

# Women's participation and influence in transitions from conflict: The case of Colombia

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April 2022



Women, Peace and Security: Breaking down silos

## Abstract

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This case study explores how Colombian women have worked to ensure gender equality in peacebuilding frameworks, focusing on two interconnected issues – transitional justice and land reform – which have been central not only to the peace agreement in Colombia, but also to a much broader and complex process of reform and (transition from) conflict over the last 40 years.

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The peacebuilding experience in Colombia has been a complex and multi-layered, process. The historic Peace Agreement that was signed in November 2016 between the Government of Colombia and the Revolutionary Armed Forces of Colombia to bring an end to armed conflict that has spanned over six decades builds on parallel and successive efforts to promote political change in the country.

As the experience with this latest peace agreement shows, addressing the root causes of conflict in Colombia remains an enduring challenge. Nevertheless, with such a long history of violent conflict, Colombia has also succeeded in developing important foundations to promote peace and justice. The women's movement in Colombia is diverse and has often been fragmented, highlighting marked differences in women's organisations – in terms of orientation, interests, priorities, etc. Nevertheless, women's voice, leadership and agency have been important in ensuring that gender-responsive measures are integrated in different political reform processes, including in the 2016 Peace Agreement itself.

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This case study explores how Colombian women have worked to ensure gender equality in peacebuilding frameworks on two interconnected issues – transitional justice and land reform. The paper also considers the extent to which women's organisations have used the Women, Peace and Security agenda strategically to secure access to and exert influence on the reform processes, and reflects on when and how international peacebuilding and development actors have been most effective in supporting the work of women as they seek to influence, shape, and drive transformational change in Colombia.

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How to cite: Rocha Menocal, A. (2022) Women's participation and influence in transitions from conflict: The case of Colombia. ODI Country study. London: ODI (<https://odi.org/en/about/our-work/the-women-peace-and-security-agenda-breaking-down-silos/>)

Disclaimer: the content of this publication has been produced to provide early ideas and analysis on a given theme. It has been peer reviewed and edited.

# Acknowledgements

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The author would like to thank Louise Winstanley and Pilar Domingo for their valuable comments and feedback. I would also like to recognise the support of Maegan Rodricks in the publication process, Deborah Eade for copyediting and Elaine Antwi for managing the project.

The paper was generously funded by the Conflict, Stability and Security Fund through the Foreign Commonwealth and Development Office. The views and findings presented here are the author's and do not represent the view of the Conflict, Stability and Security Fund.

## About this publication

This publication was produced as part of a study on **Women's influence and leadership: Integrating Women, Peace and Security into wider peacebuilding engagement**, which was undertaken by ODI. The research team included Clare Castillejo, Pilar Domingo, Alina Rocha-Menocal and Theo Tindall. The study examined how to integrate Women, Peace and Security (WPS) work more strategically with wider peacebuilding and conflict-related interventions to enhance women's influence and leadership across different peacebuilding processes. It developed analysis regarding how women seek to influence a range of change and reform processes related to peacebuilding that are often overlooked in the WPS agenda; how the nature of these processes and the actors involved in them hinder or enable women's access and influence; and how international actors can best support women's access and influence within these processes.

## About the author

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# Contents

Acknowledgements .....	4
Acronyms .....	6
1 Introduction .....	7
2 Background .....	9
3 Women’s activism in Colombia .....	12
3.1 Gendered dynamics of the armed conflict and related violence .....	12
3.2 A history of activism and mobilisation in strategic and political smart ways .....	12
3.3 Using the WPS agenda .....	14
Box 1 Legislation and ratification of international conventions and treaties regarding women’s rights, gender equality and violence against women since 1990 .....	14
4 Transitional justice and land reform .....	20
Box 2 Provisions for transitional justice and land reform in the 2016 Peace Agreement .....	20
4.1 How Colombian women have influenced transitional justice and land reform .....	21
Box 3 The Justice and Peace Law of 2005 .....	22
4.2 Contributing to the substance of the 2011 Victims and Land Restitution Law .....	23
4.3 Memory, truth-telling, and the documentation of atrocities .....	23
Box 4 Women’s organisations efforts in truth-telling .....	24
4.4 Processes of land reform .....	25
4.5 Individual empowerment and transformation .....	26
5 Challenges to women’s empowerment and influence in transitional justice and land reform .....	27
6 International support for women’s engagement with land and transitional justice processes .....	30
Conclusion .....	33
References .....	34

# Acronyms

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CMH	Centro Nacional de Memoria Histórica (Centre for Historical Memory)
CNRR	Comisión Nacional de Reparación y Reconciliación (National Commission for Reparation and Reconciliation)
CRSV	Conflict-related sexual violence
CSO	civil society organisation
DDR	Disarmament, Demobilisation and Reintegration
ELN	Ejército de Liberación Nacional (National Liberation Army)
FARC	Fuerzas Armadas Revolucionarias de Colombia (Colombian Revolutionary Armed Forces)
GNWP	Global Network of Women Peacebuilders
GoC	Government of Colombia
IDP	internally displaced person
M-19	Movimiento 19 de abril
NAP	Gender National Action Plan
NGO	Non-government organisation
ODA	Official development assistance
SGBV	Sexual and gender-based violence
UN Women	United Nations Women
UNDP	United Nations Development Programme
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
WPS	Women, Peace and Security

# 1 Introduction

The Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace, signed on 24 November 2016 between the Government of Colombia (GoC) and the Revolutionary Armed Forces of Colombia – Ejército del Pueblo (FARC-EP), Colombia's largest armed organisation, marked a watershed in the country's history of violent conflict, which has spanned over six decades.

This case study explores how Colombian women have worked to ensure gender equality in peacebuilding frameworks. It focuses on how women have mobilised around and influenced two interconnected issues which have been central not only to the peace agreement and post-conflict reform in Colombia, but also to a much broader and complex process of reform and (transition from) conflict that the country has been undergoing, albeit with different degrees of intensity and mixed levels of progress as well as setbacks over the last 40 years. This includes the development of a **transitional justice** architecture, which pre-dated the 2016 Peace Agreement, and a process of **land reform**, which has been embedded in transitional justice mechanisms as these have evolved, and amplified in turn by the peace process. The paper also considers the extent to which these change processes have been informed by the Women, Peace and Security (WPS) agenda, and whether women's organisations have used this agenda strategically to secure access to and exert influence on the reform processes.

The peacebuilding experience in Colombia has been a complex and multi-layered, process, and the Peace Agreement builds on parallel and successive efforts to promote political change. Prior to the 2016 Agreement, Colombia had engaged in a number of peace and other reform processes that also sought to redefine the political settlement along more inclusive lines. These included the development of a new constitution in 1991, extensive legal reform, and the opening up of political space to give greater voice and influence to previously marginalised groups, including women (Bouvier, 2016). As the experience with this latest peace agreement shows, addressing the root causes of conflict in Colombia remains an enduring challenge.

Nevertheless, with such a long history of violent conflict, Colombia has also succeeded in building important foundations to promote peace and justice, even in the midst of conflict. Civil society organisations (CSOs) have been actively engaged in such efforts across geographical locations, opportunities and times. Among these a diverse range of women's organisations has been important in

ensuring that gender-responsive measures are integrated in different political reform processes, including in the 2016 Peace Agreement itself.

