STRATEGIES FOR INCLUDING WOMEN'S AND LGBTI GROUPS IN THE COLOMBIAN PEACE PROCESS

JOSÉ ALVARADO CÓBAR

I. Introduction

Peace processes traditionally involve the main parties to the conflict as the central bargaining actors. This is often to the detriment of groups in society that have been affected by the conflict but are excluded from direct negotiations and the agreements themselves, particularly women; lesbian, gay, bisexual, transgender/transsexual and intersex (LGBTI) groups; and indigenous communities. Unofficial forms of conflict resolution (Track II and Track III) involve groups that are usually excluded from formal peace negotiations (Track I) and are an effective way to connect these groups to the main conflict parties.[1] In the most recent Colombian peace process (2012–16), for example, women's and LGBTI groups' inclusion in Track II initiatives contributed towards the mainstreaming of a gender perspective throughout the final agreement with the Revolutionary Armed Forces of Colombia–People's Army (Fuerzas Armadas Revolucionarias de Colombia–Ejército del Pueblo, FARC–EP) and to a more inclusive negotiation process overall.[2]

Nevertheless, research on political settlements is still unclear as to how marginalized groups, or those with less bargaining power, can inform, leverage or influence peace processes to make them more inclusive.[3] It is also not completely clear how actors from Track II or III processes connect with other actors at the negotiation table (Track I).[4] Therefore, this background paper aims to elucidate how historically marginalized actors leverage conflict-resolution and negotiation strategies in Track II initiatives to make peace agreement negotiations more inclusive of their concerns.

[1] Palmiano Federer, J. et al., 'Beyond the tracks? Reflections on multitrack approaches to peace processes', Centre for Humanitarian Dialogue, the Center for Security Studies ETH Zurich, Folke Bernadotte Academy and Swisspeace, Dec. 2019, p. 9.

[2] Alvarado Cóbar, J., Bjertén-Günther, E. and Jung, Y., 'Assessing gender perspectives in peace processes with application to the cases of Colombia and Mindanao', *SIPRI Insights on Peace and Security*, no. 2018/6 (Nov. 2018), p. 24.

[3] Yanguas, P., 'The role and responsibility of foreign aid in recipient political settlements', *Journal of International Development*, vol. 29, no. 2 (Mar. 2017).

[4] Palmiano Federer (note 1), p. 7.

SUMMARY

● In order to have a more nuanced understanding of inclusive peace processes, it is important to understand how civil society can connect to formal peace negotiations. The Colombian peace negotiation process is highly regarded as one of the most inclusive processes; involving civil society groups from diverse backgrounds, including both women's and lesbian, gay, bisexual, transgender/transsexual and intersex (LGBTI) groups. But how do these groups leverage influence among the main conflict actors, and what specific challenges and opportunities do they face?

This paper applies a conflict resolution and negotiation framework to assess the involvement of women's and LGBTI groups in the most recent Colombian peace negotiation process. In doing so, the suggested framework provides a practical application of conflict resolution and negotiation strategies that can further complement discussions on inclusion of marginalized groups in other peace negotiation processes.

Track III diplomacy focuses on grassroots levels of engagement, often includes community-based civil society actors and has a substantial impact on local peacebuilding while Track II focuses on civil society actors that have a national presence and are more likely located in urban areas. This paper focuses on Track II diplomacy because Track II activities are seen as feeding into or enlarging the number of actors and groups included in the peace process, and can directly or indirectly support Track I processes.[5] Hence, this paper considers the question: what specific challenges and opportunities for inclusion did civil society groups encounter in the Colombian peace process? In doing so, it examines the case of Colombia as a successful example of how diverse kinds of women's and LGBTI groups leveraged their influence through Track II initiatives, and the strategies that they employed to make their voices heard during negotiations that led to a more inclusive process. This assessment has significant implications for the understanding of the Women, Peace and Security (WPS) agenda, particularly United Nations Security Council Resolution 1325, and how national and local civil society groups can effectively shape global gender policies in local contexts.[6]

This background paper is divided into seven sections: introduction, methodology, a brief explanation of inclusive peace processes, a history of women's and LGBTI groups' advocacy of gender equality and peace in Colombia, women's and LGBTI groups strategies for inclusion during the most recent peace negotiation process in Colombia, challenges for inclusion, and conclusions and wider implications.

II. Methodology

Framework for assessing conflict-resolution and negotiation strategies in Track II diplomacy in Colombia

There are existing indicators and frameworks that can be used to assess the inclusion of women's groups and LGBTI groups in peace processes. For example, recent policy reports have prescribed indicators to assess the success of women's inclusion in Track II peace processes and links to broader constituencies at the negotiation table.[7] Organizations such as ILGA–Europe (the European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association) have also published frameworks designed to increase LGBTI advocacy at the country level.[8] However, no conflict-resolution or negotiation framework has been used to systematically assess the inclusion of both groups. As such, this paper adopts a theoretical framework of negotiation strategies developed by I. William Zartman and

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[5] Palmiano Federer (note 1), p. 8.

[6] United Nations Security Council, 'Resolution 1325 (2000) Adopted by the Security Council at its 4213th meeting, on 31 October 2000', United Nations Security Council, S/RES/1325 (2000), 31 Oct. 2000.

[7] Christien, A., 'Advancing women's participation in Track II peace processes: Good and emerging practices', Georgetown Institute for Women, Peace and Security (Feb. 2020), p. 9.

[8] Carroll, A. and Fernandez, B., 'Make it work: Six steps to effective LGBT human rights advocacy', European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (Oct. 2010).

Maureen R. Berman to assess some of the main conflict-resolution and negotiation strategies used in practice by negotiators (see table 1).[9]

While the framework's phases derive from an older model developed by Zartman and Berman, many of the concepts described in table 1 are still relevant today, a reflection of Zartman's continuing contributions to the field of conflict, peace and international negotiations.[10] Table 1 also draws from more recent conflict-resolution and negotiation literature by several peace and conflict practitioners, such as Amy L. Smith and David R. Smock, Isak Svensson and Peter Wallensteen, and Tony Whatling.[11] Due to the complexities of conflict-resolution and negotiation processes—where each stage in the negotiation process is shaped and determined by the realities of the specific situation—there are no comparable and comprehensive theories of negotiation.[12]

The paper presents the negotiation strategies in phases and adapts them to the context of women's groups and LGBTI groups to answer the research question: what specific challenges and opportunities for inclusion did civil society groups encounter in the Colombian peace process? Ten elite interviews, defined as interviews with respondents who were of interest to the researcher because of a position that they occupied, were conducted between July and September 2020 with representatives of women's and LGBTI groups.[13] These respondents were selected because of their involvement in or knowledge of two prominent Track II processes used by women's groups and LGBTI groups during the peace negotiations: consultations and public decision making.[14] Four of the interviewees were representatives of civil society groups: RED (Rodeemos el Diálogo), CIASE (Corporación de Investigación y Acción Social y Económica), Women's International League for Peace and Freedom (WILPF) Colombia, and Colombia Diversa. One was a representative of an international organization that collaborated with indigenous women's groups in Colombia during the process (Conciliation Resources). Three were academics with knowledge of the conflict (two who collaborated with local-level women's civil society groups and one who was involved with LGBTI rights during the peace process). Finally, the interviews also included the perspectives of two former Norwegian guarantors to the Colombian peace process.

The respondents' participation spans different time periods between November 2012, when negotiations officially began between FARC–EP and the Colombian government in Havana, Cuba, and November 2016, when the final agreement was signed. Due to matters of sensitivity, the names of those interviewed are kept anonymous throughout the paper. Additionally,

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[9] Zartman, I. W. and Berman, M. R., *The Practical Negotiator* (Yale University Press: New Haven, 1982), p. 9.

[10] Crump, L. et al. 'En hommage: The contributions of I. William Zartman', *Negotiation and Conflict Management Research*, vol. 11, no. 1 (2018).

[11] Smith, A. L. and Smock, D. R., *Managing a Mediation Process* (US Institute of Peace Press: Washington, DC, 2008); Svensson, I. and Wallensteen, P., *The Go-Between: Jan Eliasson and the Styles of Mediation* (US Institute of Peace Press: Washington, DC, 2010); and Whatling, T., *Mediation Skills and Strategies: A Practical Guide* (Jessica Kingsley: London, 2012).

[12] Iragorri, A. G., 'Negotiation in international relations', *Revista de Derecho (Valdivia)*, no. 19 (2003), p. 91.

[13] Powner, L. C., *Empirical Research and Writing: A Political Science Student's Practical Guide* (Sage/CQ Press: Los Angeles, 2015), pp. 148–49.

