

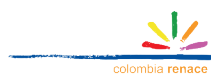
**Special Report of the Kroc Institute and the  
International Accompaniment Component,  
UN Women, Women's International  
Democratic Federation, and Sweden,**  
on the Monitoring of the Gender  
Perspective in the Implementation of the  
Colombian Final Peace Accord

Special Report

December 2016 - June 2018



**KROC INSTITUTE**  
FOR INTERNATIONAL PEACE STUDIES



FONDO MULTIDONANTE DE LAS NACIONES UNIDAS  
PARA EL POSCONFLICTO



Pastoral Social  
**Cáritas Colombiana**  
Por una Colombia justa y fraterna



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KEOUGH SCHOOL OF GLOBAL AFFAIRS

Special Report of the  
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Component, UN Women,  
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of the Gender Perspective  
in the Implementation of  
the Colombian Final Peace  
Accord

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# Acronyms

<b>ANT</b>	National Land Agency	<b>ONU</b>	United Nations
<b>ART</b>	Territorial Renewal Agency	<b>UN Women</b>	United Nations Entity for Gender Equality and Women's Empowerment
<b>ARN</b>	Reincorporation and Normalization Agency	<b>PAM</b>	Peace Accords Matrix
<b>CEV</b>	Truth, Coexistence, and Non-Recurrence Commission	<b>PATR</b>	Action Plan for Regional Transformation
<b>CIV</b>	International Verification Component	<b>PDET</b>	Development Plans with a Territorial Focus
<b>CNPRC</b>	National Council for Peace, Reconciliation, and Coexistence	<b>PMI</b>	Framework Plan for Implementation
<b>CNR</b>	National Reincorporation Council	<b>PNIS</b>	National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes
<b>CNGS</b>	National Commission on Security Guarantees	<b>RESO</b>	Registry of Beneficiaries of the Land Fund, Land Access and Formalization
<b>CONPES</b>	National Council on Social and Economic Policy	<b>RRI</b>	Comprehensive Rural Reform
<b>CSIVI</b>	Commission for Monitoring, Promoting, and Verifying the Implementation of the Final Agreement	<b>SISEP</b>	Comprehensive Security System for the Exercise of Politics
<b>CTEP</b>	Special Transitory Peace Voting Districts	<b>SIVJRNR</b>	Comprehensive System for Truth, Justice, Reparations, and Non-Recurrence
<b>ETCR</b>	Territorial Training and Reincorporation Space	<b>UBPD</b>	Special Unit for the Search for Persons Deemed as Missing in the Context of and Due to the Armed Conflict
<b>FARC</b>	Common Alternative Revolutionary Force	<b>UNICEF</b>	United Nations International Children's Emergency Fund
<b>FARC-EP</b>	Revolutionary Armed Forces of Colombia	<b>UEI</b>	Special Investigation Unit
<b>FDIM</b>	Women's International Democratic Federation	<b>UNP</b>	National Protection Unit
<b>GPAZ</b>	Gender in Peace Work Group	<b>ZVTN</b>	Transitional Local Zones for Normalization
<b>ICBF</b>	Colombian Institute for Family Welfare		
<b>JEP</b>	Special Jurisdiction for Peace		
<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender and Intersex		
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights		

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# Executive Summary

This report presents an analysis of the implementation process of the gender perspective in the *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* between December 2016 and June 2018. The Embassy of Sweden, the Women's International Democratic Federation (FDIM), and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), together with the Barometer Initiative of the Kroc Institute for International Peace Studies of the University of Notre Dame,<sup>1</sup> present this report based on the information gathered in the monitoring process that each of these organizations carries out.

As technical support to the International Verification Component (CIV), the Kroc Institute developed a matrix to monitor the implementation of the Final Agreement. The Kroc Institute has identified in the text of the Final Agreement 578 stipulations (concrete, observable, and measurable actions) of which, 130 have a gender perspective. These stipulations commit the parties involved (the Colombian Government and FARC) to implement specific affirmative actions to ensure the leadership and participation of women and the LGBTI population in programs and institutions related to the implementation of the Final Agreement. UN Women identified 100 measures which include a gender perspective in the Agreement that include measures for legislative development. Likewise, UN Women monitors the development of public policy on implementation with the purpose of identifying alerts, gaps, and recommendations. The FDIM has concentrated its efforts in the territories, working with women's organizations and in the Territorial Training and Reincorporation Spaces (ETCR). Through these networks, FDIM has gathered the demands, basic needs, and strategic interests of women in the process of social, political, and economic reincorporation, and worked to verify the level of progress in terms of compliance with the Final Agreement on this matter. Finally, the Swedish Embassy has been supporting the implementation of the Final Agreement through economic and political support for projects related to

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<sup>1</sup> In Colombia, the Kroc Institute partners with the National Secretariat of Pastoral Social – Cáritas Colombiana in the work of the Barometer Initiative.

reincorporation, transitional justice, victims' rights, and rural development, always with a special focus on the realization of women's full rights and greater gender equality.

Analysis of the 130 stipulations with a gender perspective identified by the Kroc Institute reveals that, as of June 30, 2018, 51% of the commitments had not been initiated; 38% were minimally implemented; 7% had reached an intermediate level of implementation; and 4% of the commitments (five stipulations) had been fully implemented. In contrast, the rate of implementation for the total stipulations (578) reveals significant differences in the levels of implementation for stipulations with a gender perspective compared to the general implementation levels of the Agreement. There is a significant gap between the commitments with a gender perspective that have not been initiated (51%) and the proportion of commitments in the Agreement that have not been initiated (37%). This represents an implementation gap of 14%.

This report focuses on identifying advances and challenges in the process of implementing these commitments and, in particular, on certain themes identified in working groups with various actors, which are considered to be of the utmost importance to ensure quality peace and to avoid eventual negative cascading effects in the implementation process. These themes are:

1. Implementation of comprehensive rural reform and a solution to the problem of illicit drugs
2. Implementation of measures for women's participation in the implementation of the Agreement and in peacebuilding
3. Implementation of security and protection guarantees with a gender perspective
4. Implementation of measures with a gender perspective in the reincorporation process

This report presents recommendations on specific issues such as the inclusion and definition of differential measures in bills that have yet to be presented, processed, and implemented, and institutional strengthening that allows information disaggregated by sex, ethnicity, and sexual orientation to be obtained to inform the creation and implementation of public policies with a gender perspective.

# Introduction

In December 2016, implementation of the *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace*, signed by the Government of Colombia and the FARC-EP, began.<sup>2</sup> The Agreement seeks to put an end to more than 50 years of armed conflict. This report presents the first public assessment of the monitoring of the implementation of the Final Agreement with a gender perspective. The report is presented by the International Accompaniment Component for the implementation of the gender perspective composed of UN Women Colombia, the Swedish Embassy in Colombia, and the Women's International Democratic Federation (FDIM), in conjunction with the Barometer Initiative of the Kroc Institute for International Peace Studies at the University of Notre Dame.

Within the framework of the Final Agreement, the Kroc Institute was invited by the Government of Colombia and the FARC-EP to provide technical support in the evaluation, monitoring, and verification of the implementation process in real time. The role of the Kroc Institute, included in point 6.3.2 of the Final Agreement,<sup>3</sup> focuses on designing a rigorous, evidence-based methodology to measure compliance throughout the implementation process. The Institute's reports should inform the decision-making process in terms of implementation, all within the logical framework of continuous improvement of peacebuilding capacities in Colombia. Additionally, the Kroc Institute, through its Peace Accords Matrix project (PAM), offers the ability to analytically compare the Colombian Final Agreement with 34 other comprehensive peace accords around the world.

In accordance with the Final Accord,<sup>4</sup> UN Women, together with the Special Representative of the Secretary General on Sexual Violence in Conflicts, the Women's International Democratic Federation (FDIM), and the Government of Sweden, were invited by the Government of Colombia and the FARC-EP to join the International Accompaniment Component. As such, they have a specific responsibility to promote and support a gender-sensitive approach to the implementation of the stipulations of the Agreement from a perspective that seeks to advance women's rights. The three lines of work (financial cooperation, monitoring, and technical cooperation) assigned to the International Accompaniment group would not be possible without collaboration with the Colombian women's movement

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<sup>2</sup> Negotiation Table, *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* (Colombia: Office of the High Commissioner for Peace, 2017).

<sup>3</sup> Ibid., 212.

<sup>4</sup> Ibid., 216.



and other expressions of civil society that play a decisive role in ensuring and monitoring the effective implementation of the Agreement.

## ***A Gender Perspective on the Final Accord and the Role of Women in Peacebuilding***

*The peace process in Colombia has been described by several organizations around the world and by representatives of institutions such as UN Women as a historic example of the participation and accomplishments reached by women. (Phumzile Mlambo-Ngcuka, UN Women Executive Director, 2016.)<sup>5</sup>*

Today, Colombia is considered one of the best examples of women's inclusion in peacebuilding, mainly due to the efforts of women's organizations and the progress made with the Gender Subcommittee during the negotiation process. These efforts resulted in the inclusion of a gender perspective in the text of the Final Agreement. Prior to the negotiation process, women's organizations and platforms were very important in the processes of resistance to the armed conflict and humanitarian protection. Amid the armed conflict, women organized and built spaces of peace, laying the foundations for a solution to the armed conflict through dialogue.

Women also played a very important role in the peace negotiation process in Havana, Cuba. The General Agreement, which started the public phase of the negotiation, and the methodology for the dialogues agreed on by the Government of Colombia and the FARC-EP were negotiated only by men and initially did not include measures to include women in the negotiation. However, through the advocacy power of women's organizations, the facilitation of Norway and Cuba as guarantors, and the willingness of the Colombian Government and the FARC-EP, the process was adapted and significant participation of women was achieved in the negotiations, leading to the inclusion of the transversal gender approach in the Final Agreement. Thus, while the negotiation process began with few women at the table, in time, more women were included as plenipotentiary negotiators.<sup>6</sup> In comparative terms, a 2012 study by UN Women showed that of a representative sample of 31 peace processes between 1992 and 2011, women constituted only 4% of the signatories, 2.4% of the main

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<sup>5</sup> "Vivencias, aportes y reconocimiento: las mujeres en el proceso de paz en la Habana," Regional Center for Human Rights and Gender Justice – Humanas Colombia and the Social and Economic Research and Action Corporation – CIASE, 2017, <http://colombia.unwomen.org/es/biblioteca/publicaciones/2017/05/mujeres-en-la-habana>.

<sup>6</sup> Office of the High Commissioner for Peace, "Peace is with me: Women as Protagonists in Peacebuilding," (Bogotá, 2017), <http://www.altocomisionadoparalapaz.gov.co/herramientas/Documents/Cartilla-mujeres-paz-12-sept-2016.pdf>; Salvesen, Hilde and Dag Nylander, "Towards an Inclusive Peace: Women and the Gender Approach in the Colombian Peace Process," Norwegian Peacebuilding Resource Center - NOREF, July 2017. <https://noref.no/Publications/Regions/Colombia/Towards-an-inclusive-peace-women-and-the-gender-approach-in-the-Colombian-peace-process>.



mediators, and 9% of the negotiators.<sup>7</sup> In Colombia, these percentages were exceeded and the technical support teams of both negotiating parties counted on broad participation of women experts in various topics within the negotiating agenda. The negotiating parties received 7,172 proposals from 301 women's organizations that emerged from different participation mechanisms including national and territorial forums, physical and virtual forms, and the second Women and Peace Summit that took place in September 2016. In addition, of a total of 60 victims who traveled to Havana, 36 were women.

