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COLOMBIA: A SITUATIONAL ANALYSIS OF WOMEN'S PARTICIPATION IN PEACE PROCESSES

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SUMMARY

Colombia's challenges pertaining to non-state actors can be traced back to the nature of the state's historical development, particularly in terms of state capacity, security and the inability of formal institutions to resolve key societal grievances. The conflict between the Colombian government and the Revolutionary Armed Forces of Colombia (now Common Alternative Revolutionary Force, FARC) has waged since 1964, and had seen a strengthened FARC force take an effective militant resistance against the government. Leading up to the 2016 Peace Agreement the FARC's militant numbers were believed to have dropped to around 8000. Only a small number of women have previously been involved in formal peace negotiations; however, since 2013 there has been an increasing mobilisation of women for a resolution to the Colombian conflict.

STRENGTH OF GENDER PROVISIONS

A General Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace, 2012

| | 0 None | 1 Weakest | 2 | 3 | 4 | 5 Strongest |
|------------------------|-----------|--------------|---|---|---|----------------|
| Human Rights | ✓ | | | | | |
| Development | ✓ | | | | | |
| Post-Conflict Issues | ✓ | | | | | |
| Violence Against Women | ✓ | | | | | |
| Participation | ✓ | | | | | |
| General | ✓ | | | | | |

WOMEN'S PARTICIPATION: KEY CONSTRAINTS AND ENABLERS

CONSTRAINTS

1. Colombia's machismo culture
2. Low representation in state level politics
3. High level of socio-economic inequality

ENABLERS

1. Inclusion of women in civil society
2. Significant role of women in the peace negotiation process
3. High representation of women in the FARC

Colombian Agreement to End the Armed Conflict and Build a Stable and Lasting Peace, 2016

| | 0 None | 1 Weakest | 2 | 3 | 4 | 5 Strongest |
|------------------------|-----------|--------------|---|---|---|----------------|
| Human Rights | | | | | | ✓ |
| Development | | | | | | ✓ |
| Post-Conflict Issues | | | | | | ✓ |
| Violence Against Women | | | | | ✓ | |
| Participation | | | | | | ✓ |
| General | ✓ | | | | | |



BACKGROUND TO THE CONFLICT

The roots of the conflict between the Colombian government and the Revolutionary Armed Forces of Colombia - People's Army (FARC), date back to a violent period of Colombian history known as *La Violencia* ('the Violence'), commencing in 1948. Leading up to the outbreak of *La Violencia*, Colombia's elections were primarily tailored towards representing the interests of the country's elites through the two major parties, the Liberals and the Conservatives. Combined with the inability to effectively exercise rule of law throughout the Colombian countryside, combined with the preferentialism of the agrarian elite over the colonos (tenant farmers) and peasants, a significant number of the rural population were directly excluded from the state's political apparatus (Richani 2013; LeGrand 2003).

Whilst *La Violencia* was initially fought along party lines between the Liberals and Conservatives, it later manifested along class lines between the large landowners and peasants. Although the Colombian Communist Party was formally ratified in the 1930s, as early as the 1920s it began to support rural militancy, and members organised the seizures of land, strikes, protests and established several enclaves and self-defence groups in areas throughout southern Colombia (Brittain 2010). Whilst small at the time, the party was unable to involve itself immediately in the struggles of the rights of tenant farmers and land, securing grassroots support amongst the rural population. On 27 May 1964, the Colombian government launched 'Operation Marquetalia' against the growing communist threat in southeast Colombia. This event marked a significant point in the Colombian conflict, as the impact of the campaign on these 'self-defence enclaves' contributed to the mobilisation of more militants. Despite only forty-eight armed peasant guerrillas being active in the area, all survived the military bombardment during Operation Marquetalia. This group included the FARC's original commander-in-chief, Manuel Marulanda Vélez, and the FARC's original political and ideological leader, Jacobo Arenas. Whilst many within the FARC view Operation Marquetalia as being the founding date of the insurgency, it was formally established at the guerrilla's Second Conference in 1966.

At the table, around the table, behind the table, and at the side tables, women are having their say and shaping the path to peace.