[14] Alvarado Cóbar et al. (note 2), p. 24.

Table 1. A framework of conflict-resolution and negotiation strategies

Phases	Activities
1. Mapping the issue (conflict): The diagnostic phase	(*a*) Understanding what the conflict is about (*b*) Understanding who the actors are (*c*) Understanding the larger context (*d*) Understanding sources of power and leverage
2. Framing and communicating information: The formula phase	(*a*) Normalizing (*b*) Mutualizing (*c*) Reframing (*d*) Creating a good climate for negotiations (*e*) Establishing principles for the process
3. Designing solutions and suggesting proposals: The detail phase	(*a*) Formulating proposals (*b*) Reframing the issue(s) and public decision making

Note: This table is not meant to be exhaustive but rather reflects some of the main conflict-resolution and negotiation strategies in the context of conflict-resolution processes that are applicable to social organizations or groups.

Source: Zartman, I. W. and Berman, M. R., *The Practical Negotiator* (Yale University Press: New Haven, 1982), p. 9.

given the multiplicity of ways in which the conflict affected different groups, particularly from Afro-Colombian, rural, and indigenous women's groups and movements, the interviews are complemented by background research in grey literature providing additional information on their experiences. This sheds additional light on the plurality of perspectives within the larger women's and feminist movements, which are not included in this paper but are relevant to a broader understanding of women's and LGBTI groups' views on the Colombian peace negotiation process.

Limitations

This paper adopts an understanding of women's and LGBTI groups based on the idea (from social movement theory) that actors who share social ties can beneficially coordinate when communicating their claims. It focuses on Track II processes given that, through these mechanisms, civil society groups were more formally linked to the peace process (Track I) through dialogue, negotiations and mediation strategies. Yet, other issues of identity—such as urban versus rural, and collective versus individual rights among indigenous groups—provide a different perspective on how groups organize and strategize issues relating to inclusion during peace processes. A deeper analysis of Track III engagement could have revealed both links and polarizing issues between local initiatives and grassroot organizations, on the one hand, and Track I negotiations, on the other. It could also have revealed more information on the tensions between groups—at the more local level (Track III) and at the national level (Track II)—that were vying for access to the negotiation table, and how they strengthened their links with each other with the aim of being heard. This is important given that, to some extent in Colombia, international peace practitioners supported local dialogue initiatives to open up space for broader civic engagement.[15]

The inability to travel in 2020 (due to the coronavirus disease 2019 (COVID-19) pandemic) and the lack of accessible communication over the internet made it challenging to garner enough evidence of indigenous

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[15] Palmiano Federer et al. (note 1), p. 13.

groups' views for this paper during the limited time span available to conduct research. Future research should therefore look at this perspective in the context of the present findings.

The framework is also limited in its applicability. This paper seeks to assess the application of the framework in relation to specific actors, particularly civil society groups such as women's and LGBTI groups, who shared similar interests and concerns during the Colombian peace process. However, this shared perspective may not be found in other peace negotiation processes where these groups' interests and grievances do not intersect.

III. Inclusive peace processes

Peace processes and inclusion of civil society groups

A peace process is often understood as a step-by-step means for negotiating and nurturing peace, while inclusion during peace processes is seen as a critical component for ending armed conflict and building peaceful societies and states.[16] Yet, peace processes, including negotiations, often do not follow a linear path, and this can make inclusion of people and groups outside of the main conflict parties a more complex issue to address. An additional hurdle to understanding peace processes is the concept of civil society. Although it is a contested concept, in simple terms, Desirée Nilsson defines civil society groups as separate from the state and political parties; they include a wide range of voluntary groups, such as women's groups and human rights groups.[17] When these groups are included in peace processes, their participation can span months or years and include multiple negotiations on specific documents and decisions.[18]

A key question relating to inclusion is whom to include and why. As stated by David Lanz, the dilemma between exclusion and inclusion creates a variety of potential scenarios for peace; when all parties are aligned in their agreement on the best scenario, mediators can use normative arguments to justify the sensible inclusion and exclusion of actors.[19] Although there is no clear-cut definition of who should be included, Andreas Hirblinger and Dana Landau state that inclusion enhances legitimacy in peacemaking for three reasons: 'firstly, inclusion is advanced to build a more legitimate peace through broader participation; secondly, to empower and protect specific, closely defined actor groups, promoting them as champions of peace; and thirdly, to transform the social and political structures that underlie conflict'.[20]

Inclusion enhances legitimacy in peacemaking

Among the broader inclusion of actors in a peace process, civil society groups are often seen as effective vehicles through which issues are addressed

[16] Hirblinger, A. T. and Landau, D. M., 'Daring to differ? Strategies of inclusion in peacemaking', *Security Dialogue*, vol. 51, no. 4 (2020), p. 2.

[17] Nilsson, D., 'Anchoring the peace: Civil society actors in peace accords and durable peace', *International Interactions*, vol. 38, no. 2 (2012), p. 246.

[18] Krause, J. and Olsson, L., 'Women's participation in peace processes', preprint, University of Amsterdam, p. 3. (To appear in MacGinty, R. and Wanis-St John, A. (eds), *Contemporary Peacemaking: Conflict, Violence and Peace Processes*, Palgrave Macmillan, forthcoming.)

[19] Lanz, D., 'Who gets a seat at the table? A framework for understanding the dynamics of inclusion and exclusion in peace negotiations', *International Negotiation*, vol. 16, no. 2 (Jan. 2011), p. 277

[20] Hirblinger and Landau (note 16), p. 3.

during negotiation processes.[21] Yet, the context in which they participate can also determine how effective they are. In order to address this point, Thania Paffenholz proposed seven modalities of inclusion from the most to the least direct form of participation of civil society groups: (*a*) direct representation at the negotiation table; (*b*) observer status; (*c*) consultations; (*d*) inclusive commissions; (*e*) high-level problem-solving workshops; (*f*) public decision making; and (*g*) mass action.[22] These forms of participation are not mutually exclusive; in Colombia, for example, civil society groups are said to have participated directly at the negotiation table, in consultations, in inclusive commissions and in public decision making.[23]

While context often determines the level of inclusion of civil society groups in peace negotiations and peace processes more generally, it also creates a sense of ownership of the peace agreement and produces more stable outcomes. Links between delegates with access to the negotiation table and civil society groups broaden support for the peace process and inform negotiations on specific issues and agendas, particularly for women.[24] For example, in Northern Ireland, women's participation through a coalition network influenced the shape of the final agreement in terms of specific women's issues and other issues more broadly.[25]

Therefore, in this paper, the inclusion of civil society groups in peace processes refers to the participation of broader civil society in the negotiation process itself and inclusion in the final outcome—in this case, the peace agreement.

Responses and challenges to broader inclusion of women's groups and LGBTI groups in peace agreement negotiations

The above paragraphs provide a brief understanding of broader participation in peace processes and the inclusion of civil society groups. Yet, even though the inclusion of civil society groups differs between peace processes, promoting women's participation (as individuals or collectively in groups) at all stages of a peace process has consistently been encouraged by international actors, among them the UN Security Council. Additionally, greater involvement of the LGBTI community has brought to light gender dimensions of conflict and raised awareness of LGBTI issues in the WPS agenda.

Over the years the UN has adopted a series of UN Security Council resolutions as part of the WPS agenda to ensure women's participation in peace processes. The most well-known resolution on women's inclusion, the 2000 landmark resolution on WPS (Resolution 1325), stressed the importance of women's participation in the formal stages of a peace process as well as the centrality of recognizing more informal contributions to peace

[21] Paffenholz, T., 'Civil society and peace negotiations: Beyond the inclusion–exclusion dichotomy', *Negotiation Journal*, vol. 30, no. 1 (Jan. 2014), p. 75

[22] Paffenholz, T. et al., 'Preventing violence through inclusion: From building political momentum to sustaining peace', Inclusive Peace & Transition Initiative, Nov. 2017, p. 11.

[23] Alvarado Cóbar et al. (note 2), p. 24.

[24] Krause, J., Krause, W. and Bränfors, P., 'Women's participation in peace negotiations and the durability of peace', *International Interactions*, vol. 44, no. 6 (2018), p. 990.