As a result of the impact of the women's movements in Colombia, a Gender Subcommittee was created in September 2014 that, explicitly and in detail, incorporated the gender perspective by reviewing and adjusting the partial agreements that subsequently formed the Final Agreement. The purpose of this Subcommittee was to include the voices of women and the differentiated perspectives on gender in the partial agreements already adopted, as well as in the Final Agreement resulting from the dialogues. Between 2014 and 2015, the Subcommittee organized three meetings with women's organizations and organizations that represent the LGBTI community. The report, "Vivencias, aportes y reconocimiento: Las mujeres en el proceso de paz en La Habana" (Experiences, Contributions, and Recognition: Women in the Peace Process in Havana), is a detailed study of the participation of women and LGBTI persons in the negotiations and the lessons learned from that process.<sup>8</sup>

The final text of the Agreement is characterized by being very innovative, among other things, because it incorporates transversal approaches, such as the gender perspective, that will add quality to the implementation process when effectively implemented.<sup>9</sup>

## ***First Assessment: Towards a Gender Perspective in Implementation***

The inclusion of the gender perspective in the text of the Final Agreement represents a milestone in peacebuilding. In comparative terms, the Colombian Final Agreement develops this approach more than any other peace agreement. The signing of the Final Agreement on November 26,

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<sup>7</sup> UN Women, "Women's Participation in Peace Negotiations: Connections between Presence and Influence," (New York, 2012).

<sup>8</sup> "Vivencias, aportes y reconocimiento: las mujeres en el proceso de paz en la Habana," Regional Center for Human Rights and Gender Justice – Humanas Colombia and the Social and Economic Research and Action Corporation – CIASE, 2017, <http://colombia.unwomen.org/es/biblioteca/publicaciones/2017/05/mujeres-en-la-habana>.

<sup>9</sup> Kristian Herzbolheimer, "Innovations in the Colombian peace process," Conciliation Resources/ NOREF, 2016, <https://noref.no/Publications/Regions/Colombia/Innovations-in-the-Colombian-peace-process>.

2016, meant the inclusion of a gender perspective as a definite transversal principle central to its content. In other words, the need to achieve equality of rights between men and women was recognized and affirmed, as well as the need to guarantee affirmative measures to promote that equality and the active participation of women and their organizations in peacebuilding. The gender perspective in the Colombian Peace Agreement also included recognition of the different ways in which women and the LGBTI population were involved and affected by the armed conflict.

In relation to the text of the Agreement, a gender perspective as a guiding principle in the implementation of the agreement is defined as:

[...] a recognition of equal rights for men and women and the special circumstances of each person, especially those of women—regardless of their marital status, life cycle, family and community relationships, as enjoying rights and special constitutional protection.

In particular, it implies the need to guarantee affirmative action to promote equality, the active participation of women and their organizations in peacebuilding efforts, and the recognition of the victimization of women as a result of the conflict.

To guarantee true equality, it is necessary to put forward affirmative measures that respond to the disproportionate impact the armed conflict has had on women, in particular through sexual violence. With regard to the rights of victims, their protection includes differential treatment that recognizes the causes and the disproportionate effects the armed conflict has had on women. Moreover, differential action must be taken to enable women to access the plans and programs contained in this Agreement on equal terms.

Participation by women and their organizations and equitable representation of women in the different areas of participation must be guaranteed. The gender-based approach must be understood and applied in a crosscutting manner in implementing the whole of the Accord.<sup>10</sup>

Moving forward, the challenge will be to ensure that the implementation process of the Final Agreement maintains these values and innovative standards. The success of a peace agreement is not only measured by the quality of its text, but by the robustness and quality of its implementation.

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<sup>10</sup> Negotiation Table. *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* (Colombia: Office of the High Commissioner for Peace, 2017), 204.

# The Report

For the International Accompaniment Component and the Kroc Institute, the Final Agreement reflects the achievements of women in advancing gender equality and peace in Colombia. Likewise, for the international community, the Agreement represents an example of the inclusion of women not only in the negotiation stage of peacebuilding processes, but also in the implementation of what has been agreed upon. The transversal nature of the gender perspective in the Final Accord has led to Colombia being considered a global example of the implementation of Security Council Resolution 1325 and the agenda of Women, Peace, and Security, through which diverse countries have committed to making the gender perspective an essential element in peacebuilding, security, and sustaining peace.

The International Accompaniment Component—Sweden, FDIM, and UN Women—and the Kroc Institute present this joint report as an initial assessment of the implementation of the Agreement's gender perspective from the beginning of implementation in December 2016 to June 30, 2018. The report consolidates the advances and implementation challenges to allow us to identify advances, setbacks, and offer suggestions for ways to close gaps in implementation. This information not only supports the monitoring process, but also points out best practices, highlights specific alerts, and assists in decision-making within the implementation process.

The report includes three sections. The first presents the quantitative advances in implementation identified by the Kroc Institute through its monitoring methodology.

The second section presents a detailed analysis of four topics identified as priorities by key actors and women's organizations during the development of technical working groups organized by the International Accompaniment Component::

1. Comprehensive Rural Reform and the National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes;
2. Participation of women and the LGBTI population in the implementation process;
3. Security and protection guarantees; and
4. Reincorporation.

The third and last section presents conclusions and recommendations.

## ***Measuring the Levels of Implementation of the Gender Perspective***

The frame of reference for this analysis is the text of the Final Accord and the definition of the gender perspective as a transversal principle for implementation. This report contains information and analysis that is based on the monitoring method of the Kroc Institute and the accompaniment and technical support of UN Women, the Swedish Embassy, and FDIM.

The methodology of the Kroc Institute for monitoring the implementation of the Final Agreement in general, and the measures for promoting gender equality in particular, is based on the methodology of the Peace Accords Matrix project (PAM) of the University of Notre Dame.<sup>11</sup> To monitor the implementation of the Final Accord, the Kroc Institute identified 578 stipulations (concrete, observable, and measurable commitments in the Final Accord). Of these, 130 have a gender perspective, meaning that they commit the parties (the Government and FARC) to implement specific affirmative actions to ensure the prioritization of women and the LGBTI population in programs related to the implementation of the Accord; promote the leadership and participation of women and LGBTI community in spaces or processes of implementation; address aspects such as structural discrimination and the disproportionate impact of the armed conflict on women, girls, and LGBTI persons; and seek to guarantee equitable access to the programs and benefits of the Accord. The monitoring matrix for the implementation of the gender perspective is the result of a collaborative process with feedback from key actors for the technical monitoring of the implementation of this approach.

Once the gender matrix was first drafted, it was shared with other monitoring groups in Colombia. This was an opportunity to build trust and relationships, which in turn has given legitimacy to this methodological exercise. The contribution of civil society organizations has been significant, providing feedback in key discussions on whether the methodology should focus exclusively on a subgroup of specific gender-based measures or focus on evaluating the implementation of the gender perspective for each of the 578 stipulations in the Agreement. In this process, civil society groups suggested that focusing on specific stipulations would be optimal and would allow for a more robust measurement of implementation. Achieving the implementation of the 130 commitments with a gender perspective is vital for the general implementation of the Accord. Another important discussion including participation from civil society groups was the development of the criteria

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<sup>11</sup> Madhav Joshi and Jason Quinn, *Peace Accords Matrix Implementation Dataset*, V.1.5 (July 29, 2015), Kroc Institute for International Peace Studies, University of Notre Dame, <https://peaceaccords.nd.edu/research>.

for selecting commitments focused on promoting gender equality.<sup>12</sup>

In the process of creating and validating the gender matrix, the alliances that the Kroc Institute has fostered with the International Accompaniment groups (Sweden, FDIM, and UN Women) has been critical in supporting and creating spaces for reflection with civil society actors. In these spaces, actors involved have had the opportunity to discuss how to monitor and evaluate the effective implementation of the gender perspective and how best to share evidence and analysis. In accordance with the Kroc Institute's methodology, the implementation of these commitments is measured according to the central goal of the same commitment. In other words:

- If a commitment seeks equitable representation, the level of implementation is based on the following question: Does the minimum representation of women reach 50%?
- If a commitment seeks the participation of women, the question is: Is there evidence of women's participation in general, as well as black, Afro-Colombian, *raizal*, *palenquera*,<sup>13</sup> and indigenous women in particular? Is there evidence of participation of LGBTI people? Can the impact of their participation in the decisions surrounding these spaces or in the design and implementation of the programs of the Agreement be shown?
- If a commitment seeks to apply a gender perspective to the programs that are created within the framework of the Accord, the question is: Can we observe that the programs include a definition of a gender-based approach and a path of affirmative actions for women and the LGBTI population? Do the programs comply with these routes and definitions?

As already mentioned, this report is supplemented with the information and analysis that has emerged from the work of UN Women in Colombia. UN Women has identified 100 measures with a gender perspective. As part of their monitoring process, UN Women has a team that assesses legislative developments related to implementation and supports the development of public policy in the identification of alerts, gaps, and recommendations for implementation through its role as an international observer and an agency of the United Nations.

Likewise, this report is also based on analysis carried out by the FDIM, which has focused its work in the territories with women's organizations

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<sup>12</sup> An example of a stipulation with inclusive language is: "Promote the technical training of male and female workers in community media, and the education and training of male and female communicators and operators." Negotiation Table, *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* (Colombia: Office of the High Commissioner of the Peace, 2017), 46.

<sup>13</sup> *Raizal* refers to an ethnic group in the Colombian Archipelago of San Andrés, Providencia and Santa Catalina. *Palenquera* refers to an ethnic group that inhabits San Basilio de Palenque in the Caribbean coast.

and in the Territorial Training and Reincorporation Spaces (ETCR). FDIM has recorded the demands, basic needs, and strategic interests of women in the process of social, political, and economic reincorporation. Additionally, it has focused its efforts on verifying the level of progress made by the Colombian Government in compliance with the Final Agreement, and assessing the effect that the Agreement has had thus far on the lives of women, victims, ex-combatants, and their children.

Sweden has been supporting the implementation of the Peace Agreement through engagement with specific points of the Accord. They have focused on the realization of women's rights and achieving greater gender equality through economic and political support for projects related to reincorporation, transitional justice, victims' rights, and rural development.

In addition, this report includes information provided by women's organizations, networks and platforms through each of the three working groups<sup>14</sup> organized by UN Women, FDIM, and Sweden, and draws on the different assessments of implementation developed by women's movements. The working groups have provided opportunities to validate the analysis with civil society actors and to collect information on progress, delays, and alerts in the implementation process.

The results of this report, its analysis, and its recommendations are presented with the objective of supporting robust implementation of the Final Accord with a gender perspective in order to promote a just peace that is centered on human rights.

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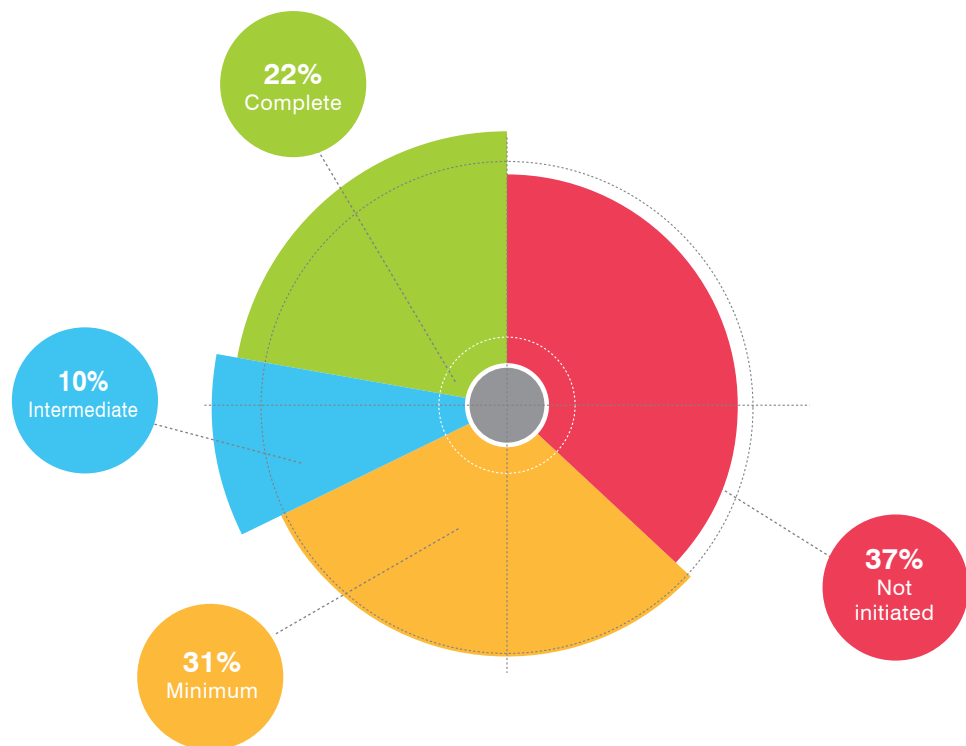
<sup>14</sup> Assessment of the Monitoring of the Implementation of the Final Agreement with a Focus On Gender (First Technical Working Group, December 11, 2017; Second Technical Working Group, April 3, 2018, and the Third Technical Working Group, May 10, 2018, events organized by the Swedish Embassy, UN Women, and FDIM).