As Spencer (2016) argues, between 1966-1982, the FARC was essentially in survival mode with the primary focus being on how to fight a guerrilla war and obtain the resources required to allow for it to survive. During this period, the FARC raised money primarily through extortion and kidnapping, and militarily it conducted low-level guerrilla attacks and ambushes. However, from 1982 onwards FARC began to strengthen and further mobilise due to a reorientation in military and political strategy, and through engagement in the country's coca trade. At the height of its power in 2002, figures suggested that the FARC maintained roughly 19,000 fighters and had a presence in around 40 per cent of the country's territory. Leading up to the 2016 Peace Agreement, this was believed to have dropped to around 8,000 militants. The FARC maintained a degree of support by adopting influence from 'Bolivarianism', a set of largely nationalist doctrines inspired by Bolívar, a Latin American independence leader. Bolivarianism includes a series of proposals that generally encompass left-wing ideas, but 'sideline traditional ultimate goals such as the establishment of a classical socialist model' (Ortiz 2002: 130). The FARC's political agenda, inspired by Marxism-Leninism and Bolivarianism, has traditionally framed its negotiation agenda with the Colombian government. It is evident in the FARC's Agrarian Programme of the FARC- EP Guerrillas, its set of social and economic objectives that were initially proclaimed in 1964 during Operation Marquetalia, and applied after the guerrilla's Eighth Conference in 1993.

WOMEN'S PARTICIPATION IN THE PEACE PROCESS

Previously only a small number of women have been engaged directly in government negotiations. As Bouvier (2016) highlights, when the government negotiated with the smaller Popular Liberation Army (EPL), Workers Revolutionary Party of Colombia (PRT) and Quintin Lame Armed Movement (MAQL) between 1990-1994 under the Gaviria administration, only one women guerrilla was a signatory to the agreement. Similarly, women were largely absent from negotiations with the United Self-Defense Forces of Colombia (AUC) under the Uribe administration in 2004. An exception to this was during the Pastrana administration (1998-2002), where one woman, María Emma Mejía, was one of the principal negotiators. Furthermore, when Ana Teresa Bernal (former director of the National Network of Citizen Initiatives for Peace and against War, REDEPAZ) was named to coordinate the thematic committees to channel civil society input into the Pastrana process, both women used their positions to urge the incorporation of more women into the negotiating realm - including with the FARC. Colombia also committed to the passage of UNSCR1325, which contributed to a supportive framework that would aid

Colombian women, particularly in civil society, in their peacebuilding endeavours. An example of this was securing inclusion in Colombia's National Development Plan 2014-2018, particularly in relation to the provision pertaining to 'the promotion of direct and autonomous of women's organisations in different national and local dialogues and political negotiation processes related to social and armed conflicts'. Within this National Development Plan, special focus is provided to women in rural areas, their access to land and their role in the productive transformation in the rural regions. Moreover, the National Development Plan also develops a gender equality public policy for the prevention of risks, protection and guarantee of women's rights, particularly those that are victims of the armed conflict.

The negotiations under the Santos administration marked a departure from precedents set within the Pastrana administration for a variety of reasons. When formal talks commenced in Cuba in November 2012, both the government and the FARC were permitted up to ten negotiators including five 'plenipotentiaries'. These plenipotentiaries were granted full negotiation power, and each side was also allowed a team of up to 30 total members. Initially, there was only one woman amongst the negotiators and plenipotentiaries. This was the FARC delegate Tanja Nijmeijer, *nom de guerre* Alexandra Nariño, a well known international guerrilla who is of Dutch origin. However Bouvier (2016:19) states that 'women's minimal presence as lead negotiators is misleading, however. At the table, around the table, behind the table, and at the side tables, women are having their say and shaping the path to peace.'

An overwhelming majority of our research participants stressed that women played a significant role in the negotiation process, including in the technical teams within each agenda item. Moreover, they also emphasised that civil society and Colombian women played a significant role in shaping public opinion and supporting a final settlement - a process that started much earlier than the Santos negotiations. Participants explained that as early as the 1980s, women's organisations were supporting programmes towards a peaceful outcome of the conflict with the FARC. In the lead up to the final 2016 Peace Agreement, women's organisations and civil society set up working groups and conferences throughout 2012-2013, that were designed to debate and discuss the five-point negotiation agenda.