[25] Bell, C., 'Women and peace processes, negotiations, and agreements: Operational opportunities and challenges', Norwegian Peacebuilding Resource Centre, Feb. 2013, p. 4.

by women's groups.[26] Yet, women remain significantly under-represented in peace processes to this day. Further complicating women's inclusion is the narrow conception used in UN documents when referring to women's groups. In UN Security Council resolutions, women's groups are identified as actor groups that share relatively clear and fixed identities, even though women represent a diverse category with intersecting interests and agendas that may vary between different stages of a peace process.[27] In response to such concerns, in 2019 the UN secretary-general introduced the term 'meaningful participation', which challenges superficial efforts towards participation, instead demanding participation that can shape the content of negotiations through transformative reforms (political, legal, social and economic) and that has the potential to shift gender hierarchies and empower women.[28]

Increased awareness of the participation of women and women's groups in peace processes and shifts in norms in Resolution 1325 and its subsequent WPS resolutions have failed to increase awareness of the participation of civil society actors representing LGBTI communities in peace processes. This is despite the fact that UN resolutions have highlighted the effects of conflict on the LGBTI community; for example, the UN Human Rights Council issued resolution 17/19 (2011), which commissioned a study on human rights, sexual orientation and gender identity.[29] Additionally, yearly UN secretary-general reports on conflict-related sexual violence have recognized LGBTI individuals as victims of conflict.[30] In 2018, OutRight Action International, a LGBTI human rights organization, joined the NGO Working Group on Women, Peace and Security, a coalition of non-governmental organizations (NGO) working to advance the WPS agenda at the UN.[31] This was the first time an organization focusing primarily on LGBTI issues had joined the working group.[32] Research has pointed out that a neglect of these issues is in part the result of heteronormative assumptions in the framing of the WPS agenda and the binary conception of gender (i.e. restricted to male and female).[33] It is likely that with LGBTI groups becoming more involved in WPS frameworks internationally, a more expansive understanding of gender, and the inclusion of non-heterosexual orientations and non-binary gender identities in WPS resolutions, will raise awareness of the participation of these groups in peace processes.

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[26] Krause and Olsson (note 18), p. 1.

[27] Hirblinger and Landau (note 16), p. 7.

[28] United Nations Secretary-General, 'Secretary-General's remarks to Security Council on women in peacekeeping [as delivered]', United Nations Secretary-General, 11 Apr. 2019.

[29] Human Rights Council, 'Human rights, sexual orientation and gender identity', United Nations General Assembly, A/HRC/RES/17/19, 14 July 2011.

[30] Oettler, A., 'The struggle for gendered peace and LGBT rights in Colombia', *Violence, Security, and Peace Working Papers*, no. 2, London School of Economics and Political Science, 2019, p. 8.

[31] Hagen, J. J., 'The future of LGBTQ human rights in the women, peace and security agenda', IPI Global Observatory, 17 Jul. 2019.

[32] Hagen (note 31).

[33] Hagen, J. J., 'Queering women, peace and security', *International Affairs*, vol. 92, no. 2 (Mar. 2016), p. 313.

Inclusion of women's and LGBTI groups in peace processes prior to the 2012–16 peace process

Women's groups participated for the first time in peace talks with FARC–EP and other rebel groups during the administration of Belisario Betancur (1982–86). The need for feminist groups—which advocated for improved rights for women in terms of access to health services, labour conditions and poverty—resulted in the first agglomeration of women's groups into a women's movement, known as the Women's Collective for Bogotá (El Colectivo de Mujeres por Bogotá), which organized commissions to influence the peace process.[34] Women's participation in peace processes reached its pinnacle during the administration of Andrés Pastrana (1998–2002). During this period, Colombia saw its largest ever mobilization of women and feminist groups in the peace process between the government and FARC–EP; the activity took place in a large area in southern Colombia known as El Caguán.[35] The National Network of Women (Red Nacional de Mujeres) created mechanisms of participation called 'women's consultations' composed of regional movements in which women from different backgrounds and groups were consulted on the topics being discussed at the negotiation table.

Whereas only women's groups had participated in peace processes since the 1980s, greater mobilization of social groups during the Pastrana administration saw the involvement of LGBTI people for the first time. Planet Peace (Planeta Paz), a platform promoting peacebuilding, invited LGBTI leaders to share their perspectives on peace and the consequences of discrimination.[36]

The levels of participation of women's groups and by LGBTI groups in peace processes declined during the administration of Alvaro Uribe (2002–10), who began pushing for a militarized response to FARC–EP after the failed negotiations in El Caguán. This created limited opportunities for peace talks and the participation of civil society. Distrust in the government's authoritarian responses to peace efforts led large networks of women's groups—such as the Alliance Initiative of Colombian Women for Peace (Alianza Iniciativa de Mujeres Colombianas por la Paz); Ruta Pacífica de las Mujeres (literally, Women's Pacific Route), a historic women's rights organization in Colombia; and the National Network of Women—to push for peace independently from the government's peace efforts and ultimately forge stronger ties with each other before the most recent peace process under President Juan Manuel Santos beginning in 2012.[37]

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[34] Chaparro González, N. and Martínez Osorio, M., 'Negociando desde los márgenes: La participación política de las mujeres en los procesos de paz en Colombia (1982–2016) [Negotiating from the margins: Women's political participation in Colombia's peace processes (1982–2016)]', *Ideas para construir la paz* [Ideas for building peace], no. 29, Dejusticia, Dec. 2016, p. 28.

[35] Chaparro González and Martínez Osorio (note 34), p. 52.

[36] Albarracín, M., 'Paz es diversidad [Peace is diversity]', *El Espectador,* 21 Sep. 2016.

[37] Corporación SISMA MUJER and Mujeres en Zona de Conflicto, 'Mujeres en zona de conflicto—diagnóstico: "Mujer, paz y seguridad"—los movimientos de mujeres y paz en Colombia—desde los años noventa hasta hoy [Women in conflict areas—diagnosis: "Women, peace and security"—the women's and peace movements in Colombia—from the 1990s to the present]', Mujeres en Zona de Conflicto, July 2010, pp. 28–29.

Evolution of concerns raised by women's and LGBTI groups prior to the 2012–16 peace process

The first time that women's groups framed issues from a gender perspective was in the 1991 National Constituent Assembly. Civil society groups were asked to present reform proposals to the constitution, and women's groups, particularly those belonging to feminist organizations, openly discussed sexual and reproductive rights. Their agenda focused on gender-based differences in status and power. Alongside the feminist movement, the National Network of Women, the largest network of women's groups that emerged from activism carried out during that time, managed to influence the language used in the texts to prohibit any kind of discrimination against women.[38] These changes in the 1991 constitution also served as an important mechanism for indigenous and Afro-Colombian groups to advance territorial claims, which they saw as a relevant part of their collective struggle for greater recognition and empowerment.[39] The diversity of agendas and women's groups evolved during the 1990s, and as a result women began to cooperate more closely with the state.

Following changes to the 1991 constitution, the administration of President Ernesto Samper (1994–98) saw greater cooperation between women's groups and the state regarding policies favouring women; this legitimized support of social groups articulating policies in favour of women through events, publications and training.[40] From these efforts emerged the aforementioned Ruta Pacífica, the first feminist organization in Colombia to focus on sexual violence and its use as a weapon of war. The Colombian state also adhered to international treaties on human rights, and this provided women's groups with the necessary tools to promote women's rights and raise awareness of sexual violence in war. For example, in 1995 Colombia became a signatory to the Beijing Platform for Action, which addressed barriers to gender equality, and in 1996 the government ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention).[41]

Concerning LGBTI rights, stigma associated with HIV/AIDS and homosexuality in the 1980s gave rise to the first signs of a movement seeking to defend and protect the rights of LGBTI persons.[42] Changes in how the issue of HIV/AIDS was framed created a greater sense of consciousness about the negative stereotypes associated with homosexuality and led to greater political participation of gay men in public settings. In 1991, a new constitution was endorsed that did not explicitly recognize the rights of LGBTI persons or women but established constitutional principles such as freedom of expression and multiculturalism; this resulted in greater social

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[38] Chaparro González and Martínez Osorio (note 34), p. 38.

[39] Castro, L. R., '"We are not poor things": *Territorio cuerpo-tierra* and Colombian women's organised struggles', *Feminist Theory*, Mar. 2020, p. 9.

[40] Chaparro González and Martínez Osorio (note 34), p. 45.

[41] 'A-61: Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belem do Para"', Department of International Law, OAS, 6 Sep. 1994.

