



# MASTER THESIS | MASTER'S THESIS

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From Soft Law to Reality: Good Practices of Human Rights  
Protection from UNSC Resolution 1325 in the Colombian Post  
Conflict Period

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A Jeldrik, Edith, Mario, Xaira y Dani por ser mi luz y compañía.

*“Yo no voy en mis intereses propios, sin en los intereses colectivos.”*

*– Angela Cerón, 2025*

*“Hay un punto muy importante de la 1325 como herramienta e instrumento, no solo pedagógico sino de incidencia política, y es empezar a ver que las mujeres no somos solamente víctimas, sino que se nos vea en un rol de liderazgo como constructoras de paz.”*

*– Sandra Mazo, 2025*

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## List of Abbreviations

AUC*	United Self-Defense Forces of Colombia
CEV*	Commission for the Clarification of Truth, Coexistence and Non-Repetition
CNR*	National Reintegration Council
CSIVI*	Commission for Monitoring, Promotion and Verification of the Implementation of the Final Agreement
ELN*	National Liberation Army
EMC*	Estado Mayor Central
FARC-EP*	Revolutionary Armed Forces of Colombia –People’s Military
FPA	Final Peace Agreement for a Stable and Long-lasting Peace
GPAZ*	Gender in Peace Working Group
ICC	International Criminal Court
IHL	International Humanitarian Law
JEP*	Special Peace Jurisdiction in Colombia
LGBT	Lesbian, Gay, Bisexual, Transgender (sometimes also added QIA+: Queer, Intersexual, Asexual, among others.)
MMV*	Monitoring and Verification Mechanism
MS	Member States
NAP 1325	Colombian Plan of Action on Women, Peace and Security
NGO	Nongovernmental Organization
PNIS*	National Comprehensive Program for the Substitution of Illicit Crops
UNSCR 1325	United Nations Security Council Resolution: Women, Peace and Security No. 1325

SA	Special Agreement - Art. 3 of Geneva Conventions 1949
SISEP*	Comprehensive Security System for the Exercise of Politics
SIVJRN*	Comprehensive System for Truth, Justice, Reparation and Non-Repetition
UBPD*	Unit for the Search for Disappeared Persons in the context and due to the armed conflict
UNSC	United Nations Security Council
WPS	Women, Peace and Security

*\* The abbreviation refers to the Spanish terminology*

## Introduction

In 2012, peace negotiations between the Colombian Government, and the Revolutionary Armed Forces of Colombia – People’s Military, FARC-EP began in la Havana, Cuba. The process, marked by both hope and skepticism, culminated in the Final Peace Agreement of 2016. The aim was clear, end more than fifty years of internal armed conflict, reduce the number of victims and focus all efforts on building a stable, long-lasting peace.<sup>1</sup>

The peculiarities of this peace process include victims’ participation, multicultural, minorities and indigenous people’s involvement, international oversight and the involvement of grassroots movements. Among these, the Colombian women’s movement played a pivotal role advocating that gender perspective be integrated transversally through the negotiations, Final Peace Agreement and post conflict efforts as a vital approach for understanding the complexity of the Colombian case.

This demands were grounded in international frameworks, particularly the soft law instrument that Colombia ratified back in 2000, Resolution 1325 of the UN Security Council (UNSCR 1325). This document “addresses the impact of war on women and the importance of women’s full and equal participation in conflict resolution, peacebuilding, peacekeeping, humanitarian response and in post-conflict reconstruction.”<sup>2</sup> The Women, Peace and Security agenda that started with the UNSCR 1325, indicated the relevancy for states of adopting a National Action plan for its application. After twenty years of state inertia, Colombia launched its first National Action Plan: women, peace, and security<sup>3</sup> in 2024 to operationalize the pillars of UNSCR 1325.

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<sup>1</sup> Cancillería de la República de Colombia, ‘ABC DEL ACUERDO FINAL’ (*Cartilla Pedagógica: Acuerdo final para la terminación del conflicto y la construcción de una paz estable y duradera*, 2016) < <https://www.cancilleria.gov.co/sites/default/files/cartillaabcdelacuerdofinal2.pdf>> Accessed 13<sup>th</sup> March 2025. (author’s translation).

<sup>2</sup> United Nations Security Council Resolution 1325 (2000), S/RES/1325 (2000) < [https://www.un.org/shestandsforpeace/content/united-nations-security-council-resolution-1325-2000-sres1325-2000#:~:text=%2F1325%20\(2000\)-,United%20Nations%20Security%20Council%20Resolution%201325%20\(2000\)%2C%20S%2F.and%20in%20post%2Dconflict%20reconstruction](https://www.un.org/shestandsforpeace/content/united-nations-security-council-resolution-1325-2000-sres1325-2000#:~:text=%2F1325%20(2000)-,United%20Nations%20Security%20Council%20Resolution%201325%20(2000)%2C%20S%2F.and%20in%20post%2Dconflict%20reconstruction) > Accessed 13<sup>th</sup> March 2025.

<sup>3</sup> Ministerio de la Igualdad, Republica de Colombia ‘Primer plan de acción nacional mujeres, paz y seguridad, Resolución 1325 del Consejo de Seguridad de las Naciones Unidas’ (*Colombia, Ministerio de la Igualdad, 8th November 2024*) < [https://www.minigualdadyequidad.gov.co/827/articles-397916\\_recurso\\_2.pdf](https://www.minigualdadyequidad.gov.co/827/articles-397916_recurso_2.pdf)> Accessed 27th April 2025. (author’s translation).

The Gender Perspective in the Final Peace Agreement and NAP 1325 have been part of the political, juridical, and social discussion. Due to the high expectations that this documents comprise, the question remains about the extent of the practical implementation.<sup>4</sup>

While the overall application of post-conflict measures has been slow, it is crucial to acknowledge the positive contributions driven by various actors. Thus, this research seeks to examine how the soft law embodied by UNSCR 1325 has been transposed to a legal framework in Colombia, particularly recognizing the impact that women's movements had on this process. Furthermore, it focuses on identifying good practices for human rights protection in the post-conflict period developed from the new legal framework, while also identifying persistent challenges such as institutional barriers and security risks.

The first chapter serves as a contextual foundation. It offers an overview of the primary legal source, UNSCR 1325 (subchapter 1.1.) its historical presence in Colombia (subchapter 1.2.) and continues to relate the special case study of the grassroots movements in Colombia as standard-bearers for its compliance, especially in the peace process negotiation and post conflict (1.3.). The second chapter reviews the legal framework in the country, mainly on the Final Peace Agreement (subchapter 2.1.) and the persistent challenges in the Colombian context (subchapter 2.2.). The third chapter emphasizes good practices that reflect the principles of UNSCR 1325 both legal, such as the JEP and the macro case 11 of gender violence (subchapter 3.1.), the truth commission (subchapter 3.2.) and the quasi-legal as the NAP 1325 (subchapter 3.3.). The fourth chapter critically examines the future efforts of the application of the legal framework of the NAP 1325 in Colombia (subchapter 4.1.), and the potential risk of overpromising, especially *ad portas* of a political change (subchapter 4.2.).

The conclusion argues that UNSCR 1325 has had a meaningful effect on the Colombian legal framework resulting in good practices for the protection of human rights in the post conflict, especially due to the advocacy of women grassroots movements. Nonetheless, challenges remain for *de facto* implementation. These include the need for sustained

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<sup>4</sup> Security Council, 'As 8-year Mark of Colombia's Peace Agreement Nears, Speakers in Security Council Highlight Women's Role in Driving Implementation' (*United Nations: Meetings Coverage and Press Releases*, 15<sup>th</sup> October 2024) <<https://press.un.org/en/2024/sc15853.doc.htm>> Accessed 13<sup>th</sup> March 2025.

political will, budget allocation and continuous participation of the women's movements as leaders and overseers in peacebuilding efforts.

## **Methodology**

The focus of this research is on the transformation of the soft law instrument UNSCR 1325 into the legal framework in the Colombian Post Conflict, and how some could be understood as good practices for human rights protection.

This is particularly pertinent, in the light of Colombia's recent publication of its first National Action Plan on Women, Peace, and Security. Moreover, the objective of this thesis is to collect good practices emerging from the legal post-conflict efforts, particularly those in cooperation with grassroots movements advocating for human rights protection. This analysis is particularly revealing as Colombia moves from post-conflict formalism to practical implementation in a context with persistent institutional and security challenges. As well, these findings may serve as guidelines for the integration of gender in future peace processes aiming for human rights protection.

The main question of the thesis is:

- To what extent has the soft law UNSCR 1325 influenced Colombian legal framework for human rights protection in the post-conflict period?

As well, the following sub-questions emerge:

- Which role played the special case of grassroots movements in the peace process of Colombia and post conflict efforts in the country?
- What are the key challenges for the application of good practices of human rights protection in Colombia?
- How has it been possible to overcome the challenges and protect human rights?
- To which extent and how did the gender perspective from UNSCR 1325 contributed to a positive outcome?

Regarding the state of research, the academic research on UNSCR 1325 has grown significantly over the past two decades, with scholars emphasizing its transformative potential in integrating gender perspectives into peacebuilding, conflict resolution, and post-conflict reconstruction. In the global context, much of the literature has focused on the

normative strength of soft law, evaluating how UNSCR 1325 and subsequent resolutions in the Women, Peace, and Security (WPS) agenda influence state behavior and institutional reform, despite their non-binding nature.

In Colombia, academic attention has centered primarily on the gender components of the 2016 peace agreement with the FARC.<sup>5</sup> Research has highlighted the formal recognition of women's rights and the role of women in the peace process, along with critiques regarding the limited implementation of these commitments. However, studies explicitly linking UNSCR 1325 to Colombia's national legal framework, and in particular to the newly released NAP 1325 of 2024, remain virtually absent due to the plan's very recent publication.

This thesis is therefore relevant for legal scholars, human rights practitioners, and policymakers seeking to understand how international soft law can influence the evolution of domestic law, with a particular focus on transitional and post-conflict contexts.

Regarding the form of investigation, this research applies *comparative qualitative research* structured into two main phases:

- *Comparative Legal Analysis:* A systematic comparison was conducted between the Colombian legal framework developed during the peace process and post-conflict period (Final Peace Agreement and National Action Plan) and the provisions of UNSCR 1325. This analysis aims to assess to what extent and in what ways UNSCR 1325 has influenced Colombian law, paying special attention to gender and human rights protection mechanisms.
- *Qualitative Empirical Research:* Semi-structured interviews were conducted with experts, including scholars, policymakers, grassroots leaders, and practitioners involved in the Colombian peace process and post-conflict programs. The interviews were intended to gather insights on the role and impact of grassroots movements in shaping post-conflict human rights protection through; the key challenges in implementing good practices for human rights protection; the strategies

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<sup>5</sup> Lina M. Céspedes-Báez, Felipe Jaramillo Ruiz, 'Peace without women does not go!' *Women's struggle for inclusion in Colombia's peace process with the FARC* (Online: Colombia Internacional 94, 1<sup>st</sup> April, 2018) < <http://journals.openedition.org/colombiaint/7621>> Accessed 28<sup>th</sup> April 2025

that have been effective in overcoming these challenges, particularly the contribution of the UNSCR 1325 to positive outcomes.

The interviewees Angela Cerón, Sandra Mazo and Laura Gil were selected based on their expertise and active involvement in the topics at hand (see Annex 1. for biographical information).

This research adopts a feminist research perspective both methodological and its epistemological framework. Based on Reinharz's *Feminist Methods in Social Research*, it embraces methodological pluralism as a strength of feminist scholarship.<sup>6</sup> It permeates the formulation of the research questions, the design of the interview process and the interpretation of legal and political texts.<sup>7</sup>

Regarding the positionality, the author identifies as a white Colombian woman from a small city near the conflict-affected territory, her experience comes from living twenty years in the country listening to the histories of violence and the challenges involved in achieving Peace. The author believes that acknowledging one's own privileged position, particularly the lack of direct personal experience with the armed conflict, can benefit its research, especially grounding it in ethical accountability and empathy.<sup>8</sup> For herself, this research is motivated by a commitment to honor and amplify the voices of women whose advocacy has been vital to the Colombian peacebuilding process. Furthermore, it reflects on her studies of International Relations, Transitional Justice, Human Rights and Global affairs on how legal, political, and social spheres can be transformed to better protect human rights through the inclusion of a gender perspective.

This combined methodological approach allows the thesis to respond comprehensively to the research question, providing both a normative and practical understanding of the translation of soft law into local human rights protection efforts.

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<sup>6</sup> Shulamit Reinharz and Lynn Davidman, *Feminist Methods in Social Research* (Oxford University Press 1992) p.240 <<https://www.brandeis.edu/sociology/pdfs/faculty-articles/reinharz-methods.pdf>> accessed 6 July 2025

<sup>7</sup> Norma Blazquez Graf, Fátima Flores Palacios and Maribel Ríos Everardo (eds), *Investigación feminista: epistemología, metodología y representaciones sociales* (CEIICH-UNAM 2005) <[https://biblioteca.clacso.edu.ar/Mexico/ceiich-unam/20170428032751/pdf\\_1307.pdf](https://biblioteca.clacso.edu.ar/Mexico/ceiich-unam/20170428032751/pdf_1307.pdf)> accessed 7 July 2025 (author's translation).

<sup>8</sup> Reinharz and Davidman, *Feminist Methods in Social Research* (n 6), p. 240; See also Sandra G Harding, *The Feminist Standpoint Theory Reader: Intellectual and Political Controversies* (Routledge 2004) p.17

## **1. The Resolution 1325 and its Impact on the Colombian Peace Process**

The adoption of UNSCR 1325 in 2000 marked a difference for the understanding of women's role in all spheres of conflict and peacebuilding. It acknowledges the disproportionate impact of armed conflict on women, the need for protection such as to "take affirmative action to prevent third parties from abusing the rights of women and girls."<sup>9</sup> Especially, it opened the door to recognize women as relevant actors that need to be included in all levels of decisions when discussing armed conflict and its aftermath.

This instrument of soft law gained support from the women's organization in Colombia as a flag for the protection, recognition, and participation of women in the possibility of resolution of the long intern-conflict in the country. In the Colombian peace process with the FARC-EP that lasted from 2012 until 2016, women's movements "demanded the incorporation of women at the negotiation table and the incorporation of the gender perspective in the agreement."<sup>10</sup> The active participation and recognition makes the women's grassroots movement of Colombia a case study of successful involvement for a peace process with a gender perspective approach.

Thus, this chapter is divided into three sections. First, it explores the legal standing of UNSCR 1325. Second, it looks over the impact of UNSCR 1325 in the Colombian Peace process through the work of the women's grassroots movements. Finally, it reviews the gender provisions on the Final Peace Agreement (FPA), its transformative potential, and limitations in the aim for human rights protection in the country.

### **1.1 Women, Peace and Security, the First of its Kind**

UNSCR 1325 was adopted unanimously on the 31<sup>st</sup> of October 2000 under chapter VI. As the Office of the Special Adviser on Gender Issues and Advancement of Women explains,

"The resolution reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peacebuilding, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of

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<sup>9</sup> Kwadwo Appiagyei-Atua, 'United Nations Security Council Resolution 1325 on Women, Peace, and Security — Is it Binding?' Human Rights Brief 18, no. 3 (2011): 2-6.