It is important to highlight that women's mobilisation in Colombia has taken diverse and heterogeneous forms. There are many different women's organisations with distinct orientations, interests and priorities, which has led to considerable fragmentation (see, for example, Domingo and Rocha Menocal, 2015). Despite these differences, women's voice, leadership and agency have been significant in shaping different reform processes and outcomes against the backdrop of conflict and exclusion. In previous peace and related reform processes in Colombia, women were rarely included in negotiating teams, yet with each successive attempt they built on their earlier foundations and found ways to influence the process 'around the table, behind the table, and at side tables' (Bouvier, 2016: 19).

Equally, this paper does not intend to suggest at all that women are natural peacemakers, or victims/survivors, or share the same views, priorities and objectives. Many women have participated in the violent conflict — whether as politicians or politico-military fighters or sympathisers – or have responded to the conflict and violence in different ways (including, for instance, through migration both within Colombia and beyond). The focus here is on women who have mobilised around the need to secure peace with gender equality at the core of such efforts.

By the time the 2016 Agreement was signed, women were fully at the table as well. The Agreement is considered to be one of the most gender-sensitive from a global perspective (Kroc Institute for International Peace Studies, 2021; Anctil, 2022). But this was far from a given outcome. Women had to work especially hard to secure their places, overcoming formidable obstacles and navigating any opportunities afforded them to exert influence in strategic ways. The WPS agenda and politically smart collaboration and engagement with key (international) partners proved essential to their efforts.

## 2 Background

The 2016 Peace Agreement between the GoC and the FARC brought one of the world's most protracted and violent conflicts to a formal end. The conflict had spanned over more than 60 years, claimed more than 200,000 lives, and led to the internal displacement of almost 7 million people and a chronic humanitarian crisis.

Colombia is classified as a middle-income country with a long-established democratic tradition and a sophisticated legal framework (Pantuliano et al., 2018). Historically, however, Colombia has also been an extremely unequal country, and the root causes of the violence and conflict have been linked to unresolved grievances related to a highly exclusionary political settlement. Successive governments have never enacted substantive land reform or meaningful redistribution of resources. Different forms of violence – conflict-related, political, social, criminal, ethnic, and sexual – intersect with entrenched patterns of inequality and discrimination based along class, ethnic, gender and political lines. In large parts of the country the state had or continues to have limited presence and/or diminished capacity to provide security, justice or basic services, or has been absent altogether in areas that have historically been controlled by the country's various armed groups. These include not only the FARC, but also others like the National Liberation Army (ELN) (a smaller armed group which entered into peace talks with the government later), and an assortment of organised crime groups, including drug cartels and paramilitary organisations constituted as a non-state response to armed opposition groups (Pantuliano et al., 2018) – even if they often enjoyed tacit state support.

From the 1980s onwards, Colombia has engaged in several successive attempts to find a negotiated agreement to end the armed conflict and to carry out political and institutional reform. The 1991 Constitution represented one such effort to demobilise the M-19 guerrilla movement which was prevalent at the time, open up spaces for democratic participation at the national and subnational levels, and strengthen mechanisms of checks and balances (through the establishment of a Constitutional Court, the Office of the Attorney General of Colombia, and a process of petitions for the protection of constitutional rights). Despite these efforts, peace proved elusive, with different initiatives failing over the course of the next decade. Under his presidency, which proved highly polarising, Álvaro Uribe (2002–2010) broke with this paradigm of seeking a negotiated end to

the armed conflict, regarding it as organised crime and terrorism, rather than a product and consequence of deeper structural causes. As a result, the Uribe administration dramatically increased its military offensive against armed opposition groups or guerrilla organisations, while it undertook a controversial process of demobilising paramilitary groups. Against this backdrop, many women's (and other) organisations continued to work on the need to find political solutions to the armed conflict and to prepare the ground for future negotiations. In the absence of peace talks, women's groups organised regional and massive national marches to keep their demands for peace in the public eye (Bouvier, 2016). This paper examines how women's organisations worked, the international support they received, and the extent to which they invoked the WPS agenda.

The GoC revived its commitment to achieve a negotiated peace settlement with the guerrilla or armed opposition groups under the Santos administration, with secret exploratory talks between the government and the FARC starting in early 2011. Building on earlier reform processes, including in relation to transitional justice and land reform – to tackle deeply rooted structural inequalities based in the concentration of land and wealth, as well as conflict-related issues like land grabs and forced displacement – the 2016 Agreement covers land reform, political participation, illicit drugs, transitional justice and the legacies of violence. It also makes an important distinction between the termination of the conflict, in which the main parties are the GoC and the FARC, and longer-term transformational objectives and reforms, which were the outcome of more participatory processes of consultation with wider groups and interests (Pantuliano et al., 2018).

While successive peacebuilding efforts have brought about wide-ranging reforms intended to redefine state–society relations and reshape the 'rules of the game' and underlying political settlement along more open, inclusive and representative lines, considerable challenges remain. Colombia is still a deeply divided society, and social marginalisation, poverty and inequality persist (Pantuliano et al., 2018). In addition, the COVID-19 pandemic has generated a severe health crisis throughout the country and heightened inequalities and vulnerabilities (Kroc Institute for International Peace Studies, 2021).

As the Kroc Institute (2021), which monitors progress on the 2016 Peace Agreement, has noted, Colombia has made important strides in seeking to implement different provisions of the 2016 Peace Agreement, including some progress in rural reform, even under very difficult circumstances. This progress remains uneven, however, and the 2021 Kroc Institute report highlights in particular that the implementation of gender (and ethnic) stipulations trails well behind the general level of completed stipulations, and that the integration of a gender (and ethnic) cross-cutting approach needs to improve to

achieve sustainable, equitable and lasting peace (Kroc Institute for International Peace Studies, 2021).

The peace process and negotiated agreement have faced important obstacles. Notably, Colombians narrowly rejected the Peace Agreement in a national plebiscite held in October 2016, albeit based on a 37.4% turnout (Piccione, 2019). After revisions agreed with the FARC, the agreement was approved by Congress. Prospects for implementing the agreement suffered another blow with a presidential change just 18 months after Santos – who had championed and approved the agreement – as replaced by Iván Duque, who was elected in part on promises to revise key provisions of the agreement (Piccione, 2019). Under Duque, dialogue between the GoC and civil society, including women’s organisations, has been much reduced. In addition, COVID-19 forced community-level consultation processes under the 2016 Agreement to move to an online format (Kroc Institute for International Peace Studies, 2021), which has had important negative consequences for participation, especially for indigenous peoples and other rural populations with limited connectivity.

## 3 Women's activism in Colombia

### 3.1 Gendered dynamics of the armed conflict and related violence

Colombia's conflict affected women in a number of ways. Women are especially vulnerable to conflict-related violence, including sexual violence and other forms of aggression, intimidation and dispossession. The aim of the (threat of) violence is often to instil fear, to dissuade women from reporting conflict-related crimes and to demobilise women leaders. Women account for about half of the cases of forced disappearance and of internally displaced persons (IDPs). Very often, women experience conflict-related violence in interconnected ways. As Meertens (2012) has noted,

sexual violence is closely linked to displacement; sexual violence can be a cause of displacement, while it is a particular form of vulnerability to which women and girls are exposed during and after displacement. In addition, these vulnerabilities are generally exacerbated on the basis of class, ethnicity, and the urban–rural divide.