[42] Corporación Caribe Afirmativo, 'Una mirada a la participación política de personas LGBTI en movimientos y partidos políticos en Colombia—2014 [A look at the political participation of LGBTI people in political movements and parties in Colombia—2014]', Corporación Caribe Afirmativo, 2015, p. 62.

mobilization of LGBTI groups and the architecture of what would become LGBTI rights in Colombia.[43]

As mentioned previously, the large-scale participation of women's groups during the Pastrana administration resulted in a coordinated agenda for peace focused on closer alliances with human rights groups. There were also events, public hearings and instances of participation in international forums aiming to raise awareness, particularly at the UN level with the adoption of Resolution 1325. National attention to increasing levels of violence against the population during the Uribe administration also led to changes in legislation to guarantee greater justice mechanisms for victims of the conflict.[44] Additionally, increased LGBTI rights in Colombia came not from social pressure but rather from judicial decisions related to national legislation and international treaties that Colombia had ratified.[45] This led to important milestones, such as equal pension rights for same-sex couples (2008), guarantees on the rights of trans persons (2007) and marriage equality (2011).[46]

Women's and LGBTI groups had the tools to demand the Santos adminis-tration's fulfilment of obligations on gender equality

With these national and international legal mechanisms in place, in combination with over 20 years of activism in peace processes, women's groups and LGBTI groups had the necessary tools to demand the incoming Santos administration's (2010–18) fulfilment of national and international obligations on gender equality and peace during the peace process with FARC–EP.

IV. Strategies for meaningful inclusion (2012–16)

Section IV noted how women's and LGBTI groups became involved in peace processes and in advocacy efforts for gender equity, human rights and peace in Colombia. To begin the analysis of conflict-resolution and negotiation strategies used by both women's and LGBTI groups, it is important to note that the most recent Colombian peace process (2012–16) was conceived as a three-phase process: firstly, establishment of a negotiation agenda and the rules to be followed between the government and FARC–EP; secondly, negotiations until an agreement was reached; and thirdly, a transition period of 10 to 15 years to implement the clauses in the agreement.[47] Track II engagement, through consultations and public decision making by both women's and LGBTI groups, took place during the negotiation phase of the peace process.

The most widespread form of participation by women's and LGBTI groups in Track II diplomacy was consultation. As defined by Paffenholz,

[43] National Center for Historical Memory, 'Aniquilar la diferencia: Lesbianas, gays, bisexuales y transgeneristas en el marco del conflicto armado colombiano [Annihilating difference: Lesbians, gays, bisexuals and transgender people in the context of Colombia's armed conflict]', National Center for Historical Memory, Unit for Comprehensive Attention and Reparation to Victims, USAID and International Organization for Migration, 2015, p. 75.

[44] Chaparro González and Martínez Osorio (note 34), p. 66.

[45] Oettler (note 30), p. 18.

[46] National Center for Historical Memory (note 43), p. 76.

[47] Bermúdez Liévano, A., ed., 'Los debates de La Habana: Una mirada desde adentro [The debates in Havana: An insider's view]', Capital Humano para la Transición Colombiana, Institute for Integrated Transitions, 2019, p. 40.

'consultations can be used to gather opinion from a larger set of constituents, to discover facts, or to create consensus. They can be officially endorsed as part of the negotiation or can be unofficial, as well as broad-based and public or more elite-centered.'[48] During the Colombian peace process, consultations were important mechanisms for voicing grievances within the formal process. Examples of consultations involving civil society groups included the Sub-commission on Gender and three forums for citizen participation with involvement of representatives of women's and LGBTI groups.[49] Due to differences between participants' accounts and the limited existence of reliable information, this paper focuses only on consultations involving the Sub-commission on Gender.

The Sub-commission on Gender was arguably the most important mechanism for consultations between the conflict parties and women's and LGBTI groups. Under the coordination of María Paulina Riveros from the government side and Victoria Sandino from FARC–EP, the Sub-commission on Gender was responsible for revising the negotiations' approach to gender and guaranteeing a gender focus throughout the final agreement.[50]

As part of the broader question of challenges and opportunities relating to inclusion, women's and LGBTI groups exerted various forms of influence over the main parties, leading to the creation of the sub-commission. Subsequently, they faced a number of specific challenges and opportunities when pushing for their agendas within the sub-commission. These groups used three prominent strategies to communicate with the sub-commission and the conflict parties: 1. Mapping issues; 2. Framing and communicating information, and; 3. Designing solutions and suggesting proposals.

Mapping the issue: The diagnostic phase

In order to diagnose some of the main issues or grievances raised during a conflict and subsequently during a peace process, it is necessary to map those issues or grievances. This involves four activities: understanding (*a*) what the conflict is about, (*b*) who the actors are, (*c*) the larger context, and (*d*) the sources of power and leverage.[51]

What is the conflict about?

A conflict may manifest in multiple ways and may be about different things at different levels of society, potentially having a shifting range of core issues.[52] In Colombia, the main conflict actors tackled the underlying factors that had led to the conflict by focusing on a short but substantial agenda. The agenda focused on six points: comprehensive rural reform, political participation, end of the conflict, solution to the problem of illicit drugs, victims, and implementation and verification mechanisms.[53] The reason for focusing on a specific set of points emanated from previous failed attempts at moving

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[48] Paffenholz et al. (note 22).

[49] Alvarado Cóbar et al. (note 2), p. 17.

[50] Bermúdez Liévano (note 47), p. 291.

[51] Smith, A. L. and Smock, D. R., *Managing a Mediation Process* (US Institute of Peace Press: Washington, DC, 2008), p. 9.

[52] Smith and Smock (note 50), p. 10.

[53] See Government of Colombia, 'Final agreement to end the armed conflict and build a stable and lasting peace', 24 Nov. 2016, pp. 7–9.

beyond a cessation of hostilities, which in many instances had resulted in ex-combatants joining other armed groups after demobilization processes.[54]

For most women's groups and LGBTI groups, their initial lack of inclusion in the process resulted in their rapid mobilization of an agenda stating the needs, interests and consequences of the conflict from the perspectives of two core issues: human rights and victims' rights. As mentioned in section IV, since the mid-1990s, women's and LGBTI groups had been advocating for greater awareness of sexual violence in conflict and of the consequences for the victims. Additionally, women's groups in rural areas, where violence was highly entrenched, had specific concerns: these groups, composed mainly of indigenous, Afro-Colombian and rural farmer (*campesina*) populations, had complex concerns relating to sexual violence that were tied to territorial claims and rights.[55] According to a former representative of WILPF Colombia, 30 years of activism on these issues had led women and women's groups to believe that their role as peacebuilders assured their inclusion at the outset of the 2012 negotiation process; however, once the consultation process began, neither party prioritized a gender perspective in the peace process.[56] As a result, women's groups mobilized and sent regional and national reports to the conflict parties, insisting on a recognition of their concerns and how the conflict had affected women.[57]

In 2013, once it had become obvious that more pressure on the parties was required to move an agenda forward, 449 women representing a diversity of groups, including six from LGBTI groups, attended the National Summit for Women and Peace (hereafter referred to as the Women's Summit). The intention was to expand on the six points of the agreement by focusing on gender equity and victims' rights.[58] The summit was led by Ruta Pacífica alongside eight other women's organizations comprising feminist groups as well as indigenous and Afro-Colombian women.[59] Concerning the few LGBTI groups that joined, a representative of one of the organizations involved noted that their grievances did not entirely coincide with those of the women's groups within the larger women's movement, but they felt that their common agenda in favour of equity and against discrimination corresponded with that promoted by the women's groups.[60] As a result of the summit, the women's groups generated follow-up reports listing concerns on all six points of the agreement and shared them with the guarantor countries (Cuba and Norway), which then shared them with the conflict parties.[61] This strategy allowed both women's and LGBTI groups to focus their agenda on human rights, victims' rights and gender-based violence in relation to the six issues that the parties were most concerned about.

[54] Bermúdez Liévano (note 47), p. 39.

[55] Castro (note 39), p. 13.

[56] Former representative of WILPF Colombia, Interview with author, 14 July 2020.

[57] Former representative of WILPF Colombia (note 56).

[58] Muñoz Pallares, M. and Ramírez, C. C., 'Cumbre Nacional de Mujeres y Paz Bogotá Octubre 23 al 25 de 2013', *Cumbre Nacional de Mujeres y Paz*, Jan. 2014, p. 16.

[59] Representatives of Ruta Pacífica Regional Putumayo, Interview with author, 27 July 2020.

[60] Former representative of WILPF Colombia (note 56).

[61] Former Norwegian guarantor, Colombian peace process, Interview with author, 17 Aug. 2020.

Who are the actors?

