

Pilar Domingo, Alina Rocha Menocal and Verónica Hinestroza

Woman at political march. Photo: © Paul Smith and Panos.

- Colombia is home to the longest armed conflict in Latin America. In this context, women have mobilised effectively to influence emerging law on transitional justice mechanisms and to ensure that understanding the gendered experiences of conflict informs policy and law.

- Colombia has more women in relevant decision-making positions than ever before. In 2011, 32% of the cabinet were women, compared with 12% in 1998; in 2014, 19.9% of parliamentarians in the Lower House and 22% in the Senate were women, compared with 11.7% and 6.9% respectively in 1997.

- Girls' enrolment in secondary and tertiary education outperforms boys', while women's participation in the labour market has also seen sustained progress. Women constituted 29.9% of the labour force in 1990; by 2012 this had risen to 42.7%.

Why explore women's empowerment in Colombia?

The year 2015 marks the 15th anniversary of United Nations Security Council Resolution 1325 (UNSCR 1325), which seeks to ensure women's participation in post-conflict peace processes and security provision. This makes efforts to better understand the experience of women's empowerment in Colombia over the past 15 years especially timely.

Colombia is one of the oldest and most established democracies in the region. It is also home to the longest armed conflict in Latin America, reflecting longstanding grievances associated with entrenched patterns of inequality, discrimination and exclusion. The conflict has created a protracted humanitarian crisis, leaving Colombia with one of the largest displaced populations in the world (more than 6 million people).[1] Efforts to address the conflict over its 50-year history have resulted in recurrent processes of contestation, attempted peace negotiations and political change. Peace talks are currently underway in Havana between the government and the *Fuerzas Armadas Revolucionarias de Colombia* (FARC), Colombia's largest armed group.

In this context, gender activists, feminist politicians and women's movements have engaged in strategic political and social action to influence the state's response to addressing the legacies of the conflict. Since 1990 there have also been important achievements in women's empowerment in terms of political voice, access to decision-making roles, and capacity to shape law and policy on gender equality and on issues of justice and accountability in relation to conflict. The Colombian experience therefore represents a valuable example of how women engage with wider issues of political change and gender equality, and influence the discourse and policy direction of justice, accountability, peace and security to take account of vulnerable and excluded groups and women's rights.

What progress has been achieved?

This study focuses on three areas of progress relating to women's empowerment that have contributed to consolidating institutional opportunities that support women's voice and agency in different areas of domestic, social and political life. These achievements are outlined below.

1. Legal achievements

Since 1990, a number of important constitutional and legal reforms in Colombia have enabled improved realisation of women's rights and created opportunities for participation in public and political life. Three areas of legal, constitutional and policy change are especially noteworthy.

First, there has been a concerted effort to sign up to international norms on gender relations and women's rights embodied in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Successive governments in Colombia have largely endorsed international conventions, especially when they posed no

threat to elite or strategic state interests. Notably, however, Colombia did not sign up to UNSCR 1325, reflecting earlier government resistance to acknowledging Colombia as a conflict-affected country. Nonetheless a number of women's national and international organisations have actively monitored women's experience of conflict in keeping with UNSCR 1325 objectives (GNWP, 2011; Meertens, 2012).

Second, constitutional reform, legislation and policy measures since 1990 have opened up organisational and institutional space for women's access to the formal political system and to decision-making roles. As discussed further below, quotas have been particularly important in ensuring women's presence in public administration and political life.

Third, there has been significant progress in legislation and policies that address violence against women. Of particular importance is Law 1257 of 2008, which significantly increased sanctions and sentencing for violence and discrimination against women. It is also a major landmark in relation to sexual violence, not least because of the recognition in law of *conflict-related violence*.

2. Women's presence in political life and improved access to decision-making roles

Colombia now has significantly larger numbers of women in public administration (including in senior positions) and in elected office (see Table 1).

This is in part as a result of important legal changes. The quota law of 2000 (Law 581) established that women must occupy at least 30% of appointed positions in the executive, legislative and judicial branches and at all levels of government. Despite its limitations and patchy implementation, there are more women in relevant decision-making positions than before the quotas were instituted (UNDP, 2012; Guzmán Rodríguez and Prieto Dávila, 2014).