<sup>10</sup> Raket Oion-Encina, 'Resolution 1325 in the Agency of Colombian Women in the Peace Process of 2012–2016' (2020) 21(6) *Journal of International Women's Studies* art 21 <<https://vc.bridgew.edu/jiws/vol21/iss6/21>> accessed 9 July 2025

their equal participation and full involvement in all efforts, for the maintenance and promotion of peace and security.”<sup>11</sup>

It is considered a landmark resolution, as it is the first time that the United Nations Security Council recognizes the disproportionate and specific effect of armed conflict on women<sup>12</sup>, reinforces the need on prevention and recovery of violence against them, as well as it encourages their essential role as participants to reach peace. In the following years, other resolutions were adopted creating a stronger Women Peace and Security agenda.

In the legal sphere, UNSCR 1325 is initially recognized as *soft law*, as it was discussed and adopted under chapter VI hence, nonbinding and presenting a “series of principles to guide state practice.”<sup>13</sup> Nonetheless, there have been discussions regarding the possibility of this resolution to be of a binding nature. There is no proper consensus to recognize if a Resolution of the UNSC is binding when it is not part of chapter VII under Art. 25 of the UN charter. Yet, the ICJ, and specifically former president Ms. Rosalyn Higgins has expressed that “in certain limited, and perhaps rare cases, a binding decision may be taken under Chapter VI (just as non-binding resolutions may be passed under Chapter VII).”<sup>14</sup> To define which resolution might be binding, the ICJ proposes an analysis of the language, the discussions and *travaux préparatoire* prior to the adoption and finally, the provisions invoked from the charter.

Appiagyei-Atua adds to the analysis, that a resolution might be deemed binding if the document has invoked other “international laws and norms, including the application of treaties, customary law and *jus cogens* norms, among others.”<sup>15</sup> As well, Hugo Ignacio Llanos supports the argument when clarifying that UNSCR 1325 has a direct connection on its *ratione materiae* with International Humanitarian Law, International Human Rights Law, and International Penal law.<sup>16</sup> A clear example of this can be found on point 9 of UNSCR 1325 where it calls on all parties to armed conflict to respect fully international

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<sup>11</sup> UN, 'Women, Peace and Security' - WomenWatch: Office of the Special Adviser on Gender Issues and Advancement of Women <<https://www.un.org/womenwatch/osagi/wps/>> accessed 18 July 2025

<sup>12</sup> Carol Cohn, 'Mainstreaming Gender in UN Security Policy: A Path to Political Transformation?' in SM Rai and G Waylen (eds), *Global Governance* (Palgrave Macmillan 2008) <[https://doi.org/10.1057/9780230583931\\_9](https://doi.org/10.1057/9780230583931_9)>

<sup>13</sup> Torunn L Tryggestad, 'Trick or Treat? The UN and Implementation of Security Council Resolution 1325 on Women, Peace, and Security' (2009) 15 *Global Governance* 539

<sup>14</sup> Rosalyn Higgins, *The Advisory Opinion on Namibia: Which UN Resolutions are Binding Under Article 25 of the Charter?*, 21 *Int'l & coMp. I.Q.* 270, 282 (1976).

<sup>15</sup> Kwadwo Appiagyei-Atua, 'UNSCR 1325 on Women, Peace, and Security' (n. 9)

<sup>16</sup> Hugo Ignacio Llanos Mardones, 'La mujer y la paz y la seguridad: algunas cuestiones jurídicas a 21 años de la adopción de la resolución 1325 del Consejo de Seguridad de Naciones Unidas' (2023) *Revista Derecho Internacional Contemporáneo (ReDIC)* <<https://revistas.unlp.edu.ar/Redic/article/view/12846/12330>> accessed 14 July 2025 (author's translation).

law and continues to list the Geneva Conventions with its Additional Protocols, the Rome Statute, the Refugee Convention, the Convention on the Elimination of All Forms of Discrimination Against Women, among others.<sup>17</sup>

When applying these four points of analysis to UNSCR 1325, it could be possible to argue that this instrument lays in between soft and hard law, as it sets rules and conducts that aim to influence the action of states. It falls under the scope of action of the UN charter and is written in a mixture of soft and strong language, as well as connecting with other elements of international law.

Finally, as an additional layer to the discussion, one could argue that the binding nature of a resolution can be shown when observing the global attempts to comply with it, even if the enforcement mechanism is not put in place. In retrospective, and close to the 25<sup>th</sup> anniversary of the resolution, the legal practice of 95 states complying with the requirements of UNSCR 1325 through Plans of Action,<sup>18</sup> might reinforce a precedent of a binding nature.

Following this framework, it is relevant to define which would be the topics for action required by Member States. UNSCR 1325 outlines four key pillars, that the Global Study on Women, Peace and Security of 2015 sums up as “prevention, participation, protection and peacebuilding and recovery.”<sup>19</sup>

In the following paragraphs, a brief outline of the contents of UNSCR 1325 will be presented under the four pillars to exemplify the legal provisions that can be found for MS to follow. It is relevant to add that, even if the UNSCR 1325 was unanimously approved, each MS and region has its own interpretation “with different nuances and expectations.”<sup>20</sup> Thus, the Colombian case will be analyzed from its own specific context.

Aiming for *prevention*, UNSCR 1325 reassert women’s role in the “prevention and resolution of conflicts and in peace building ... and the need to increase their role in decision-making with regards to conflict prevention and resolution.”<sup>21</sup>

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<sup>17</sup> United Nations Security Council, ‘Resolution 1325 (2000)’ (31 October 2000) UN Doc S/RES/1325; point 9

<sup>18</sup> Mujeres Paz y Seguridad, ‘Planes Nacionales de Acción (PAN) 1325’ <<https://mujerespazyseguridad.co/planes-nacionales-de-accion-pan-1325/>> accessed 10 June 2025. (author’s translation).

<sup>19</sup> UN Women, *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (United Nations 2015) <[https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps\\_en\\_web.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps_en_web.pdf)> accessed 18 July 2025

<sup>20</sup> *ibid.*

<sup>21</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

When talking about *participation*, UNSCR 1325 stresses the “importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security”<sup>22</sup> as well as it calls for an increase in the “participation of women at decision-making levels in conflict resolution and peace processes.”<sup>23</sup>

In the pillar of *protection*, UNSCR 1325 talks to the multiple actors (armed groups, MS, Secretary-General, UN offices, civilians) of an armed conflict and calls upon all to protect women and girls. This pillar has a special characteristic as it requests actions related to peacekeeping missions and personnel, an example of this is the request for “specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations.”<sup>24</sup>

When referring to *peacebuilding and recovery*, it is possible to find the pillar spread throughout UNSCR 1325, as the search for peace is one of the aims of the UN charter itself. On the other hand, the concept of recovery in the UNSCR 1325 refers to all efforts made in the post-conflict period, and the request of involvement of women and the gender lens for all future endeavors regarding the recovery of the conflict, including the accountability, seeking of truth and reconciliation.

After this legal description, it is possible to observe that these four pillars show the shift presented in the international arena towards a more inclusive human rights approach to peace and security.<sup>25</sup> UNSCR 1325 overall demands reforms within multiple international actors to answer women’s differentiated effects and requirements in a conflict as well as recognize them as key figures in peace process, conflict resolution and peace building efforts.

To continue, it is relevant to briefly recognize the efforts and advances of the Women, Peace and Security agenda globally, that was born with UNSCR 1325 yet developed through nine subsequent resolutions.<sup>26</sup> The first value for analysis is the adoption of National Action Plans, which was not explicitly written on UNSCR 1325, but requested on the discourse of the president of the UN security council in October 2004.<sup>27</sup> Globally,

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<sup>22</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

<sup>23</sup> *ibid.*

<sup>24</sup> *ibid.*

<sup>25</sup> UN, *Women, Peace and Security – WomenWatch* (n. 11)

<sup>26</sup> such as 1820 (2008), 1888 (2009), 1889 (2009), and 2122 (2013)

<sup>27</sup> UN Secretary-General, *Report of the Secretary-General on Women and Peace and Security* (2004) UN Doc S/2004/814 <<https://www.un.org/womenwatch/osagi/wps/sg2004.htm>> accessed 9 August 2025

over 100 countries have adopted NAPs to implement the resolutions mandates. Secondly, some regional systems such as the African Union, the Organization of American States, and the European Union have included the WPS agenda into their strategies for peace and security.<sup>28</sup> Nevertheless, the level of implementation has been uneven. As presented in the Global Study on the Implementation of UNSCR 1325, each region and state has answered the resolutions mandate based on their understanding and needs.<sup>29</sup> The study also concluded that even if it is possible to account for progress, the pillar of women's participation remains low, as the accountability for gender-based violence is inconsistent.<sup>30</sup>

Finally, monitoring mechanisms, such as the annual reports of the UN Secretary-General and the global set of indicators developed by UN Women, continue to highlight both advancements and persistent challenges in operationalizing the WPS agenda in conflict-affected contexts.<sup>31</sup>

## 1.2. UNSCR 1325 in the Colombian Context

In Colombia, since the unanimous vote on UNSCR 1325, there had been specific moments where its application can be seen. It became relevant for the Final Peace Agreement in 2016, which is considered as a landmark example of the integration of a gender perspective,<sup>32</sup> and later with the presentation of the first National Action Plan in 2023. Both times, this framework was acknowledged through advocacy of the women's movements, where it led to open a spot on the peace negotiations between the government and the FARC-EP, the creation of a Gender Sub-Commission, the explicit inclusion of women's rights, and the commitment to implement gender perspective on all mechanisms.<sup>33</sup> For the Plan of Action, women's movements were invited to participate in a collaborative process for its creation.

Nonetheless, in the past, each government presented various programs that had women on its focus, yet the political will was not in line with gender provisions. Thus, the following paragraphs will present a brief description of the efforts made by each presidency

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<sup>28</sup> Aisling Swaine, *Improving Women's Participation in Peace Processes* (LSE Women, Peace and Security Working Paper Series 2017) <<https://www.lse.ac.uk/women-peace-security/assets/documents/2017-wps-working-papers/Swaine-WPS-Participation.pdf>> accessed 18 July 2025.

<sup>29</sup> UN Women, *Global Study: Preventing Conflict, Transforming Justice, Securing the Peace*. (n. 19)

<sup>30</sup> *ibid.*

<sup>31</sup> UN Women, *Global Indicators on Women, Peace and Security* (UN Women 2015) <[https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps\\_en\\_web.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps_en_web.pdf)> accessed 18 July 2025

<sup>32</sup> Camila García, 'Gender Perspective in the Making: The Case of the Colombian Peacebuilding Process' (2024) <https://doi.org/10.1111/1758-5899.13354> accessed 18 July 2025.

<sup>33</sup> Céspedes-Báez and Jaramillo Ruiz, 'Peace without Women Does Not Go!'. (n. 5) p. 105

and its involvement, or lack of it, with UNSCR 1325. This aims to situate the political context that led to the construction of a legal framework where gender perspective becomes a transversal concept creating good practices for human rights protection.

President Andres Pastrana's term (1998 to 2002) had two nuances that are worth mentioning. First, women were already demanding participation as actors in peace processes, and second, even after the failure of negotiations the government recognized the importance and voted unanimously to adopt UNSCR 1325 in 2000. Since the beginning of his presidency, the government tried to establish a peace process with the FARC-EP. For that, the distention zone in the territory of San Jose del Caguán was created. There were no women involved in the discussion *per se*, but the government offered the possibility of a special audience about women and economy. Angela Cerón, a syndicalist, later part of the women's movements, participated in this audience. On the interview conducted for this thesis, Cerón argued that even if at that time UNSCR 1325 did not exist, its group “made the decision to go to San Vicente del Caguán. With one thing clear in mind: if peace is being negotiated, women must be there.”<sup>34</sup>

In President Alvaro Uribe's two terms of government (2002 to 2010), the “Plan Patriota”<sup>35</sup> focused on securitization and fighting the internal conflict, not necessarily considering the requirements of the women's movements and the civil society regarding human rights protection. This had an impact on the legal framework as explained by Cespedez-Baez, even if Colombia ratified the Rome Statute under Uribe's first term, Art. 124 was invoked delaying the jurisdiction of the International Criminal Court (ICC) in the country for the following seven years.<sup>36</sup>

Under this presidency, the peace process with the civil armed paramilitary groups, AUC, took place.<sup>37</sup> Their actions, which were closely linked with the military forces against the FARC-EP, took a toll on civil society as they committed certain crimes against humanity.<sup>38</sup> As an answer to the requirements of truth and justice, law 975 of 2005 *Justicia y*

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<sup>34</sup> Interview with Ángela Yasmith Cerón Lasprilla, Director of the Alianza Iniciativa de Mujeres Colombianas por la Paz – IMP, interview by author (Online, May 2025), (author's translation).

<sup>35</sup> Comisión de la Verdad, *Plan Patriota* (Comisión de la Verdad) <<https://www.comisiondelaverdad.co/plan-patriota> accessed 20 July 2025 (author's translation).

<sup>36</sup> Lina M Céspedes-Báez, ‘A Feminist Farewell to Arms: The Impact of the Peace Process with the FARC-EP on Colombian Feminism’ (2019) 52(1) *Cornell International Law Journal* 39–63. <<https://www3.lawschool.cornell.edu/research/ILJ/upload/Cspedes-Baez-final-2.pdf>> accessed 20 July 2025

<sup>37</sup> Felipe Gutiérrez Sanín and Gloria Rincón, ‘Rediscovering Europe? The Aid Dilemmas During and After Plan Colombia: Analysis’ (2008) 8 *Conflict, Security & Development* 71 <https://doi.org/10.1080/14678800801977112> accessed 14 July 2025.

<sup>38</sup> Rafael Barrios Mendivil ‘Crímenes contra la humanidad. Derecho a la verdad. Identificación de las víctimas. Corte IDH. Caso Integrantes y Militantes de la Unión Patriótica Vs. Colombia. Excepciones Preliminares, Fondo, Reparaciones y

*Paz* (Justice and Peace) was adopted. There were critiques and questions regarding the legitimacy of the law by the women's movements, especially because it allowed the paramilitary forces to receive access to shorter sentences or be exempt from any.<sup>39</sup> Aside of this, a part of the women's movement advocated for recognition on the nuances and specific violences that women were suffering at the hands of the paramilitary groups, based on the pillars of UNSCR 1325, and the government listened. Thus, it is possible to observe certain characteristics of UNSCR 1325 in the wording, such as the status of differentiated victims, especially of sexual violence in the conflict:

*“Article 38. Protection of Victims and Witnesses.* The officials referred to in this law shall take appropriate measures and all relevant actions to protect the safety, physical and psychological well-being, dignity, and privacy of victims and witnesses, as well as that of other parties to the proceedings ... including age, gender, and health, as well as the nature of the crime, particularly when it involves sexual violence, disrespect for gender equality, or violence against children.

*Article 39. Exception to Publicity in Trials.* As an exception to the principle of the public nature of trial hearings, the Superior Court of the Judicial District, in order to protect victims, witnesses, or an accused, may order that part of the trial be held behind closed doors ... In particular, these measures shall apply to victims of sexual assault or to children and adolescents who are victims or witnesses.”<sup>40</sup>

Cerón informed in the interview that even if the law was delegitimized, it was also:

“The fruit of our work, and we have to bring this law to life, and we began to do so. We began to identify cases of victims, and we encountered cases of sexual violence. We didn't have that in our context, and we began to find quite complex cases of paramilitarism, of how state institutions helped some paramilitaries... We managed to be in court, request closed-door hearings, for example, hearings for victims of gender violence, conduct the investigation, and so on.”<sup>41</sup>

This shared experiences of the women's movements with the law 975 is supported by Lina M. Cespedes when analyzing the function that these movements took on monitoring

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Costas. Sentencia de 27 de julio de 2022. Serie' (2023) 7 *Revista Debates sobre Derechos Humanos* P.127 (author's translation).