# General Overview

## of Implementation with a Gender Perspective

Based on the methodology of the Kroc Institute, the levels of implementation of all the commitments of the Final Agreement can be compared with the levels of implementation of the Agreement's commitments that explicitly include a gender perspective. Graphs 1 and 2 show these levels.

Graph 1  
**Implementation of the 578 stipulations in the Final Accord - June 2018<sup>15</sup>**



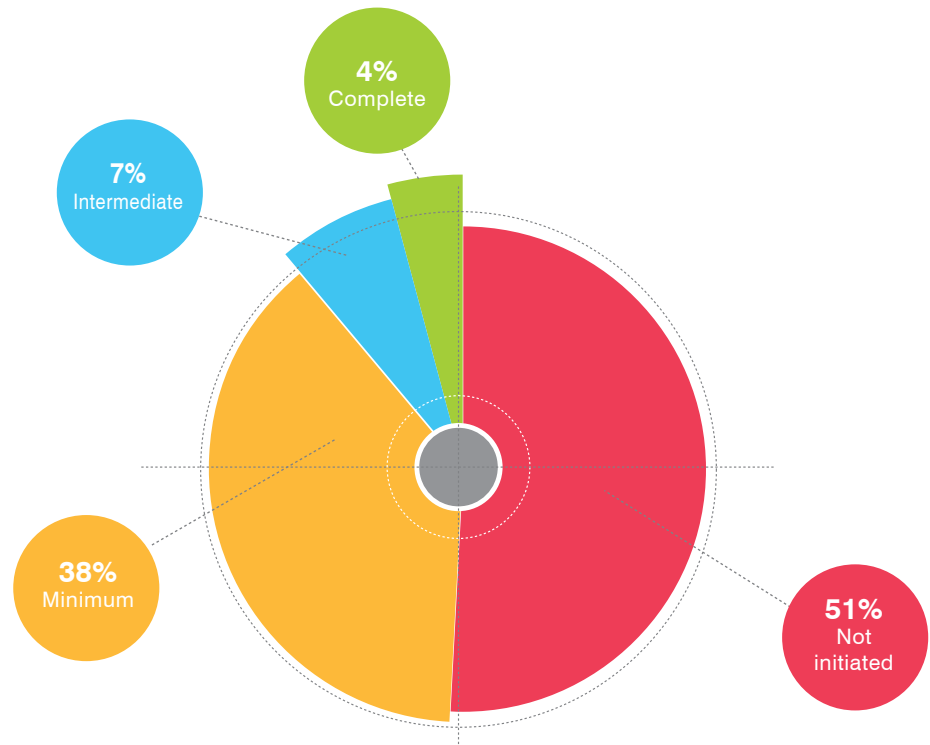
Graph 1 reflects the levels of implementation of the 578 stipulations in the Agreement that are monitored by the Kroc Institute. As of June 30,

<sup>15</sup> Kroc Institute for International Peace Studies, (internal document), *Barometer Initiative Database* (updated June 30, 2018), Kroc Institute for International Peace Studies, University of Notre Dame.



2018, 37% of the commitments had not been initiated; 31% were in a state of minimal implementation; 10% had reached an intermediate level of implementation; and 22% of the commitments in the Agreement had been fully implemented.

Graph  
**2** Implementation of the 130 stipulations with a gender perspective - June 2018<sup>16</sup>



Graph 2 reflects the coding performed separately for the 130 commitments in the Agreement that have an explicit gender perspective. As of June 2018, 51% of the commitments with a gender perspective had not been initiated; 38% were in a state of minimal implementation; 7% had reached an intermediate level of implementation; and 4% of the commitments had been fully implemented.

According to the information gathered, three observations are notable. The first refers to commitments with a gender perspective that had not initiated implementation by June. While 51% of the commitments with a gender perspective have not started implementation (this percentage corresponds to 66 of 130 commitments), 37% of all the commitments in the Final Agreement have not started implementation. This shows that there is 14%

<sup>16</sup> Ibid.

less initiation of commitments with a gender perspective than among other commitments in the Final Accord.

The points of the Final Agreement with the least development in this matter are Point 1 (Comprehensive Rural Reform), Point 2 (Political Participation), and Point 4 (Solution to the Problem of Illicit Drugs). These points are fundamental to achieving structural change enabling equality between men and women and the effective enjoyment of human rights and non-discrimination. Below are some of the commitments in which no implementation has been observed:

- [The Colombian Government will] create a high-level body which will be responsible for drawing up general guidelines aimed at indicative planning for land use... [and] Promote efficient use of participative and decision-making spaces in the planning of rural land use and territorial management... with equal representation of men and women.<sup>17</sup>
- [The Colombian Government] will set in motion a new rural land legal system... with mechanisms that guarantee access to justice that is expedited and timely for the rural poor, offering legal advice and special training for women regarding their rights and access to justice, together with specific measures for overcoming barriers that constitute obstacles to the recognition and protection of women's rights over land. The participation of women and women's organizations in the various spaces created for conciliation and the resolution of conflicts concerning land use and possession will be promoted.<sup>18</sup>
- The [SISEP] Working Group will make proposals to the Colombian Government [in relation to the Security and Protection Corps], whose monitoring and management will be advanced by the presidential delegate, including a system of education and training and of employment and social security. The system will include training programs on aspects related to the protection of women and the specific risks they face.<sup>19</sup>
- [Within the framework of the Comprehensive Security System for the Exercise of Politics] a planning, information, and monitoring system with an inter-institutional character will be created, representing political parties and movements, which will allow an evaluation of performance and results... [with] permanent observation and evaluation by international humanitarian organizations... It will include specific information on the risks and threats against women's participation and

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<sup>17</sup> Negotiation Table, *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* (Colombia: Office of the High Commissioner of the Peace, 2017), 18.

<sup>18</sup> Ibid., 18.

<sup>19</sup> Ibid., 91.

their political, social, and community representation.<sup>20</sup>

- [The Investigation and Prosecution Unit] will implement specialized investigation methodologies for the most serious acts of victimization undertaken against women, children, adolescents, and the LGBTBI community by the organizations that are subject of this agreement.<sup>21</sup>
- Training to prevent gender-based violence associated with illicit drugs will be guaranteed.<sup>22</sup>
- Evidence-based harm reduction actions aimed at minimizing the negative impact of drug consumption on the drug user, their families, and their communities, prioritizing the most vulnerable populations such as homeless individuals, women, and the prison population.<sup>23</sup>

A second observation refers to commitments with a gender perspective that are in the process of being implemented. As seen in Graph 2, 45% of these commitments are at a minimum or intermediate level of implementation. This shows progress in terms of initiating implementation. An example of a commitment that was at an intermediate level of implementation as of June 2018 is that of land titling for rural women in zones where the National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes (PNIS) is in place.<sup>24</sup> Although all the land has not been titled, and therefore the commitment has not been fully completed, according to a report by the National Land Agency (ANT), by December 2017, of the 1,065 titles delivered, 44% had been given to women, which represents a preliminary advance.<sup>25</sup> Ensuring that these women have all they need to successfully cultivate their land requires improvements in security measures with a gender perspective as discussed later in this report.

Finally, a third observation refers to commitments focused on gender equality that have been fully implemented. Graph 2 shows that 4% of these commitments have been fully implemented, representing five of the 130 stipulations with a gender perspective. Two of these commitments have been completed due to the support of the international community.

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<sup>20</sup> Ibid., 40.

<sup>21</sup> Ibid., 85.

<sup>22</sup> Ibid., 106.

<sup>23</sup> Ibid., 106.

<sup>24</sup> Ibid., 114. The following commitment is presented: "In order to promote access to land for men and women and to encourage the process of substitution of crops used for illicit purposes, in areas where the commitments made by growers of all genders with the PNIS are fulfilled, the titling processes will be accelerated in agreement with the terms indicated in the Mass Titling Plan of the property referred to in sub-point 1.1.5 of the Comprehensive Rural Reform theme."

<sup>25</sup> "Así va la Agencia Nacional de Tierras y sus compromisos en cumplimiento del Acuerdo de Paz," *National Land Agency*, December 20, 2017, <http://www.agenciadetierras.gov.co/wp-content/uploads/2017/12/LOGROS-PUNTO-REFORMA-RURAL-INTEGRAL.pdf>, 2.

The first commitment coded as fully implemented as of June 2018 refers to the creation of a Special High Level Forum for the Implementation of the Gender Perspective Approach made up of eight representatives of Colombian women's organizations.<sup>26</sup> The Special High Level Forum was created in July 2017<sup>27</sup> and meets regularly, has a clear work route, and has presented a report.<sup>28</sup>

Another commitment coded as fully implemented has to do with the International Accompaniment monitoring the implementation of the gender perspective approach.<sup>29</sup> There is evidence of the functioning of this International Accompaniment Component including reports, communiqués, meetings, and international funding for the implementation of the approach in general and of the Special Forum in particular.<sup>30</sup> The other three commitments that have been fully implemented are the confirmation of the 11 commissioners of the Truth, Coexistence, and Non-Recurrence Commission, of which five are women; an assessment with a gender-based approach that identifies obstacles faced by the most vulnerable populations, including women, in the exercise of the right to vote; and inclusion and compliance with the rules of the ceasefire and the laying down of arms.

However, when comparing the levels of full implementation of the commitments with a gender perspective to the levels of full implementation of all 578 stipulations that make up the Agreement, an 18% gap is observed.

The stipulations with a gender perspective are taking time to implement. It is necessary to look for feasible solutions to close this gap through

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<sup>26</sup> Negotiation Table, *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* (Colombia: Office of the High Commissioner of the Peace, 2017), pg. 196.

<sup>27</sup> "Get to know the seven women who will ensure that the agreement's gender approach is a reality," *El Espectador*, July 21, 2017, <http://colombia2020.elespectador.com/pais/conozca-las-siete-mujeres-que-velaran-porque-el-enfoque-de-genero-del-acuerdo-sea-una-realidad>.

<sup>28</sup> The CSIVI developed an agenda for its work during the first semester of 2018, with bi-weekly meetings and an emphasis on its role of monitoring implementation, including monitoring the implementation of the gender perspective (with a special session on related stipulations related to rights of the LGBTI population) and the ethnic perspective. However, while at least one meeting has been scheduled with the Special High Level Forum for the Implementation of the Gender Perspective, no meeting has been scheduled with the High Level Forum for Ethnic Peoples.

<sup>29</sup> Negotiation Table, *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* (Colombia: Office of the High Commissioner of the Peace, 2017), pg. 216.