### 3.2 A history of activism and mobilisation in strategic and political smart ways

Against this backdrop, over many years, women's individual action, collective mobilisation, political empowerment and legal activism have played an important role in shaping the public agenda relating to women, peace and security, in ways that seek to address the legacies of the armed conflict, culminating in the 2016 Peace Agreement and its implementation. There is a need for caution, however, in view of the formidable challenges of structural inequalities, exclusion and violence that women have faced historically and continue to face. Yet it is also vital to recognise the experience of women's organisations, gender advocates and the victims of violence in taking advantage of the emerging mechanisms of transitional justice and provisions for land reform embedded in these, to advance a version of justice and accountability that takes account of the gendered experiences of conflict.

Colombian women have long been largely excluded from formal access to peace processes, or from taking part in negotiating mechanisms of transitional justice regarding how to address the legacies of conflict-related violence (O'Rourke, 2013). They were seldom invited to take part in political processes relating to the

design of demobilisation, disarmament, and reintegration (DDR) programmes aimed at demobilising the paramilitary forces, or in conflict-related security policies under the Uribe administration. Women's movements were not initially invited to the peace talks between the GoC and the FARC that eventually led to the 2016 Peace Agreement. As a result, much of the early legal framework and practice relating to these processes was gender-blind.

The effectiveness of women's mobilisation in shaping public and policy debate on how conflict-related legacies should be addressed is thus a major achievement given the weight of conflict on Colombia's social and political history. This is of value to the wider international Women, Peace and Security agenda, not least since the Colombian case demonstrates effective strategies for navigating the politics of conflict (O'Rourke, 2013; Domingo et al., 2015).

It is also essential to keep in mind that women's mobilisation efforts in Colombia are far from homogeneous. The network of women's organisations at both the national and subnational levels constitutes a rich and diverse universe. Women's groups do not speak with a single voice, nor do they all agree on or represent common agendas. Rather, they have different priorities and use different strategies to achieve their objectives, including in relation to the history of conflict and peacebuilding across a wide range of issues that have been the object of political negotiation, contestation and reform. This reflects their distinct ideological and political positions, as well as intersecting differences and inequalities related to regional differences, class, ethnicity, and generational divides (see, for example, Domingo et al., 2015; Domingo, 2016).

Despite these divisions, however, in a context of conflict and related forms of violence (from land grabs and forced displacement to sexual violence), Colombian women have transformed their experience of the conflict into strategic action and agency (Domingo et al., 2015). They have been highly effective at advancing a shared agenda to influence change processes at strategic points across time and place. This history of women's engagement and mobilisation has provided the foundation for women to successfully influence the peace process and the various reforms that developed from it, both by fighting for their place at the formal negotiating table and beyond (Bouvier, 2016). As one activist put it, women have repeatedly emphasised that they do not want peace to be made for them, but rather to be peacemakers (quoted in Domingo et al., 2015). This has all been achieved in the face of formidable and continuing challenges, including the highly gendered dynamics and experience

of conflict-related violence, and the structural legacies of displacement, exclusion and discrimination (Domingo et al., 2015).

Colombia thus represents a valuable example of how, since the 1990s, women have engaged across different thematic and sectoral issues relevant to the conflict; and have effectively drawn on international resources supporting peacebuilding to shape the discourse and direction of reform processes relating to justice, peace and accountability in ways that take account of women's needs and their diverse experiences of the conflict, in both the public and the private spheres. At the same time political change has opened important spaces for women's increased agency and gains in women's access to political and public roles. There is now much greater visibility of the scale of conflict-related violence and its gendered nature (including, for example, in relation to sexual violence), which has in turn led to growing demands for public responsibility for this violence and its redress (Domingo et al., 2015).

### 3.3 Using the WPS agenda

Developments in the international sphere have also provided Colombian women with supportive frameworks for their peace-making efforts. Box 1 summarises the legal and policy changes since 1982 that best reflect progress in women's empowerment. It focuses on legal changes that represent important advances in recognising women's rights and gender equality since the adoption of the 1991 Constitution.

#### **Box 1      Legislation and ratification of international conventions and treaties regarding women's rights, gender equality and violence against women since 1990**

**1982** Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

**1991** Political Constitution of Colombia replaced the 1986 Constitution, and provided for: recognition of

gender equality and freedom from discrimination (art. 13); women's right to participate at all levels of political

decision-making and in the public administration (art. 40); gender equality in family life (art. 42); equal opportunities for women and men, special protection during pregnancy and protection of women heads of households (art. 43); the possibility of divorce; and recognition of the separation of state and religion (Guzmán

Rodríguez and Prieto Dávila, 2014).

**1995** Ratification of the Inter-American Convention on the Prevention, Sanction and Elimination of Violence Against Women

(*Convención de Belem do Pará*). Establishment of a National Directorate on gender equality (later to become the *Alta Consejería para la Mujer* in 2010).

**1996** Law 294 establishes standards to prevent, remedy and punish domestic violence.

**2000** Law 581 sets a 30% quota for women's appointment to public office. Law 599 incorporates domestic violence in the penal code.

**2002** Law 755 of 2002, also known as *Ley María*, establishes that parents may have a leave of absence of two weeks to be with their children. Ratification of the Rome Statute of the International Criminal Court.

**2003** Law 823 establishes rules on equal opportunities for women.

**2004** Decision T-025 of the Constitutional Court, which calls on the state to address the structural causes of the unconstitutional conditions facing the internally displaced persons (IDPs).

**2005** Law 975 on Justice and Peace for the demobilisation mainly of members of paramilitary groups and the recognition of their victims and their right to justice, truth and reparations.

**2006** Decision C-370, a Constitutional Court ruling that modified Law 975 on Justice and Peace to create more space for victims' voice and participation, and strengthened the right to reparations. Law 1009 establishes the permanent Observatory of Gender Affairs. Consolidation of the Women's Caucus in Congress. Decision C-355 of the Constitutional Court regarding the decriminalisation of abortion in three specific cases.

**2008** Ruling 092, following up on Decision T-025, addresses women's historical vulnerabilities, the disproportionate impact of the armed conflict on women and the particular experience of women as IDPs. Law 1257 on Visibility, Prevention and Punishment of All Forms of Violence and Discrimination against Women, which increased sanctions and sentencing for violence and discrimination against women.

**2010** Establishment of the *Alta Consejería para la Mujer*, an executive body in charge of advancing policies on gender equality. Inclusion in the National Development Plan (2010–2014, arts 177 and 179) of a commitment to develop public policy on gender equality. Decree 164 to create an Inter-sectoral Commission entitled 'Interagency Board to End Violence Against Women' (*Mesa Intersectorial de Género*).

**2011** Law 1448 on Victims and Land Restitution establishes that women victims of conflict have special, preferential and priority treatment in land restitution. Law 1468 extends maternity leave to 14

weeks. Law 1475 regulates gender equality in the organisation and functioning of political movements, parties and electoral processes, introducing an electoral quota.

**2012** Approval of a National Policy on Gender Equality and Women's Rights (*Lineamientos de Política Pública*

Nacional para la Equidad de Género y los Derechos de las Mujeres), budgeted for in 2013. Law 1413 'regulates

the inclusion of the economy of care in the system of national accounting systems in order to measure women's

contribution to the social and economic development of the country'. Law 1542 ensuring the protection and

diligence of the authorities in the investigation of alleged violence against women.