<sup>39</sup> Cerón Lasprilla, interview. (n.34)

<sup>40</sup> Colombia, Congreso de la República, *Ley 975 de 2005* (author's translation).

<sup>41</sup> Cerón Lasprilla, interview. (n.34)

and requiring the application of the law in the tribunals, “the women’s rights movement had turned into a highly professionalized and legalistic sector.”<sup>42</sup> This new approach in the women's movements grew out of the need for specialized and devoted system that understood the nuances of the women as actors and victims in their own processes of seeking justice and accountability.

Due to the inaction and lack of commitment from government with the victims, this law is known as the “the legalization of paramilitarism, in order to ensure impunity for their actions, allow them to legalize their illicit assets and provide them with facilities for political exercise.”<sup>43</sup> The Uribe administration may not have embraced the WPS agenda, but its legacy inadvertently catalyzed legal and grassroots resistance that helped lay the groundwork for more gender inclusive approaches in the future peace processes.

The presidency term of Juan Manuel Santos (2010 to 2018) marked a significant shift in Colombia’s approach to the internal conflict and peacebuilding. In 2009, the seven-year period of grace granted by Art. 124 of the Rome Statute<sup>44</sup> was finished “creating a very different background to negotiate with illegal armed actors in comparison to past endeavors.”<sup>45</sup> Since 2012, the government stated the need for a peace process with FARC-EP and opened the discussion in Havana, Cuba. The critique from the women's movement grew, as the president promised on national radio that “women will have a prominent and permanent role in the peace process.”<sup>46</sup> Nonetheless, first agreements were being made, without the participation of women in the table. Laura Gil, former Colombian Vice Minister of External Affairs and current Assistant Secretary General of the Organization of American States, at that time journalist, wrote a column requesting the implementation of UNSCR 1325, putting emphasis in the need for women participation on both sides of the table, the words of a woman of the FAR-EP echo on the article: “the only skirts that have been seen at the negotiating tables in Colombia are cassocks.”<sup>47</sup>

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<sup>42</sup> Céspedes-Báez, ‘A (Feminist) Farewell to Arms’. (n. 36)

<sup>43</sup> Edgar de Jesús Velásquez Rivera, ‘Historia del paramilitarismo en Colombia’ (2007) 26(1) *História (São Paulo)* 134 <https://doi.org/10.1590/S0101-90742007000100012> accessed 20 July 2025 (author’s translation).

<sup>44</sup> Rome Statute of the International Criminal Court, art. 124, U.N. Doc. A/ CONF.183/9 (July 17, 1998)

<sup>45</sup> Céspedes-Báez, ‘A (Feminist) Farewell to Arms’. (n. 36), *See also* Rome Statute, art 124; *See also*, Chandra Lekha Sriram, ICC hypocrisy over war crimes, *GUARDIAN* (June 22, 2010), <https://www.theguardian.com/commentisfree/2010/jun/22/icc-hypocrisy-article-124-war-crimes>

<sup>46</sup> Caracol Radio, ‘Mujeres tendrán papel destacado y permanente en proceso de paz’: Santos’ *Caracol Radio* (12 September 2012) <[https://caracol.com.co/radio/2012/09/12/nacional/1347464460\\_760469.html](https://caracol.com.co/radio/2012/09/12/nacional/1347464460_760469.html)> accessed 20 July 2025. (author’s translation).

<sup>47</sup> Laura Gil, ‘La paz en pantalones’ *El Tiempo* (Colombia, 19 September 2012) <<https://www.eltiempo.com/archivo/documento/MAM-5703472>> accessed 20 July 2025(author’s translation).

Unlike his predecessor, President Santos recognized and integrated the value of civil society and international frameworks in the resolution of armed conflict.<sup>48</sup> This was thanks to the influence of women's movements and their advocacy for the application of the principles of UNSCR 1325. Because of its relevance, the case study of grassroots movements in the peace process and post conflict will be analyzed in more detail in subchapter 1.2. Still, by 2018 no Plan of Action was delivered, and the sub-commission of gender at the peace process was understood as an answer to the commitments with the resolution.

Continuing, the presidency of Ivan Duque (2018 to 2022) represented a significant setback in the implementation of the peace agreement and the institutionalization of the Women, Peace and Security agenda in Colombia. Even though the administration maintained the commitments agreed upon at the peace process, the advances in its implementation were reduced to the concept of *Paz con Legalidad* (Peace with legality). The Duque government prioritized security and economic development over transitional justice and inclusive peacebuilding, resulting in delays and underfunding. Additionally, civil society organizations and women's movements repeatedly denounced the exclusion from implementation planning and monitoring spaces,<sup>49</sup> as well as the increase in violence against women human rights defenders and former combatants during this period,<sup>50</sup> all of this contravening the pillars of UNSCR 1325.

A point to recognize of this presidency term is that in for the first time in Colombia, a woman was elected as Vice President. Marta Lucia Ramirez focused her work through the presidential advisory council for women's equality, especially on economic inclusion. Women's movements emphasized that even if the Vice President had the will to create and support women projects, the misunderstanding of the challenges and the lack of participation with the civil society deemed these plans to fail.<sup>51</sup>

Colombia still lacked a National Action Plan for UNSCR 1325 during Duque's term, advocacy by women's organizations continued, pushing back against regressive policies and highlighting the disconnect between international commitments and domestic

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<sup>48</sup> Céspedes-Báez, 'A (Feminist) Farewell to Arms'. (n. 36),

<sup>49</sup> UN Women, *Hacia la paz sostenible por el camino de la igualdad de género* (UN Women 2019) <[https://colombia.unwomen.org/sites/default/files/Field%20Office%20Colombia/Documents/Publicaciones/2019/12/II%20Informe%20gnero%20en%20el%20Acuerdo%20de%20Paz\\_DIGITAL.pdf](https://colombia.unwomen.org/sites/default/files/Field%20Office%20Colombia/Documents/Publicaciones/2019/12/II%20Informe%20gnero%20en%20el%20Acuerdo%20de%20Paz_DIGITAL.pdf)> accessed 20 July 2025. (author's translation).

<sup>50</sup> Corporación Sisma Mujer, *Situación de las lideresas: agravamiento de agresiones y débiles garantías institucionales* (2020) <<https://informesderechoshumanos.com/iii-nos-estan-matando-no-mas-silencio/situacion-de-las-lideresas-agravamiento-de-agresiones-y-debiles-garantias-institucionales/>> accessed 20 July 2025 (author's translation).

<sup>51</sup> Manifiesta (Colombia), *Duque se despide sin haber escuchado los reclamos de las mujeres* <<https://manifiesta.org/gobierno-duque-derechos-mujeres-manifiesta/>> accessed 20 July 2025 (author's translation).

practice. Especially, cultivating the erosion of trust between the state and civil society. This social discontent culminated with the first president from a left political background, Gustavo Petro for the following presidential term.<sup>52</sup>

The actual presidential term of Gustavo Petro Urrego (2018 to 2026) alongside Vice President Francia Márquez, the first Afro-Colombian woman to hold the office marked a shift in Colombia's political discourse toward social justice, inclusion, and the aim for the full implementation of the 2016 peace agreement, under the concept of *Paz Total* (total peace).

Petro's administration has signaled a stronger commitment to gender equality and the Women, Peace and Security agenda than its predecessor, explicitly recognizing the importance of UNSCR 1325. The work of Vice Minister Laura Gil, together with the Presidential Council for Women's Equity led by Clemencia Carabali was broadly recognized and supported by women's movements, especially when the official announcement of the roadmap design for the National Plan of Action was set in place, twenty-three years later after the UNSCR 1325 was adopted. Vice Minister Gil emphasized that the plan would be inter-institutional, participatory, territorial, ethnic, and intersectional, ensuring widespread representation and engagement with women's organizations from all corners of the country.<sup>53</sup> While the NAP had not yet been officially added to the legal framework by mid-2025, these efforts mark an unprecedented institutionalization of the WPS agenda in Colombia, reflecting a more intersectional and rights-based approach to peacebuilding. A deeper analysis of the development process of the NAP can be found in subchapter 3.3.

In conclusion, Colombia's engagement with the Women, Peace and Security agenda through UNSCR 1325, reveals a gradual and uneven trajectory shaped by shifting political priorities, civil society mobilization, and the evolving understanding of gender in conflict and peacebuilding. While initial administrations acknowledged the normative significance of the resolution, the absence of sustained political will and institutional mechanisms, particularly a National Action Plan, reduces the operability of the pillars in the

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<sup>52</sup> BBC News Mundo, "Elecciones en Colombia: Petro se impone a Hernández con la mayor cantidad de votos de la historia y será el primer presidente de izquierda del país" (19 June 2022) <<https://www.bbc.com/mundo/noticias-america-latina-61860677>> accessed 9 August 2025 (author's translation).

<sup>53</sup> Ministerio de Relaciones Exteriores de Colombia "A partir de este momento, iniciamos proceso de diseño del primer Plan de Acción Nacional de la Resolución 1325 sobre mujeres, paz y seguridad": Viceministra Laura Gil desde Quibdó – Chocó (Ministry of Foreign Affairs of Colombia, 24 October 2022) <<https://www.cancilleria.gov.co/newsroom/news/partir-momento-iniciamos-proceso-diseno-primer-plan-accion-nacional-resolucion-1325>> accessed 20 July 2025 (author's translation).

country. The Santos administration marked a significant departure from prior approaches by incorporating the gender perspective framework into the 2016 FPA with the FARC-EP, which was recognized as good practice globally.<sup>54</sup>

However, the lack of institutionalization of these gains during the Duque presidency exposed the peace process agreement to vulnerable and reduced application. The Petro administration, through the leadership of Vice President Francia Márquez and Vice Minister of Foreign Affairs, Laura Gil, represents a renewed institutional commitment to gender and justice, culminating in the development of Colombia's first National Action Plan on UNSCR 1325, twenty-three years after its adoption.

There is one common factor in the development and application of the pillars of UNSCR 1325 in the Colombian context, which is the participation of women's movements. Thus, aiming to understand the peak of this impact in the tangible peace process between the government and the FARC-EP, the following subchapter will examine how grassroots women's organizations have been pivotal for the translation of soft law to legality, reinforcing the indispensable role of local agency in sustaining a gender, justice and peace.

### **1.3. Case Study of the Women's Movements in the Peace Process, Final Agreement and Post Conflict Efforts**

Colombian women's movements are multiple, diverse and rooted in decades of struggle against patriarchal structures, armed conflict, and socioeconomic exclusion. Despite their heterogeneity of backgrounds and interests, UNSCR 1325 became a point of converging. Each group understood the pillars applied on their own agendas but shared the Colombian context. The following subchapter aims to describe the relevance participation that the women's movements had in the peace process in Colombia as a successful method for the transformation of a soft law instrument in a living legal practice through the Peace Agreement for a Stable and long-lasting Peace, and post conflict compromises.

It was not an accident that women's movements of Colombia found and endorsed UNSCR 1325. For many years, centered on the need for inclusion, recognition and justice, women's movements set aside political and personal views that could clash to address the feasibility of peace every time peace negotiations were on the horizon. Angela Cerón

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<sup>54</sup> Kroc Institute for International Peace Studies, *Fifth Report on the Monitoring of the Implementation of the Colombian Final Peace Accord* (University of Notre Dame 2023)

shared a short memory of how a group of twenty-two women and herself for the first time learned about RES1325 in 2001 when attending a conference in Sweden. Academics and activists of NGO's recognized the efforts of women's movements in Colombia due to the advocacy for victims, and aiming for a higher level of participation in the peace process between government Pastrana and FARC-EP. Thus, they shared information and good practices: "In Sweden, we got to visit casas de igualdad, routes of prevention for violence and got to know UNSCR 1325, ... they said, the resolution is the most important."<sup>55</sup>

Slowly, and as the state paradigm to approach the armed conflict changed to transitional justice and peace building,<sup>56</sup> between the end of Uribe's Presidency and Santos, the women's movements started a continuous request for participation, gender perspective approach, protection and reparation. This was made possible with the support of a soft law instrument like UNSCR 1325, that provided the women's movements with a political tool that legitimates its demands and requests both nationally and internationally.

Each one of the pillars of UNSCR 1325 directed a framework to request their involvement and advocate in all efforts of armed conflict de-escalation in the country as well as to demand real participation in peace building. Sandra Rozo, director of the feminist organization *Católicas por el Derecho a Decidir* (Catholics for the Right to Decide), shared on the interview for this research that UNSCR 1325 presented:

"A very important point as a tool and instrument, not only pedagogical but also of political influence, and it is to begin to see that women are not only victims, but that we are seen in a leadership role as peacebuilders."<sup>57</sup>

This efforts of advocacy were guided and accompanied by International NGOs and UN Women who played a relevant role in internal capacity building strategies and disseminating the knowledge of the resolution among the grassroots organizations, even before the peace process with FARC-EP was an option.

When the Colombian government announced peace negotiations in 2012, the gender component was not involved, nor were women invited to the table. "It was surprising that, at

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<sup>55</sup> Cerón Lasprilla, interview. (n.34)

<sup>56</sup> Céspedes-Báez, 'A (Feminist) Farewell to Arms'. (n. 36), p. 49, *See also* Lisa J. Laplante & Kimberly Theidon, *Transitional Justice in Times of Conflict: Colombia's Ley de Justicia y Paz*, 28 MICH. J. INT'L. L. 49 (2006); <<https://www3.lawschool.cornell.edu/research/ILJ/upload/Cspedes-Baez-final-2.pdf>> accessed 20 July 2025

<sup>57</sup> Interview with Sandra Rozo, Director of *Católicas por el Derecho a Decidir* interview by author (Online, July 2025) (author's translation).

its inception, the talks with the FARC-EP did not have a gender perspective, nor an approach to make women's experience in conflict and peacebuilding visible.”<sup>58</sup> The inconformity was clear and the pressure to the government increased: “They organized meetings, drafted statements, and engaged the international community in the debate about their exclusion.”<sup>59</sup> The demands were clear echoing UNSCR 1325 pillars of Prevention, Protection, Participation, Peacebuilding and Recovery as follows:<sup>60</sup>

(1) *Inclusion* of women in both sides of the negotiation table, and all its further endeavors for conflict resolution.

UNSCR 1325, point 1: “Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.”<sup>61</sup>

(2) *Recognition* of differentiated violence for women, specifically gender-based violence and sexual violence.

UNSCR 1325, paragraph 10: “Recognizing that an understanding of the impact of armed conflict on women and girls.”<sup>62</sup>

Furthermore, on point 10 “Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.”<sup>63</sup>

(3) To include a transversal gender perspective to the peace process, especially for the *post conflict reparations and reintegration*.

UNSCR 1325, point 8: “Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective.”<sup>64</sup>

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<sup>58</sup> Céspedes-Báez, ‘A (Feminist) Farewell to Arms’. (n. 36), p. 51,

<sup>59</sup> *ibid.*

<sup>60</sup> Cumbre Nacional de Mujeres y Paz, *Sistematización de la I Cumbre Nacional de Mujeres y Paz*, chapter 3 (Bogotá, 23–25 October 2013) <[http://www.cumbrenacionaldemujeresypaz.com.co/wp-content/uploads/2017/07/Sistematizacion\\_1-Cumbre\\_mujeres\\_y\\_paz.pdf](http://www.cumbrenacionaldemujeresypaz.com.co/wp-content/uploads/2017/07/Sistematizacion_1-Cumbre_mujeres_y_paz.pdf)> accessed 23 July 2025 (author’s translation).

<sup>61</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

<sup>62</sup> *ibid.*

<sup>63</sup> *ibid.*, point 10.