<sup>30</sup> On December 10, 2017, the Women's International Democratic Federation (FDIM) presented its second report one year after the signing of the Final Agreement, "II INFORME DE VERIFICACIÓN TERCERA MISIÓN INTERNACIONAL FEDERACIÓN DEMOCRÁTICA INTERNACIONAL DE MUJERES (FDIM)," with the specific mandate of monitoring the incorporation of a gender perspective approach in the implementation of the Final Agreement. On May 7, 2018, the Swedish Embassy, UN Women and FDIM held a technical meeting on the implementation of the peace agreement. The objective was to agree with civil society actors on a common message and peacebuilding agenda.

the identification of and emphasis on those commitments that can be advanced in the short term as part of the implementation process. For example, the implementation of programs for political participation of women, measures to ensure representation in the special bodies for implementation, and security guarantees for communities and female social leaders and human rights defenders.

# Four Priority Issues

## in the Implementation of the Final Accord with a Gender Perspective

### ***Advances and Challenges in the Implementation of Comprehensive Rural Reform and the Solution to the Problem of Illicit Drugs***

The implementation of Point 1 and Point 4 of the peace agreement, which are related to Comprehensive Rural Reform and the Solution to the Problem of Illicit Drugs, are of great relevance in the effective implementation of the transversal gender perspective, since these points promote affirmative action for gender equality in the Colombian rural areas. The implementation of measures focused on gender in these two points can help to slow down adverse processes in rural areas of Colombia and, in turn, promote the democratization of the land and the transformation of relations between men and women. In terms of the processes of access to land, land titling, and productive use of said land, as well as substitution of crops, the double multiplicity of roles carried out by rural women, especially because of their traditional role in the care economy, is evident.<sup>31</sup> The implementation of Point 1 is essential to generate solutions for communities that are in the process of eradication of illicit crops.

#### **Access to Land**

A report presented by the National Land Agency (ANT) in December 2017 about the implementation of the pillars of the Land Fund, Access and Use, and Land Titling and Zoning Plans includes the following numbers:

- “Delivery of 63,000 million pesos in subsidies for the purchase of land and to fund productive projects. There are 2,438 subsidies for an equal number of peasant families, 48% of which were provided to women.”<sup>32</sup>
- “Creation of a special program for access to land available to peasant families that have ceased to cultivate illicit crops. 8,000 families have

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<sup>31</sup> Decree Law 902 of 2017, “Por el cual se adoptan medidas para facilitar la implementación de la Reforma Rural Integral contemplada en el Acuerdo Final en materia de tierras, específicamente el procedimiento para el acceso y formalización y el Fondo de Tierras,” May 29, 2017, Article 9.

<sup>32</sup> “Así va la Agencia Nacional de Tierras y sus compromisos en cumplimiento del Acuerdo de Paz,” *National Land Agency*, December 20, 2017, <http://www.agenciadetierras.gov.co/wp-content/uploads/2017/12/LOGROS-PUNTO-REFORMA-RURAL-INTEGRAL.pdf>, 2.

already been identified and 1,065 property titles have been delivered, of which 44% of the beneficiaries are women.”<sup>33</sup> It is not clear if the titles are under the woman’s name or if women are beneficiaries as part of a family or couple.

- “With regard to the special program of land allocation, 437 awards have been made, with 52% corresponding to rural women.”<sup>34</sup>

These numbers are a good example of data disaggregated by sex and of some important achievements in terms of equity among the beneficiaries of the implementation programs. They are positive, because they show that rural women have been taken into consideration in the goals of the agency, and that close to 50% of beneficiaries are women. To achieve gender equality in rural areas, it is important that the subsidies and titles be placed in the names of the women and that the allotting and titling of land correspond to women at least 50% of the time.

### Land Titling

Decree Law 902 of 2017 created the Land Fund and established the procedures for land access and titling processes. This Decree Law includes specific measures focused on gender aimed at “prioritizing the victimized rural population, including victim’s organizations, rural women, women heads of household, and the displaced population.”<sup>35</sup> In this sense, and with regard to the Register of Zoning Subjects (RESO)—which classifies and prioritizes the beneficiaries of the Land Fund—the criteria for the allocation of points<sup>36</sup> include rural women and “will add a percentage for mothers and fathers who are the heads of their households and who assume full responsibility over their family, as well as widowed women.”<sup>37</sup> This affirmative measure represents an advance to ensure additional points for women and, therefore, to increase their chances of access to land. Ensuring women’s access to land is a major challenge and therefore it is considered important that the Land Fund include a budget and create a monitoring system for women that ensures financial support after the redistribution of land.<sup>38</sup> The creation of the Agricultural Innovation System is also an advancement. This law includes a definition

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<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Decree Law 902 of 2017, “Por el cual se adoptan medidas para facilitar la implementación de la Reforma Rural Integral contemplada en el Acuerdo Final en materia de tierras, específicamente el procedimiento para el acceso y formalización y el Fondo de Tierras,” May 29, 2017, Article 4.

<sup>36</sup> Those who have obtained higher scores on the RESO will receive land first.

<sup>37</sup> Decree Law 902 of 2017, “Por el cual se adoptan medidas para facilitar la implementación de la Reforma Rural Integral contemplada en el Acuerdo Final en materia de tierras, específicamente el procedimiento para el acceso y formalización y el Fondo de Tierras,” May 29, 2017, Article 14.

<sup>38</sup> Donny Meertens interviewed by the Kroc Institute team, March 13, 2018.



of “differential approach” and measures for the participation of women and the strengthening of networks of women producers.<sup>39</sup>

However, it is important to highlight that there were very few laws that went through a prior consultation process with ethnic communities, thus limiting their participation in the design of laws and, limiting the inclusion of an approach centered on gender, women, family, and generations. This concern has been reiterated often, especially in relation to Decree Law 896 of 2017 that creates the National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes (PNIS).<sup>40</sup>

### Implementation at the Territorial Level - PDET and PNIS

According to information from the Territorial Renewal Agency (ART),<sup>41</sup> as of June 2018, at the 1,236 pre-assemblies carried for the Development Programs with a Territorial-Based Approach (PDET), 139,222 people attended, of which 41% were women. Likewise, the ART has developed a reference methodology for the implementation of the gender-based approach called “Toolbox for the Incorporation of the Gender-based Approach in the PDET.”<sup>42</sup> However, the concern reiterated by social leaders in spaces organized by the International Accompaniment Component for Point 1 (meant to evaluate PDET processes, both nationally and territorially), is that there is not enough representation of women’s organizations in these processes. For example, during the technical working group gathering in April 2018, women’s organizations in the Montes de Maria region feel that not enough effort has been made to ensure effective representation of women and their organizations.<sup>43</sup> The “funnel effect,” that is, the involvement of women at the general assembly level, followed by their subsequent exclusion from spaces for advocacy and decision-making regarding the content of the PDET’s, represents one of the challenges affecting the PDET in terms of ensuring the effective incorporation of the needs, interests (practical and strategic), and proposals of women.

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<sup>39</sup> Law 1876 of 2017, “Por medio de la cual se crea el Sistema Nacional de Innovación Agropecuaria y se dictan otras disposiciones,” December 29, 2017.

<sup>40</sup> Decree Law 896 of 2017, “Por el cual se crea el Programa Nacional Integral de Sustitución de cultivos de uso ilícito – PNIS,” May 29, 2017.

<sup>41</sup> Territorial Renewal Agency, “Ficha de Seguimiento Nacional,” (June 25, 2018).

<sup>42</sup> On December 22, 2017, the Territorial Renewal Agency shared two booklets by mail with the Kroc Institute that are part of the toolbox for the incorporation of the gender-based approach in the PDET.

<sup>43</sup> Assessment of the monitoring of the implementation of the Final Agreement with a gender focus (Second Technical Table, April 3, 2018, event organized by the Swedish Embassy, UN Women and FDIM).

**Analysis of Women Leaders on a Gender-Based Approach to Crop Substitution:** Autonomous Space of Human Rights Defenders (EADDH) of Meta, June 28, 2018, in Villavicencio.

Women's organizations in the Colombian department of Meta are analyzing the development of crop substitution policies in that department. They warn that the typologies used for delivery of resources and livelihood projects exclude women who fulfilled roles as cooks or had other "domestic" functions at places where coca was grown or produced. For these women, when it comes to the subject of growers and harvesters, there is a tendency to focus only on the male roles associated with this work, excluding or neglecting all the work that women did. Thus, for these women, crop substitution programs have an inherent bias that affects them—just like their previous employment, hidden from society, resulted in their inability to access livelihood projects—and perpetuates a dependence on men in order for women to access the state's social offers and to be able to sustain themselves.

Regarding PNIS, the program was created by Decree Law 896 of 2017, which included reference to a differential and gender perspective understanding women "as active subjects of the processes of concertation in voluntary substitution." Although this decree law stands out for its recognition of women as differential subjects, the law is insufficient, as it does not incorporate concrete measures to promote gender equality in the Program.<sup>44</sup> The negative effect of this "legal shortcoming" is that there is no specific route to implement the PNIS program with a gender perspective. In addition, women involved in the production of crops used for illicit purposes, for the most part, face strong stigmatization because they are consistently labeled as criminals and collaborators in an illicit economy.<sup>45</sup> The Center for the Study of Law, Justice, and Society (DeJusticia) and the Gender in Peace Working Group (GPAZ), in their document, "Proposals for the Inclusion of a Gender-Based Approach in the Methodological Plan for the Intervention of the National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes – PNIS,"<sup>46</sup> highlight the importance of equal representation in the PNIS program. The document also emphasizes the need for allocation of economic, technical, and human resources to the Rural Women's Office of the Ministry of Agriculture, as well as the promotion of women secretariats at the local level in the territories.<sup>47</sup> Although the Directorate for the Substitution of Crops Used for Illicit Purposes (DSCI), the entity in charge of the implementation of PNIS, shared the document with other institutions, international organizations, and civil society actors, they did not approve it.

<sup>44</sup> Decree Law 896 of 2017, "Por el cual se crea el Programa Nacional Integral de Sustitución de cultivos de uso ilícito–PNIS," May 29, 2017.

<sup>45</sup> Coalition 1325 Colombia, "6 Informe de Monitoreo a la Resolución 1325 del Consejo de Seguridad de Naciones Unidas," (6, Bogotá, October 2017), [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).

<sup>46</sup> On August 3, 2017, there was a meeting where the Substitution Office presented this document for discussion with other institutions, international organizations and civil society.

<sup>47</sup> Dejusticia interview conducted by the Kroc Institute Team on April 2, 2018; Dejusticia and GPAZ "Propuestas para la inclusión del enfoque de género en la hoja de ruta metodológica de intervención del Programa Nacional Integral de Sustitución de Cultivos Ilícitos–PNIS," <https://www.dejusticia.org/wp-content/uploads/2017/08/PROPUESTAS-ENFOQUE-DE-GE%CC%81NE-RO-RUTA-DE-FORMULACIO%CC%81N-DEL-PNIS-GPAZ-DEJUSTICIA-Final.pdf?x54537>.

## Gaps

Women in the territories call for clearer coordination in the implementation of Point 1 and Point 4 of the Final Agreement, arguing that substitution is impossible if there is no land available to earn a livelihood or work and income resulting from activities other than crops used for illicit purposes. It is essential to strengthen the economic and security conditions of women heads of household in the countryside through special support programs for protection, education, health, and vocational training, and measures aimed at the social reorganization of household tasks—all based on the organizational processes and inscribed in the new frameworks of the PDET.<sup>48</sup>

In both the PDET and PNIS processes, an understanding is needed of the importance of the care economy provided by rural women, especially within the framework of the processes of land titling, redistribution of land, and programs to replace crops used for illicit purposes. Strengthening institutional capacities to address this issue would change attitudes towards the role of women in the home, accompanied by the provision of social services in rural areas such as school nurseries, public schools, and recreational infrastructure for girls, boys, and youth. Likewise, in the illicit crop chain, it is important to understand and recognize the role of women, for example, their role in the provision of food for workers and coca growers. Giving visibility to these spaces would allow the ability to insist on legal benefits for women who are or have been part of the coca production process.