Some research participants identified the First National Summit for Women for Peace in October 2013 as being the landmark for significant change. However other research participants suggested that participation and influence commenced much earlier. Despite this, the main objective of this Summit was to promote Colombian civil society participation post-conflict, and to debate and discuss the signing, implementation and review of the peace agreement. Approximately 400 representatives from women's organisations, political sectors and ethnic

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groups met to exchange proposals and experiences on the construction of a stable and lasting peace. The Summit pushed for three key outcomes: that women be included at the negotiating table and at every stage of the process; that parties stay at the table until a peace agreement is reached; and that women's needs, interests, and experiences of the conflict, be considered during the peace negotiations.

The National Summit of Women for Peace contributed to significant changes at the negotiation table. Firstly, the government appointed two women as plenipotentiary negotiators - Nigeria Rentería and María Paulina Riveros. Moreover, Victoria Sandino joined the FARC's negotiating team, and by 2015, the FARC's delegation was made up of 40 percent women. This reflected the general composition of the FARC's insurgent forces, that were made up of 40 per cent female combatants. Moreover, in 2013 the FARC established an online tool, *Mujeres Farianas* (<http://www.mujerfariana.org>), to promote their women's organisation. This website presents an array of different resources documenting the experiences of the FARC women, including interviews, videos, poetry, popular culture, feminist resources, blogs and literature.

Women's participation in the peace negotiation process also influenced the composition of two key Sub-Commissions. The first was the Technical Sub-Commission on Ending Conflict, which addressed important agenda provisions such as the bilateral ceasefire, disarmament, criminal organisations and security guarantees and prisoners of the FARC. Of this Sub-Commission, women made up 25 per cent of its members (3 of 10 FARC members were women and 2 of 10 government members were women). The second is the Gender Sub-Commission, which consisted of mostly women with the exception of one FARC male representative, Pablo Catatumbo. This Sub-Commission was mandated to 'review and ensure, with support of national and international experts, that the partial agreements and the eventual final agreement have an appropriate gender approach' (FARC-EPeace International). Whilst there were no guarantees that their recommendations would be implemented, the Gender Sub-Commission did influence change in three of the earlier agreed upon agendas that it was delegated to address: including a gender approach in the rural reform agreement; political participation; and finding a solution to the problem of illicit drugs. It then played a role in incorporating the 'gender approach' in Point Four regarding victims. One of the overwhelming features of the Peace Agreement is the emphasis it places on adopting a 'gender-based approach'. This has been adopted

Colombia has one of the lowest representation rates of women in politics within Latin America. In 2015, women make up only 21 per cent of Congress, 10 per cent of Mayors, 17 per cent of Deputies and 9 per cent of Governors

throughout the six agenda items. Point One deals with Comprehensive Rural Reform, and in this section there are specific provisions that deal with women. The Land Fund places particular attention in providing access to land for peasants. Priority is given to female heads of households in assisting beneficiaries of the Land Fund. Furthermore, there will be specific measures to facilitate the access by women to the integral subsidy for land purchase and to overcome obstacles rural women face in the formalisation of their property.

The Comprehensive Cadastral Information System will contain information disaggregated by sex, gender and ethnicity, which will allow information on land, relationships with the land and forms of titling to remain in the hands of women. A high level authority designated to formulate land use guidelines will have balanced representation of men and women. Also, the Solidarity Economy Stimulus is obligated to promote gender equality, economic autonomy and organisational capacity, especially for rural women. Programmes to eradicate hunger in the countryside and improve the nutrition of rural inhabitants will prioritise pregnant and nursing women, as well as children and the elderly, as beneficiaries. The rural population's social protection and social security system coverage will include the promotion of women in non-traditional productive areas. There will be legal advice and special training on women's rights and access to justice, specific measures to overcome barriers to the recognition and protection of women's rights. There will also be a gender focus on health, including sexual and reproductive health in rural, technical, technological and university education, that will promote women's training in non-traditional disciplines.