<sup>64</sup> *ibid.*, point 8.

(4) Recognition and *protection* of women human rights defenders, and women as actors and not just victims.

UNSCR 1325 point 8, subparagraph c: “Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.”<sup>65</sup>

Angela Cerón added that these demands were created as an answer to the first three accords made in Havana, where the women role was reduced to be agreed upon, and not relevant contracting part of the society. Women were understood as “moms, vulnerable victims ... there women were not a political subject, were the pregnant, the miserable, the old, the handicap.”<sup>66</sup> In 2013, aiming for a change in the understanding, the first *Cumbre Nacional Mujeres y Paz* (National Summit on Women and Peace) was instituted.<sup>67</sup> Around 500 women and multiple organizations reunited to declare: “There is no peace if there are no women.”<sup>68</sup>

The *Cumbre* was a political act that reinforced the need for a peace agreement and insisted that both parties stay at the table,<sup>69</sup> especially insisting that the voices of the women, half of the country's population,<sup>70</sup> was heard and understood as a political subject. This participation requires a broader understanding, not just to be part of the negotiations, but of the ratification, verification and implementation mechanisms related to women's rights once the peace agreement was signed, as well as to be heard and recognized from both parts, government and FARC-EP, at the table in Havana.<sup>71</sup> Thus, it is possible to observe that the demands of the women's movements, as well as the objective of the *Cumbre* embraced the wording on UNSCR 1325.

The efforts yielded three relevant results, with the appointment of plenipotentiary delegates on both sides, the creation of the Gender Sub-Commission within the framework of

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<sup>65</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) point 8. c.

<sup>66</sup> Cerón Lasprilla, interview. (n.34)

<sup>67</sup> Cumbre Nacional de Mujeres y Paz, *¿Quiénes somos?* <<https://www.cumbrenacionaldemujeresypaz.com.co/so-bre-la-cumbre/quienes-somos/>> accessed 20 July 2025 (author's translation).

<sup>68</sup> Rozo, interview (n. 57)

<sup>69</sup> Cumbre Nacional de Mujeres y Paz, *Sistematización de la I Cumbre Nacional de Mujeres y Paz* (23–25 October 2013) Chapter 4, p. 69. <[http://www.cumbrenacionaldemujeresypaz.com.co/wp-content/uploads/2017/07/Sistematizacion\\_1-Cumbre\\_mujeres\\_y\\_paz.pdf](http://www.cumbrenacionaldemujeresypaz.com.co/wp-content/uploads/2017/07/Sistematizacion_1-Cumbre_mujeres_y_paz.pdf)> accessed 23 July 2025 (author's translation).

<sup>70</sup> Departamento Administrativo Nacional de Estadística (DANE), *Mujeres y hombres: brechas de género en Colombia. Segunda edición. Resumen ejecutivo* (DANE 2022) <<https://www.dane.gov.co/files/investigaciones/genero/publicaciones/mujeres-y-hombre-brechas-de-genero-colombia-resumen-ejecutivo-2daEdicion.pdf>> accessed 23 July 2025 (author's translation).

<sup>71</sup> Cumbre Nacional de Mujeres y Paz (n. 67)

negotiations and finally, the inclusion of specific measures that considered the women experience in each of the points of the FPA.<sup>72</sup>

First, at the governments negotiating team entered María Paulina Riveros, Director of Human Rights at the Ministry of the Interior and Nigeria Rentería, then Presidential High Advisor for Women's Equality.<sup>73</sup> Later, Minister of Foreign Affairs Maria Angela Holguin joined<sup>74</sup> On the side of the FARC-EP, Victoria Sandino, a member of the Central Joint Command, participated.<sup>75</sup> The appointment of plenipotentiary women at the table brought a line of communication with the Gender Sub-Commission and specially with the women's movements.<sup>76</sup>

Second, the creation of the Gender Sub-Commission in 2013 and legally in 2014<sup>77</sup> provided an even ground for the women's movement and women in the FARC-EP, known as *Farianas* to have discussions and present gender provisions to the peace agreement for their inclusion. From the side of the women's movements some of the most representative groups were: *Ruta Pacífica de las Mujeres*, *Sisma Mujer*, *Red Nacional de Mujeres*, and *Casa de la Mujer*.<sup>78</sup> Women's movements brought a theoretical framework that was cultivated in the last two decades, thus, proposing gender language that related to the international instruments<sup>79</sup> and aimed for the protection of women's rights. As well, they opened the door for a closer participation of women affected by the conflict.

From the side of *Farianas*, the Gender Sub-Commission opened a space to discuss and break the mainstream understanding of war, the reasons to be part of the FARC-EP as well as to request greater agency and political role in the negotiations. As explained by Céspedes-Báez, women were a representative group inside the FARC-EP,<sup>80</sup> “Gutierrez

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<sup>72</sup> Cumbre Nacional de Mujeres y Paz (n. 67), resultados.

<sup>73</sup> Agencia Presidencial de Cooperación Internacional de Colombia (APC-Colombia), “*Colombia destaca el papel de la mujer en los Acuerdos de Paz*” (11 June 2020) <<https://www.apccolombia.gov.co/node/1236>> accessed 23 July 2025 (author's translation).

<sup>74</sup> La Razón, ‘Holguín se incorpora a las negociaciones de paz con las FARC’ (La Razón), <<https://larazon.co/holguin-se-incorpora-a-las-negociaciones-de-paz-con-las-farc/>> accessed 23 July 2025 (author's translation).

<sup>75</sup> Biblioteca Abierta del Proceso de Paz (BAPP), *Fase de conversaciones – gráficos del proceso de paz-Delegados plenipotenciarios FARC-EP: Victoria sandino* (BAPP) <[https://bapp.com.co/quienes-graficos/?view=fase\\_conversaciones](https://bapp.com.co/quienes-graficos/?view=fase_conversaciones)> accessed 23 July 2025 (author's translation).

<sup>76</sup> Isa Lima Mendes, ‘The Political Representation of Colombian Women in the Havana Dialogues (2012–2016)’ (2022) 27(3) *International Negotiation* 475 <https://doi.org/10.1163/15718069-bja10049> accessed 20 July 2025.

<sup>77</sup> UN Office of the High Commissioner for Human Rights, ‘Se instala la subcomisión de género en los diálogos de paz’ (7 September 2014) <<https://www.hchr.org.co/noticias/se-instala-la-subcomision-de-genero-en-los-dialogos-de-paz/>> accessed 23 July 2025

<sup>78</sup> ABColombia, *Towards Transformative Change: Women and the Implementation of the Colombian Peace Accord* (AB-Colombia, February 2019) p. 9 <<https://www.abcolombia.org.uk/wp-content/uploads/2019/03/Towards-Transformative-Change-ENG-f-WEB.pdf>> accessed 20 July 2025

<sup>79</sup> Céspedes-Báez, ‘A (Feminist) Farewell to Arms’. (n. 36) p.54

<sup>80</sup> *ibid.*, p. 53

and Carranza, experts on the Colombian armed conflict, catalogued the FARC– EP as a feminized guerrilla, where women involvement fluctuated between 20% to 40%.”<sup>81</sup> Thus, *Farianas* nuanced relation withing the chain of command and the revolutionary ideas can be shown on their contributions to the Gender Sub-commission,<sup>82</sup> sometimes, clashing with the women's movements argumentation.

This shared contribution in the Gender Sub-commission on itself a clear example of why there is a need to incentivize the participation of all sides to the table, and give special attention to differentiated groups, in this case women, that usually does not get the opportunity to tell their own stories. As well, the participation of women from all sides in the Gender Sub-commission answers directly to the compromises made by the state through UNSCR 1325.

In 2016 the government presented the peace agreement as a plebiscite, where the popular vote had decisive power and rejected it. “The broader understanding of gender that included the lesbian, gay, bisexual, and transgender (LGBT) population”<sup>83</sup> was used as a main argument from the right and Christian groups to vote against the peace agreement, as they feared that the traditional family values of the nation will be undermined.<sup>84</sup> For the renegotiation of the peace agreement, the understanding of gender was reduced to denote women.<sup>85</sup> Nonetheless, this did not present a significant change on the measures for women discussed in the gender Sub-commission.<sup>86</sup>

The third result of the women’s movements involvement in the negotiation was the integration of gender provisions transversally thought the document. The *Acuerdo Final para una Paz Estable y Duradera*, FPA (Final Peace Agreement for a Stable and long-lasting Peace) was officially signed the 24<sup>th</sup> of September of 2016 in Cartagena,<sup>87</sup> and it has been

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<sup>81</sup> Céspedes-Báez, ‘A (Feminist) Farewell to Arms’. (n. 36), *See also*, Francisco Gutiérrez Sanín and Francy Carranza Franco, ‘Organizing Women for Combat: The Experience of the FARC in the Colombian War’ (2017) 17 *Journal of Agrarian Change* 770

<sup>82</sup> *ibid.*

<sup>83</sup> *ibid.*, p. 57 *See also* Roxanne Krystalli and Kimberly Theidon, ‘Here’s How Attention to Gender Affected Colombia’s Peace Process’ *The Washington Post* (9 October 2016) [https://www.washingtonpost.com/news/monkey-cage/wp/2016/10/09/heres-how-attention-to-gender-affected-colombias-peace-process/?noredirect=on&utm\\_term=.d0135f8d533b](https://www.washingtonpost.com/news/monkey-cage/wp/2016/10/09/heres-how-attention-to-gender-affected-colombias-peace-process/?noredirect=on&utm_term=.d0135f8d533b) accessed 23 July 2025

<sup>84</sup> *ibid.*, *See also*, Katherine Aguirre, Renata Avelar Giannini and Adriana Abdenur, ‘Más que víctimas o negociadoras: las mujeres en la paz’ *Razón Pública* (26 October 2020) <<https://razonpublica.com/mas-que-victimas-o-negociadoras-las-mujeres-en-la-paz/>> accessed 24 July 2025 (author’s translation).

<sup>85</sup> *ibid.*, p. 58

<sup>86</sup> *ibid.*

<sup>87</sup> *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (24 November 2016) Comisión Nacional para la Consolidación de la Paz; Jurisdicción Especial para la Paz (JEP) <https://www.jep.gov.co/Normativa/Paginas/Acuerdo-Final.aspx> accessed 24 July 2025 (author’s translation).

recognized globally as the first peace agreement to fully integrate a gender perspective<sup>88</sup> with 109 gender-specific provisions.<sup>89</sup> On the following subchapter 1.4. A deeper analysis of the gender provisions on the FPA will take place, especially how these relate to UNSCR 1325.

Finally, for the post conflict efforts, women's movements continue to be clearly involved. The *Grupo de Trabajo Género en la Paz*, GPAZ (Working Group of Gender in Peace) is a collective of civil society with international support that catalogized each one of the measures under five areas of action that answer to the pillars of UNSCR 1325: gender approach, affirmative actions, provisions regarding violence, participation, and gender-related instances.<sup>90</sup> This working group has been in place for the past twelve years, in the effort of a close monitoring of the implementation. Other women's movements had continued their work as watchdogs of the FPA through the *Jurisdicción Especial para la Paz JEP* (Special Peace Jurisdiction) as well as in peace building efforts under the new legal framework of the FPA broadcasting its understanding, possible benefits, project building and advocacy via didactic education in the territories. In chapter 2, a further analysis of the new legal framework and its level of implementation will be conducted, emphasizing the challenges that political shifts and new actors can entail.

The signature of the FPA between the Colombian government and the FARC-EP is not a success of the Colombian government alone. For this document to be relevant it needed the participation of all actors involved in the Colombian context, women being 50% of the population, requested their voice to be heard. The Santos administration listened and engaged with civil society, thus enabling the opportunity for a broader analysis of the topics to be discussed, as well as to obtain support and legitimacy from this participation. The successful integration of UNSCR 1325 in the Colombian Peace Process and its reflection on the FPA was a result of the constant activism, participation and demands of the women's movements. NGOs, UN Women, and the international framework for cooperation, combining with more than twenty decades of documentation, legal knowledge and advocacy permitted the unprecedented incorporation of a gender perspective in the Process and FPA. This case study of the grassroots actions reflects that with mobilization,

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<sup>88</sup> UN Women, *The Peace Deal That Put Women First: What Colombia Taught the World* (10 July 2025) <<https://gender-nr-peace.org/news/show/b5643ce49799>> accessed 24 July 2025.

<sup>89</sup> *ibid.*

<sup>90</sup> Grupo de Trabajo Género en la Paz (GPAZ), *V Informe de observaciones sobre los avances en la implementación del enfoque de género del Acuerdo de Paz* (Dejusticia et al., junio 2025) P. 12 <<https://www.dejusticia.org/wp-content/uploads/2025/07/INFORME-GPAZ-2025.pdf>> accessed 24 July 2025 (author's translation).

advocacy and insistence, women's movements transformed UNSCR 1325 from a soft law commitment into a lived practice in the Colombian in the Peace Process, Final Peace Agreement and Post Conflict Efforts.

#### **1.4. Gender Perspective in the Final Peace Agreement**

The gender perspective was applied across the FPA, as it aims to address structural inequalities in the country due to violence and armed conflict. 109 provisions are identified as tailored to the differentiated impacts of the arm conflict to women with an intersectional component, where ethnicity, class, territory, and sexual orientation matter. This added lens to understand conflict broadens the possibilities of action for equity, justice, non-discrimination, and reconciliation.

This subchapter will first define the understanding of Gender perspective as a concept in the Colombian Peace Process and FPA. Secondly, it will describe where and how the legal provisions can be found. To conclude, a brief comparative review of the provisions will be conducted, specifically in how these answer to the four pillars of UNSCR 1325.

The concept of gender discussed in the Peace Process, is slightly refined to the one that can be found in the FPA, as well as it aims to portrait the Colombian context. This happened, as explained in subchapter 1.3., because of the need to encompass the understanding to be accepted by the conservative parties.

Generally, gender theory interprets sex and gender as two distinct categories.<sup>91</sup> While sex is part of the realm of human biology, gender is a social construction, human expressions of its identity and the expression to the word. This differentiation also recognizes that all sexes and genders must be understood equally. Catalina Siles and Gustavo Delgado define gender as “optional social roles freely chosen by each individual, without any conditioning.”<sup>92</sup> However, the authors acknowledge that human beings have multiple dimensions that should be understood as a whole (psychosocial, social, cultural, and emotional) due to their interrelation.<sup>93</sup>

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<sup>91</sup> Catalina Siles and Gustavo Delgado Bravo, *Teoría de género: ¿De qué estamos hablando? 5 claves para el debate* (2014) <https://doi.org/10.13140/RG.2.2.30631.19364> accessed 24 July 2025 (author's translation).

<sup>92</sup> *ibid.*

<sup>93</sup> *ibid.*

For Colombia's specific context, the gender perspective encompasses “the recognition of equality of rights between women and men”<sup>94</sup> as well as it highlights the need for non-discrimination.<sup>95</sup> It further recognizes that “women had been made victims of during the conflict and guaranteeing affirmative measures in order to promote equality.”<sup>96</sup> This definition of gender perspective recognizes that the individual differentiated roles in a society can experience violence and conflict differently<sup>97</sup> due to cultural and societal expectations. The progressive sector of society feared that the narrow concept of gender could be understood negatively, nonetheless, the FPA established that “nothing in the agreement would be understood as the negation of or reduction in the rights of people, whatever their sex, age, religious beliefs, opinions, ethnic identity, whether they belong to the LGTBI community or for any other reason.”<sup>98</sup>

In the Colombian FPA, the application of the gender perspective helped to “avoid the invisibility of gender experiences and design more appropriate and sensitive responses to these differences,<sup>99</sup> aimed to reinforce equality, recognized the differentiated experiences of the war, and actively requires the involvement of women as peace building actors.