Finally, there is a need for more information disaggregated by sex and ethnicity about the beneficiaries of the Comprehensive Rural Reform programs in the area of land titling and those who sign crop substitution agreements. This information would allow for broadening the analysis of the ways women have benefited from these programs and would verify quantitative compliance with the associated stipulations.

## ***Advances and Challenges in the Implementation of Participation Measures***

The measures with a gender perspective included in the Accord seek to guarantee, among other things, the effective participation of women in all forums and mechanisms created for the implementation process. Effective participation is understood as the real capacity for influence and not simply as the presence of women in participatory spaces. Therefore, despite the expressed advances that will be described below, we observe

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<sup>48</sup> Donny Meertens, “Restitución de Tierras, Justicia de Género y Paz,” *Institute of Human Rights and Peacebuilding Alfredo Vázquez Carrizosa*, Second Edition (2018).

the persistence of unresolved challenges in this phase of implementation regarding mechanisms and/or concrete measures that guarantee the effective participation of women. We call attention to the principle of parity, since there are important gaps in the participation of women in general, and ethnic women in particular, in the technical and political opportunities created for implementation at both the national and territorial levels.

In this sense, it is important to analyze five aspects of women's participation in the implementation of the Final Agreement: 1) the influence of women's organizations and platforms in the framework of priority legislative implementation; 2) the participation of women in decision-making spaces within the Accord; 3) the participation of women in the implementation of the Accord, including parity within the new institutional architecture for implementation; 4) the participation of women in the formulation of public policies related to the implementation of the Final Agreement; and 5) the participation of women in monitoring and verification mechanisms.

### **Participation in Legislative Development**

It is important to recognize and value the role that women's movements have played in influencing, monitoring, accompanying, and advising those who have had the responsibility of translating what was agreed in the Accord into concrete pieces of legislation. During the fast track, a special transitory mechanism that reduced the legislative process for pieces of legislation related to the implementation of the Final Agreement, civil society organizations achieved a comprehensive assessment of what was being done to ensure monitoring, signal alerts, and advocate for the inclusion of specific measures with a gender perspective. With women legislators and some congress people as allies, changes were made to the measures to guide the inclusion of the gender approach. For example, the development of the Statute of Opposition is considered an important legislative development for the political participation of women. Civil society proposals were circulated among women legislators, the Legal Commission for Women's Equality, and allied congress people and Senate speakers.<sup>49</sup> The law stipulates affirmative measures with a gender perspective such as the participation of women in the spaces granted for political dissemination in the media and on plenary boards of popularly elected public corporations. Several of the proposals from women's organizations were approved, such as protection and security programs with a differential and gender-based approach, and alternation between men and women serving on the Foreign Relations Commission.<sup>50</sup> However,

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<sup>49</sup> UN Women, "Boletín No. 11 ¿Cómo van los derechos de las Mujeres en el Fast Track?" April 28, 2017.

<sup>50</sup> Authors: Partido Verde: H.S Claudia López, H.R. Angélica Lozano.

proposed sanctions for non-compliance with the parity measures included in the Statute were not approved.<sup>51</sup>

Two other key processes to strengthen the participation of women are the Political and Electoral Reform and the 16 Special Transitory Peace Voting Districts (CTEP). The Political and Electoral Reform is perhaps the most significant set of legislative commitments in Point 2 of the Final Agreement. Through its affirmative measures, this reform has the potential to greatly strengthen the participation and leadership of women in political parties, granting them access to political power. The reform was not approved due to lack of agreement between the national government and the majority parties. Bills to create 16 Special Electoral Districts have been presented to Congress and tabled several times. Some of these bills have included articles that ensure women's participation in the Special Voting Districts once they are created.

## Representation

According to the “Third Report on the Participation of Women in the Institutional Framework of the Transition” of the Gender in Peace Working Group (GPAZ), published on November 22, 2017,<sup>52</sup> the participation of women, and particularly women from ethnic communities, in decision-making spaces of the Final Agreement is low. Women represent 16.66% of the representatives in the Commission for Monitoring, Promoting, and Verifying the Implementation of the Final Agreement (CSIVI); 25% of the National Reincorporation Council (CNR); and 7.4% of the National Commission on Security Guarantees. Although the Final Agreement and its Legislative Decree states that a gender perspective approach must entail the “effective participation of women,” the only development to address this directive in this area is the creation of a Technical Committee on a Differential, Territorial, and Gender-Based Approach.

The greatest advancement in the effective participation of women, including women from ethnic communities, is reflected in the spaces for implementation of the Final Agreement, especially in the creation of the mechanisms of the Comprehensive System of Truth, Justice, Reparation

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<sup>51</sup> In Article 31 the following text was included: “Analyze compliance with measures tending to guarantee balanced participation between men and women” and in Article 5, “those that declare opposition will share the exercise of the rights that are proper to them between men and women, in an equal, alternating, and universal way.” Also see: UN Women “Boletín No. 11 ¿Cómo van los derechos de las Mujeres en el Fast Track?” April 28, 2017.

<sup>52</sup> SISMA Mujer, “Balance Primer Año de la Firma del Acuerdo Final de Paz,” November 22, 2017, <https://www.sismamujer.org/wp-content/uploads/2017/12/24-11-17-BALANCE-PRIMER-A%C3%91O-FIRMA-ACUERDO-Tercer-informe-GPaz-participaci%C3%B3n-de-las-mujeres-en-la-institucionalidad-de-transici%C3%B3n.pdf>.

and Non-Recurrence (SIVJNRN). According to the GPAZ report,<sup>53</sup> women represent 54.9% of the members of the Special Jurisdiction for Peace (JEP) and 45.45% of those who make up the Truth, Coexistence, and Non-Recurrence Commission. It is equally significant that both the presidency of the JEP and the Directorate of the Special Unit for the Search for Persons Deemed as Missing (UBPD) have been presided over by women of the highest technical and political caliber. A gain in terms of effective implementation of the gender perspective refers to the inclusion of specific measures with a gender perspective in the formation of the SIVJNRN during the fast track period. The incorporation of a focus on gender in Legislative Act 01 of 2017 signified a commitment to equal participation in all of the components of the System. These components strive “for equitable participation between men and women [and] guarantees of non-discrimination and respect for ethnic and cultural diversity.”<sup>54</sup> The JEP also aims to “promote equality between men and women, non-discrimination, and prevent the exclusion of people with diverse gender identities and sexual orientations in judicial decisions.”<sup>55</sup>

The selection process of the judges for the JEP, carried out by the Selection Committee, and the results of that process, illustrated best practices for achieving a balanced representation of men and women. This experience serves as an example to the rest of the spaces, forums, institutions and entities created by the Agreement. As in the JEP, the Truth, Coexistence and Non-Repetition Commission (CEV) included, in a representative way, women and ethnic groups in the formation of their team. This is expected to promote the inclusion of the needs and interests of women victims and promote gender equality and inclusion throughout the SIVJNRN through training to ensure a gender and ethnic-based approach to their work. Additionally, the SIVJNRN is implementing gender mechanisms. Examples include the CEV gender working group and the sexual violence team of the Investigation and Prosecution Unit.<sup>56</sup>

Likewise, progress has been made in the configuration of the National Council for Peace, Reconciliation, and Coexistence, aimed at facilitating the implementation of points 2.2.4. and 3.4.7.4.4. of the Final Agreement regarding guarantees for reconciliation, coexistence, tolerance, and non-stigmatization; and executing the program of reconciliation, coexistence,

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<sup>53</sup> “Report on the participation of women in the institutional framework of the transition,” Gender in Peace Working Group – GPAZ,” November 22, 2017.

<sup>54</sup> Legislative Act No. 01 of 2017, “Por medio del cual se crea un título de disposiciones transitorias de la constitución para la terminación del conflicto armado y la construcción de una paz estable y duradera y se dictan otras disposiciones,” Artículo transitorio 1°, Comprehensive System for Truth, Justice, Reparations, and Non-Recurrence (SIVJNRN).

<sup>55</sup> Full Chamber of the Special Jurisdiction for Peace, Agreement 001 of 2018, March 9, “Por el cual se adopta el Reglamento General de la Jurisdicción Especial para la Paz.”

<sup>56</sup> Ibid.

and prevention of stigmatization. Women represent 50% of the government representatives in that forum, as well as 44.4% of the civil society representatives.<sup>57</sup>

### Participation in Public Policy

Regarding the participation of women in the formulation of public policies related to the implementation of the Final Accord, the most significant development is the process around the PDET. The Decree<sup>58</sup> establishes affirmative measures for rural women. As the responsible institution, the Territorial Renewal Agency (ART) has made important efforts to establish a transversal approach in the process, creating spaces for the participation of an significant number of women's organizations. These organizations have contributed best practices and lessons learned during the initial steps to establish each of the 16 priority areas. It is expected that this participation will enable the effective incorporation of a gender perspective, that includes the needs and priorities of women, and shapes the content of programs and their budgets.

However, an assessment of this process by an important sector of the women's movement found that that this participation has not had enough impact. In addition to general barriers such as the lack of clarity about processes, ranging from neighborhood meetings to municipal plans and the elaboration of the final PDET, there are specific barriers keeping women from accessing meetings that have not been addressed. For example, there is a lack of provisions aimed at caring for children. These barriers hinder the effective inclusion of women. Women from ethnic communities face additional barriers to their effective participation in the PDET, even in exclusively feminine or ethnic spaces. The women of the Special High Level Forum with Ethnic Peoples and the Special High Level Forum for the Gender Approach have reiterated the need for an intersectional approach that ensures that the PDET is effectively a participatory planning instrument that reflects the capacities and particular needs of indigenous and black women.<sup>59</sup>

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<sup>57</sup> Ibid.

<sup>58</sup> Article 1 of Decree Law 893 of 2017, "Por el cual se crean los Programas de Desarrollo con Enfoque Territorial – PDET," May 28, 2017.

<sup>59</sup> Women of the Ethnic Commission, interview conducted by the Kroc Institute Team on June 18, 2018.



## Participation in Verification Mechanisms

Finally, in relation to the participation of women in monitoring and verification mechanisms, it is important to point out three key bodies.

First is the United Nations Verification Mission, which actively promotes a parity strategy. In December 2017, the Mission reached the goal of women constituting 50% of its civilian personnel. The Mission continues to highlight the need to increase the number of women among its international observers (currently at 15%).<sup>60</sup> Likewise, in partnership with UN Women, the Mission has promoted coordination and permanent dialogue among women's organizations, government interlocutors, the gender liaisons of the FARC, and United Nations agencies at both the national and local levels. The Mission has a network of 41 people acting as gender focal points in all of its regional offices.

The second space for participation is the Special High-Level Forum with Ethnic Peoples, in which Afro-Colombian and indigenous women represent 25% of the members. This space still faces important challenges in terms of implementation and lacks political recognition among the entities and decision-making bodies relevant to the implementation of the Accord. In particular, the Forum faces the challenge of how to bring visibility to the needs, interests and priorities of women where the ethnic and gender-based approaches intersect.