**2013** Conpes document 3784, 'Public Policy Guidelines for risk prevention, protection and guarantee of the rights of women victims of armed conflict', which consolidates more than 200 specific actions to address the severity of women's experience of the damage caused by the armed conflict. Resolution 80 Ministry of

Agriculture and Rural Development establishes a Special Access Programme for Women, Girls and Teens to Land Restitution Process (31 January). Decree 1930 regulates the National Policy for Gender Equality and Women's Rights and creates the Inter-sectoral Commission for its implementation.

Source: Domingo et al., 2015

Notably, Colombia is not a signatory to UNSCR 1325 and has no National Action Plan (NAP) for the WPS agenda (Oion-Encina, 2020). At the same time, the WPS agenda has been crucial in providing a strategic framing for feminist organisations' mobilisation, while it has also been an important element among donors in supporting women's voice and agency in peacebuilding in Colombia (Domingo and Hinestroza, 2013).

Thus, Colombian women have used the WPS agenda to engage in and influence peacebuilding and policy change, through efforts such as the *Iniciativa de Mujeres Colombianas por la Paz* (IMP), for example, an alliance of 22 women's organisations and mixed groups that has worked on women's issues and the construction of a peace agenda with support from the Swedish International Development Cooperation Agency (SIDA), (Pfeiffer, 2014; Bouvier, 2016; Kroc Institute for International Peace Studies, 2020; Oion-Encina 2020). Women's groups have also used the WPS framing as an important means to hold the GoC to account, especially in relation the three-fold commitment it has made to 'the *prevention* of violent conflict, the

*protection* of all civilians, and the *participation* of women in conflict prevention, resolution and peacebuilding’, in line with three of the four WPS agenda pillars (Coalición 1325 Colombia, 2017).

In addition, women’s organisations relied on the tenets outlined in UNSCR 1325 and other resolutions related to the WPS agenda to demand their inclusion in peace and related negotiations and the integration of a gender perspective in the 2016 Peace Agreement (Oion-Encina, 2020). Through mobilisation, advocacy, coalition-building (e.g. the 1325 Coalition<sup>1</sup>), research and evidence as well as dialogue with the government, the FARC, and strategic engagement with the international community, feminist activists in Colombia, across political and civil locations (including women from the government side, the FARC side, as well as civil society) proved highly effective at influencing the peace negotiations and process that culminated in the 2016 Peace Agreement (Bouvier, 2016; Anctil, 2022).

As a result of such engagement and mobilisation, drawing to a considerable extent strategically on the WPS agenda, Colombia today is seen as an effective example of women’s inclusion in peacebuilding (Kroc Institute for International Peace Studies, 2020; Anctil, 2022). The Final Agreement incorporated a cross-cutting approach that recognises the centrality of gender across all the dimensions that the Agreement covers, affirms the need to achieve the equal rights of men and women, and highlights the need to guarantee affirmative measures to promote equality and the active participation of women and their organisations in peacebuilding (Kroc Institute for International Peace Studies, 2021; Anctil, 2022). The large number of specific commitments included in the Agreement as a result of using such a cross-cutting lens to promote and protect women’s rights constitute important gains (Kroc Institute for International Peace Studies, 2022) – notwithstanding ongoing challenges with implementation and high levels of violence against women activists.

While, as already noted, Colombian women had no presence at the peace talks launched in Norway in 2012 (Pfeiffer, 2014; Bouvier, 2016), by the end women constituted the majority of participants at the dialogue table, including a significant number of former guerrilla fighters, or *farianas* (Anctil, 2022). However, the experience of obtaining access to and influencing the negotiations leading up to the peace agreement was far from a foregone conclusion. Women had to work especially hard and overcome formidable obstacles to secure their places, including even basic logistics. Women activists have recounted, for example, how very often the discussions of the Gender Commission were not scheduled or timetabled into the main

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<sup>1</sup> The 1325 Coalition is made up of national and regional women’s organisations: The National Conference of Afro-Colombian Organizations (CNOA for its Spanish acronym), the National Council of Colombian Indigenous Women (CONAMIC for its Spanish acronym), the Corporation Research and Social and Economic Action, Dejusticia, The International League of Women for Peace and Freedom (LIMPAL, for its Spanish acronym, Colombia) and the National Network of Women (Summary 6<sup>th</sup> report).

programme of formal negotiations and that they had to make space for them well before the start of the working day (Corporación de Investigación y Acción Social y Económica and Observatorio Mujeres, Paz y Seguridad de la Corporación Humanas Colombia, 2017).

More fundamentally, women have been able to exercise their voices and influence by navigating challenges and opportunities in strategic and politically smart ways over the course of many decades. For example, as highlighted above, they have used the WPS agenda to frame their demands and engage with key allies, including in particular international actors, building essential linkages across different elements of peacebuilding that the international community often sees as separate and treats in isolation from each other. This includes, among other things, the intimate connection between transitional justice processes and land reform, which in Colombia lie at the core of structural inequalities and are the roots of violent conflict. In this way, women have used opportunities in multiple reform processes and change to seek to shift the balance of power and redefine the 'rules of the game'.

Over the years, women organisations have also built significant relationships and coalitions with strategic partners, including government entities, United Nations (UN) specialised agencies, and other domestic and international NGOs to open up the peace process to women and victims from diverse populations across the country and to strengthen their social and political participation (United Nations Association of Australia, 2020). As is further discussed below, responsive and politically smart from donor countries such as Norway and Sweden often proved catalytic, often simply by ensuring that women could get to crucial negotiations, and secure physical space to meet (covering airfare and travel expenses to Cuba for example; providing a venue for the Gender Commission to meet in Havana early in the morning, etc.)

One important turning point was a landmark National Summit of Women for Peace in October 2013, initiated by a consortium of nine Colombian women's organisations representing different ethnic, regional, cultural, and political backgrounds. The Summit, which had the backing of UN Women and the United Nations system in Colombia, as well as key embassies and bilateral agencies with a presence in the country, including Norway, Spain, Sweden and Switzerland, as well as Oxfam, proved pivotal in the appointment of two women as plenipotentiaries on the government peace delegation in November 2013 (Bouvier, 2016). At the summit, women's groups also submitted recommendations relating to the provisional accords already reached on agrarian rural development, political participation, illicit crops and drug-trafficking, as well as on the remaining agenda items relating to the rights of victims, the cessation of conflict, and the endorsement, implementation and monitoring of agreements.

Another significant juncture was the establishment of a Gender Subcommittee in September 2014, with the mandate to incorporate a gender perspective explicitly and in detail to central aspects of partial agreements, and, ultimately, the Final Agreement itself, on issues including land access for women, prevention of gender-based violence, access to justice and reparation programmes, and political participation (Kroc Institute for International Peace Studies, 2021; Anctil, 2022).

Women and women's organisations have also been actively involved in supporting the implementation of gender commitments, participating in dialogue, or as frontline human rights defenders. Women's leadership and participation, including former guerrilla fighters, have proved positive in peacebuilding, including in relation to land and transitional justice.

## 4 Transitional justice and land reform

The 2016 Peace Agreement presents a comprehensive and detailed approach to transitional justice, encompassing victims' right to truth, justice, reparations, and guarantees of non-recurrence, setting it apart from other peace processes in terms of its scope and ambition (Piccione, 2019) (see Box 2). The case of Colombia is also interesting in that land underpins the transitional justice architecture, through to the 2016 Peace Agreement to subsequent implementation policies (see Box 2).