Mapping the roles of different actors during a negotiation process is important to examine the people or groups directly involved in a conflict. But, from the perspective of civil society, if the main conflict actors are well defined, literature on mediation also points out that 'the means available to civil society for effectively holding conflict leaders accountable should be taken into consideration'.[62] At the start of the negotiations in 2012, women activists from different organizations held FARC–EP and the government accountable by noting the low levels of participation of women at the negotiation table (three women and seventeen men) as well as botched attempts at parallel consultation mechanisms to address victims' rights that comprised eleven men and only one woman.[63] Therefore, during the Women's Summit, women's and LGBTI groups managed to tap into the historical support that UN Women had provided to increase women's participation in gender-related issues and peacebuilding in the country in the past. In this way, UN Women assisted the mediation effort by providing guidance on Resolution 1325 during the summit. Additionally, guarantor countries, such as Norway which had gender as one of its core mandates and provided support to the Women's Summit, ensured that the final report produced from the summit would reach the conflict parties.[64]

Pressure from the summit; women's groups' activism; training provided by UN Women; and the support of Norway, also resulted in the addition of two women delegates to the negotiation table on the government's side in November 2013: María Paulina Riveros and Nigeria Rentería Lozano. The addition of these delegates ultimately proved to be essential as women's and LGBTI groups had direct access to them and could hold them accountable if support for gender equity began to lag.[65]

What is the larger context?

When assessing the larger context, Smith and Smock argue that a mediator should evaluate the institutions and processes that a society already possesses for dealing with conflict non-violently.[66] The peace process itself had no official mediator, but third-party support on gender was facilitated by the guarantor countries of Cuba and Norway.[67] These guarantor delegations, particularly Norway, identified gender and the Colombian states' commitments to the WPS agenda as one of the three priority areas of its facilitation efforts.[68] The UN resident coordinator in Colombia at the time also noted that the participation of women victims of the conflict was necessary and that blocking their participation could result in impunity for cases of sexual violence that took place during the armed conflict.[69] Additionally, the adoption of the Victims Law of 2011 (Ley 1448 de 2011) offered additional judicial,

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[62] Smith and Smock (note 51), p. 13.

[63] Chaparro González and Martínez Osorio (note 34), p. 69.

[64] Former representative of WILPF Colombia (note 56).

[65] Former representative of WILPF Colombia (note 56).

[66] Smith and Smock (note 51), pp. 15–16.

[67] Nylander, D., Sandberg, R. and Tvedt, I., 'Designing peace: The Colombian peace process', Norwegian Centre for Conflict Resolution, Feb. 2018, p. 1.

[68] Former Norwegian guarantor (note 61).

[69] Political Observatory of Latin America and the Caribbean, 'Marco jurídico para la paz [Judicial framework for peace]', Sciences Po University, [n.d.], p. 4. For more information on the

social, administrative and individual mechanisms to support victims of the conflict.[70] For the LGBTI community, the Victims Law was of particular importance since it recognized LGBTI individuals as victims of the conflict and upheld the protection and reinforcement of the rights of other groups, such as women and indigenous peoples.[71]

The process of assessing the larger context was not directly relevant to women's and LGBTI groups given that there was no official mediator and the groups themselves were not able to fulfil that role. Yet, mechanisms in place, such as Colombia's commitments to the WPS agenda and UN and third-party support, as well as laws to support victims, made it easier for both women's and LGBTI groups to include their concerns in the negotiations.

Who and what are the sources of power and leverage?

As a final point on mapping the issue, Smith and Smock argue that it is important to assess the sources of power and leverage in a conflict to recognize when the conflict is ripe for resolution and then hasten that resolution.[72] Women's and LGBTI groups were aware that the sources of power in the conflict were the conflict parties; however, prior to the creation of the Sub-commission on Gender, women did not have leverage in the process. Nevertheless, swift organization among women's groups, especially on the framing of specific demands, allowed them and LGBTI groups to communicate directly with the Sub-commission on Gender to address the final two points in the agreement (end of the conflict and implementation of the agreement) once the sub-commission was created.[73]

Women's groups had already drafted a set of specific recommendations on four of the six points of the peace agreement (comprehensive rural reform, political participation, victims and solution to the problem of illicit drugs) in the Women's Summit. These recommendations were guided by a perspective focusing on gender equity and victims' rights. One interviewee noted that these recommendations made it easier for women's and LGBTI groups to leverage influence due to their commitment to specific objectives and constant communication with the Sub-commission on Gender.

Another strategy that is necessary for a mediator to exert leverage is to place a series of hard questions and tough choices before the parties, so they are obliged to provide answers.[74] In the case of Colombia, this was probably one of the most effective strategies used by the victims' groups that contributed towards the creation of the Sub-commission on Gender and thus the inclusion of their issues in the process. In 2014, women and LGBTI victims of the conflict were invited to discuss point 5 of the agreement (victims) specifically from the point of view of victims' rights. An LGBTI activist noted that the meeting that took place in 2014 was the first time that a process had provided victims with the space to confront their victimizers; it also provided the conflict parties with an understanding of how the

Victims Law of 2011, see: 'Ley 1448 de 2011 [Victims Law of 2011]', Colombia Victims Unit, 3 Mar. 2016.

[70] Political Observatory of Latin America and the Caribbean (note 69), p. 4.

[71] Group for Historical Memory, '¡Basta ya! Colombia: Memorias de guerra y dignidad' [Enough! Colombia: Memories of conflict and dignity], National Center for Historical Memory, 2013.

[72] Smith and Smock (note 51), pp. 17–18.

[73] Former representative of WILPF Colombia (note 56).

[74] Smith and Smock (note 51), p. 18.

conflict had had differential impacts on the victims' lives.[75] Members of both women's groups and LGBTI groups were present during these face-to-face conversations in Havana, and in one notable example the FARC–EP delegation accepted its group's role as a perpetrator of violence committed against members of the LGBTI community.[76]

Members of both women's and LGBTI groups, who had also experienced the conflict first-hand, were successful at showing how the conflict had had differential impacts on victims and victimizers, and they used that success as leverage to apply pressure on the conflict parties. By foregrounding the differential impacts of conflict in face-to-face conversations with the conflict parties, victims belonging to both groups created a sense of understanding (particularly when speaking to FARC–EP) regarding the loss of life that had taken place.

By foregrounding the different impacts of conflict, victims belonging to both groups created a sense of understanding

Framing and communicating information: The formula phase

Words serve as important tools when framing an issue. For example, when parties are stuck in incompatible positions, they need assistance moving towards more conciliatory relationships.[77] This involves strategies such as (*a*) normalizing, (*b*) mutualizing and (*c*) reframing.[78] This is also supported by (*d*) creating a good climate for negotiations and (*e*) establishing good principles for the process. This section analyses how two communication strategies (normalizing and mutualizing) were used by women's and LGBTI groups to communicate with the Sub-commission on Gender (reframing will be discussed in the section below on the detail phase).

Normalizing and mutualizing

Normalization and mutualization were strategies used by women's and LGBTI groups during the negotiation process. Although they did not specifically define it as such, both groups framed information in terms of normalization and mutualization. Normalization involves drawing attention to the reality of a problem as something that many people have experienced, and mutualization introduces the even more important idea that disputes can be resolved by focusing on what the parties have in common.[79] As already mentioned, for women's and LGBTI groups, a coordinated agenda sought to address two main points: gender equity and victims' rights. Both normalization and mutualization in terms of this agenda occurred prior to and after the creation of the Sub-commission on Gender.

Prior to the creation of the sub-commission, various measures were taken to normalize the idea of gender equity and victims' rights in the negotiation process. An interviewee noted that during the initial dialogues, FARC–EP was reluctant to discuss gender because, in its representatives' opinion, doing so could lead to the introduction of controversial topics, such as

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[75] LGBTI rights activist, Interview with author, 24 Aug. 2020.

[76] LGBTI rights activist (note 75).

[77] Svensson and Wallensteen (note 11), p. 68.

[78] Whatling, T., *Mediation Skills and Strategies: A Practical Guide* (Jessica Kingsley: London, 2012), pp. 113–34.