More recently, Law 1475 of 2012 on quotas for political-party and electoral lists addressed the issue of women's presence in elected office. In the country's most recent elections in March 2014, the Colombian parliament had its highest ever percentage of women parliamentarians – 19.9% in the Lower House and 22% in the Senate, compared to 11.7% and 6.9% respectively in 1997 (Inter-Parliamentary Union, 2015). Two of the 2014 presidential candidates were women.

Finally, there is also a more organised women's presence in political life. The Women's Caucus (*Bancada de Mujeres*) in Congress began in 2006 and was the first group of its kind. It started as an informal space to enable congresswomen to transcend party differences and work together on activities and legislation of common interest. A more formal congressional body to advance gender equality, the Gender Legal Committee, was formed in 2011 and has a positive track record in supporting laws which benefit women.

3. Framing transitional justice and post-conflict politics

While there is a strong need for caution in claiming success, women activists in Colombia have contributed to shaping the political debate and policy direction of

---

'I realised we had to become organised as women in order to stop being mistreated, and that we needed to change our vision and expectations of the state from an emphasis on "hand-outs" to demanding the protection and realisation of our rights' – Female IDP

transitional justice, and the state response to conflict, to take account of gendered experiences of violence. This has included redirecting some of the early mechanisms related to truth-telling and reparations that were established under the 2005 Justice and Peace Law to make them more responsive to women's concerns and experiences of the conflict. Later on, strategic engagement with the legislative process resulted in contributing text to more recent laws on conflict-related issues, as in the case of the Victims and Land Restitution law passed in 2011 which sought to address the needs and rights of victims of the armed conflict. Concrete gains include: broadening the definition of victim to include those victimised by state agents; better rules on the provision of evidence and legal procedures for dealing with cases of sexual violence, including psychological support; land restitution provisions for female claimants; a measure to prioritise women, especially those with sole responsibility for their household; judicial processes of restitution; and the recognition of land-titling for women (Díaz and Marin, 2013; Meertens, 2012).

Women have also engaged strategically with a range of mechanisms to monitor, record and denounce conflict-related atrocities. For instance, victims (including women) have come to use state-supported mechanisms such as the Centre of Historical Memory to engage in memorialisation and 'truth-telling' exercises about the experience of conflict. This has become a focal point for victims to contribute to establishing the facts about the conflict, including accounts of women's experiences.[2] This has helped to enable processes of self-affirmation among women victims, which have also included making claims on the state on the basis of rights and accountability. Women's organisations have successfully used emerging transitional justice mechanisms to secure gains in relation to reparations, redress and restitution (for instance, for the internally displaced population).

Support at the individual level and through the work of women's groups, victims' associations and women's rights advocates has enabled women victims to move from being perceived – and perceiving themselves – as passive victims to being agents of change.

Most recently, gender activists have been engaging strategically with the current peace negotiations between the Colombian government and the FARC. Since the talks were announced in 2012, women's organisations have played an important role in supporting the process as well as in pushing for women to be included in the front-line delegation. In September 2013, following domestic and international pressure, President Santos announced that two women were to join the team of government delegates, which had not included any women until then (although the FARC delegation had). One year later, a sub-commission on gender issues was created to advise the delegation on how best to include a gender perspective in the preliminary agreements. Around 60 victims, most of them women, have been invited to talk with the peace delegations about their experiences and expectations. While the outcome of the peace talks is uncertain, these are important gains.

What are the factors driving change?

Four sets of factors contributing to the progress achieved in women's empowerment are outlined here.

1. Constitutional reform and political opportunity structures

There have been important changes in Colombia's political and institutional make-up since the 1990s that have permitted progress in women's rights.

The 1991 Constitution is an especially significant landmark that fundamentally altered the opportunities for women to engage in political life and to express dissent. It established institutional mechanisms and principles of equality, non-discrimination and social and political justice which, in turn, created the institutional and political opportunities for feminist action and women's groups' strategies in subsequent years.

Key elements of the new constitution included a more competitive and open political system and a new Constitutional Court with extensive judicial review powers, which over the years has acquired legitimacy. It also created an expanded Bill of Rights – grounded on principles of equality and non-discrimination, and with explicit reference to social and economic rights – which has been an important legal platform for gender equality.