This is not surprising, however, given that inequalities and exclusion related to land – including dispossession and appropriation – have been at the core of conflict and have been a leading cause of violence throughout Colombia's history. Rural women in particular have been disproportionately affected by violence and forced displacement (Ancil, 2022). Further aggravating the overall rural situation is the long-standing presence of illicit cultivation of coca in a vast majority (80%) of the most conflict zones of the country (Piccione, 2019). Addressing these issues is thus indispensable to achieve other objectives of the peace agreement, especially from a cross-cutting gender perspective (Piccione, 2019; Kroc Institute for International Peace Studies, 2022), and to enable the kinds of structural transformations that are needed to foster equality between men and women, tackle discrimination, and uphold fundamental human rights.

### **Box 2 Provisions for transitional justice and land reform in the 2016 Peace Agreement**

#### **Transitional justice**

The peace process was unique in its engagement with transitional justice in important ways. Over 60 survivors of violent conflict, mostly women, were invited to share their experiences and expectations with the peace delegations in Havana. These encounters between peace negotiators and conflict survivors, especially women, remain almost unprecedented in the field of conflict resolution. Key aspects of the 2016 Agreement relating to transitional justice include the establishment of a Commission on Truth and Reconciliation, the creation of a specialised unit to search for missing persons in the context of the conflict, a special tribunal for determining accountability

for human rights violations, protection for ex-FARC-EP fighters and community leaders, and reparations to victims.

### **Land reform**

The Peace Agreement commits to comprehensive land reform and the return of land to the victims of almost 60 years of armed conflict, and highlights the importance of including rural development and economic activities in a broader framework of land restitution to consolidate and sustain peace. Since reparations to victims and the reintegration of ex-fighters are closely tied to issues of access to land and rural community development, the success of these efforts ultimately hinges on achieving broader rural reform.

At the centre of the government's plan for implementing comprehensive rural reform are the Territorially Focused Development Programmes (PDETs), a set of 16 regional plans to bring services, infrastructure, and economic opportunity to the 170 most conflict-affected municipalities that are characterised by high poverty rates, illicit economies, greater conflict, and low fiscal capacity. An ambitious participatory budgeting process, which was described as 'the largest in the world' by a former senior official, was undertaken early on to identify key needs and priorities.

Sources: Maldonado, 2017; Piccione, 2019; Anctil, 2022; Kroc Institute for International Peace Studies, 2021 and 2022

## **4.1 How Colombian women have influenced transitional justice and land reform<sup>2</sup>**

As noted earlier, with almost 60 years of armed conflict and 30 years of trying to build peace, Colombia was able to develop important foundations, even in the midst of conflict. This is very clearly the case of transitional justice. It is worth noting that transitional justice efforts in Colombia have also integrated the importance of addressing land issues as part of the process of building peace and tackling the root causes of violence and conflict, so these two elements leading to the 2016 Peace Agreement have been closely linked.

Mechanisms associated with transitional justice in Colombia were established *before* meaningful peace talks between the GoC and the FARC started in Havana. Legislative milestones include the Justice and Peace Law of 2005 (under Uribe) and the Victims and Land Restitution Law of 2011 (under Santos). The first, which was highly controversial and divisive, focused on DDR (see Box 3). The latter concretely addressed the needs of victims of the conflict. Other milestones include Constitutional Court rulings calling on the state to address the structural causes of the unconstitutional conditions in

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<sup>2</sup> This section draws on Domingo, Rocha Menocal and Hinestroza (2015) and other sources.

which IDPs were living (2004), as well as to tackle women's historical vulnerabilities, the disproportionate impact of the armed conflict on women and the experience of women IDPs (2008).

### **Box 3      The Justice and Peace Law of 2005**

The Justice and Peace Law of 2005 was highly controversial and divisive, including because many did not see it as prioritising the needs and experiences of the victims of the violent conflict. Many women's organisations and human rights and victims' associations were ambivalent about whether to engage with the law and rely on and use the formal processes it established to pursue justice against the perpetrators of violence, since this could lend legitimacy to the controversial DDR policy regarding the paramilitary forces. Some groups clearly rejected any engagement with the mechanisms established under Uribe's law, while others opted to work with them in order to transform and use them to seek justice or give visibility to the scale of the violence. Irrespective of the preferred approach, the cumulative gains of gender activists involved redirecting public debate and institutional development to become more gender-sensitive and generally more responsive to victims, within the constraints of continuing conflict.

Source: Domingo et al., 2005

Over decades of mobilisation, working in politically smart ways and making crucial connections across areas of historical concern, women activists and organisations have been instrumental in shaping and influencing the content and substance of transitional justice and land-reform processes to ensure the adoption of a gender lens in peacebuilding frameworks, culminating in the 2016 Peace Agreement and efforts to implement its provisions. But progress to date in transitional justice and land reform remains uneven, especially regarding objectives and commitments made in relation to gender, and it has been moving slowly, 'in fits and starts' (Piccione, 2019).

Women's collective and individual action have significantly shaped the public agenda relating to the conflict and transitional justice. Women have redirected the political debate and policy direction of transitional justice and the state response to the violence from various feminist perspectives, including contributing text to laws on conflict-related issues. They have also helped to heighten national and international recognition and visibility of the scale of the violence in the public and private spheres as a result of individual and collective denunciation, and judicial and political activism on a more gendered account of the conflict. Lastly, at the individual level, the strategic engagement of support groups, victims' associations and women's and human rights groups has contributed to personal processes of dealing with the trauma of violence.

## 4.2 Contributing to the substance of the 2011 Victims and Land Restitution Law

The 2011 Victims and Land Restitution Law, or Law 1448, was an especially important marker of progress for women in shaping policy on the legacies of conflict, including in relation to land. A key achievement was that gender activists successfully contributed to shaping its content. Women's groups became actively involved in lobbying to inform the legislative process for the Victims and Land Restitution Law, which resulted in legislation that takes account of the gendered experience of conflict. Gender activists lobbied congressional representatives to provide direct wording to establish measures to protect women's legal rights. Díaz and Marin (2013) describe this as an important achievement in ensuring gender was fully part of the transitional process and the wider debate on addressing the conflict in Colombia.

Concrete gains achieved by engaging with the legislative process and public debate prior to the enactment of the Victims and Land Restitution Law included 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; the adoption of a chapter on land restitution for female claimants; a measure to prioritise women, especially those with sole responsibility for their household; judicial processes of restitution; recognition that women have priority claims to benefits and reparations with regard to the restitution of land; and wording that stipulates recognising land-titling to women when restitution takes the form of formalisation of land title (a measure intended to address historical injustices relating to informal land titling in rural areas). Women's and victims' associations have used mechanisms of transitional justice to secure gains in relation to reparations for IDPs. For this they have not only used the legal provisions noted above, but have also deployed strategies of judicial activism and constitutional litigation. This resulted in some major results in terms of justice, reparations and restitution before the Peace Agreement was finally enacted in 2016.

## 4.3 Memory, truth-telling, and the documentation of atrocities

The 2005 Justice and Peace Law created the National Commission for Reparation and Reconciliation (*Comisión Nacional de Reparación y Reconciliación*, CNRR), which set out to regulate the process of reparations and provide a space for establishing the facts of crimes committed without being a full truth commission.

The mobilisation of women and human rights movements ultimately led to reshaping the CNRR on the basis that there was a need to strengthen the protection of victims and their needs in the emerging legal framework. The documentation of atrocities, especially as experienced by women, became a valuable means to expose political realities relating to the wider structural injustices of inequality, discrimination and exclusion that remain at the heart of the Colombian political system, and to the complicity between elite interests and conflict-related violence. The gender perspective also helped to reveal the devastating impact of the violence in the private domain, highlighting the impact of conflict on family and domestic life. (See Box 4).