Nonetheless, some authors argued that this refined gender perspective left out certain topics relevant for achieving real equality. For example, “the absence of any reference to addressing the structural causes of women’s inequality, like women’s economic marginalization”<sup>100</sup> which has transformed into a “loud silence in the Colombian peace process.”<sup>101</sup> This reduces the possibilities for alterations in a broader spectrum of social, cultural, economic, and political areas.<sup>102</sup>

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<sup>94</sup> Oion-Encina, ‘Resolution 1325 in the Agency of Colombian Women’, (n. 10) p. 339

<sup>95</sup> *ibid.*, p. 8. *See also*: Ministerio de Justicia y del Derecho (Colombia), *Enfoque de género en el Acuerdo Final* (26 September 2016) <<https://www.minjusticia.gov.co/ojtc/Documents/Enfoque%20Diferencial/docs/Enfoque%20de%20g%C3%A9nero%20en%20el%20Acuerdo%20Final.pdf>> accessed 24 July 2025 (author’s translation).

<sup>96</sup> *ibid.*

<sup>97</sup> Victoria Tello-Ruiz, ‘El enfoque de género en la construcción de paz’ (2023) 2(3) *Revista Estado, Paz y Sistema Internacional* 47 <https://doi.org/10.25062/2981-3034.4750> accessed 24 July 2025 (author’s translation).

<sup>98</sup> Oion-Encina, ‘Resolution 1325 in the Agency of Colombian Women’, (n. 10) p. 8. *See also* Oficina del Alto Comisionado para la Paz, *Resumen de los cambios al nuevo Acuerdo Final* (Oficina del Alto Comisionado para la Paz, 2016) <<http://www.altocomisionadoparalapaz.gov.co/Documents/proceso-paz-farc-a/24-11-2016NuevoAcuerdoFinal.pdf>> accessed 24 July 2025 (author’s translation).

<sup>99</sup> Tello Ruiz, ‘El enfoque de género en la construcción de paz’ (n. 97)

<sup>100</sup> Dianne Otto, ‘Power and Danger: Feminist Engagement with International Law through the UN Security Council’ (2010) 32(1) *Australian Feminist Law Journal* 97 <https://doi.org/10.1080/13200968.2010.10854439> accessed 26 July 2025

<sup>101</sup> Céspedes-Báez and Jaramillo Ruiz, ‘Peace without women does not go!’ (n. 5) p. 105

<sup>102</sup> *ibid.*

The gender perspective that did make it to the FPA can be found transversally in all six signed chapters<sup>103</sup> translated as provisions. The GPAZ working group had divided the 109 provisions under five different categories<sup>104</sup> based on their aim as follows:

- *Gender focus*: Measures that establish the incorporation of a gender perspective without specifying actions.
- *Affirmative action*: Affirmative action for women or concrete actions to implement the gender perspective.
- *Violence*: Measures on gender-based violence that aim to diagnose its prevalence and severity, as well as prevent it, address it, investigate it, prosecute it, punish it, and provide reparations to its victims.
- *Participation*: Measures for women's participation in the political and civic spheres and in the implementation of the FPA.
- *Agencies*: with a gender mandate.

For this research, in the following paragraphs a comparative analysis will take place between the provisions on the FPA to recognize where it answers to the pillars on UNSCR 1325.

(1) Towards a new Colombian countryside – Integrated Rural Reform:

Aims to “reverse the effects of the conflict and ensure the sustainability of peace. It seeks to increase the well-being of rural residents, promote regional integration and social and economic development, and foster opportunities for Colombian rural areas, especially for the populations most affected by the armed conflict and poverty.”<sup>105</sup> Here, the gender perspective reflects the pillars of UNSCR 1325 when it leads the reform to recognize the nuance perspective of women with armed conflict, it goes further as it uses this perspective to understand the own relation of women and land. The FPA provisions offer distinctive possibilities for economic empowerment via special access to subsidies, credit, legal support, and formalization of ownership. It also creates participation mechanisms on the territorial, regional and national level on the Development National Plan, the Rural development Agency of the Ministry of Agriculture, among others. In UNSCR 1325, it is shown in point 8. a. where it calls on all actors to adopt a gender

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<sup>103</sup> *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (n. 87)

<sup>104</sup> GPAZ, *V Informe de género* (2025) (n. 90)

<sup>105</sup> Ministerio de Justicia y del Derecho (Colombia), *Enfoque de género en el Acuerdo Final* (n. 95) p. 1

perspective and recognize “the special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction.”<sup>106</sup>

(2) Political Participation – Democratic action to build the peace:

Opens the possibilities for new forces to enter the democracy as a main effort to consolidate peace “to enrich debate and deliberation around major national issues.”<sup>107</sup> In this chapter, the pillar of participation and protection of the UNSCR 1325 are present through the creation of special access for public participation as well as security measurements for the protection of activism, human rights defenders and social leaders, seen in point 8. c. as it calls on all actors to include “measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.”<sup>108</sup> This specific point of the FPA aims for a profound change in the Colombian society as it involves provisions to promote and educate the values (and rights) of non-discrimination, equality, inclusion, and reconciliation.

(3) The end of the armed conflict:

Which designs the steps to follow to end the military conflict and its hostilities that could affect the civilian population. As well, it draws attention to the method for “lay down their weapons, begin the process of reintegration of former FARC-EP combatants, and thus create the conditions for the implementation of the Final Agreement.”<sup>109</sup> The provisions of this chapter related to UNSCR 1325 focus on the new framework that the police, fiscal and legal institutions are required to apply to investigations, methodology and model of guarantees based on the gender perspective to their work. This can be understood under UNSCR 1325 point 8, which “calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective.”<sup>110</sup> An interesting consideration on this chapter is the recognition of the *Farianas* and the special conditions they will

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<sup>106</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 8.

<sup>107</sup> Ministerio de Justicia y del Derecho (Colombia), *Enfoque de género en el Acuerdo Final* (n. 95) p. 5

<sup>108</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 8.c.

<sup>109</sup> *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (n. 87)

<sup>110</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 8.

require such as healthcare for the protection of women's rights and sexual and reproductive rights when entering the *Mision de Monitoreo y Verificación*, MMV (Monitoring and Verification Mechanism).<sup>111</sup> This answers directly to UNSCR 1325 point 13, which “encourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependents.”<sup>112</sup>

(4) Solution to the Problem of Illicit Drugs:

This chapter aims to change the approach for the problem with illicit drugs in the country, as it has a direct interconnection with armed groups and affects the civil population. The FPA defines the need for a “Differentiated treatment of the consumption phenomenon, the problem of illicit crops, and organized crime associated with drug trafficking, ensuring a general, differentiated, and gender-based approach to human rights and public health.”<sup>113</sup> As the last 3 chapters, the solution to the problem of illicit drugs involves the participation of women required by UNSCR 1325, especially in the *Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito*, PNIS (National Comprehensive Program for the Substitution of Illicit Crops) to plan, execute and evaluate the programs for the substitution and alternative development, as well as “to prevent the gender violence's associated with drugs.”<sup>114</sup>

(5) Victims of the armed conflict:

This chapter makes a double effort to recognize the differentiated effects of war on multiple communities with all its intersectionality: indigenous, afro Colombians, black people, palenqueras, raizales, Rom, religious beliefs, political parties, social movement, syndicates, LGBTIQ+, women, among others,<sup>115</sup> and defines the instauration of a *Jurisdicción Especial para la Paz* JEP (Special Jurisdiction for Peace) and the *Comision de la Verdad* CEV (Truth Commission). To “contribute to revealing the truth and will respond to the special suffering of women, excluding pardons for cases of sexual violence. It will incorporate their equal

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<sup>111</sup> Oion-Encina, ‘Resolution 1325 in the Agency of Colombian Women’, (n. 10)

<sup>112</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 13.

<sup>113</sup> *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (n. 87) p. 98

<sup>114</sup> Ministerio de Justicia y del Derecho (Colombia), *Enfoque de género en el Acuerdo Final* (n. 95) p. 11

<sup>115</sup> *ibid.*, p. 13

participation in the Transitional Justice System and will promote the participation of women in collective redress.”<sup>116</sup> The provisions in this chapter answer to point 10 and calls for action of point 11 of UNSCR 1325, as it: “Emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes, where feasible from amnesty provisions.” Finally, it also recognizes the relevant participation of women in post conflict efforts with the broadcasting of the gender perspective into the reconciliation efforts in the territorial, regional and national level. Also, it answers directly to point 9 “to respect fully international law applicable to the rights and protection of women and girls ... and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court.”<sup>117</sup>

(6) Implementation, Verification and Endorsement of the Agreement:

Presents the steps to implement, verify and guarantee the Peace Agreement. Here, women have a special role, as a “gender commission will be created to monitor implementation ... to verify progress with regard to the gender and territorial approach”<sup>118</sup> in the post conflict. These provisions are accompanied by an external verification by NGO’s, UN Women, and international support such as the Embassy of Sweden in Colombia and the representative of the Secretary General for sexual violence in armed conflicts.<sup>119</sup> This chapter answers to point 1 of UNSCR 1325 as it “Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.”<sup>120</sup>

As seen, the pillars of the UNSCR 1325 can be identified in all the chapters, generally the pillars of equal participation and full involvement (accounted by GPAZ with thirty-one provisions),<sup>121</sup> and the protection and recognition of differentiated effect of the armed conflict and violence to women (accounted by GPAZ with 15 provisions).<sup>122</sup> Nonetheless,

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<sup>116</sup> Oion-Encina, ‘Resolution 1325 in the Agency of Colombian Women’, (n. 10), p.9

<sup>117</sup> UNSC UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 16) Point 9.

<sup>118</sup> Oion-Encina, ‘Resolution 1325 in the Agency of Colombian Women’, (n. 10) p.9

<sup>119</sup> Ministerio de Justicia y del Derecho (Colombia), *Enfoque de género en el Acuerdo Final* (n. 95) p. 17

<sup>120</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 1

<sup>121</sup> GPAZ, *V Informe de género* (2025) (n. 90) p. 13

<sup>122</sup> *ibid.*

the chapters also answer to a request for an increased representation, respect for international law on the protection of women's rights, need for prosecution of sexual violence, to consider the differentiated needs of women and ex-combatants, and the protection of political participation, among others. Thus, it is possible to argue that in the FPA, the refined gender perspective can be seen through all its chapters, that its wording is supported by international law, especially by the soft law instrument of UNSCR 1325. At the same time, some authors have recognized that a deeper social and cultural change will be needed to understand women as actors and participants, and not just as victims.<sup>123</sup> Finally, it can be observed that the provisions that embody gender perspective will require a robust system of institutional, financial, educational, and legal support to aim for its full implementation. This means not just the creation of a legal framework, but to fulfill the commitments made through actions.<sup>124</sup>

## 2. Post Conflict Efforts

After almost nine years of the signature of the FPA, the so-called post conflict period has settled in the country. Through comprehensive legal architecture, certain actions had been taken aiming to comply with the FPA. This framework has integrated several of the pillars of UNSCR 1325 through the gender perspective lens, especially related to the participation of women in peacebuilding, protection of rights, and promotion of gender equality. Nonetheless, the implementation has faced many challenges and new actors that could endanger the protection of Human Rights, especially the ones that UNSCR 1325 endorses, as well as threatening the search for peace in the country.

This chapter offers an overview of the legal standing of the FPA in Colombian Law. Furthermore, it recognizes where the pillars of UNSCR 1325 can be found. At the end, a critical review of the implementation is made, especially how the new actors and the political will has enabled or hindered the application of the legal provisions related to UNSCR 1325 and a gender perspective.

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<sup>123</sup> Céspedes-Báez and Jaramillo Ruiz, 'Peace without women does not go!' (n. 5) p. 105

<sup>124</sup> Kroc Institute for International Peace Studies, *Informe trimestral: Estado efectivo de implementación del Acuerdo Final (enero-marzo 2022)* (Keough School of Global Affairs, University of Notre Dame 2022) <[https://curate.nd.edu/articles/report/Informe\\_Trimestral\\_Estado\\_Efectivo\\_de\\_la\\_Implementaci%C3%B3n\\_del\\_Acuerdo\\_Final\\_enero\\_marzo\\_de\\_2022/24823698](https://curate.nd.edu/articles/report/Informe_Trimestral_Estado_Efectivo_de_la_Implementaci%C3%B3n_del_Acuerdo_Final_enero_marzo_de_2022/24823698)> accessed 25 July 2025 (author's translation).

## 2.1. Establishment of a New Legal Framework

The new legal framework in Colombia starts with the legal standing of the FPA, as it contains the provisions that will create new institutions for its implementation. Christine Bell, as an expert on international and constitutional law with a focus on peace processes and gender, examined a concept of *lex pacificatoria* which is “created by the interaction of both state and nonstate actors involved in the transition process, who respond to legal norms and try to craft solutions that comply with them in creative ways so as to respond to the distinctive dilemmas of peace-making.”<sup>125</sup> The *lex pacificatoria* accompanies the intricate process of the legal framework, and further its application.

In the Colombian case, the legal standing is unclear, between what the parties ought it to be, and the result.<sup>126</sup> Laura Betancur-Restrepo explains that the legal standing was relevant for both parties, government, and FARC-EP as they aimed for a double binding, both in national and international law.<sup>127</sup> This double binding aimed to hold legitimacy by creating a “legal shield”<sup>128</sup> and aiming for a quasi-constitutional status with three actions. First, aiming to define the FPA as a Special Agreement, SA, under Art. 3 of the Geneva Conventions of 1949,<sup>129</sup> this via a legislative act that would permit the introduction in the legal system of the country by “constitutional bloc.”<sup>130</sup> Secondly, depositing the FPA as SA “before the Swiss Federal Council.”<sup>131</sup> Finally, “a presidential declaration will be made taking the form of a unilateral declaration of the Colombian State before the Secretary-General of the United Nations,”<sup>132</sup> to requests the incorporation of the FPA into the resolution 2261 of the 25<sup>th</sup> of January of 2016 of the Security Council.

For the first action, the legislative act 01 of 2016 was approved by congress under domestic law<sup>133</sup> “through which a transitional article was introduced into the Constitution

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<sup>125</sup> Christine Bell, *Lex Pacificatoria Colombiana: Colombia's Peace Accord in Comparative Perspective* (2016) 110 *American Journal of International Law Unbound*, p.165 <<https://www.asil.org/sites/default/files/Bell%2C%20Lex%20Pacificatoria%20Colombiana.pdf>> accessed 26 July 2025

<sup>126</sup> *ibid.*, p. 170

<sup>127</sup> Laura Betancur-Restrepo, ‘The Legal Status of the Colombian Peace Agreement’ (2016) 110 *American Journal of International Law Unbound* p.192 (Symposium on the Colombian Peace Talks and International Law) <https://doi.org/10.1017/S2398772300003056>

<sup>128</sup> Bell, ‘Lex Pacificatoria Colombiana’ (n. 125) p.169

<sup>129</sup> Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 31, art 3.