[79] Whatling (note 78), pp. 113–34, 115, 119.

abortion.[80] Yet, women's and LGBTI groups managed to normalize gender equity in two ways. The first was to emphasize its cross-cutting nature in relation to point 5 of the agreement (victims), which was a point in the initial framework agreement that was accepted by both parties as necessary for transformational peace. Second, victims of the conflict who travelled to Havana, including women and LGBTI persons, provided testimonies on violence and how it had inflicted pain on both sides; these showed how violence was a common element suffered by all.[81]

Normalizing the topic of gender through victims' rights eventually led to the creation on 4 September 2014 of the Sub-commission on Gender, which was responsible for monitoring, coordinating and reviewing draft chapters of the agreement.[82] The sub-commission, with support from women delegates, María Paulina Riveros (on the government side) and Victoria Sandino Palmera (for FARC–EP), then sought to ensure consideration of difficult themes (such as sexual violence and women's political participation) by receiving input from women's and LGBTI groups. This effort toward the mutualization of these issues even led to the FARC–EP delegation expressing the hope that the sub-commission's work 'would produce real change for women and members of the lesbian, bisexual, gay and transgender (LBGT) communities' and 'grant full rights to women and to the LGBTI sectors that have been discriminated against for so long'.[83] It is important to remember that during the conflict, victims were targeted for being women, activists, LGBTI or members of other vulnerable groups. This interconnectedness of identities highlights the multiple levels of vulnerability, which made the women's and LGBTI groups link together on various issues.

This shift in the framing of gender equity and victims' rights through normalization and mutualization shows how women's and LGBTI groups' issues became common to both parties and were actually sustained after the creation of the Sub-commission on Gender.

Creating a good climate for negotiations

In addition to framing information, women's and LGBTI groups communicated information during the formula phase as a conflict-resolution and negotiation strategy. This was done by creating a good climate for negotiations and establishing good principles for the process. This is because 'trust is necessary in the negotiations in order to make the parties ready to face the risks of peace. It is about how to accept compromise after so much suffering.'[84]

In negotiation literature, creating a good climate for negotiations requires that the other side believes that your position is credible, and trust is enhanced if each negotiating party can demonstrate that it understands the

[80] Representative of the transnational network Rodeemos el Diálogo, Interview with author, 15 July 2020.

[81] Representative of the transnational network Rodeemos el Diálogo (note 80).

[82] Humanas Colombia and Ciase, '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]', Corporación Humanas—Centro Regional de Derechos Humanos y Justicia de Género and Corporación de Investigación y Acción Social y Económica, 2017, p. 9.

[83] Quoted in Bouvier, V. M., 'Gender and the role of women in Colombia's peace process', UN Women, Mar. 2016, p. 21.

[84] Svensson and Wallensteen (note 11), p. 53.

other side's problems and can help to solve them.[85] One of the main principles used during the negotiation process was that 'nothing is agreed until everything is agreed'. This principle allowed those around the negotiation table to reach a series of partial agreements on the least controversial topics to build trust before addressing more complex issues such as transitional justice and ending the conflict.[86]

The civil society groups did not have the power to generate trust between the main parties, but those parties' shift from an initial reluctance to address gender towards accepting the inclusion of a gender commission was partly due to women's ability to generate empathy for their cause. Women's and LGBTI groups were able to centre discussions on specific themes and suggestions that were then shared with the sub-commission, and this contribution was reciprocated by invitations to the women's and LGBTI groups to attend the negotiations taking place in Havana. Some of the interviewees for this paper noted that during these negotiations, individual women and women's groups employed tactics considered especially 'feminine' to get their point across.[87] A historical understanding of arenas associated with women—such as peace, sexual violence, women's rights, and children and youth—allowed women to inhabit specific lines of argument during the negotiation process.[88] This sensitization resonated with the delegations, which comprised mostly men, and increased the chances of them agreeing with the points being made.

Establishing good principles for the process

In addition to creating a good climate for negotiations, establishing principles is seen as a necessary condition to anchor the negotiation process to the parties and their positions.[89] The mediator usually increases credibility in the process by building efforts on international principles, such as the UN charter or other international instruments.[90] In the Colombian process, the guarantor countries (Cuba and Norway) had gender as one of their core mandates. As such, Norway provided women's and LGBTI groups with logistical and technical support on Resolution 1325, and Cuba supplied practical experience on the 1979 Convention on the Elimination of all Forms of Discrimination against Women.[91]

Efforts also focused on the practical implementation of a gender perspective in each of the six points in the peace agreement.[92] Women's groups were particularly effective at anchoring close relationships with women at the international level who specialized in issues of sexual violence and children's rights.[93] One of those close alliances, with Zainab Bangura, UN Special Representative of the Secretary-General on Sexual Violence in Armed Conflict, provided an international platform for Colombian

[85] Zartman and Berman (note 9), pp. 31–33.

[86] Bermúdez Liévano (note 47), p. 37.

[87] Humanas Colombia and Ciase (note 82), p. 9.

[88] Representatives of Ruta Pacífica Regional Putumayo (note 59).

[89] Svensson and Wallensteen (note 11), p. 56.

[90] Svensson and Wallensteen (note 11), p. 57.

[91] Former Norwegian guarantor (note 61). For more information on the convention, see: OHCHR, 'Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979', United Nations Human Rights Office of the High Commissioner.

[92] Former Norwegian guarantor (note 61).

[93] Humanas Colombia and Ciase (note 82), p. 32.

women to raise their concerns on sexual violence, given that Bangura could speak directly to the conflict parties as an international expert on the topic.[94] Colombia's commitments to international human rights and the international attention given to the peace efforts also anchored gender considerations in the process due to the high incidence of sexual violence committed against the civilian population, particularly women and the LGBTI community.

The UN and the guarantor countries' credibility in the eyes of the conflict parties helped to sustain both groups' push for gender equity and inclusion

As mentioned in one interview, in addition to gender playing a prominent role throughout the peace process, the UN and the guarantor countries' credibility in the eyes of the conflict parties helped to sustain both groups' push for gender equity and inclusion throughout the negotiation process.[95]

Designing solutions and suggesting proposals: The detail phase

In negotiation literature, designing solutions usually involves a formula 'or definition of the conflict that establishes the terms of trade, the cognitive structure of referents for a solution, or an applicable criterion of justice'.[96] This usually involves (*a*) formulating proposals and (*b*) reframing the issue(s) and public decision making.

Formulating proposals

Once parties are convinced that a mutually acceptable resolution of their disagreements is possible, guided by prior principles set in place, they can formulate a proposal. This can be done in two ways: inductively—building the resolution primarily through mutual compromise or exchanged concessions on specific items—or deductively—first establishing a set of principles, or a formula, for issues where a solution can be reached and then working out the details of implementation.[97] The deductive approach is often considered the most desirable, as it gives structure and coherence to an agreement and also creates a positive image of negotiation rather than an image of concessions and compromises.[98]

Colombia's negotiation process was not always clear cut and the parties made concessions in order to include a gender perspective in the process. However, the previously described negotiation strategies demonstrate that, for the most part, the process was deductive. One reason is that, with input from 18 women's and LGBTI organizations, the Sub-commission on Gender revised and included a gender perspective on all six points of the agreement.[99] Women's groups, in particular, voluntarily met in citizens' forums and discussed proposals on each point every week.[100] Additionally, civil society groups could submit proposals for discussion in Havana. These

[94] Bernal, A., 'Colombia: UN envoy welcomes parties' agreement on no amnesty for sexual violence', UN News, 2 Oct. 2015.

[95] Former Norwegian guarantor (note 61).

[96] Zartman and Berman (note 9), p. 95.

[97] Zartman and Berman (note 9), p. 89.

[98] Zartman and Berman (note 9), p. 93.

[99] Salvesen, H. and Nylander, D., 'Towards an inclusive peace: Women and the gender approach in the Colombian peace process', Norwegian Centre for Conflict Resolution, July 2017, p. 4.

[100] Civil society representative, Corporación de Investigación y Acción Social y Económica, Interview with author, 30 July 2020.

proposals were compiled by the Ideas for Peace Foundation (Fundación Ideas para la Paz) and classified according to the point that was currently being discussed at the negotiation table.[101] Data reveals that after victim groups, women's groups were the most active, submitting 10.6 per cent of all proposals to the Sub-commission on Gender.[102]

Once the parties had systematized and discussed the proposals, it was possible to disaggregate gender concerns into eight implementation themes: access and formalization of rural property; assurances of economic, social and cultural rights of women and people with diverse sexual identities in the rural sector; promotion of women's participation in decision making and conflict resolution; prevention and protection measures to address the specific risks women faced; access to truth, justice and guarantees of non-repetition; political representation; institutional strengthening of women's groups and LGBTI groups; and a system to collect disaggregated data.[103] The use of the deductive approach demonstrated that the proposals on gender that emerged would guide the implementation process of the agreement; the proposals encompassed the essence of both parties' demands as well as the concerns of women's and LGBTI groups.