#### **Box 4 Women's organisations efforts in truth-telling**

Pre-dating the Justice and Peace Law, groups of women and of victims had created their own space for monitoring and recording conflict-related atrocities, establishing record of the scale of violence that represents a truth-telling process. In 2000, the umbrella group *Mujer y Conflicto Armado* brought together women's rights movements and human rights organisations with the purpose of requesting a visit by the UN Special Rapporteur on Violence Against Women, and has been a leading voice on conflict-related violence. More radical organisations such as *La Ruta Pacífica* and *Vamos Mujer* have focused on exposing the structural gender inequalities that underlie the conflict and the particular forms of violence that women experience.

While women's and victims' associations have been divided in many respects, this cumulative and evolving record of conflict-related atrocities and events illustrates empowerment through truth-telling; it gave voice to victims before a Truth Commission was formally established as part of the 2016 Peace Agreement. In effect, the Colombian Women's Truth and Memory Commission established by *Ruta Pacífica de las Mujeres*, with support from many international aid agencies, was the first independent (albeit unofficial) truth commission of its kind in Colombia. It was also the first such body led by a women's organisation to analyse the impact of an armed conflict on women in particular and to take an explicitly feminist, comprehensive approach aimed at documenting not only women's victimisation, but also women's strategies to address their victimisation (Ruta Pacífica de las Mujeres 2013; Bouvier, 2016)

Among other things, this kind of activism led to setting up the Centro Nacional de Memoria Histórica (CMH) (Centre for Historical Memory), which has become a focal point for establishing the facts of the conflict and issues publications and annual reports. From

women's perspective, it became an opportunity not only to recount the past, but also to denounce continued conflict-related violence. It has also been a key institution in lobbying for a gender-responsive transitional justice process that gives prominence to the voice of victims. The denunciation has made visible the problems of (gendered) structural inequality underlying the conflict, and how these affect the ways in which women experience injustices and violence related to the conflict. The CMH reports have become an important source of information and data on the conflict, not only of women's experiences.

#### 4.4 Processes of land reform

Building on Law 1448 and the objectives and commitments embodied in the 2016 Peace Agreement, various land-related programmes and policies have been designed in a way that has sought to include women's rights and specific needs. There have also been efforts to incorporate gender sensitivity in their implementation. Provisions include (Anctil, 2022):

- special access for women through preferential attention to female-maintained households
- identification of women as owning land rights and in gender-disaggregated data
- educating and making women aware of their rights to land tenure
- access to justice and land (including through alternative conflict-resolution mechanisms)
- support to productive activities

There have, however, been substantial delays in the implementation of key programmes and plans for comprehensive rural reform that may give rise to negative outcomes in the future, including in the 16 PDETs. Social leaders involved in spaces organised through mechanisms of international accompaniment have expressed the view that there has been inadequate representation of women's organisations in these processes (Piccione, 2019). The 'funnel effect', which refers to women's involvement at the general assembly level, followed by their subsequent exclusion from spaces for advocacy and decision-making regarding the content of the PDETs, represents one of the challenges affecting the PDETs in terms of ensuring the effective incorporation of women's various needs, interests, and proposals (Piccione, 2019; Kroc Institute for International Peace Studies, 2021 and 2022).

Women in the territories have called in particular for a more holistic approach, linking land to other priority issues and challenges in the peace agreement. They have argued, for instance, for the need for clearer coordination in the implementation of commitments in the

Final Agreement in relation to land reform and illicit drugs, stressing that it is impossible to substitute the income from activities other than crops used for illicit purposes if there is no land available through which to sustain a living. It remains essential to strengthen rural women's economic and security conditions, particularly those who have sole responsibility for their household, through special support programmes for protection, education, health, and vocational training, and measures aimed at the social reorganisation of domestic tasks – all based on the organisational processes and inscribed in the new PDET frameworks (Kroc Institute for International Peace Studies, 2021 and 2022).

## 4.5 Individual empowerment and transformation

The discussion above captures a reflection of the *collective* experiences of women's empowerment. There are also important accounts of personal change and transformation. Through dealing with the trauma of exposure to some of the worst excesses of conflict-related violence, various women have described and shared their *individual* processes of self-affirmation, the assertion of rights and sense of empowerment resulting from seeking justice and from giving voice and visibility to their personal predicament.

Personal accounts of individual transformation from victimhood to agency are an important concept at the grassroots level in addressing conflict-related violence. They have been documented in processes of memorialisation, such as CMH *¡Basta Ya!* report. Such testimonies give voice to individual accounts of extreme violence, dispossession, threats, intimidation and ultimately survival. Through processes and experiences of memorialisation, recounting personal histories of trauma and tragedy as part of a wider collective experience of injustice is an expression of intense grief, as well as an act of denunciation, self-affirmation and resilience. These are markers of voice and also examples of empowerment through the experience of giving visibility and voice to their experiences.

In sum, women's agency has contributed to important gains through the shaping of mechanisms of transitional justice to ensure that they take account of the gendered experience of conflict. This has included contesting the legitimacy of early official initiatives (the Justice and Peace law); contributing to the development of measures that take account of women who have been the victims of the violence, including lobbying for textual reference to the gendered experience of conflict in the law (the Victims and Land Law); documenting the nature of the conflict and cases of atrocity both within and outside state-sponsored bodies of memorialisation and truth-telling; pursuing justice in relation to sexual violence, reparations and land restitution; and supporting victims in giving voice to their experience of violence.

## 5 Challenges to women's empowerment and influence in transitional justice and land reform

As was noted earlier, while there have been important achievements in the implementation of at least some elements of the 2016 Peace Agreement in Colombia, progress has been very slow with respect to commitments made in relation to integrating a cross-cutting and integrated approach to gender (as well as ethnicity), with only a small number of commitments completed and the vast majority either not started or barely implemented (Kroc Institute for International Peace, 2021).

Much remains to be done in terms of women's empowerment. As elsewhere, progress in Colombia has been uneven. As the 2016 Peace Agreement is now at the phase of regional implementation, progress will depend on further decentralisation of the gender commitments. But more fundamental challenges persist in relation to women's empowerment on transitional justice and land that affect both the national and the subnational levels.

There is a persistent chasm between formal rules, policies and agreements and how they work in practice, which is a reflection of the fact that, despite continuing efforts to bring about transformational change in Colombia, to date there has been no substantive rearticulation of the political settlement relating to unresolved – and profoundly gendered – issues of land, inequality and entrenched structures of exclusion. These challenges are complex and are deeply ingrained in long-term patterns of inequality, discrimination and exclusion that cannot be dissociated from the wider political economy of the history of the conflict in Colombia (Domingo et al., 2015; Rocha Menocal and Domingo, 2015; Kroc Institute for International Peace Studies, 2021).

The mechanisms related to transitional justice and land are important in revealing the scale of conflict-related issues and how they affect women and girls in particular, including in terms of violence, displacement and loss of land and livelihoods. These are especially problematic in rural areas, where the implementation of progressive

laws is actively resisted by powerful vested interests in the patriarchal social order. Colombia remains one of the world's most unequal countries. There will be a need for a significant shift in the elite bargain in order for the peace agreement to result in a substantive redistribution of resources, including land reform. It is therefore important to be realistic about how quickly legal gains can translate into behavioural and attitudinal changes, especially against the backdrop of the resilience of patriarchy and discriminatory social norms. Women's organisations have consistently documented the difficulties of altering attitudes and practice in the criminal and general justice systems in dealing with cases of conflict-related sexual violence, and handling cases relating to the mechanisms of transitional justice established since 2000. In this respect, informal rules continue to prevail over formal stipulations, which has reduced the effectiveness of the Peace Agreement and laws intended to empower women.