<sup>130</sup> Betancur Restrepo, ‘The Legal Status of the Colombian Peace Agreement’ (n. 127) p.188

<sup>131</sup> Ministerio de Relaciones Exteriores de Colombia, *Comunicado Conjunto No 69 – La Habana, Cuba, 12 de mayo de 2016* (Ministerio de Relaciones Exteriores de Colombia) <https://www.cancilleria.gov.co/node/10268> accessed 27 July 2025 (author’s translation). See also Betancur Restrepo, ‘The Legal Status of the Colombian Peace Agreement’ (n. 127) p.188

<sup>132</sup> *ibid.*

<sup>133</sup> Acto Legislativo No 1 de 2016 (7 July 2016) Congreso de la República de Colombia, *Estableciendo instrumentos jurídicos para facilitar y asegurar la implementación y el desarrollo normativo del Acuerdo Final* <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=75874>> accessed 27 July 2025 (author’s translation).

that would provide legal security and stability to the Final Agreement.”<sup>134</sup> Here, it was established that the FPA was understood as a special accord under Art. 3 of the Geneva conventions of 1949.<sup>135</sup> Thus, it would be included by “constitutional bloc” under article 93<sup>136</sup> of the Colombian Constitution, to have priority under domestic law.<sup>137</sup> As a result, the FPA would be a “lex pacificatoria in action—capturing the idea of the legal status of the Agreement itself as somewhere “hybrid” between international and constitutional law.”<sup>138</sup>

The Constitutional Court accepted this temporal amendment to the constitution with the condition of the Peace Agreement to be approved positively by the Colombian society.<sup>139</sup> Nonetheless, this effort of establishing a legal standing brought detractors who campaigned for the non-approval of the plebiscite, mainly with two arguments. Initially, it was considered that SA mechanism could not be given to a document that also dealt with political, social, and economic matters, as should be reserved for strictly humanitarian issues.<sup>140</sup> Secondly, fearing that the Peace Agreement in the constitutionality bloc would represent a substitution of the Constitution itself.<sup>141</sup>

With the plebiscite rejected, the Peace Agreement had to be reconsidered, leaving the aim for an international-national binding in a difficult position. The FPA still contained in its preamble the reference to SA, clarifying that this just applies to its international standing. The second action was accomplished with its deposit at the Swiss General Council:<sup>142</sup>

“This Final Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace is signed by the National Government and the Revolutionary Armed Forces of Colombia (FARC-EP) as a Special Agreement under the terms of Article 3 common to the 1949 Geneva Conventions, for the purposes of its international validity.”<sup>143</sup>

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<sup>134</sup> César Rojas Orozco, ‘Estatus jurídico internacional del acuerdo de paz colombiano’ (2018) 75 *Estudios de Derecho* 131 <<https://www.redalyc.org/journal/6479/647968666006/html>> accessed 27 July 2025 (author’s translation).

<sup>135</sup> Rojas Orozco, (n. 134)

<sup>136</sup> Constitución Política de Colombia, art 93 (1991) <https://www.constitucioncolombia.com/titulo-3/capitulo-4/articulo-93> accessed 27 July 2025 (author’s translation).

<sup>137</sup> Bell, ‘Lex Pacificatoria Colombiana’ (n. 125) p.169

<sup>138</sup> *ibid.*

<sup>139</sup> *ibid.*

<sup>140</sup> Rojas Orozco, (n. 134)

<sup>141</sup> *ibid.*

<sup>142</sup> *ibid.*

<sup>143</sup> *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (n. 87) p. 4

A legislative amendment under the legislative act 02 of 2017<sup>144</sup> was made to the first legislative act of 01 of 2016 to reflect this change as follows:<sup>145</sup>

“In the development of the right to peace, the contents of the Final Agreement for the termination of the conflict and the construction of a stable and lasting peace, signed on November 24, 2016, which correspond to norms of international humanitarian law or fundamental rights defined in the Political Constitution and those related to the former, shall be mandatory parameters of interpretation and a reference for the development and validity of the norms and laws for the implementation and development of the Final Agreement, subject to constitutional provisions.

State institutions and authorities have an obligation to comply in good faith with the provisions of the Final Agreement. Consequently, the actions of all State bodies and authorities, the normative developments of the Final Agreement, and their interpretation and application must be consistent and comprehensive with what was agreed upon, preserving the contents, commitments, spirit, and principles of the Final Agreement.”<sup>146</sup>

Cesar Rojas-Orozco, who is a current legal officer at the Special Jurisdiction for Peace explains that:

“The new formula adopted has two dimensions. For international purposes, the parties continue to consider the Final Agreement a Special Agreement under the terms of IHL (International Humanitarian Law), which was established only in the Agreement, and not in the new Legislative Act. For domestic purposes, the Final Agreement is no longer considered part of the constitutionality bloc, but its contents related to IHL, or fundamental rights become a parameter for the interpretation and validity of the regulations that develop it.”<sup>147</sup>

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<sup>144</sup> Acto Legislativo No 2 de 2017 (11 May 2017) Congreso de la República de Colombia, ‘Por medio del cual se adiciona un artículo transitorio a la Constitución con el propósito de dar estabilidad y seguridad jurídica al Acuerdo Final’ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=81573> accessed 27 July 2025 (author’s translation).

<sup>145</sup> Rojas Orozco, (n. 134)

<sup>146</sup> Acto Legislativo No 2 de 2017 (n. 144)

<sup>147</sup> Rojas Orozco, (n. 134)

This argument is supported by the analysis that the constitutional court made of the legislative act (amendment) 02 of 2017 via Judgment C-630 of 2017<sup>148</sup> when it declares constitutional, as well as it declares that the compromises made on the FPA need to be followed in good faith, as these are understood as a state policy (not tied to a government policy). It also informs that these legal arrangements to the constitution are valid for twelve years as written on the legislative act and its amendment, and that this time began since the legal acts approval.<sup>149</sup>

For the third action, the unilateral declaration from the Colombian Government that enforced the compromise to comply out of good faith was due after the FPA was approved by the congress. As the “Guiding Principles Applicable to Unilateral Declarations by States Capable of Creating Legal Obligations, adopted by the International Law Commission in 2006”<sup>150</sup> specifies, “a public declaration made at the international level by the Head of State, Head of Government or Minister of Foreign Affairs, in which the will to bind oneself to something is clearly and specifically expressed, produces international legal effects.”<sup>151</sup> Via the unilateral declaration, the Colombian government also requested the Security Council to add the FPA to the Resolution 2261 of 2016,<sup>152</sup> which in the words of Christine Bell binds the FPA in International Law as it “can be used to bring the force of law to peace agreement commitments, establishing mechanisms for monitoring compliance that stand independently of the status of the agreement itself.”<sup>153</sup>

As described here, the FPA itself has a mixed standing. On domestic law, it was considered by the constitutional court as a state policy, giving it a political stand, rather than a legal stand. Nonetheless, both the legislative and executive powers in Colombia developed a legal framework around the compromises of the FPA that allows for its compliance.<sup>154</sup> Here, the Constitutional Court has continued to play its role with a *Control*

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<sup>148</sup> Corte Constitucional de Colombia, Sentencia C 630/17 (11 October 2017) on Acto Legislativo No 2 de 2017, accessed via Función Pública Gestor Normativo system <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=88780>> accessed 27 July 2025 (author’s translation).

<sup>149</sup> *ibid.*

<sup>150</sup> International Law Commission, *Guiding Principles applicable to unilateral declarations of States capable of creating legal obligations, with commentaries thereto* (2006) Yearbook of the International Law Commission, vol II (Part Two) UN Doc A/61/10, draft principles 1–10 and commentary [https://legal.un.org/ilc/texts/instruments/english/commentaries/9\\_9\\_2006.pdf](https://legal.un.org/ilc/texts/instruments/english/commentaries/9_9_2006.pdf) accessed 27 July 2025

<sup>151</sup> Rojas Orozco, (n. 134)

<sup>152</sup> United Nations, Security Council, Letter dated 29 March 2017 from the Secretary-General addressed to the President of the Security Council, S/2017/272 (21 April 2017) [https://colombia.unmissions.org/sites/default/files/s-2017-272\\_e.pdf](https://colombia.unmissions.org/sites/default/files/s-2017-272_e.pdf) accessed 27 July 2025.

<sup>153</sup> Christine Bell, ‘Peace Agreements: Their Nature and Legal Status’ (2006) 100 *The American Journal of International Law*, 100(2), 373–412. <<http://www.jstor.org/stable/3651152>> accessed 27 July 2025.

<sup>154</sup> Martha Liliana Gutiérrez Salazar, ‘La Corte Constitucional frente a la paz: Control al acuerdo de paz de Colombia y su implementación’ (2022) 24 *Reflexión Política* 68 <https://revistas.unab.edu.co/index.php/reflexion/article/view/4535/3658> accessed 27 July 2025 (author’s translation).

*Constitucional* (Judicial review of constitutionality) to hold “the validity of the rule of law and respect for the international legal framework.”<sup>155</sup> For the International law, the FPA is understood as a SA, in the areas where the *ratione materiae* are related to IHL; and because of the unilateral declaration, the FPA requests the external monitoring, as well as it enforces the compromise to implement and answer to the compromises there written out of good faith or else have international legal effects. Laura Betancour recognizes the relevancy that actors gave to “the use of international legal mechanisms as a guarantee for the deal (which) reveals a deep faith in international law ... particularly on the part of the FARC”<sup>156</sup> both for legitimacy, credibility and protection, as well as to obtain support from external organizations.

As written above, the mixed legal standing of the FPA did not reduce the possibilities for it to emanate instruments that would have legal obligations under Colombian law. In the following paragraphs, this legal framework will be enunciated to ascertain where and how the pillars of UNSCR 1325 were translated into the normative. It is relevant to acknowledge that some of these new instruments will be briefly described, as chapter 3 will argue, some can be understood as good practices for human rights protection thanks to the imprint of UNSCR 1325.

Through different legislative acts and decrees, multiple mechanisms were created. All of these are transversely approached by two special instances, one for gender and one for ethnicity. Each supervises the incorporation of a specific focus on the post conflict efforts. The special instance of Gender, confirmed by sixteen women from the civil society, was a result of the sub-gender commission at the Peace Process. It answers to the pillar of participation of UNSCR 1325, specifically to point 1, where it “urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.”<sup>157</sup>

The *Comision de Seguimiento, Impulso y Verificación de la Implementación del Acuerdo Final*, CSIVI (Commission for Monitoring, Promotion and Verification of the

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<sup>155</sup> Gutiérrez Salazar, ‘La Corte Constitucional frente a la paz’ (n. 154)

<sup>156</sup> Betancour Restrepo, ‘The Legal Status of the Colombian Peace Agreement’ (n. 127) p.192

<sup>157</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

Implementation of the Final Agreement) was created through the decree the 1995 of 2016<sup>158</sup> to have a direct canal of communication between the government and the FARC-EP. Later, international organizations, civil society and the articulation with the special instances of gender and ethnic were included as participants of the CSIVI through decree 1417 of 2018.<sup>159</sup> This commission answers to point 15 of UNSCR 1325, which even though is a call directed to the Security Council missions, Colombian post-conflict efforts took it as a state responsibility. thus, when gender perspective is being discussed, it involves a “consultation with local and international women’s groups.”<sup>160</sup> This commission embodies the lessons learned of the Peace Process and the requirement of having participation from all sides involved in the discussion. Regarding UNSCR 1325, this adds to the CSIVI’s participants answers to point 8. b. were women’s peace initiatives and indigenous processes for conflict resolution should be included.<sup>161</sup>

Continuing, the Legislative Act 01 of 2017,<sup>162</sup> created a comprehensive *Sistema Integral de Verdad, Justicia, Reparación y No Repetición*, SIVJRNR (Comprehensive System for Truth, Justice, Reparation and Non-Repetition). This robust legal framework aims to put into action all the compromises written in chapter 5 of the FPA regarding victims. Each instrument has a different level of involvement with domestic law, some working as an adjacent court, others as support for the judicial system already instituted in the country. Also, it is relevant to acknowledge that several of these mechanisms were demanded and influenced by women’s movements.

This legal framework has also been known as *transitional justice* which in the Colombian context reflects a different understanding of the concept, as it does not aim to transition from one legal and political regime to another, but to open a space for a legal development in a democratic society to put end on a conflict.<sup>163</sup> Thus, the case of Colombia has been

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<sup>158</sup> Decreto 1995 de 2016 (7 December 2016) Presidencia de la República de Colombia, ‘Por el cual se crea la Comisión de Seguimiento, Impulso y Verificación a la Implementación del Acuerdo Final’ <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=78399>> accessed 27 July 2025 (author’s translation).

<sup>159</sup> Decreto 1417 de 2018 (3 August 2018) Presidencia de la República de Colombia, ‘Por el cual se actualiza la organización y funcionamiento de la Comisión de Seguimiento, Impulso y Verificación a la Implementación del Acuerdo Final suscrito entre el Gobierno Nacional y las FARC EP el 24 de noviembre de 2016’ <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87870>> accessed 27 July 2025 (author’s translation).

<sup>160</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

<sup>161</sup> *ibid.*

<sup>162</sup> Acto Legislativo No 1 de 2017 (4 April 2017) Congreso de la República de Colombia, ‘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’ <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=80615>> accessed 27 July 2025 (author’s translation).

<sup>163</sup> Christine Bell, ‘Transitional Justice, Interdisciplinarity and the State of the “Field” or “Non-Field”’ (2009) 3(1) *International Journal of Transitional Justice* 5, p. 23 <https://doi.org/10.1093/ijtj/ijn044>

called to be “transitional justice without transition.”<sup>164</sup> Without the aim of defining the concept, transitional justice encapsulates for this analysis the development of all measurements to reintegrate, obtain the truth, justice, reparations, reconciliation and finally aiming for a non-repetition of the conflict.

The first instrument is the *Jurisdicción Especial para la Paz*, JEP (Special Jurisdiction for Peace). With the law 1957 of 2019<sup>165</sup> a broad of chambers with judicial mechanisms as well as investigation units were created. Among them, *La Sala de Reconocimiento de Verdad, de Responsabilidad y de Determinación de los Hechos y Conductas* (The Chamber for the Recognition of Truth, Responsibility and Determination of Facts and Conduct), and the *Unidad de Investigación y Acusación* (Investigation and Prosecution Unit). The JEP has eleven macro-cases that are designed to provide truth, justice, reparation and guarantees of non-repetition.<sup>166</sup> The inclusion of the gender perspective as a principle on the mandate of the JEP under Art. 18 states clearly that is an answer to UNSCR 1325:

“Reparations in the SIVJRNR must respond to the United Nations' call for any peace agreement to adopt a gender perspective, recognizing reparation and restoration measures, the particular suffering of women, and the importance of their active and equal participation in the JEP.”<sup>167</sup>

Continuing, it answers directly to the call for inclusion of women in all the spheres of decisions,<sup>168</sup> as 53% of the individuals chosen to be part of the chambers are women.<sup>169</sup> Also, each one of the macro cases reflects point 8. a. and c. of UNSCR 1325 as a call for justice mechanisms to recognize women's differentiated needs, where the investigations are being made with an inclusion of a gender perspective. As well as presenting the possibility of continuous participation, both individual and collective, under point 1. on a voluntary basis. Finally, the opening of the macro-case 11 regarding gender violence crimes committed during the internal conflict answers directly to point 10 of UNSCR 1325 as it recognizes the differentiated effects of war, and “calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence,

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<sup>164</sup> Bell, ‘Transitional Justice’ (n. 163) p. 23

<sup>165</sup> Ley 1957 de 2019 (6 June 2019) Congreso de la República de Colombia, ‘Por medio de la cual se expide la Ley Estatutaria de la Administración de Justicia en la Jurisdicción Especial para la Paz’ <<https://www.funcionpublica.gov.co/eva/gestor-normativo/norma.php?i=94590>> accessed 27 July 2025 (author’s translation).