Table 1: Women's participation in government (percentage)

	1981	2010
Executive	28	40
Legislative	17	24
Judiciary	23	26

Source: UNDP 2012

---

2   See www.centrodememoriahistorica.gov.co

'I would not have gotten as far as I have gotten in electoral politics without the 1991 Constitution. That Constitution changed our vision of what is possible, and the provision of the law of the land, even if just on paper, provides tremendous backing' – Mayor of Quidbó, capital of the Chocó region, who is both Afro-Colombian and indigenous

Importantly, the Court has been inclined to take expansive readings of constitutional content and to be judicially active in monitoring public and political office, making it an important ally for women's organisations. Women's groups have used the Constitutional Court to advance women's rights in a number of areas, ranging from decriminalising abortion to recognising the needs and rights of women internally displaced persons (IDPs), to acknowledging the gendered experience of conflict-related violence and recommending reparations for female victims of the conflict.

In addition, the succession of key policy decisions and legislative acts since the 1990s in response to the conflict – notably under the presidencies of Uribe and later Santos – have created both opportunities and constraints for women to engage in a number of conflict-related issues. For instance, women's movements were able to contribute to shaping Law 1448 on Victims and Land Restitution (2011) to take account of the needs of women victims of conflict, including in relation to land restitution.

2. Collective action: women's social movements

The presence of active women's movements has been critical in securing gains for women. Colombian women's movements are diverse in terms of their focus, capabilities, expertise and approach. Key features of the strategic engagement by women's groups and gender activists include, firstly, an improved capacity for strategic political mobilisation and coalition building. Whereas women's movements were not visible in the political process of negotiation leading up to the 1991 Constitution, there has since been a marked change in their ability to navigate the political and institutional environment to good effect, resulting in concrete advances in law and policy across a range of gender issues. Secondly, feminist activists and women's groups also have a growing range of expertise, deployed across different forms of engagement. For instance, legal expertise on women's rights has become especially valuable in relation to strategic litigation and informing legislative process. Finally, gender activists have increasingly made strategic use of different media to denounce conflict-related injustices and acts and consequences of violence and displacement. This has contributed to sensitising the general public and the international community about the nature of women's experience of patriarchal and gender-based discrimination.

3. International factors

International factors have contributed to supporting women's empowerment in conflict in a number of ways. First, international support for women's organisations has been fundamental in ensuring their survival and capacity to mobilise through providing logistic support, protection and visibility both nationally and internationally. Second, international organisations have worked in ways that have offered concrete support to women's organisations in Colombia. This has involved more traditional forms of engagement which have included funding for capacity development and training, technical support, logistical support to the different areas of memory and truth-telling, justice and reparations, as well as political voice. This has included, for instance, strategic support to various entities that have given voice to the needs and rights of victims – including women – such as the Centre of Historical Memory, the Victims Unit, the Public Prosecution Office and the judicial branch. Of particular interest is the role donor agencies have played in 'accompanying', facilitating or brokering relations between different actors where the risks associated with women's activism are high and considerable distrust exists between different stakeholders. This has especially contributed to giving protection to women's organisations in the context of conflict, and especially at the sub-national level. The third relevant factor is the role of international human rights bodies and Colombia's commitments to international human rights conventions. While impunity remains hugely problematic (including where state bodies have been denounced for flouting international human rights commitments), the reputational costs for successive Colombian governments are not unimportant. This is especially true given the country's claim to govern through the rule of law.

4. Gains in gender equality: longstanding social and economic indicators of progress

Progress in the social and economic indicators of gender equality are also important. These contribute to building capabilities that enhance the capacity for agency and empowerment (Nussbaum, 1995). Overall, there have been sustained improvements in gender equality related to education, economic and health indicators. In education, the female literacy rate outpaced male literacy in 1996 and this trend has continued. Girls' enrolment in secondary and tertiary education outperforms boys' and women's

secondary completion rate has been consistently better than men's since 2001 (World Bank, 2014). In relation to women's participation in the labour market there has been a relatively sustained level of progress since 1990. In 1990 women made up 29.93% of the labour force, rising to 42.66% by 2012 (World Bank, 2014). Finally, there have been important changes in reproductive health, and maternal mortality rates have improved consistently since 1994.

What are the challenges?

The achievements that have been made in Colombia in terms of women's empowerment deserve recognition, especially in terms of navigating conflict and a political settlement that remains unresolved. However, Colombian women continue to face major challenges to their more substantive and substantial empowerment.

1. Unresolved socio-political grievances and the fragile peace process

The challenges facing Colombian women in relation to gender inequality and discrimination are entwined with Colombia's wider political economy. Despite various attempts at ending the armed conflict and achieving peace over the past three decades, the root causes of the conflict have not been addressed. To date, there has been no substantive

re-articulation of the political settlement relating to unresolved issues of land, inequality and deeply entrenched structures of exclusion (Herbert and Rocha Menocal, 2014).