It is also important to highlight that 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, where political identities are sharply divided – which is in turn reflected among women's groups. There also seem to be some generational dynamics at work, with older and younger women having markedly different priorities and ideas about how to work towards achieving change, especially in terms of whether or how the struggle for women's empowerment should engage with the state. Moreover, women have mobilised not only around feminist identities, but also across a broad range of practical issues, with varying levels of convergence regarding the political process, and in successive attempts to address the conflict. The process under the Uribe administration (2002–2010) was especially divisive in relation to how and whether women's organisations should engage with the various reforms related to addressing the conflict.

Moreover, notwithstanding important progress in Colombia in terms of empowering women, especially against a backdrop of conflict and violence, and prospects to build peace, this progress has also been uneven for different groups of women. Severe inequities persist across regions and between income groups, while indigenous and Afro-Colombian women remain the most marginalised and vulnerable. In large measure, it is educated and urban women who have most been able to benefit from the gains made, while poorer and often non-literate women in rural areas and ethnically marginalised communities continue to lag behind – and are also much more exposed to gender-based violence, discrimination, and displacement. This bias based on ethnic and socio-economic conditions, access and opportunity is also clearly visible among 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, mostly rural, areas and other marginalised communities and backgrounds, can become empowered and articulate their voices effectively. Often, these women lack the necessary resources to participate in formal political life and gain access to positions of authority and decision-making. The persistence of such inequity among women along class, ethnic and geographic cleavages suggests that women's empowerment and increased voice and influence are not sufficient in themselves to address issues of inequality, and much more needs to be done to make it easier for less privileged women to benefit from the gains that have been made more thoroughly and consistently (Kroc Institute for International Peace Studies, 2021).

## 6 International support for women's engagement with land and transitional justice processes<sup>3</sup>

International factors have contributed to supporting women's empowerment during the protracted conflict and the peace process in various ways. Colombia is a middle-income country that receives official development assistance (ODA). The US is the largest donor, although the UN has been actively engaged in Colombia for at least 50 years (Pantuliano et al., 2018). Much of the US bilateral aid has been focused on counter-insurgency operations and the eradication of the production and trafficking of drugs (through e.g. Plan Colombia), but there has also been broader and major support to the peace process, from early talks and successive negotiating stages through to the signing of the 2016 Peace Agreement and the accompaniment of its implementation to monitor progress on an ongoing basis. A UN Political Mission was established in January 2016 at the request of the negotiating parties in the peace process to monitor and verify the laying down of arms, and be part of the tripartite mechanism verifying the ceasefire and the cessation of hostilities following the signing of the Peace Agreement (Pantuliano et al., 2018). In addition, by mandate of the GoC and the former FARC-EP, the Kroc Institute for International Peace Studies is responsible for monitoring the implementation of the Agreement. The Kroc Institute has released five reports to date on the status of overall implementation of the agreement, as well as numerous special reports on the implementation of gender and ethnic provisions.<sup>4</sup>

One important component of international support has been in relation to the international agenda on WPS. A Special High Level Forum for the Implementation of the Gender Perspective Approach was created in July 2017, comprising eight representatives of Colombian women's organisations, who received international funding (Anctil, 2022). Three other elements in international support stand out. First, consistent and ongoing international assistance to women's organisations and human rights and victims' associations

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<sup>3</sup> This section is drawn from and builds on Domingo, Rocha Menocal and Hinstroza (2015).

<sup>4</sup> See here: <https://kroc.nd.edu/news-events/news/fifth-kroc-institute-report-on-colombian-peace-agreement-shows-continued-progress-despite-adversity/>

has been fundamental in ensuring their capacity to organise and mobilise, in supporting their sustainability, and in securing their eventual presence in the formal peace process. Donors especially committed to advancing the WPS agenda in Colombia include UN Women (formerly UNIFEM, through UNDP), as well as bilateral donors such as Spain and Sweden, as well as Canada, the Netherlands, and Norway.

While the changes in Colombia in relation to conflict and peace processes have been very much driven and led within the country, international engagement and pressure from organisations supporting and working closely with women's groups has been vital to open up spaces for their inclusion at critical junctures in the peace process and well beyond (Bouvier, 2016).

Second, as in other countries and in different areas of support, donors' 'ways of working' make a difference to how effectively they can support women's empowerment in the context of conflict, and their engagement with and influence in relation to critical issues related to transitional justice and land. Conventional forms of engagement 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 type of assistance has included, for instance, strategic support for the research and publications of organisations such as CNRR and CMH, as well as the Victims Unit and the Land Unit, with a focus on gender. It has also included technical support to various bodies for the development of the Victims and Land Restitution Law, such as the Victims Unit, the Public Prosecution Office and the judicial branch, including on the systematisation of jurisprudence. The effectiveness of such assistance, however, has been mixed.

The third relevant factor has been the role of international human rights bodies and Colombia's commitments to international human rights conventions. At the very least, this has given visibility to the scale of the violence and impunity. While impunity remains hugely problematic and state bodies have been accused of flouting international human rights commitments, there are reputational costs for successive Colombian governments, given their claim to govern through the rule of law. Four related aspects of international human rights law are relevant to the achievements in women's rights identified in this report. First, the Colombian Constitutional Court has ruled that within the framework of the 1991 Constitution, international human rights conventions and treaties to which Colombia is signatory have constitutional status and take precedence over domestic law. Second, the Constitutional Court takes international human rights jurisprudence into account, including in relation to women's rights. This has also been reinforced by close alliances between women's movements and human rights organisations – and especially capitalised on by feminist lawyers engaging in strategic legal mobilisation in relation to women's rights in conflict. Third, regional

organisations such as the Inter-American Commission and the Inter-American Court of Human Rights have consistently reported on the scale of conflict-related violence affecting women, further adding to the pressure on the Colombian government. Finally, the International Criminal Court (ICC) in The Hague closely followed the peace process in terms of how transitional justice was being negotiated. The presence in the peace process of Colombian feminist organisations with legal expertise, such as *Corporación Sisma Mujer*, was also important as they were able to take advantage of Colombia's international human rights obligations in their strategic use of the law and the Colombian Constitutional Court.

Internationally supported efforts have achieved most when they have been grounded in an in-depth understanding of contextual realities and have sought to engage with these and tailor their interventions accordingly. Of course, women's empowerment has not been 'imported' via international support. Rather, international assistance has been most effective where it has enabled and harnessed locally driven processes of empowerment and reform – an insight that applies well beyond the case of Colombia or the WPS agenda. This has entailed strategic thinking; coordinated planning across many levels – local, regional, national and international; persistent, high-quality, timely research and advocacy; cultivation of alliances; and coalition-building across institutional, political, geographic, ethnic and psychological barriers. It has also required flexibility, innovation, and adaptation to shifting political contexts, along with resources, technical support, and relationships based on trust fostered over the long term. Of particular interest have been donors' efforts to 'accompany', facilitate, and play a brokering role in bringing together different stakeholders in a context where activism entails a high level of risk, and where there is considerable distrust between different actors.