<sup>166</sup> *ibid.*

<sup>167</sup> Ley 1957 de 2019 (n. 165) Art. 18

<sup>168</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

<sup>169</sup> Ruta Pacífica de las Mujeres, ‘Mujeres seleccionadas para la JEP, una garantía de la incorporación del enfoque diferencial’ (Bogotá, 26 September 2017) <https://www.rutapacifica.org.co/sala-de-prensa/comunicados/2017/474-mujeres-seleccionadas-para-la-jep-una-garantia-de-la-incorporacion-del-enfoque-diferencial> accessed 25 July 2025 (author’s translation).

particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.”<sup>170</sup> As well as it answers to point 11 of UNSCR 1325 where it specifies that these forms of violence should be excluded from amnesty provisions, as much as possible.<sup>171</sup> Subchapter 3.1.2. will deepen on the good practices that this mechanism has represented for human rights protection in the country.

The second instrument is the *Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición*, CEV (Commission for the Clarification of Truth, Coexistence and Non-Repetition) under the Decree 588 of 2017.<sup>172</sup> This commission is an extrajudicial instrument that aims to find the truth, contribute to the knowledge of violations and infractions committed, as well as to offer an extensive explanation to the society, promote recognition of victims as well of the responsibilities of all who participated in the conflict.<sup>173</sup> In Art. 2, its objectives are clearly defined as the CEV aims to:

“Offer a broad explanation of the complexity of the conflict, in such a way as to promote a shared understanding in society, especially of the lesser-known aspects of the conflict, such as the impact of the conflict on children and adolescents and gender-based violence, among others.”<sup>174</sup>

As well, under Art. 8 the CEV recognizes that there is a need for “special attention to the victimization suffered by women.”<sup>175</sup> Here, point 10 of UNSCR 1325 is clearly marked. Finally, the commission has on its organigram a gender working group created under Art.13.10. that among other functions will do the “review of methodologies to ensure that all CEV instruments have a gender perspective, and coordination with women's and LGBTI organizations,”<sup>176</sup> answering point 8. c. to implement gender perspective.

The third instrument is the *Unidad para la Búsqueda de Personas dadas por Desaparecidas en el contexto y en razón del conflicto armado*, UBPD (Unit for the Search for Disappeared Persons in the context and due to the armed conflict). The aim of this

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<sup>170</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 10.

<sup>171</sup> *ibid.*, point 11.

<sup>172</sup> Decreto Ley 588 de 2017 (5 April 2017) Congreso de la República de Colombia, ‘Por el cual se organiza la Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición’ <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=80633>> accessed 27 July 2025 (author’s translation).

<sup>173</sup> Ministerio de Justicia y del Derecho (Colombia), *Sistema Integral de Verdad, Justicia, Reparación y No Repetición: Manual del Estado, Sección 32* (Departamento Administrativo de la Función Pública, p.10 <[https://www.funcionpublica.gov.co/eva/gestornormativo/manual-estado/pdf/32\\_Sistema\\_de\\_verdad\\_justicia.pdf](https://www.funcionpublica.gov.co/eva/gestornormativo/manual-estado/pdf/32_Sistema_de_verdad_justicia.pdf)> accessed 27 July 2025 (author’s translation).

<sup>174</sup> Decreto Ley 588 de 2017 (n. 172)

<sup>175</sup> *ibid.*, Art. 2.

<sup>176</sup> *ibid.*, Art. 13.10.

extrajudicial humanitarian instrument is to coordinate and implement humanitarian actions to search for and localize persons who have disappeared due to the conflict.<sup>177</sup> The unit involves the participation of victims and organizations through all its steps, aiming for the dignification of the search. This instrument translates into action the call of point 9 of UNSCR 1325 regarding the need “to respect fully international law applicable, ... and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court.”<sup>178</sup>

Finally, under the SIVJRNR system, the *Comision de Garantías de No Repetición* (Commission of Guarantees of Non-Repetition) was established as an answer to point 3 (end of conflict) and 5 (victims) of the FPA. This commission has the mandate to create measurements and programs on a preventive and restorative basis for non-repetition and “to eliminate and overcome the structural causes of massive violations of human rights and/or international humanitarian law within society.”<sup>179</sup> This instrument answers point 9 of UNSCR 1325, and aims to go above, to reduce and non-repeat the human rights violations in the country.

On another branch of the legal architecture of the application of the FPA related to societal, political, economic, and territorial focus, it is possible to find the following mechanisms that also translate certain pillars of UNSCR 1325 to its application.

On the territorial focus, the *Programas de Desarrollo con Enfoque Territorial*, PDET (Development of programs with territorial focus) were created by decree 893 of 2017. It answers point 1 of the FPA that aims a rural restructuring to the regions that were most affected by the conflict. Compared to the previous instruments that dedicate specific articles or longer descriptions regarding gender, decree 893 briefly enounces that it will include a gender perspective. On the application of the instrument, it opened spaces for women’s rural movements participation in the development at the regional level, the distribution of subsidies for access to land were 50% of the beneficiaries were women in the

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<sup>177</sup> Ministerio de Justicia y del Derecho, *Manual del Estado*, s 32, (n. 173) p. 17, *See also*, Héctor Olásolo and Iris Olásolo Alonso, *International Criminal Law, Transnational Criminal Organizations and Transitional Justice* (Brill Nijhoff 2018) ch 11, p. 152.

<sup>178</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 9

<sup>179</sup> Unidad para la Atención y Reparación Integral a las Víctimas, “*Garantías de no repetición*” (Unidad para las Víctimas, accessed 25 July 2025) <[38](https://www.unidadvictimas.gov.co/garantias-de-no-repeticion/#::~:~:text=Elementos%20claves%20a%20tener%20en,v%C3%ADctimas%2C%20y%204)%20territorio.>” accessed 25 July 2025 (author’s translation).</a></p></div><div data-bbox=)

past years.<sup>180</sup> Finally, this instrument is relevant as it takes note of women and men of the FARC-EP and under Art. 4.3. clarifies that:

“The priority implementation of the PDET is urgent and necessary, since the development of the activities that arise from its implementation will allow the men and women of the FARC-EP to be incorporated into the daily life of the prioritized rural areas, while helping to prevent the causes that fuel the armed conflict from recurring.”<sup>181</sup>

This reflects point 13 of UNSCR 1325 as it “encourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependents.”<sup>182</sup>

In the societal and economic focus, there are two instruments, first is *Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito PNIS* (National Comprehensive Program for the Substitution of Illicit Crops) approved under decree 896 of 2017<sup>183</sup> that regulates the national plan of substitution, as well as it reinforces the established mechanisms to replace illicit crops with productive alternatives as dictated on point 4 of FPA. On the Art. 13 of the decree, it aims to “promote and strengthen research, reflection, and analysis projects on the reality of women in relation to illicit crops, to address the phenomenon from their unique perspective.”<sup>184</sup> Thus, answering to UNSCR 1325 requirement for the application of gender perspective on its point 8.

The second instrument is the *Consejo Nacional de Reincorporación CNR* (National Reintegration Council) created under decree 2027 of 2016,<sup>185</sup> as an answer to point 3 of the FPA to coordinate and supervise the political, social, and economic reincorporation of

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<sup>180</sup> Barometer Initiative, Kroc Institute for International Peace Studies et al, 'Peace Accords Matrix: Special Report on the Monitoring of the Gender Perspective in the Implementation of the Colombian Final Peace Accord: December 2016 to June 2018' (University of Notre Dame 2018) <[https://kroc.nd.edu/assets/297624/181113\\_gender\\_report\\_final.pdf](https://kroc.nd.edu/assets/297624/181113_gender_report_final.pdf)> accessed 1 August 2025.

<sup>181</sup> Decreto Ley 893 de 2017 (7 December 2017) Presidencia de la República de Colombia, 'Por el cual se organiza la ejecución del Plan Nacional de Desarrollo mediante Programas de Desarrollo con Enfoque Territorial (PDET) (instrumental for implementing Points 1 and 6.2.3 of the Final Peace Accord) Art 4.3. <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=81856>> accessed 1 August 2025 (author's translation).

<sup>182</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

<sup>183</sup> Decreto Ley 902 de 2017 (29 May 2017) Presidencia de la República de Colombia, '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' <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=81859>> accessed 1 August 2025 (author's translation).

<sup>184</sup> *ibid.*

<sup>185</sup> Decreto 2027 de 2016 (7 December 2016) Presidencia de la República de Colombia, 'Creación del Consejo Nacional de Reincorporación (CNR) para supervisar el proceso de reincorporación de las FAR-EP a la vida civil, según el Acuerdo Final' <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=78416>> accessed 1 August 2025 (author's translation).

ex-combatants. Interestingly, the word “gender” and “women” are not included in the decree. The brief mentions are directed to parity participation under the creation of Territorial Reintegration Councils, and it directly references to the creation of special measurements for the protection of boys and girls and adolescents aiming “for the restitution of the rights of children and adolescents who leave the FARC-EP.”<sup>186</sup> Thus, the translation of UNSCR 1325 is minimum, compared to other instruments.

In the political focus, the *Sistema Integral de Seguridad para el Ejercicio de la Política* SISEP (Comprehensive Security System for the Exercise of Politics) created under the decree 895 of 2017<sup>187</sup> aims to protect ex-combatants that are incorporated into the political sphere. It answers to point 2 of political participation in the FPA. On Art. 14 it establishes that a “comprehensive Security and Protection Program will be created for communities, leaders, representatives and activists of social, popular, ethnic, women's and gender organizations.”<sup>188</sup> This answers for the call of protection made on point 8. c. of UNSCR 1325 when “they relate to the constitution, the electoral system, the police and the judiciary.”<sup>189</sup>

After the overview of the legal framework created for the post-conflict efforts, it is possible to demonstrate that the principles of UNSCR 1325 are well established on its architecture. It is evident that for the government and its legislators, the pursuit of peace in the country requires the integration of a gender perspective into all endeavors. This is not merely a stipulation within the FPA, but rather a crucial element that can be amplified by the new legislation.

To continue, it is relevant to question whether these legal provisions have, in fact, obtained positive outcomes in the construction of peace in the country. Thus, subchapter 2.2. will offer an overview in the implementation of the gender perspective of FPA.

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<sup>186</sup> Decreto 2027 de 2016 (n. 185)

<sup>187</sup> Decreto 895 de 2017 (29 May 2017) Presidencia de la República de Colombia, ‘Por el cual se crea el Sistema Integral de Seguridad para el Ejercicio de la Política’ <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=81877>> accessed 1 August 2025 (author’s translation).

<sup>188</sup> *ibid.*

<sup>189</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17) Point 8.c.

## 2.2. A Critical View of the Implementation: Challenges and New Actors

There is a constant dichotomy between the law on paper and the law in action.<sup>190</sup> In Colombia, even if the laws and decrees are carefully redacted and formally aligned with UNSCR 1325 pillars, most times these represent aims rather than clear steps for an implementation. This can reduce the possibilities of human rights protection. Thus, it is relevant to have a clear view of the challenges that the legal framework will face to keep in mind which compromises made in the FPA might be affected, specifically those who answer UNSCR 1325.

This subchapter will thus explore the principal challenges associated with the implementation of the FPA through the lens of UNSCR 1325, including political instability, lack of funding, need for articulation with the territories, the reignition of violence, expansion of narco-trafficking networks, as well as the structural patriarchal norms and societal understanding of the role of women. It also identifies the emergence of new actors whose involvement has significantly influenced the degree of implementation achieved thus far. This subchapter does not seek to identify specific actions or recommendations for improving the level of implementation, but rather to provide a critical overview of the limitations and influencing dynamics within the post-conflict period.

When referring to the challenges, the Kroc Institute for International Peace Studies, whose mandate is part of CSIVI for the review of the FPA, has published continuous reports regarding the levels of implementation. The last one posted in June 2025 shows the following critical challenges on the 8<sup>th</sup> year of implementation (2023 to 2024):

- Due to political instability and political will in the past presidency term, as well as underfunding, the delay on implementation has been a constant since the beginning, thus, most “institutions focused their efforts on overcoming delays from previous years”.<sup>191</sup> From the FPA, just 34% of commitments were completed,<sup>192</sup>

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<sup>190</sup> Boaventura de Sousa Santos, ‘The Tension between Regulation and Emancipation in Western Modernity and Its Demise’ in *Toward a New Legal Common Sense: Law, Globalization, and Emancipation* (3rd edn, Cambridge University Press 2020) ch 1 <https://doi.org/10.1017/9781316662427.003> accessed 2 August 2025 *see also* Roscoe Pound, ‘Law in Books and Law in Action’ (1910) 44 *American Law Review* 12.

<sup>191</sup> Kroc Institute for International Peace Studies, *Navigating the Waters of Peace: Progress, Challenges, and Opportunities in the Eighth Year of Implementation (December 2023–November 2024)* (University of Notre Dame 2024) p. 13 <[https://curate.nd.edu/articles/report/Navigating\\_the\\_Waters\\_of\\_Peace\\_Progress\\_Challenges\\_and\\_Opportunities\\_in\\_the\\_Eighth\\_Year\\_of\\_Implementation\\_December\\_2023\\_November\\_2024/29155028/1?file=55447550](https://curate.nd.edu/articles/report/Navigating_the_Waters_of_Peace_Progress_Challenges_and_Opportunities_in_the_Eighth_Year_of_Implementation_December_2023_November_2024/29155028/1?file=55447550)> accessed 2 August 2025.

<sup>192</sup> *ibid.*, p.11

and 19% might also reach completion.<sup>193</sup> This leaves 47% of commitments without “evidence that they will be completed within the planned timeframe.”<sup>194</sup> Here, Carlos Ruiz Massieu, Head of the UN Verification Mission in Colombia, recognized that “recent Government initiatives reflected an important re-centering of the peace process.”<sup>195</sup> Nonetheless, recognized that “implementation of the Agreement continues to face several serious challenges that impede the consolidation of lasting peace.”<sup>196</sup> Some of these challenges refer to the distinctive gap between the implementation in the territories<sup>197</sup> and the access of opportunities due to a lack of information. Finally, there is an increasing uncertainty regarding the future efforts that the next government will place on the implementation, this facing the start of the pre-electoral year.

- Even if the government has created public policies such as *Paz total* (total peace) aiming to comply with the FPA and go further, “the lack of cohesive leadership weakened the institutional coordination required for ensuring effective accord implementation.”<sup>198</sup>
- Reignition of internal violence: “humanitarian situation remained critical in some regions due to the persistence of armed conflict.”<sup>199</sup> This, reducing the capacity for the implementation of the FPA, and requiring strengthening the actions for protection of the population.<sup>200</sup> As well, the Global Report on Drugs from the UN showed that in 2023, the production of illicit crops rose to 35%<sup>201</sup> which also relates to the growing narcotraffic groups in these regions.<sup>202</sup>

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<sup>193</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191)

<sup>194</sup> *ibid.*

<sup>195</sup> Vibhu Mishra, ‘Ahead of Eighth Anniversary of Colombia Peace Accord, UN Envoy Highlights Progress and Challenges’ (UN News, 15 October 2024) <<https://news.un.org/en/story/2024/10/1155761>> accessed 2 August 2025

<sup>196</sup> Carlos Ruiz Massieu, Special Representative of the UN Secretary-General and Head of the UN Verification Mission in Colombia, *Remarks to the UN Security Council* (22 January 2025) <<https://colombia.unmissions.org/en/remarks-carlos-ruiz-massieu-special-representative-secretary-general-and-head-un-verification-1>> accessed 2 August 2025

<sup>197</sup> Sara Ferrer Olivella et al (coord), *Escuchar la Paz: Entre contrastes y anhelos de paz y desarrollo humano (Resumen Ejecutivo)* (UNDP Colombia, 19 June 2024) <[https://www.undp.org/sites/g/files/zskgke326/files/2024-06/undp\\_co\\_pub\\_escuchar\\_la\\_paz\\_resumen\\_ejecutivo\\_jun19\\_2024\\_ajust.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2024-06/undp_co_pub_escuchar_la_paz_resumen_ejecutivo_jun19_2024_ajust.pdf)> accessed 1 August 2025 (author’s translation).