The third space is the Special High-Level Forum for monitoring the Gender-Based Approach. This space contributes to assessment of the inclusion of a gender perspective approach in the implementation of the Final Agreement. The Forum is the result of a national selection process led by the CSIVI. The Forum was installed in July 2017 and consists of 16 women (8 incumbents and 8 substitutes) who represent national platforms, the LGBTI population, victims, territories most affected by the conflict, rural women, and indigenous and Afro-Colombian. The inclusion of an eighth representative for black women was the result of an advocacy process led by civil society actors. The Special Forum represents a novel experience for the participation of women in the implementation of the peace agreement. The majority of its members represent different grassroots women's processes in the territories (Putumayo, Montes de María, Arauca, Valle, and Antioquia). There are two main goals for the Special Forum. First, to facilitate the effective participation of women in a variety of public policy processes so that a gender perspective is adopted, and second, to ensure that women from the territories and the national level can participate actively in the monitoring initiatives and the implementation

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<sup>60</sup> The Mission has a total of 248 civil servants and 170 international observers, deployed to 60 national, regional, and local sites. The 19 countries that provided observers who contributed to the first mission continue to contribute to the Verification Mission.

of this approach, thus exercising their rights and contributing to structural transformation.

With the support of UN Women, Sweden and FDIM, the Forum has laid out its strategic plan to develop a mission and vision, internal regulations, and a 2-year action plan. Likewise, the Forum has also developed a report on guarantees for the participation of women in the PDET and a first semi-annual monitoring report. As of May 2018, it has made several advances in fulfilling its work plan,<sup>61</sup> including producing documents with inputs, guidelines, and recommendations to help ensure the promotion of gender equality in the implementation of the Final Agreement. Among the documents they have produced is one that comments on the gender chapter of the Framework Plan for Implementation (PMI), and another with an assessment of implementation in the PDET areas.

## Gaps

The prioritization of the gender perspective both in the Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement (CSIVI) and the government's agenda, is key to ensuring that the implementation of the gender perspective goes beyond its inclusion in the Final Accord and is translated into plans, programs, and projects that reflect the four attributes indicated in the Agreement. These attributes are transversal mechanisms, affirmative actions, effective participation of women, and actions to recognize the victimization of women due to armed conflict. The government's commitment, the legislative developments, and comprehensive implementation through public policy are all essential and complementary.

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<sup>61</sup> In compliance with its functions, the Forum has launched a strategy of constant dialogue with key entities, agencies, and organizations. With the support of UN Women and the Swedish Embassy, the Forum has held six ordinary sessions in which it has established commitments in terms of meetings, interlocution, and coordination with international organizations. These are some of the organizations it has met with and the number of times. UN Verification Mission (three meetings); Kroc Institute (two meetings); international component to accompany the incorporation of the gender approach (four meetings); CSIVI 3x3 (one meeting); CSIVI government and CSIVI FARC technical secretariats (three meetings). With the National Government: DNP (once for presentation of the gender chapter of the Framework Plan). Territory Renewal Agency (ART) (two meetings to discuss PDET methodologies). With the Ombudsman Delegate for Peace (one meeting), Ombudsman Delegate for Women, Children, and Family (one meeting). With mixed organizations (has met once with women's organizations, international agencies, and national government, to monitor the incorporation of the gender-based approach in the PNIS Comprehensive National Plan for the Substitution of Crops Used for Illicit Purposes). With national women's organizations (two meetings with the participation of 40 national organizations, and one meeting with delegates from Afro-Colombian organizations). From these meetings, joint work commitments have been made for the incorporation and monitoring of a gender perspective in the implementation of the Final Agreement.

## *Advances and Challenges in the Implementation of Security and Protection Guarantees*

Regarding security and protection guarantees, there is a gap in the implementation of measures for female social leaders, female human rights defenders, female ex-combatants, and women in communities. Despite the fact that a gender perspective has been technically included in most of the legislation issued in this regard (for example, in Decree 660 of 2018, which creates and regulates the Comprehensive Security and Protection Program for Communities and Organizations in the Territories, and in Decree Law 154 of 2017 which stipulates that the National Commission on Security Guarantees must ensure the application of a gender-based approach in the design, implementation and follow-up of all strategies and policies reviewed by the Commission), in practice there is little evidence to demonstrate its effective implementation. Although the Agreement seeks a transition toward a multidimensional security perspective that includes analysis of territorial contexts and interinstitutional coordination, this turnaround takes time and has made little progress in the country. Some advances, like the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders, launched by the Ministry of the Interior on June 15, 2018, are the result of previous work done by women's organizations and platforms within the framework of the National Guarantees Forum.

Promoting measures that contribute to security guarantees with a gender perspective is increasingly necessary if the data on attacks against social leaders and human rights defenders in the country are analyzed and taken into account. This data includes not only types of murders, but also threats and instances of sexual violence. The fact that threats and instances of sexual violence are less visible needs to be carefully analyzed. This can mean that for female leaders and human rights defenders, these increasingly common threats against their nuclear families are often ignored in the same reports that document the dynamics of the aggressions. While the number of female human rights defenders and social leaders murdered in 2016 was seven, in 2017 this number increased to 14.<sup>62</sup> Of these 14, three were members of the LGBTI population. According to the Early Warning System of the Ombudsman's Office, during the period between January 1, 2017, and February 27,

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<sup>62</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), "Annual Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia," (A/HRC/37/3/Add.3), March 2, 2018.

It is important to point out that the homicides of human rights defenders reported in Cauca, Urabá, Antioquia, and Norte de Santander represent 49% of the total homicides that occurred during the period in question, with 10 municipalities accounting for 30% of the total homicides. Furthermore,

*“violence against leaders and human rights defenders is part of a risk scenario with a national scope that has particular expressions at a territorial level, [derived from]: 1) the re-composition of armed domains in territories that for decades were under the influence of the FARC-EP; 2) the persistence of other illegal armed actors who, at different levels, control legal and illegal economies, and violate the rights of the civilian population; and, 3) the progress in the implementation of the Final Agreement.”*

Ombudsman's Office “Early Warning System No. 26”, February 28, 2018, p 29.

2018, 23 female human rights defenders were killed (15% of the total number of homicides presented). In three of these cases, the crimes included sexual violence and in two of them, torture. In this same period, the Ombudsman registered five attacks (out of 26) and one case of forced disappearance in which the victims were women. Moreover, the Ombudsman's Office observed an increase in the number of individual threats, from 95 in 2016 to 142 cases of threats against women in 2017 (30% of reported cases).<sup>63</sup> Although gender-based aggressions against human rights defenders in 2017 remained the same as in the previous year, according to the annual report of the organization Somos Defensores, there is a concern about the extreme violence exerted against women. According to the report, “The homicides reported against women always denote higher levels of violence, including sexual violence.”<sup>64</sup> The report refers to four cases in particular: Emilsen Manyoma (Valle del Cauca); Edenis Barrera Benavides (Casanare), Idaly Castillo Narváz (Cauca), and Juana Bautista Almazo Uriana (La Guajira).<sup>65</sup> The effective implementation of a gender perspective approach in the area of security and protection guarantees would contribute at a territorial level to understanding which factors have increased specific security risks for women and the LGBTI population, allowing for the creation of the right programs for their protection.

One of the major concerns regarding participation is the security of communities and women who participate in the processes of crop substitution or land titling processes. On April 1, 2018, Magdalena Cruz Rojas, a community leader who led the crop substitution movement in Mapiripán, was murdered in the presence of her family.<sup>66</sup> On May 2, 2018, the *Alianza Tejedoras de Vida del Putumayo* reported the disappearance of Deyanira Guerrero Tovar, vice president of the Asvimarin

<sup>63</sup> Ombudsman's Office, “Early Warning System No. 26,” February 28, 2018.

<sup>64</sup> Somos Defensores, “*Piedra en el zapato* Annual Report 2017, Information System about Attacks on Human Rights Defenders in Colombia – SIAD-DHH,” 2018.

<sup>65</sup> Ibid.

<sup>66</sup> El Espectador, “Asesinan a líder social en Mapiripán, Meta,” April 1, 2018, <https://www.elespectador.com/noticias/nacional/meta/asesinan-lider-social-en-mapiripan-meta-articulo-747611>.

Women's Association in El Placer, a town in the Valle del Guamuez municipality. *Alianza Tejedoras de Vida del Putumayo* was founded in 2005 and is a network of 65 women's associations from Putumayo that grow coca and are victims of gender violence. This network has been accompanied by the National Secretariat of Pastoral Social Caritas Colombiana and Caritas Germany with the objective of strengthening participation focused on the protection of rights and sustainable local economies. As of June 2018, the whereabouts of Deyanira are not known.<sup>67</sup> According to an OHCHR report, 62% of murders of leaders during 2017 occurred in rural areas. Several of the victims were killed because of their links to the implementation of the Final Agreement, and in particular, their engagement with issues such as Comprehensive Rural Reform and the substitution of crops used for illicit purposes (substitution agreements).<sup>68</sup> Given that the gender report highlights the particular effects for leaders in illicit crop substitution, it is key that the Colombian government assure that the Security Protocol for the Implementation of the Joint Effort for Voluntary Substitution of Crops Used for Illicit Purposes incorporates strategies to protect women leaders participating in these processes. According to Somos Defensores, "Violence against female human rights defenders increased again in the period between January and June with respect to the same period in 2017, which reported 24% of aggressions."<sup>69</sup> Between January and June 2018, of the 397 defenders attacked, 26% were women.

Regarding the Comprehensive Security System for the Exercise of Politics (SISEP), specifically with regard to the protection of FARC-EP ex-combatants, the use of a gender perspective has not been registered nor is there any analysis of the differentiated risks experienced by ex-combatant women in their reincorporation processes.

For its part, the National Commission on Security Guarantees (CNGS) is characterized as having a low representation of women among its civil society commissioners. Although the CNGS mentions the need to incorporate a gender perspective approach, in practice this issue is still pending implementation. Counting on a rather small representation from civil society (two men) and academia (two men and one woman), women's organizations made an explicit request to be included. This request was made after the law creating the Commission was issued and after the civil society representatives were elected. This request has not

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<sup>67</sup> Alianza Tejedoras de Vida del Putumayo, "Acción Urgente por desaparición forzada," May 5, 2018, <http://alianzatejedorasdevida.org/2018/05/05/accion-urgente-por-desaparicion-forzada/>.

<sup>68</sup> United Nations (UN), "Informe anual del Alto Comisionado de las Naciones Unidas para los Derechos Humanos sobre la situación de los derechos humanos en Colombia," (A/HRC/37/3/Add.3), March 2, 2018, pg. 3 paragraph 11.

<sup>69</sup> Information System about Attacks on Human Rights Defenders in Colombia (SIADDDH), Somos Defensores Program, "Más allá de las cifras" (Report January – June 2018).

been met and, in response, women's organizations continue to request effective representation on the Commission so that a gender perspective is included.<sup>70</sup> As of June 2018, these organizations are still awaiting an official response to their request for inclusion. Regarding the process of designing the Permanent Action Plan Against Criminal Organizations (PAPCOC) to combat and dismantle the organizations and conducts subject to the agreement at the territorial level, several forms of gender violence have been witnessed in the territorial subcommittees for security guarantees, created within the framework of the PAPCOC, among them femicide, trafficking of women (mostly minors), and sexual and gender-based violence. It is important that the National Commission on Security Guarantees draws on the participation of women in the technical working group for a differential and gender-based approach, created within the National Subcommittee, to ensure that these issues are addressed in a comprehensive manner in public policy. We believe that once spaces within the CNGS and the pending territorial sub-commissions have been reinitiated, the advances in public policy and in the PAPCOC should reflect the needs of women and the LGBTI community.

Directive 002 of the Inspector General of Colombia defines the guidelines for the protection of human rights defenders within the framework of the Final Agreement and extends the concept of human rights defender to include the “members of social movements, political movements, political and social leaders and their organizations, and those who, in this condition, actively participate in the implementation of the Agreement.”<sup>71</sup> Through this Directive, the Attorney General's Office stipulates that the entities in charge of protective measures must adjust “prevention, identification and risk assessment measures” in accordance with differential approaches, making a particular call for cases of sexual violence.<sup>72</sup> It is very important to show results in terms of investigations because the cases involving women face high levels of impunity.<sup>73</sup> Despite the lack of progress in protection measures and security guarantees with a gender perspective, the prioritization made by the Office of the Inspector General of Colombia to

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<sup>70</sup> United Nations, “Report of the Secretary General on the United Nations Verification Mission in Colombia,” (S/2018/27), April 2, 2018, pg. 13.