This has characterised some of the ways in which donors have engaged in Colombia (Domingo et al., 2014; Domingo et al., 2015; Bouvier, 2016). Some research has, however, suggested that international funding priorities need to be more robust, consistent, and reliable in this regard (Pantuliano et al., 2018). There are also persistent problems related to overcoming competition in relation to priorities and funding and promoting greater coordination and coherence among different donors – and even within them (e.g. the UN and its multiple specialised agencies and programmes) (Pantuliano et al., 2018).

# Conclusion

The Colombian 2016 Peace Agreement represented an unprecedented opportunity for the country, not only to end the decades-long armed conflict, but also to overcome entrenched patterns of inequality, discrimination and exclusion that are also profoundly gendered, and to uphold women's rights. As this report has noted, although there has been progress, the implementation of the commitments with a gender perspective persistently lags behind general stipulations. Much work remains to be done to ensure stronger gender-equality frameworks and outcomes, achieving which remains deeply anchored in the need for a more profound and thorough transformation of the underlying political settlement and 'rules of the game' in Colombia more broadly.

The case of Colombia is also a powerful reminder that women's engagement, mobilisation, activism, cumulative efforts and collective action over decades was instrumental in preparing the ground for the start of peace talks in Havana; and in shaping and influencing the approach and content of the 2016 Peace Agreement, even in a context of persistent violence. The armed conflict in Colombia is also a story of women's empowerment and agency. Women have lobbied for legislation, defended human rights, promoted a public discourse for peace, mediated or mitigated conflict in their communities, mobilised constituencies, and repaired relations in communities that have been shattered by war. Women have engaged in dialogue and action for peace, and lobbied for political solutions, and worked in strategic ways to secure concessions and humanitarian agreements from armed groups and the government.

All these efforts, which have also received international support at critical times and in very important ways – amplifying and harnessing women's voices and locally-driven processes of change – have borne fruit, despite all the challenges. Women and their organisations have been key allies in moving implementation of the peace accord forward. The WPS agenda is more relevant than ever for Colombia. Commitments included in the 2016 Peace Agreement, and there is a need to prioritise measures on land and transitional justice with a gender-aware approach in particular. If implemented comprehensively, the Agreement offers an opportunity for transformation and a path towards sustainable peace and gender equality.

# References

- Anctil, P. (2022) 'Five years of building peace: Female ex-guerrillera's political reincorporation in Colombia'. LSE Blog, 24 January (<https://blogs.lse.ac.uk/wps/2022/01/24/five-years-of-building-peace-female-ex-guerrilleras-political-reincorporation-in-colombia/>).
- Bouvier, V. (2016) 'Gender and the role of women in Colombia's peace process'. UN Women Background Paper prepared for the United Nations Global Study on 15 Years of Implementation of UN Security Council Resolution 1325 (2000). New York: UN Women.
- Christina (2014) 'Interview with Donny Meertens on Women's Land Rights & Youth Views on Transitional Justice'. Reinventing the Rules (5 March) (<https://reinventingtherules.com/2014/03/05/interview-with-donny-meertens-on-womens-land-rights-youth-views-on-transitional-justice-in-colombia/>).
- Coalición 1325 Colombia (2017) 'Resumen 6 Informe de Monitoreo a la Resolución 1325 del Consejo de Seguridad de Naciones Unidas – Colombia 2017'. Bogotá: Coalición 1325 Colombia ([https://www.dejusticia.org/wp-content/uploads/2017/11/6InformeR1325\\_2017-3.pdf](https://www.dejusticia.org/wp-content/uploads/2017/11/6InformeR1325_2017-3.pdf)).
- Corporación de Investigación y Acción Social y Económica and Observatorio Mujeres, Paz y Seguridad de la Corporación Humanas Colombia (2017) 'Experiences, Contributions, and Recognition: Women in the Peace Process in Havana'. Bogotá.
- Díaz, C. and Marin, I. (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.
- Domingo, P. (2013) *Corporate evaluation of UN Women's contribution to increasing women's leadership and participation in peace and security and humanitarian response: Headquarter and global case study*. New York: UN Women.
- Domingo, P., O'Neil, T. and Foresti, M. (2014) 'Women's participation in peace and security: Normative ends, political means'. Briefing 88. London: ODI (<https://cdn.odi.org/media/documents/8961.pdf>).
- Domingo, P., Rocha Menocal, A. and V. Hinestroza, V. (2015) *Progress despite adversity: Women's empowerment and conflict in Colombia*. Development Progress Case Study, London: ODI (<https://odi.org/en/publications/progress-despite-adversity-womens-empowerment-and-conflict-in-colombia/>).
- Herbert, S. and Rocha Menocal, A. (2014). *Peace at last? Colombia's negotiation process and prospects for an end to the conflict – A scenario analysis*. Birmingham: GSDRC, University of Birmingham.
- Maldonado Ucrós, A. (2017) 'What is the Colombian peace process teaching the world?', *New England Journal of Public Policy* 29(1): Article 9 (<https://scholarworks.umb.edu/nejpp/vol29/iss1/9>).

- McCandless, E. (2019) Forging resilient social contracts and sustaining peace: Summary of findings of new comparative research', *Journal of Peacebuilding & Development* 14(1): 90-95 (<https://doi.org/10.1177%2F1542316619832697>).
- Meertens, D. (2012) 'Case Studies on Transitional Justice and Displacement: Forced Displacement and Gender Justice in Colombia. Between Disproportional Effects of Violence and Historical Injustice'. New York: ICTJ/Brookings.
- Kroc Institute for International Peace Studies (2020) *Towards implementation of women's rights in the Colombian Final Peace Accord: Progress, opportunities and challenges*. Notre Dame, IN: University of Notre Dame.
- Kroc Institute for International Peace Studies (2021) *Five years of Peace Agreement implementation in Colombia: Achievements, challenges, and opportunities to increase implementation levels, December 2016 – October 2021*. Notre Dame, IN and Bogotá: Peace Accords Matrix/Kroc Institute for International Peace Studies/Keough School of Global Affairs.
- Oion-Encina, R. (2020) 'Resolution 1325 in the agency of Colombian women in the peace process of 2012-2016', *Journal of International Women's Studies* 21(6): 332-344 (<https://vc.bridgew.edu/jiws/vol21/iss6/21>).
- Pantuliano, S., Metcalfe-Hough, V. and McKechnie, A. with Carl, A., Jackson, A., Domingo, P. and Al-Azar, R. (2018) *The capacities of UN agencies, funds and programmes to sustain peace: An independent review*. Report. London: ODI (<https://cdn.odi.org/media/documents/12064.pdf>).
- Pfeiffer, S. (2014) 'Sealing a Colombian peace deal: Challenges of citizen ratification'. Policy Brief. Oslo: NOREF.
- Pfeiffer, S. (2014) *Infraestructura de paz en Colombia*. Berlin: Berghof Foundation.
- Piccione, T. (2019) *Peace with justice: The Colombian experience with transitional justice*. Washington, DC: Brookings.
- Rocha Menocal, A. and Domingo, P. (2015) 'Colombia's women, tried by war, find new power', *Foreign Policy*, 15 October (<https://foreignpolicy.com/2015/10/15/colombias-women-tried-by-war-find-new-power/>).
- United Nations Association of Australia (2020) 'Women Peace and Security Achievements in Colombia (<https://www.unaa.org.au/2020/03/25/women-peace-and-security-achievements-in-colombia/>)