Reframing issues and public decision making

Designing solutions was a positive step towards redressing the grievances of women's and LGBTI groups. Nevertheless, conservative sectors of society opposed aspects of the agreement, most particularly the way that issues of gender were framed in the final agreement. An important strategy to counteract this opposition in conflict resolution and negotiation is the reframe or the positive reframe. Simply put, a positive reframe takes a statement as to why something cannot or should not happen and transforms it into a statement as to how something can or could happen.[104]

In order to talk about reframing, it is necessary to look at the second way that women's and LGBTI groups were included in the Colombian negotiation process: public decision making. Public decision-making processes are defined as negotiated peace agreements or new constitutions that are put to public vote.[105] Research reveals that women's groups have successfully managed to mobilize nationwide electoral campaigns to approve peace deals, for instance in Northern Ireland.[106] During the Colombian peace process, awareness campaigns occurred prior to the referendum; however, public mobilization efforts became more forceful following a plebiscite held on 2 October 2016 that narrowly rejected the peace agreement.[107] Part of the reason the agreement was rejected was its focus on gender. This aspect of the agreement was heavily criticized by conservative sectors, which argued that sexual identity and gender roles are socially constructed (i.e. 'gender

[101] Representative of the transnational network Rodeemos el Diálogo (note 80).

[102] Fundación Ideas para la Paz, 'Conozca el aporte de la FIP a los diálogos de paz con la guerrilla de las FARC', Fundación Ideas para la Paz, 28 Aug. 2018.

[103] Representatives of Ruta Pacífica Regional Putumayo (note 59).

[104] Svensson and Wallensteen (note 11), p. 122.

[105] Paffenholz, T. et al., 'Making women count—not just counting women: Assessing women's inclusion and influence on peace negotiations', Inclusive Peace & Transition Initiative and UN Women, Apr. 2016, p. 7.

[106] Paffenholz et al. (note 105), p. 7.

[107] Salvesen and Nylander (note 99), p. 4.

ideology') and that it was therefore unnecessary to address LGBTI concerns in the agreement.[108] Additionally, these sectors argued that the language used in the agreement would change traditional views on marriage and the constitution of a family.[109] Additionally, from the perspective of civil society organizations, the largely pragmatic approach towards the inclusion of a gender perspective in the agreement led to a large misinformation campaign about aspects of the agreement that had not been properly explained to the general population.[110]

After the failed plebiscite, women's and LGBTI groups mobilized to protect the negotiated proposals on gender to ensure public support, including support from the most conservative factions in Colombian society. This required reframing of wording seen as critical to salvaging the agreement. LGBTI groups met with the FARC–EP delegation on 2 November 2016 and presented its members with a set of proposals that they could discuss with the government.[111] The groups took a legalistic position in reframing the proposals: they tied their demands to the conflict and avoided opposition to existing legal structures, such as what constitutes a family, rules around marriage, rules around adoption by same-sex couples and LGBTI rights already recognized in the Colombian constitution. They also argued that additional changes to or discussions on these topics could be addressed in democratic settings later on, thus moving the focus away from the current situation of intractability.[112] Women's groups, in contrast, engaged in community outreach activities through the Defend Peace! (¡A Defender la Paz!) initiative, a summit of approximately 1500 groups that sought to sensitize public opinion to the benefits of ending the conflict.

Several of the people interviewed for this paper noted that many women voted 'no' because of negative connotations associated with gender and LGBTI rights.[113] This led to opportunities to reframe the argument, moving away from misinformation towards a focus on rights, equity and non-discrimination.[114] References to gender and LGBTI rights were reduced in the final agreement, but the language itself became more precise and special concerns of LGBTI groups and women's groups were maintained.

V. Challenges

As demonstrated in section V, women's and LGBTI groups' participation in Track II processes directly and indirectly complemented Track I peace negotiations. The two groups used a diverse set of strategies (see section V) to help the conflict parties recognize, articulate and confirm that they had reached mutually acceptable outcomes that supported their efforts. Yet, negotiations are not rigid constructs and the strategies presented above are not a recipe for an assured win; women's and LGBTI groups faced conflict-

[108] Bermúdez Liévano (note 47), p. 293.

[109] Representative of the transnational network Rodeemos el Diálogo (note 80).

[110] Representative of the transnational network Rodeemos el Diálogo (note 80).

[111] Representative of Colombia Diversa, Interview with author, 4 Sep. 2020.

[112] LGBTI rights activist (note 75).

[113] Representatives of Ruta Pacífica Regional Putumayo (note 59).

[114] Representatives of Ruta Pacífica Regional Putumayo (note 59).

resolution and negotiation challenges with the main parties at the negotiation table, as well as coordination problems with other local stakeholders.

Challenges in the diagnostic phase

Several of the interviews conducted for this paper revealed that, during the diagnostic phase, some of the parties found issues relating to sexual orientation and gender identity difficult to grasp. Additionally, a range of efforts were made to address inequalities in these areas and to identify LGBTI people and groups working on these issues, but these efforts took place at different levels.[115] For example, one organization working on LGBTI rights emphasized that unlike women's groups, which had the benefit of years of strategic cooperation to help them push for pragmatic agendas focusing on gender equity and peace, LGBTI groups had to struggle for recognition of sexual violence committed against members of their community at the negotiation table.[116] Additionally, a report on the efforts made by the Women's Summit revealed that lesbian women joined women's groups because they did not feel that the larger LGBTI movement was addressing specific cases of vulnerability and violence that they suffered during the conflict.[117] It was not until March 2015, when the three biggest LGBTI organizations in the country held a forum with activists and victims of the conflict, that a unified agenda was created. The agenda focused on collective memories of violence and how members of the LGBTI community could contribute towards sustainable peace.[118]

Another major challenge in moving towards a more inclusive agenda during the diagnostic phase was that the discourses of LGBTI groups, as well as rural indigenous and Afro-Colombian groups at the grassroots levels, were not as heavily emphasized as those of women's groups that were located in urban middle-class areas. Although this was due to a variety of factors, it denied the complex intersectional relationships that these communities experience through violence. For example, prejudices against LGBTI people had been maintained and even deepened in rural areas facing conflict.[119] Similarly, indigenous women's concerns were subsumed within those of indigenous men, even though they were affected by violence to a higher extent.[120] As a result, the agendas of more prominent women's and LGBTI groups in urban areas, as well as those receiving funding from international organizations, were more visible during the negotiation process.[121]

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[115] Former representative of WILPF Colombia (note 56).

[116] Representative of Colombia Diversa (note 111).

[117] Muñoz Pallares and Ramírez (note 58), p. 63.

[118] Representative of Colombia Diversa (note 111).

[119] Maier, N., 'Queering Colombia's peace process: A case study of LGBTI inclusion', *International Journal of Human Rights*, vol. 24, no. 4 (2020), p. 383.

[120] Acosta, M. et al., 'The Colombian transitional process: Comparative perspectives on violence against indigenous women', *International Journal of Transitional Justice*, vol. 12, no. 1 (2018), pp. 109–10.

[121] LGBTI rights activist (note 75).

Challenges in the formula phase

In the formula phase, women's groups and LGBTI groups were effective at creating a good climate for negotiations that emphasized a mutual sense of responsibility for gender equity and victims' rights. Their level of activism—supported by years of experience working on the WPS agenda—was crucial at establishing principles based on the differential impacts that the conflict had on different groups. Nevertheless, activism on gender equity and victims' rights came mostly from women's groups, and the delegates of the Sub-commission on Gender (to whom the concerns were transmitted) mainly comprised other women. This created two problems. Firstly, many indigenous women in peripheral regions were not included in the dialogues taking place with the sub-commission but participated through their own councils; this excluded their collective perspectives on gender from dialogues taking place at a higher level.[122] Secondly, the composition of the commission reinforced the notion that gender is mainly a 'women's issue'.

Additionally, levels of activism and support from international feminist and women's organizations raise concerns that local organizations may become financially dependent on international donor support, thus limiting their access to development programmes that are relevant to their own needs.[123] Had the pressure from international feminist and women's organizations not been as consistent and organized as it was, a gender perspective might not have been included in the final agreement.

Challenges in the detail phase

In the detail phase, the biggest challenge came as a result of the rejection of the first peace agreement. Substantial pushback from conservative sectors in Colombian society resulted in changes to the terminology used in the agreement (from 'gender perspective' to 'gender approach') with a focus mainly on a binarized understanding of men and women, and the removal of text on LGBTI rights.[124] Women's and LGBTI groups mobilized national campaigns after the failed plebiscite to create a better understanding of the language and the content of the agreement, but they also recognized that the deductive work that had previously taken place to formulate the proposals could have been communicated more efficiently, clarifying what was meant by 'gender' in a peace agreement. Marginalized regions exposed to conflict were also isolated in terms of media representation; many of the massacres that had taken place in the countryside were not known about in urban areas and fear of 'gender ideology' managed to confuse the message to the electorate—a fact that the opposition took advantage of.[125]

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[122] Acosta (note 120), p. 110.