<sup>71</sup> Office of the Inspector General of the Republic of Colombia, Directive 002, “Lineamientos para la protección efectiva de los derechos de los defensores y defensoras de derechos humanos, y sus organizaciones, integrantes de los movimientos sociales, movimientos políticos, y líderes y líderes políticos y sociales, y sus organizaciones, y a los que en esta condición participen activamente en la implementación del acuerdo final para la terminación del conflicto y la construcción de una paz estable y duradera,” June 14, 2017.

<sup>72</sup> Ibid.

<sup>73</sup> Information System about Attacks on Human Rights Defenders in Colombia (SIADDHH), Somos Defensores Program, “Más allá de las cifras” (Report January – June 2018).

advance investigations of crimes against human rights defenders<sup>74</sup> can be seen as an opportunity to deepen the differentiated risks between men and women in the exercise of social leadership and in defense of human rights. In addition, it represents an opportunity to prioritize and provide technical support for investigations with a gender perspective. It is important to highlight that, both in the Strategic Direction Plan of the Prosecutor's Office and in the regulations created by the Special Investigation Unit (UEI), measures are incorporated to guarantee effective justice in cases of gender-based violence that are, free of stereotypes about the LGBTI community and with proportional sanctions corresponding to the seriousness of the act. To date, the UEI has been conducting contextual territorial investigations and has prioritized homicides against human rights defenders, social leaders, and ex-combatants. There are few cases related to the LGBTI community that have been resolved. However, the progress regarding cases of gender violence and corresponding sanctions are unknown. In the current context of increased aggression against social leaders, government officials have made unfortunate statements in the media, linking some of these cases to crimes of passion or to a "mess of skirts."<sup>75</sup> This type of public statement, without any legal support, contributes to stigmatizing female leaders, trivializing the aggressions, and reducing the importance of combatting gender violence.

### Gaps

Although the gender perspective is prioritized in the Final Agreement and there was agreement that it should be visible in the implementation actions of the Comprehensive Security System for the Exercise of the Politics (SISEP), as of June 2018 no meaningful progress has been observed.

Despite the various legislative advances seen by June 2018 in terms of prevention, protection, and promotion of security guarantees for human rights defenders and social leaders, little concrete implementation action has been observed. In Decree 2078 of 2017, the "Route for Collective Protection of the Rights to Life, Integrity, Freedom, and Personal Security of Groups and Communities" established the gender perspective approach in a superficial and non-substantive manner. Security and Protection for Communities, included in Decree 660 of 2018, has greater legislative development focusing on a gender-based approach, and includes a call for all the measures adopted to take into account the differential risks faced by women and the LGBTI population. Perhaps where progress is

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<sup>74</sup> Information System about Attacks on Human Rights Defenders in Colombia (SIADDHH), Somos Defensores Program, "*Piedra en el zapato*" (Annual Report 2017).

<sup>75</sup> "Asesinato de líderes son por 'líos de faldas': ministro de Defensa," *El Espectador*, December 17, 2017, <https://www.elespectador.com/noticias/politica/asesinatos-de-lideres-son-por-lios-de-faldas-ministro-de-defensa-articulo-728893>.



most evident in these regulations is in Decree 1581 of 2017 “where a Public Policy of Prevention of Violations of the Rights to Life, Integrity, Freedom, and Security of Persons, Groups, and Communities, and other stipulations are dictated” and in Resolution 0845 of June 14, 2018, “On the Comprehensive Program of Guarantees for Women Leaders and Advocates of Human Rights.” In both cases, there is clear guidance on the various issues that must be addressed, taking into account the unique risks that women face in regard to their lives, freedom, integrity, and security. The success of these measures will depend on the actual and effective adoption of collective prevention and protection measures that take into account the needs and experiences of women and LGBTI people. This requires that public servants, in charge of the implementation of these laws, have the capacity and the resources necessary to ensure differentiated treatment.

On the other hand, it is important that both the Ombudsman’s Office and the Elite Police Corps incorporate a gender-based approach in the development of their functions, particularly with regard to the development of clear gender indicators in the Early Warning System (SAT) and in the analysis of variables in aggressions, threats, homicides, and cases of sexual violence against defenders. It is important to highlight the Program for Victims of Gender Violence launched by the Ombudsman’s Office in August 2017, which, together with a stronger SAT, could help to make cases of sexual violence and gender-based violence a priority.

Progress in the State’s response capacity for protection and the defense of human rights and women’s ability to exercise social and political leadership in peacebuilding requires a multidimensional approach, greater nation-territory coordination, and greater institutional strengthening in the territories. This will help local authorities to develop a greater capacity to ensure safe environments for the exercise of women’s citizenship rights and to provide comprehensive measures of protection against risks arising from women’s exercise of leadership. It is necessary to coordinate with communities’ own systems of protection and conflict resolution, such as the indigenous guard and the *guardia cimarrona*, while at the same time strengthening the gender perspective within these systems.

## ***Advances and Challenges in the Implementation of Reincorporation Measures***

Despite the inclusion of some FARC-EP women as negotiators during the peace talks in Havana, the incorporation of a gender-based perspective in the reincorporation process has been slow to develop. This is reiterated by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its report, which highlights the importance of accelerating the



implementation of reincorporation programs with a focus on ethnicity and gender.<sup>76</sup>

FARC female ex-combatants have made a proposal for a strategic framework for their reincorporation. This proposal was developed in a participatory way throughout 2017<sup>77</sup> and seeks to facilitate the substantive participation of women within the National Reincorporation Council. In this regard, the creation of the Gender Technical Working Group within the framework of the National Reincorporation Council seeks to ensure and provide joint input to the design, implementation, and monitoring of public policy on reincorporation. It is an important example and represents a best practice as a space for dialogue between the FARC and the government. The Working Group, through the coordination and expertise of its members, has also made concrete progress in its functioning and has seen results in its implementation of a gender-based approach. The group has worked on a socio-economic diagnosis of female ex-combatants and the comprehensive inclusion of a gender-based approach in the reincorporation process. For example, the group has included a gender perspective in the criteria of the approval process for livelihood projects, and provided recommendations on implementation of a gender-based approach in the CONPES Document 3931, “National Policy for the Social and Economic Reincorporation of Former Members of the FARC-EP,” approved in June 2018.<sup>78</sup>

### **Territorial Spaces for Training and Reincorporation**

Several sources have warned about the conditions for pregnant women, infants, and children within the Territorial Spaces for Training and Reincorporation (ETCR). The lack of compliance with the basic conditions necessary for quality of life for women, children, and youth in the ETCR has had an effect on both the physical and mental health of individuals. Apart from limited access to gynecological medical services, none of the ETCRs have contemplated the provision of day care services or centers for children. While the UN Mission, jointly with UNICEF and the ICBF, has made progress, the lack of these services has limited the inclusion of women in training and reincorporation activities.<sup>79</sup>

While acknowledging the efforts of the UN Mission and the Ministry of Defense, which has developed its first policy for the incorporation

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<sup>76</sup> Technical Team (CSIVI- FARC) interview conducted by the Kroc Institute’s team, March 23, 2018.

<sup>77</sup> Technical Work Group, meeting organized by the Kroc Institute and UN Women, July 20, 2018.

<sup>78</sup> Ibid.

<sup>79</sup> Office of the Ombudsman, “Report on the Territorial Training and Reincorporation Space: Reincorporation for Peace,” (Bogotá, 2017).

of a gender perspective in the deployment of military personnel,<sup>80</sup> there are challenges regarding women ex-combatants and women in the communities around the ETCR. In its report presented in September 2017, the Ombudsman's Office noted that in some ETCR,<sup>81</sup> the surrounding communities have reported risks of sexual violence due to "situations of inappropriate relationships between members of the Public Forces and the girls, adolescents, and women of the communities."<sup>82</sup>

Some efforts have been made to try to address these concerns. The Tripartite Monitoring and Verification Mechanism during the laying down of arms established gender focal points within its structure in the territories and produced an informational booklet about gender violence. The Tripartite Body for Protection and Security has developed a road map for the inclusion of measures to promote gender equality and continues to work with the gender focal points. The United Nations Verification Mission has continued to strengthen relations at the territorial level with ex-combatants and their local offices.

Regarding the National Protection Unit (UNP), the April 2018 Report of the Secretary-General on the United Nations Verification Mission in Colombia highlighted that, in relation to the Joint Security and Protection Corps, "the National Protection Unit has trained and hired 935 people, including 545 former members of the FARC-EP, of whom 84 are women."<sup>83</sup> The report also noted that the training course for these personnel would include a gender module on "analysis of risk and protection," with the support of the FARC Gender Committee, UN Women, and the UN Mission.<sup>84</sup> The training of personnel, not only of the UNP, but also of the two UN Missions, and the cooperation between the United Nations systems on issues with a gender focus, constitute best practices that can be further strengthened and demonstrate the efforts of international monitoring initiatives. However, it is important to emphasize that most of the current members are men, and training is still insufficient to meet the protection needs of women ex-combatants.

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<sup>80</sup> United Nations, "Report of the Secretary General on the United Nations Verification Mission in Colombia," (S/2018/723), July 20, 2018.

<sup>81</sup> In the ETCRs at: Carrizal (Remedios), Llano Grande (Dabeiba), Filipinas (Arauquita), Los Monos, (Caldono), Monterredondo (Miranda), El Carmen (La Montañita), Mira Valle (San Vicente del Caguán), El Gallo (Tierra Alta), Colinas (San José del Guaviare), Policarpa (Betania), La Variante (Tumaco), Pandores (Fonseca), El Ceral (Buenos Aires).

<sup>82</sup> Office of the Ombudsman, "Report Territorial Training and Reincorporation Space: Reincorporation for Peace," (Bogotá, 2017).

<sup>83</sup> United Nations, "Secretary General's Report on the United Nations Verification Mission in Colombia," (S/2018/27), April 2, 2018.

<sup>84</sup> Ibid.

## Reincorporation of Minors

According to the Office of the Presidential Councilor for Human Rights, 135 children have left the FARC-EP, including 75 girls and 60 boys.<sup>85</sup> In a statement issued in March 2018, the Government confirmed that 124 of these children were included in the minor reincorporation program created in the Accord.<sup>86</sup> However, no information has been published about the inclusion of a gender and/or ethnic-based approach to this program.

Within the National Reincorporation Council (CNR), there is a family reunification working group in which the Ombudsman's Office and the CNR's gender working group both participate. Family reunification is of particular concern for ex-combatants and the FARC-CNR component. While institutional will can be seen, several legal challenges exist, particularly related to authorization for participation by the Office of the Prosecutor, ICBF, and former combatants in the reunification process.<sup>87</sup>

## Political Reincorporation

As far as political reincorporation is concerned, the political party FARC presented 23 candidates to the Senate, of which seven were women. This represents 30.4% of total candidates. Likewise, they presented five lists for the House of Representatives with candidates representing Bogotá, Antioquia, Valle del Cauca, Atlántico, and Santander. The lists included a total of 52 candidates, and 20 were women (38.4%). In both cases, the FARC party met the specified minimum of 30% female candidates. However, among the candidates that will actually occupy the 10 seats, there are only two women: Victoria Sandino and Sandra Ramírez in the Senate, and no women in the House of Representatives.<sup>88</sup>

## Economic and Social Reincorporation

The April 2018 report published by the United Nations Verification Mission in Colombia reiterates that current reincorporation initiatives do not have a gender perspective approach and that female FARC-EP ex-combatants continue to generate their own livelihood projects. For example, in the Llano Grande ETCR, a group of 34 female ex-combatants have set up a community restaurant. In Los Monos in Cauca, a group of indigenous women who are former members of the FARC-EP have undertaken a project to make handmade products and are planning to incorporate

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<sup>85</sup> Office of the High Commissioner of the United Nations (OHCHR), "Annual Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in Colombia," (A/HRC/37/3/Add.3), March 02, 2018.