2. The gendered face of inequality and conflict

Gender-based inequality in human development is deeply entrenched in Colombia, irrespective of the trends in improved indicators relating to education, labour and reproductive health. This inequality moreover intersects in important ways with cleavages related to class, ethnicity, urban–rural divides and the particular political economy of sub-national politics and conflict-related realities. Women's experience of conflict is closely associated with related patterns of exclusion and discrimination. Women who are subjected to conflict-related violence have below average levels of education and are often illiterate (Diaz and Marin, 2013). Among IDPs in particular, overall illiteracy is far higher (29.5%) than the national rate (6.9%) and, among IDPs, women have a higher rate of illiteracy (30.8%) than men (27.9%), highlighting the vulnerability of marginalised and excluded groups to the conflict (Diaz and Marin, 2013). Ethnicity also intersects with gendered vulnerability to conflict: Afro-Colombian and indigenous women are especially vulnerable to conflict-related and gender-based violence (Oxfam GB, 2009). Tellingly, more than 30% of IDPs are Afro-Colombian (Oxfam GB, 2009). Importantly these patterns of exclusion are a reflection

Bogota mural. Photo: © McKay Savage.

of the political economy of conflict and its different manifestations at the sub-national level.

Sexual violence is also a pervasive problem in Colombia. It is also clear that sexual violence is not sporadic and incidental but a central feature of the armed conflict – perpetrated by all armed organisations – and women and children tend to constitute the vast majority of the victims. Conflict-related sexual violence has considerable debilitating effects on those directly affected (including physical, psychological and social stigmatisation that touches on many aspects of everyday life), and on the wider population. Conflict-related sexual violence is one of the main factors driving displacement, along with forced land eviction.

3. Divisions among women's movements and female politicians

There is no reason to assume that women will automatically band together simply because they are women. Indeed, women's movements in Colombia have a history of political and social fragmentation. In part this is associated with the political polarisation that characterises the socio-political context of conflict. There also seem to be some generational dynamics at work, with women from different generations having markedly different priorities and ideas about how to work towards achieving change, especially in terms of how the struggle for women's empowerment should engage with the state (or not). Moreover, as is true elsewhere, women in formal positions of power and political participation are more inclined to prioritise party politics over agendas of gender equality. While the women's caucus in Congress has at times been able to overcome political differences to act collectively on gender issues across divides, the number of congresswomen who are committed to prioritising or supporting gender equality agendas remains small (Córdoba, 2002).

4. Entrenched gender bias in formal political life

Colombia has a sophisticated legal tradition and its Constitutional Court and transitional justice mechanisms have played an important role in making visible the scale of the conflict-related violence, displacement and loss of land and livelihoods. These have important limits, however (Meertens, 2012), and the rule of law remains weak. In rural areas especially, the implementation of progressive laws is actively resisted by vested interests in the patriarchal social order. The implementation of quotas in both public office and electoral politics also remains patchy at best, with no real sanctions for non-compliance. Thus, while there may be formal laws intended to protect women's rights, their implementation is an enduring challenge.

The weight of discriminatory social norms is prevalent in day-to-day political life. As elsewhere, women politicians face the problem of navigating the web of informal relations and political interactions where key decision-making processes are often made. And while women's organisations have been active in monitoring the implementation of quotas, it has not always been easy for these organisations to devote the resources and energy required, especially in a context of continuing conflict where other issues often need to be prioritised (UNDP, 2012).

5. Women's empowerment and equity issues

Progress has also been uneven. For the most part, it is well-educated and urban women who have been able to benefit most from the gains made, while women in rural areas, who are often poor and illiterate, continue to lag behind and are also much more exposed to the risks of gender-based violence, discrimination and displacement. This bias in socioeconomic conditions and access and opportunity is also clearly visible in the kinds of women who have the means, education, skills and even basic inclination to enter the formal political and policy-making arena. This poses serious questions about equity and about whether women from disadvantaged areas and backgrounds are empowered and can articulate their voice effectively.

Lessons learned

Several important lessons emerge from Colombia's experience of collective progress in a context of great adversity.