Point Two of the Peace Agreement deals with political participation. The section highlights the ways in which participation by women's organisations in different settings will be encouraged, including community assemblies, participatory planning exercises and community forums for Development Programmes with Territorial Approach (PDET). The Peace Agreement recognises the necessity to promote greater inclusion of women in the decision-making spaces and in public affairs to strengthen and expand democracy. To do this, a programme will be created to promote

participation and leadership of women in politics and will devise positive measures to promote this incorporation at both the national and territorial levels. Moreover, it will promote the creation of organisations and movements of women, youth and the LGBTI populations, contribute to 'visible leaderships' and guarantee their interlocution with public powers. The National Mass Census campaign will take specific measures to facilitate access for rural women, and the specific difficulties for women in accessing the electoral system will be taken into account. There is a guarantee of gender approach and there are measures to guarantee a balanced representation of men and women in the composition of all instances to which the agreement is referred, and within organisations, social movements and political parties. Also, the Comprehensive Security System for the Exercise of Politics is obligated to incorporate measures for women, including the positive assessment of their participation in public. At the same time, the special, individual, collective and integral protection programme will ensure the protection of women human rights defenders, based on specific risk assessments that takes into consideration threats and their environments. Sixteen additional and transitional constituencies will be created in the House of Representatives, with the aim of giving Congress a voice in regions especially affected by the conflict, as well as abandonment, and weak institutional presence. Candidates from significant groups of citizens or social organisations in these regions (not parties that have representation in Congress) may apply. This means that women's organisations are able to compete for these positions.

Point Three of the Peace Agreement deals with the bilateral and definitive ceasefire, and one of our participants outlined how she was able to incorporate a gender approach into a ceasefire. Within this section, the agreement stipulates that the government and FARC are committed to not carrying out acts of violence, or any threats to life and personal integrity, against the civilian population, especially those on the basis of gender. Moreover, there will be significant representation of women in the Monitoring and Verification Mechanism staff (approximately 20 per cent), with all staff being trained in the gender approach.

Point Four of the Peace Agreement, Solution to Illicit Drugs, also guaranteed a gender approach. Women will actively participate in the consultation processes within the National Programme for the Substitution of Illicit Crops, which seeks to help communities affected by illicit crops move to legal economies. The participation and capacity of rural women farmers' organisations will be strengthened by technical, financial and human support. For women who enter into the voluntary schemes to replace illicit crops, immediate care measures are envisaged to guarantee their livelihoods. There will be the development of rural

nurseries in villages affected and encompassed within the framework of immediate action and development programmes. These seek to facilitate access to work opportunities for female heads of households and contribute to early childhood food security in villages that constitute a first line of action. The government will create a national intervention programme on drug use that will have a differential and gender approach, so that actions implemented pertaining to consumption will respond to the realities of women. The National Consumer Care System should also have a gender focus. Harm reduction actions for female consumers should take into account the relationship between illicit drug use and gender-based violence (GBV), in particular family violence and sexual gender-based violence (SGBV). Special measures will be adopted for the female prison population in the areas of health, protection and prevention, including those to prevent HIV/AIDS.

Point Five of the Peace Agreement deals with Victims and the Comprehensive System of Truth, Justice, Reparation and Non-Repetition. Within this section, all the measures and mechanisms of the Integral System seek the greatest possible satisfaction of rights of more than 3.9 million victims to the truth, justice, integral reparation and guarantees of non-repetition. The Comprehensive System will have a differential and gender approach that will fit and respond to the particular characteristics of victimization in each territory and for different groups, and recognizes the disproportionate impact of the armed conflict on girls and women. The System excluded an amnesty and pardon for SGBV, while a research team was set up for these cases in the Investigation and Prosecution Unit of the Special Jurisdiction for Peace. The Truth Commission will have a gender working group that will ensure that work methodologies have a gender focus. Collective reparation plans will have mechanisms for the participation for women. The Commission, the Peace Tribunal, the Chambers, the Investigation and Prosecution Unit of the Jurisdiction for Peace will have a composition with criteria of gender equity. Moreover, there will be significant investigation into reparation for victims of sexual violence that contains three objectives encompassing multiple entities: 1). Investigate specific cases of SGBV; 2). Design psychosocial care programs for victims of SGBV; 3). Participation of women victims of SGBV in the reconstruction of the truth.