<sup>86</sup> Government of the Republic of Colombia, "Comunicado sobre la salida de adolescentes y jóvenes de los campamentos de las FARC-EP," March 20, 2018.

<sup>87</sup> Technical Working Group. Meeting organized by the team at the Kroc Institute and UN Women. July 20, 2018.

<sup>88</sup> National Registry, "Resultados Elecciones 2018."

women from neighboring indigenous reserves.<sup>89</sup>

Within the process of collective livelihood projects, the Gender Technical Working Group of the National Reincorporation Council has promoted best practices. For example, including questions with a gender perspective in the approval process for livelihood projects, and including questions related to the needs and levels of participation of women in each proposed project.<sup>90</sup> These tools encourage further consideration of a gender perspective and affirmative measures in the economic and social reintegration of ex-combatants. However, it is important to highlight that most approved livelihood projects have not evidenced a gender approach in their initial stages.

## Gaps

It is important to understand reincorporation as an opportunity to contribute to gender equality through the implementation of differential paths for women and an understanding that the reincorporation of women must also include their nuclear family. This implementation requires specific tools and instruments that also strengthen the capacity of the institutions responsible for reincorporation processes.

It is necessary to strengthen and expand the institutional capacity for implementation of the gender approach at both the national and territorial levels, particularly the capacity of those responsible for gender action lines in the CONPES 3931 of 2018 on the National Policy on Social and Economic Reincorporation. At the territorial level, there are gaps in public policy related to this approach. For example, there is very little institutional response at the territorial level to gender-based violence.<sup>91</sup>

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<sup>89</sup> United Nations, "Report of the Secretary General on the United Nations Verification Mission in Colombia," (S/2018/27), April 02, 2018.

<sup>90</sup> With UNDP resources, 26 people were hired to provide technical assistance and monitor the design process of the livelihood projects before they are approved by the National Reincorporation Council (CNR).

<sup>91</sup> Technical Working Group. Meeting organized by the team at the Kroc Institute and UN Women. July 20, 2018.

# Conclusion

## and Recommendations

The Peace Agreement between the Government of Colombia and the FARC-EP has become an international reference point and an example of best practices for the incorporation of a gender perspective in a peace process and, specifically, within the implementation of a peace agreement. These innovations create an opportunity to engage in peacebuilding spaces and promote transformation that contributes to development, quality of life, and equality. It is an opportunity to close the gender gap, ensure equal opportunities, and include gender equality within specific public policy measures.

In general terms, as of June 30, 2018, 51% of the commitments with a gender perspective approach had not been initiated; 38% were minimally implemented; 7% had reached an intermediate level of implementation; and 4% had been fully implemented. Although progress has been made, there are still many commitments to be implemented. A solid foundation of initial measures must be taken to ensure the full implementation of measures to promote gender equality in the Final Agreement in the future.

The International Accompaniment Component, women's organizations, and the Kroc Institute have identified four themes as priorities in light of the progress and gaps that have become evident over the course of the implementation process. The themes are Comprehensive Rural Reform and National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes (PNIS), participation, security and protection guarantees, and reincorporation. It is important to find solutions to gaps in these areas to advance implementation and achieve peace of the highest quality. The evidence shows that the direct and significant participation of women in peace processes—as mediators, as negotiators, and as implementers—is instrumental in generating lasting and transformative peace. Commitment on paper to a gender perspective is not enough; it is the direct participation of women in peace processes that makes peace more sustainable.<sup>92</sup>

This report has reviewed in detail the issues prioritized by women's groups as key to the implementation of the overall Accord, and the effective

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<sup>92</sup> Laurel Stone, "Annex II. Quantitative Analysis of Women's Participation in Peace Process," in Marie O'Reilly, Andrea Ó Súilleabháin, and Thania Paffenholz, "Reimagining Peacemaking: Women's Roles in Peace Processes," (New York: International Peace Institute, June 2015).

implementation of the gender perspective approach (mentioned above), and has found that both progress and opportunities for improvement are evident. These areas will also face complicated challenges within the implementation process over the next six months. For this reason, this report concludes with specific and concrete recommendations that outline opportunities for the inclusion of a gender perspective in the implementation of the Agreement and throughout peacebuilding efforts in Colombia.

The challenge ahead is maintaining the standards of quality and innovation related to a gender perspective throughout the implementation of the Final Agreement in order to support the development of an inclusive, stable, and lasting peace.

## ***General Recommendations***

- 1.** Maintain the legislative and institutional progress developed by including a gender perspective approach in the different points of the Final Agreement and continue to develop affirmative measures that guarantee the rights of women.
- 2.** Ensure budget allocation in the Implementation Framework Plan (developed in CONPES Document 3932) and the National Development Plan that allows the operation of plans, programs, and projects with a gender-based approach for the implementation of the Final Agreement.
- 3.** Strengthen the institutional architecture for the incorporation of a gender-based approach within the institutions responsible for implementation. This includes implementing Decree 1418 of 2018 that creates the Government's Special High-Level Forum for Gender.
- 4.** Guarantee the implementation of the specific measures established in the Agreement to fulfill the rights of indigenous women, women of African descent, and the LGBTI population, ensuring the intersectionality of the gender perspective in the ethnic indicators of the Framework Plan for Implementation.
- 5.** Create mechanisms in programs designed to implement the Final Agreement that allow the generation of information disaggregated by ethnicity, gender, and sexual orientation, strengthening the implementation of differential actions.

## Specific Recommendations

### Rural Reform

6. Create a specific budget allocation for women in the Land Fund and effectively implement the scoring mechanism for land allocation, which includes affirmative measure for women.<sup>93</sup> Alongside this, keep the institutional information of the cadastre and registry systems updated, with women recognized as landowners.
7. Eliminate barriers that hinder the land titling process for women, especially by improving the process for proving the adequate use of land and including activities related to the economy of care. Provide technical and financial assistance for the sustainability of livelihood projects of women with land titles.
8. Promote effective coordination within the framework of the CONPES 3932 among the PDET, PNIS, PATR, the National Development Plan, and the Territorial Development Plan in terms of women's rights. In this regard, promote specific investment programs and projects for rural women, women from ethnic groups, and the LGBTI population, in order to ensure that the whole exercise of participatory planning with a gender-based approach manifests concretely in development plans at the territorial level.

### Participation

9. Guarantee equitable and inclusive representation in all entities created by the Final Agreement, both in terms of attendance and effective participation.
10. Encourage spaces for dialogue and coordination between the Special High-Level Forum for Gender and the Special High-Level Forum with Ethnic Peoples, as well as between the different expressions of women's movements and governmental entities charged with implementing the gender approach in the Final Agreement.
11. Approve the 16 Special Transitory Peace Voting Districts. These serve as an affirmative measure for female victims of the armed conflict.

### Security and Protection Guarantees

12. Ensure the public resources necessary for the effective implementation of the Comprehensive Program of Guarantees for

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<sup>93</sup> Donny Meertens interview carried out by the Kroc Institute team, March 13, 2018.

Women Leaders and Defenders of Human Rights. It is important that the entities in charge of this program have all the technical, financial, and political resources they need to ensure sufficient territorial capacity for prevention of violence against women and protection of women's rights.

- 13.** In coordination with the Ministry of the Interior, the UNP, and local authorities, guarantee women's access to individual and collective protection measures, as well as their effective implementation with a differential approach. These measures must be adapted to regional contexts and include measures for women from ethnic communities.
- 14.** Guarantee the participation of women's organizations and the LGBTI population in the National Commission on Security Guarantees.
- 15.** To meet the particular needs of female ex-combatants, the SISEP must implement gender specific measures in order to develop effective and comprehensive protection programs and actions related to the specialized sub-directorate of the UNP, the mixed security and protection body, as well as the actions of the tripartite verification mechanisms.
- 16.** The Early Warning System should reflect the differential risks faced by women and the LGBTI population compared to men. It must strengthen the early warning and comprehensive protection actions so that they take into account differentiated risks related to sexual violence, gender-based violence, femicide, and threats to children and family members of social and human rights leaders, among others. In the same way, information and monitoring systems must go beyond counting male and female victims. These should delve deeper into the risk dynamics that affect women and that have been largely invisible and therefore have taken longer to address and investigate.

### **Reincorporation**

- 17.** Develop and guarantee resources for affirmative gender measures in the reincorporation process, as detailed in CONPES 3931 of 2018. These measures should include socialization actions and the creation of monitoring indicators by the entities responsible for public policy.
- 18.** Provide continuity to the Gender Technical Working Group of the National Reincorporation Council and generate conditions that guarantee the functioning of the Territorial Reincorporation Councils and the participation of women in said spaces.



- 19.** Guarantee the implementation of measures to promote gender equality within the livelihood projects, including a consideration of women's roles in the care economy. Socio-economic reincorporation, including access to land, credit, and technical assistance for female ex-combatants of the FARC-EP should be streamlined. Any delay in the reincorporation process has an impact on the process and on the lives of women.
- 20.** Provide security conditions for female ex-combatants that start by recognizing the specific risks they face and by adapting protection schemes and self-protection mechanisms to suit their needs.

### **Comprehensive System of Truth, Justice, Reparation, and Non-Recurrence**

- 21.** Create methodologies for each of the mechanisms that make up the Comprehensive System that include special measures for women and women from ethnic communities.
- 22.** Ensure budget allocation for the specific mechanisms that guarantee the incorporation of the gender perspective in the JEP, the CEV, the UBPD, and the comprehensive reparation policy for victims.
- 23.** Develop pedagogical and communication tools that allow women and the LGBTI population access to and effective participation in the Comprehensive System of Truth, Justice, Reparation, and Non-Recurrence.
- 24.** Prioritize and select cases in each one of the mechanisms of the System that bring gender-based violence in the context of the armed conflict to the forefront.

The **Barometer Initiative** is a program of the Peace Accords Matrix at the Kroc Institute for International Peace Studies, part of the Keough School of Global Affairs at the University of Notre Dame, in partnership with the National Secretariat of the Social Pastorate - Caritas Colombiana.

**The Embassy of Sweden in Colombia** has the objective to foster relations between Sweden and Colombia, promoting trade between the two countries, and cooperation for sustainable peace and development. Within the cooperation framework for development, the 2016-2020 strategy seeks to support Colombia in the implementation of a negotiated peace, contributing to a sustainable peace and to human security. One of the results established in the Strategy is a greater influence and prominent participation of women in peace processes and in the implementation of the peace agreement, in line with Security Council Resolution 1325 of United Nations.

[www.swedenabroad.se](http://www.swedenabroad.se)

**UN Women** is the United Nations entity dedicated to gender equality and the empowerment of women. UN Women supports UN Member States as they set global standards for achieving gender equality, and works with governments and civil society to design laws, policies, programmes and services needed to ensure that the standards are effectively implemented and truly benefit women and girls worldwide. It works globally to make the vision of the Sustainable Development Goals a reality for women and girls and stands behind women's equal participation.

<http://colombia.unwomen.org>

**The International Democratic Federation of Women (FDIM)**, founded in Paris, France, on December 1, 1945, is an international non-governmental organization of women, which integrates organizations of women, feminists and non-feminists, globally, regardless of nationality, religion, ethnic group, and sexual orientation, that fights for the emancipation of women and peoples, for a society without exploitation nor oppression and for peace in the world.

<http://www.fdim.org/sv/>

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