- **Women's empowerment is a protracted and multi-level process of change.** It involves iteration between political reform, which opens up space for women's individual and collective action, and agency. In Colombia, the political economy of conflict combined with political change over time has been the backdrop for women's increased agency and influence. The experience of women's empowerment in Colombia illustrates the gradual nature of change as incremental steps that facilitate further changes and reforms in a challenging context.

- **Formal rules and rights have been essential in facilitating women's empowerment.** They have enabled women to make claims on the state and seek redress on the basis of those rights. The increased presence of women in the formal political arena also has symbolic importance, helping to shift social norms relating to gender relations and power structures. While gains in policy and law are a key ingredient of change, implementation remains challenging, reflecting underlying and often informal institutional and power dynamics that continue to slow down progress in gender equality.

- **Agency and collective organisation are instrumental in bringing about change.** Women's movements and feminist groups have been central in contesting gender-based inequality and in pushing for change. Strategic dialogue and negotiation in formal political spaces among gender advocates and policy-makers (e.g. the women's caucus in Congress) have also been crucial in shaping policy and legal reform to advance women's rights and gender equality agendas.

- **The experience of women's empowerment in Colombia shows that progress is uneven.** Increased empowerment and political voice for some women have not on their own been able to address issues that lie at the core of the politics of inequality, including differential power and access to rights and resources held by different groups of women. It is therefore essential to look at how gender-based inequality and vulnerability to conflict-related violence intersects with other inequalities based on class, ethnicity and the urban–rural divide.

- **Given the politically complex processes of change underlying women's empowerment, international support that is flexible and adaptive is more likely to accommodate contextual realities and political economy dynamics.** In line with current debates on the need for international actors to be politically strategic, support to women's political power and influence needs to align with locally driven change processes. This requires modes of engagement that are sensitive – both to strategic windows of opportunity as they arise in order to facilitate safe engagement for women activists, and to the nature of resistance and backlash that can result from that change.

This summary is an abridged version of a research report and one of a series of Development Progress case studies being released at **developmentprogress.org**

Development Progress is a four-year research project which aims to better understand, measure and communicate progress in development. Building on an initial phase of research across 24 case studies, this second phase continues to examine progress across countries and within sectors, to provide evidence for what's worked and why over the past two decades.

This publication is based on research funded by the Bill & Melinda Gates Foundation. The findings and conclusions contained within are those of the authors and do not necessarily reflect positions or policies of the Bill & Melinda Gates Foundation.

References

Córdoba, P. (2002) 'Women in the Colombian Congress', in *International IDEA Women in Parliament*. Stockholm (http://www.idea. int). This is a translation of Piedad Córdoba Ruiz (2002) 'Mujeres en el Congreso de Colombia', in *International IDEA Mujeres en el Parlamento. Más allá de los números*. Stockholm. (The Spanish original is the definitive text.)

Díaz, C. and I. Marin (2013) 'Reparations in Colombia: Advancing the women's rights agenda', in Yarwood, L. (ed.) *Women and Transitional Justice: The Experience of Women as Participants*. Abingdon: Routledge.

Global Network of Women Peacebuilders (GNWP) (2011) 'Security Council Resolution 1325: Civil Society Monitoring Report'. New York: GNWP.

Guzmán Rodríguez, D.E. and C. Prieto Dávila (2014) 'Bancada de mujeres: una historia por contra'. Documento 15. Bogotá: DeJuSticia.

Herbert, S. and A. Rocha Menocal (2014) 'Peace at last? Colombia's negotiation process and prospects for an end to the conflict – A scenario analysis'. Unpublished study for the European Commission. Birmingham: GSDRC, University of Birmingham

Inter-Parliamentary Union (2015) PARLINE database on national parliaments. Available at: http://www.ipu.org/parline-e/ parlinesearch.asp

Meertens, D. (2012) *Forced displacement and gender justice in Colombia: Between disproportional effects of violence and historical injustice*. New York: ICTJ/ Brookings, Case Studies on Transitional Justice and Displacement.

Nussbaum, M. (1995) 'Human capabilities, female human beings', in Nussbaum, M. and J. Glover (eds) *Women, Culture and Development: A Study of Human Capabilities*. Oxford and New York: Clarendon Press and Oxford University Press.

Oxfam GB (2009) 'Sexual violence in Colombia.' Oxfam Briefing Paper. Oxford: Oxfam GB.

UNDP (2012) *Gender equality and women's empowerment in public administration: Colombia case study*. New York: United Nations Development Programme.

World Bank (2014) W*orld Development Indicators*. Washington, DC: World Bank.