Point Six of the Peace Agreement deals with Implementation, Verification and Endorsement. There have been specific Instances created for the accompaniment and verification of the peace agreement implementation, including a Special Instance for Gender. This Special Instance is to be made up of representatives of Colombian national and territorial women's organisations with the function of having permanent contact with the Commission for Monitoring and Verification of the Peace Agreement (CSIVI). This consultative body aims to follow up the incorporation of the gender approach in each of the implementation points of the agreement, ensuring that

in the normative developments of the agreement there is consistency in terms of gender equality and women's rights. The composition of the Special Instance for Gender will consist of seven women: four representatives of territorial organisations, including women victims of armed conflict; two representatives of national organisations; and one representative of the LGBTI population. One research participant explained to us that the request to make this instance was made up of 36 women's organisations, rural women, non-governmental organisations and parliamentarians through a charter on 17 February 2017. Following this request, CSIVI issued the methodology for this instance in April 2017, and on 7 July 2017 the Colombian government and the FARC announced that they had agreed upon a short-list of candidates.

WOMEN'S POLITICAL PARTICIPATION BEFORE, DURING AND AFTER CONFLICT

There is a degree of affirmative action in Colombia when it comes to women's political participation. For example, Law 581 of 2000 establishes the participation of women in at least 30 per cent of the top decision-making positions of public administration. It is important to note that women's organisations fought for 10 years from 1990 to 2000 for the adoption of this law, which is known as 'the Quota Law' (UNDP 2012). Moreover, Law 1475 of 2011 establishes the participation of women in at least 30 per cent of the electoral list of political parties. Despite this, one Senator explained to us that although more than 52 per cent of voters in Colombia are women and that the Quota Law states that at least 30 per cent of women should be elected, this is not currently met. According to UN Women, women's political participation has increased from 6 per cent to 11 per cent in popular election positions, and from 7 per cent to 21 per cent in Congressional elections in the last 20 years.

Despite this increase, Colombia has one of the lowest rates of women's representation in politics in Latin America. In 2015, women made up only 21 per cent of Congress, 10 per cent of Mayors, 17 per cent of Deputies and 9 per cent of Governors (ONU Mujeres). Moreover, according to UN Women's rankings, Colombia ranks 106 of 193 countries in the world for representation of women in parliament. Of 166 seats in the House of Representatives, women only occupy 31 seats (18.7 per cent), and in the Senate, women only occupy 22 seats of 102 (21.6 per cent). However, Domingo et al. (2015) suggest that Colombia has more women in relevant decision-making positions than ever before. In 2011, 32 per cent of the cabinet were women, compared to 12 per cent in 1998; and in terms of the House of Representatives and Senate, in 1997 these figures were as low as 11.7 per cent and 6.9 per cent respectively.

WOMEN'S ECONOMIC PARTICIPATION BEFORE, DURING AND AFTER CONFLICT

Despite women obtaining higher rates of education than men, they still face difficulties in accessing employment. Furthermore, when women enter the labour market, they face significant wage differences and often work at higher levels of informality (ONU Mujeres). According to the National Administrative Department of Statistics (DANE), in April 2017 Colombia had an 8.9 per cent unemployment rate. In the January-March 2017 quarter, the unemployment rate in the national total for women was 14.1 per cent. Moreover, DANE's 2016 Quality of Life Survey demonstrated that nationally, 34.8 per cent of the country's households were headed by women and that female headed households have a higher poverty incidence rate (31 per cent) than those with male heads (26 per cent). According to ONU Mujeres, in 2013 the labour participation gap was 20.94 per cent (compared to 26.63 per cent in 2001); the unemployment gap was 5.3 per cent (compared to 7.38 per cent in 2001), and the 2012 gender wage gap was 23.28 per cent (compared to 17.61 per cent in 2002). As one participant explained, in the rural areas there are 5.3 million women and roughly 2.4 million of these women live in poverty. Between 2005 and 2011, women received only 0.5 per cent of loans and 8.5 per cent of technical assistance in Agricultural Production Units. Only 26.5 per cent of the displaced women have land titles, in contrast to 64.2 per cent of men who have titles (UNDP 2011). These figures indicate that there are still barriers to women's access to land title and funding in rural areas.

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Monash Gender, Peace & Security is a group of policy and community engaged scholars whose research is focused in the field of gender, peace and security. We seek to use our research to inform scholarly debate, policy development and implementation, public understanding about the gendered politics of armed conflict and the search for peace.

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