[123] Boutron, C., 'Engendering peacebuilding: The international gender nomenclature of peace politics and women's participation in the Colombian peace process', *Journal of Peacebuilding & Development*, vol. 13, no. 2 (Aug. 2018), p. 118.

[124] Salvesen and Nylander (note 99), p. 5.

[125] Civil society representative, Corporación de Investigación y Acción Social y Económica (note 100).

VI. Conclusions and wider implications

Geopolitical realities in the 21st century have strained transnational cooperation, particularly with regard to issues around conflict resolution.[126] Hybrid conflicts with proxy actors and prolonged conflicts have also created a greater need for unofficial actors and different methods of peacemaking that may enable inclusivity and complement direct peace talks. Therefore, although this study is specific to Colombia, the breakdown of Track II engagement of women's and LGBTI groups through consultations and public decision making reveals two distinct strategic paths through which inclusive peace processes are possible. It may also provide lessons relating to gender inclusion in other peace processes where there is a desire for greater clarity on the implementation of global agendas, such as WPS and Resolution 1325, in local contexts.

The role of women's and LGBTI groups

The Colombian context shows ways in which well-established women's and LGBTI groups in conflict-affected countries can achieve a common position or an agreement on a set of objectives at the beginning of a negotiation process. This position may then result in an inclusive process and eventual peace agreement.

An initial step could include identifying root causes of the conflict and formulating a specific agenda for peace by organizing a summit or a series of forums where all groups belonging to an LGBTI movement, a women's movement or a feminist movement can produce a concrete set of discussion points that they can push forward together. This not only encourages a pooling of strength but also ensures that voices from minority groups within the movements are not lost.

Once this initial diagnosis of the conflict's causes has been achieved, it is necessary to normalize the summit or forums as part of the conflict agenda being discussed by the main conflict parties during peace negotiations. This also includes assessing the mediation process in order to facilitate the possibility of the groups reaching out to third-party mediators or directly to the conflict parties. In the case of Colombia, women's and LGBTI groups made an appeal to empathy and shared concerns when they were invited to speak at the negotiation table. This sense of empathy mutualizes grievances and can create greater awareness among conflict parties. As part of their strategies in the Colombian case, both groups framed their grievances from the perspective of victims' rights and gender inequity, and they framed these concerns as necessary for sustainable peacebuilding.

Both groups framed their grievances from the perspective of victims' rights and gender inequity

During these initial discussions among groups in forums or summits, as well as initial dialogues with conflict parties and mediators, one suggestion is to create alliances with international organizations that promote the WPS agenda. More specifically, it can be helpful to use national action plans on the WPS agenda—that is, laws (national, regional and international) that can

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[126] Kakoma, I. and Marques, E., 'Strategic security analysis: The future of mediation in the post-COVID world', Geneva Centre for Security Policy, Aug. 2020, p. 4.

serve as legal precedents to highlight violence committed against specific groups and also introduce protections and accountability mechanisms. In Colombia, the Victims Law of 2011 allowed LGBTI persons, women and indigenous populations in Colombia to register as victims of the armed conflict. In one instance, LGBTI persons were then able to make more specific demands relating to reparations and other transitional justice measures during the peace process.

If possible, the international community (alongside local women's and LGBTI groups) should also support the creation of a gender commission. In the case of Colombia, the Sub-commission on Gender was able to address more challenging themes relating to gender in a way that neither women's nor LGBTI groups could do individually, such as political participation and sexual violence. A gender commission also provides groups and organizations with a gateway to the negotiation table and access to delegates, whom they can hold to account if a gender focus is not included once details are being discussed regarding the final text of the peace agreement.

In the case of Colombia, the conflict parties' methodical focus on conflict resolution and on the six points allowed women and LGBTI groups to develop a relatively focused agenda on gender and victims' rights around these six points. For example, sustained pressure from both groups during negotiations ensures that accountability is present during the entirety of the negotiations and can ensure that gender themes agreed in the final peace agreement are not significantly changed once the negotiation process has ended by elites or other actors who do not agree with those themes.

The role of the international community

Early on during negotiations, UN resident coordinators and UN offices (such as UN Women) should actively promote international agendas that support women and other identity groups, such as Resolution 1325 and national action plans based on the WPS agenda. In Colombia, women's groups had drawn attention to their rights and defined specific actions to address security concerns through these resolutions since the early 2000s. In other peace processes where information on movements or group priorities is not readily available, national action plans can guide UN officials towards the needs that are being prioritized by women (and increasingly LGBTI populations) in the respective countries.

If guarantor countries with mandates on gender are not available, UN offices can invite the participation of women mediators with detailed knowledge of the skills, techniques and other processes required for inclusive negotiation and conflict-resolution processes. These mediators can adapt such methods to local contexts to train women's and LGBTI organizations. UN special representatives can also exercise pressure on conflict parties to highlight issues (such as sexual violence in conflict) that affect women and other gender minorities.

Donors and international mediators can also provide funding and gender training among larger social movements with the caveat that they include smaller groups within the movement to enable an environment that includes more diverse groups in key decision-making positions. Larger organizations have particular influence in peace processes, and they can help to identify

and communicate with smaller groups in peripheral regions, which often have concerns that do not align with national or urban concerns.

Guarantors and mediators that have gender as a priority among their mandates seem to push gender more consistently than those that do not have this priority, as a guarantor from Norway mentioned in an interview.[127] They can, as a result, facilitate meetings between women and LGBTI leaders, and leaders of conflict parties. They can also support women's and LGBTI groups with training on framing concerns according to what is being discussed at the negotiation table.

It must be emphasized that the extent to which Track II diplomacy is possible depends on the local context and capacities. In Colombia, challenges pointed to specific gaps that were not fully addressed at the beginning and that proved difficult to resolve even after the negotiation process had ended. Yet, three specific challenges that affected women's and LGBTI groups in Colombia should also be taken into account in other processes: negative gender stereotypes, gender issues being seen as women's issues, and the use and misuse of communications.

Concerning the last point, communication and the media play vital roles in shaping public opinion. One interviewee emphasized that conservative sectors communicated messages that delegitimatized the agreement once it had been drafted, stating that everyone would 'become a homosexual' or that impunity would persist if FARC–EP joined Colombia's national Congress.[128] Fear drove a sense of hopelessness among undecided populations in Colombia. Countering negative messaging involves using the media as a tool to inform the general population about a conflict even in areas that are not directly exposed to it. An important contribution from Colombian groups in this regard was their focus less on winners and losers in the conflict and more on the solutions that could be achieved by reaching a peaceful resolution. After the failed plebiscite, civil society groups also went to the countryside and engaged in dialogue with communities to dismantle myths that had emerged from conservative groups. Such myths are often more easily spread due to a lack of access to information in remote areas of a country. Therefore, realistic strategies must also emphasize the importance of collective pain, connecting areas and people that did not suffer as a result of a conflict with those that did.

An important contribution was less focus on winners and losers and more on the solutions that could be achieved by reaching a peaceful resolution

None of these efforts work in a vacuum: mediators, international norms, international organizations and historical activism support the efforts of civil society groups. Greater inclusion requires input and solutions from women's and LGBTI groups from diverse backgrounds. Their participation in negotiation processes and the gender sensitivity of peace agreements will increase if there is more of an interface between global commitments and the needs of local communities, often represented by civil society groups, in both urban and rural regions. In the Colombian context, these strategies revealed a more nuanced understanding of normative commitments to inclusion, such as those outlined in the WPS agenda, and show how civil society had a say in the Colombian peace process.

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[127] Former Norwegian guarantor (note 61).
[128] Representative of the transnational network Rodeemos el Diálogo (note 80).

Abbreviations

CIASE	Corporación de Investigación y Acción Social y Económica
FARC–EP	Revolutionary Armed Forces of Colombia–People's Army
LGBTI	Lesbian, gay, bisexual, transgender/transsexual and intersex
ILGA–Europe	European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association
RED	Rodeemos el Diálogo
UN	United Nations
WILPF	Women's International League for Peace and Freedom
WPS	Women, Peace and Security

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JOSÉ ALVARADO CÓBAR

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ABOUT THE AUTHOR

José Alvarado Cóbar (Guatemala) is Research Assistant in the SIPRI Peace and Development Programme, focusing primarily on peace processes, gender and conflict.

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