<sup>198</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191), p. 13

<sup>199</sup> *ibid.*, p. 9

<sup>200</sup> *ibid.*

<sup>201</sup> United Nations Office on Drugs and Crime (UNODC), *World Drug Report 2025* (UNODC 2025) <<https://www.unodc.org/unodc/data-and-analysis/world-drug-report-2025.html>> accessed 2 August 2025.

<sup>202</sup> BBC Mundo, ‘La carrera tecnológica de los narcos en Colombia para que el negocio de la cocaína sea más rentable’ *BBC Mundo* (1 July, 2025) <<https://www.bbc.com/mundo/articulos/cq547xn91nno>> accessed 2 August 2025 (author’s translation).

For this research, one of the critical indicators relies on the implementation of the gender perspective, as this transposes the pillars of UNSCR 1325 into action in the country. Unfortunately, gender as a transversal axis of the FPA, does not show positive evolution in implementation, where just “13% of gender stipulations had been completed, 19% had made intermediate progress, 51% were at the minimum level, and 17% had not yet initiated implementation.”<sup>203</sup> This has been corroborated as well by GPAZ on its fifth Observation Report on Progress in the Implementation where “despite some progress, implementation remains fragmented and uneven, with multiple setbacks, deadlocks, and structural obstacles.”<sup>204</sup>

Regarding UNSCR 1325, the pillars of participation and protection are the most affected. The Kroc Institute informs that “guarantees for women’s participation, as recognized in the Final Accord, continued to face serious difficulties, especially in locations intensely affected by armed conflict.”<sup>205</sup> As well, the protection of women, girls and ex-combatants are in danger. The women's organization of Sigma mujer has explained that if more actions were “guided by the normative and political framework of the Women, Peace, and Security agenda and other human rights instruments”<sup>206</sup> it would be possible to comply with commitments of the FPA, especially chapter 3 regarding the end of the conflict and reincorporation to civil society.

GPAZ recognizes there are structural issues that reduce the possibilities of the implementation of the gender perspective, the most repetitive is the “problems associated with access to information for the exercise of social control (and) those related to access to information so that women know about available programs and projects.”<sup>207</sup> As well, the cultural and societal relation to gender violence continues to be a structural challenge for the protection of human rights activists, political leaders,<sup>208</sup> and the participation of women as individuals in the multiplicity of projects such as PDET, PNIS and re-conciliation on the JEP.<sup>209</sup> Finally, GPAZ recognizes that the patriarchal society that transposes

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<sup>203</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191) p. 22

<sup>204</sup> GPAZ, *V Informe de género* (2025) (n. 90)

<sup>205</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191) p. 13

<sup>206</sup> GPAZ, *V Informe de género* (2025) (n. 90)

<sup>207</sup> *ibid.*, p. 27

<sup>208</sup> *ibid.*, p. 67

<sup>209</sup> *ibid.*, p. 76

its dynamics on the state institutions has strong effect in how the gender perspective can permeate (or not) the implementation efforts.<sup>210</sup>

With the upsurge of violence, other organized groups appeared as relevant actors in the country. With the demobilization of the FARC-EP, an internal conflict for the control of the land started. The government of President Gustavo Petro aimed for a dialectic solution with the creation of “three negotiating tables between the government and armed groups: the National Liberation Army (ELN), Estado Mayor Central (EMC), and Segunda Marquetalia.”<sup>211</sup> Nonetheless, the Kroc Institute explained that each table created its own participation systems, making it harder for civil society to have real impact on the negotiations due to its limited effect.<sup>212</sup>

In this panorama, it is possible to observe that the application of UNSCR 1325 is pending in many areas. Nonetheless, it remains relevant than ever, as the need for the protection of human rights increases *ad portas* of an escalation of the conflict.<sup>213</sup> The government of Gustavo Petro has explicitly committed to the WPS agenda, not just following the commitments on the FPA, but also creating other “policies and tools focused on guaranteeing women’s rights ... (that) could catalyze implementation if effectively integrated.”<sup>214</sup> Thus, the last challenge observed for the implementation is the political will of the future governments for the application of provisions of human rights protection. Without this, the transformative potential of UNSCR 1325 transposed into the legal provisions as a gender perspective is at risk of being buried under bureaucratic formalism.

As seen above, in 2025 most challenges remain active, especially regarding the gap between legal discourse and its practice. While there have been efforts to implement the FPA, the transversal axis of gender perspective needs to be improved to obtain “sustainable results.”<sup>215</sup> Also, political and budgetary readiness are situations to consider when assessing the future efforts for the implementation. As well, issues such as the lack of open information can create and impediment for the participation of women, even if the programs are running. Furthermore, the continuous danger due to the restart of the conflict

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<sup>210</sup> GPAZ, *V Informe de género* (2025) (n. 90) p. 19, 51, 109

<sup>211</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191) p. 8

<sup>212</sup> *ibid.*, p. 9

<sup>213</sup> Fundación Ideas para la Paz, “*Sin seguridad no hay paz: una radiografía de la implementación del Acuerdo de Paz en el Catatumbo*” (delcapitolioalterritorio.com, 2025) <<https://www.delcapitolioalterritorio.com/post/la-implementaci%C3%B3n-del-acuerdo-en-el-catatumbo>> accessed 2 August 2025 (author’s translation).

<sup>214</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191) p. 23

<sup>215</sup> *ibid.*

in certain territories could damage the efforts of implementation. Finally, it is relevant to recognize that the implementation of the FPA involves a drastic change into the mindset of civil society and the institutions in the country, which is a deeper societal effort.

### **3. Good Practices**

In the face of numerous challenges during implementation, it is important to remain mindful of the progress achieved so far. The Final Peace Agreement in Colombia is still held up as a global reference point,<sup>216</sup> largely due to the progressive inclusion of a gender perspective. It is widely acknowledged by numerous women's organizations that the existence of UNSCR 1325 has significantly facilitated advocacy efforts,<sup>217</sup> as it serves as a tangible document and a compromise of the state in the international arena.

This chapter aims to identify and acknowledge the effective strategies for safeguarding human rights in Colombia, in accordance with the provisions outlined in UNSCR 1325. Ultimately, it aims to evidence that the inclusion of a differentiated gender perspective can make a positive difference and serve as an example for future application in other contexts.

In the following subchapters good practices will be described. Three out of the four subchapters refer to actions derived from the FPA hence: Special Jurisdiction for Peace (JEP), macro-case 11 and the Commission for the Clarification of Truth, Coexistence and Non-Repetition. The fourth instrument where this research considers a good practice can be found is the process of creation of the National Action Plan of Colombia, which is derived from a compromise under the WPS agenda. These good practices have been carefully selected through the process of interviews and are supported by literature findings.

#### **3.1. Special Jurisdiction for Peace (JEP)**

The transitional justice framework is a temporary, autonomous instrument. Its jurisdiction exclusively hears cases committed prior to 1<sup>st</sup> of December 2016, directly or indirectly related to the armed conflict. Especially regarding serious International Humanitarian

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<sup>216</sup> UN Women, *Colombia: The Peace Deal That Put Women First: What Colombia Taught the World* (10 July 2025) <<https://gender-nr-peace.org/news/show/b5643ce49799>> accessed 2 August 2025

<sup>217</sup> Virginia M Bouvier, *Gender and the Role of Women in Colombia's Peace Process* (United States Institute of Peace / UN Women 2016) <<https://www.usip.org/publications/2016/11/gender-and-role-women-colombias-peace-process>> accessed 2 August 2025

Law and Human rights violations.<sup>218</sup> It was established in 2017 initially for fifteen years, with the possibility for its extension of five more years.<sup>219</sup>

The JEP answers to chapter 5 of the FPA, regarding victims. As part of the SIVJRNR it aims to “guarantee the rights of victims, recognize victims as citizens with rights, repair the damage caused and restore them when possible.”<sup>220</sup> As analyzed in subchapter 2.1. regarding the presence of UNSCR 1325 in the legal framework of the post-conflict for the JEP, points 1, 8. a. and c. are directly related to this instrument of transitional justice. Especially when recognizing the differentiated effects of conflict in women and complying with international law. UN Women reported that one of the major gains from the FPA translated into the JEP is that there is “no amnesty for sexual violence – The agreement treats conflict-related sexual violence as a war crime that cannot be amnestied.”<sup>221</sup>

There are four good practices that can be clearly recognized from the JEP’s work in the Colombian context under the pillars of UNSCR 1325. The first one is the inclusion in the magistrate level as a parity representation. Secondly, the constant effort to better integrate the gender perspective in all its areas, especially in the last years (2024 to 2025) where it has been more open to listen to recommendations from the women’s movements. The third is the recognition of gender violence as a tool present in internal conflict; thus, the fourth good practice is the creation of a special macro case to approach these violations.

For this analysis, each good practice will specify which rights from the Constitutional Bloc aim to protect, why they are considered as such, and finally which further problems and critiques they still hold as lessons to be learned. It is also pertinent to acknowledge that this good practices are applicable within the context of Colombia's intricate societal, cultural and juridical framework. Consequently, when considering its implementation in other regions, it is essential to utilize the fundamental principles, meticulously adapting them to the unique characteristics of the conflict in question with civil society involvement.

The first good practice is the *inclusion at the magistrate level of parity representation*. It aims to protect the right of equality and non-discrimination with affirmative actions in

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<sup>218</sup> JEP Visible (Corporación Excelencia en la Justicia), “¿Qué es la Jurisdicción Especial para la Paz (JEP)?” (JEP Visible, 14 December 2017) <<https://jepvisible.com/la-jep/que-es>> accessed 2 August 2025 (author’s translation).

<sup>219</sup> Acto Legislativo No 1 de 2017 (n. 162)

<sup>220</sup> *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (n. 87) ch 5

<sup>221</sup> UN Women, *Colombia: The Peace Deal That Put Women First* (10 July 2025) (n. 216)

places where high-level decisions are made. Especially in the case of Colombia in the aim for truth, justice, reconciliation and non-repetition. As explained by UN Women on the Global Study on UNSCR 1325 (2015) “women’s participation is linked to better outcomes in general, and that the inclusiveness of peace processes and the democratization of conflict resolution are crucial to sustained peace and stability.”<sup>222</sup> Since its inauguration, the JEP magistrates have maintained a gender parity of 53% to 55% of women.<sup>223</sup> This good practice is as well recognized by UN women “Colombia’s post-conflict justice system includes majority women judges and a gender commission to ensure accountability.”<sup>224</sup>

Nonetheless, there is a main critique to affirmative action, as it can fall under the impression of tokenism as “the benefits of women’s participation are only fully realized when there is quality participation and the opportunity for influence.”<sup>225</sup> In the case of the JEP, the magistrates are aware of this, as it shows on their letter of motivation when applying to the position:

- Magistrate Belkis Florentina Izquierdo Torres: “I have the honor of being the first Indigenous woman to serve as an Assistant Magistrate of the Superior Council of the Judiciary. My efforts have focused on raising awareness of the special Indigenous jurisdiction, based on the premises of (i) Indigenous autonomy in matters of justice as a fundamental right; (ii) strengthening coordination between Indigenous legal systems and ordinary jurisdiction in each territorial area; and (iii) the constant defense of the rights of women and children.”<sup>226</sup>
- Magistrate Julieta Lemaitre Ripoll: “As a feminist, I believe that the inclusion of women in transitional justice cannot be limited to “adding women and mixing.” Feminism is a liberatory project that promotes broader gender justice, including

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<sup>222</sup> UN Women, *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (UN Women 2015) p.45 <[https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps\\_en\\_web.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps_en_web.pdf)> accessed 2 August 2025

<sup>223</sup> *Ámbito Jurídico*, *Conozca cómo quedaron distribuidos los magistrados de la JEP* (Ámbito Jurídico, 2018) <<https://www.ambitojuridico.com/noticias/general/constitucional-y-derechos-humanos/conozca-como-quedaron-distribuidos-los>> accessed 1 August 2025 (author’s translation).

<sup>224</sup> UN Women, *Colombia: The Peace Deal That Put Women First* (10 July 2025) (n. 216)

<sup>225</sup> UN Women, *A Global Study on the Implementation Resolution 1325* (n. 222) p.45

<sup>226</sup> JEP Visible (Corporación Excelencia en la Justicia), ‘Belkis Florentina Izquierdo Torres – Magistrada de la Sala de Reconocimiento de la Verdad’ (*JEP Visible*) <<https://jepvisible.com/belkis-florentina-izquierdo-torres>> accessed 2 August 2025 (author’s translation).

expressions of diverse sexualities, and the transformation of structures that give rise to harmful social stereotypes and reproduce violence.”<sup>227</sup>

Indirectly, this good practice presents as a positive example for young generations when aiming for their future development, education and enjoyment of their rights.

Secondly, *the JEP has demonstrated a constant effort to better integrate the gender perspective in the transitional jurisdiction* aiming to protect women rights overall. The Kroc institute has shown that the implementation of the gender perspective in 2024 has completed 45% of its provisions, 18% are still in intermediate development and 36% are still medium.<sup>228</sup> In the JEP machinery, “various institutional documents have been issued, which currently also serve as an instrument to facilitate the implementation of the gender approach.”<sup>229</sup> It is possible to find there indicators for the implementation of the gender approach, manuals for the participation of victims, protocols for the investigation regarding sexual violence, among others.<sup>230</sup> When examining the decisions issued by the JEP, it is possible to confirm that the gender perspective and differential approaches have been an important tool in the jurisdiction's examinations regarding the multiple forms of violence and the understanding of the concept of victims, “both in the application of legal norms and in their interpretation.”<sup>231</sup>

This good practice does not argue that gender perspective is being applied perfectly as expected, but that in the past years there has been a constant effort to better integrate it in the temporal courts under lessons learned. Some of these recommendations for improvement have come directly from women’s movements. An example of this is that from 2023 to 2024, multiple documents with recommendations were delivered and positively received. In this reports it was recognized that there were still gaps on the implementation, but efforts were being made, thus it was relevant to systematize “good practices and lessons learned from the JEP regarding gender mainstreaming.”<sup>232</sup> From the side of the JEP,

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<sup>227</sup> JEP Visible (Corporación Excelencia en la Justicia), ‘Julieta Lemaitre Ripoll – Magistrada de la Sala de Justicia de la Jurisdicción Especial para la Paz’ (*JEP Visible*) <https://jepvisible.com/julieta-lemaitre-ripoll> accessed 2 August 2025 (author’s translation).

<sup>228</sup> Kroc Institute, *Navigating the Waters of Peace* (n. 191)

<sup>229</sup> Lizeth Carolina Pérez Salamanca, ‘Perspectiva de género. El caso de la Jurisdicción Especial para la Paz en Colombia’ (2023) 24 *Eunomia. Revista en Cultura de la Legalidad* 137, p. 147 <<https://doi.org/10.20318/eunomia.2023.7659>> accessed 2 August 2025 (author’s translation).

<sup>230</sup> Pérez Salamanca (n. 229)

<sup>231</sup> *ibid.*, p. 160

<sup>232</sup> Alianza de Litigio de Género and Corporación Humanas, *Cosechando saberes para una justicia reparadora: recomendaciones a la JEP* (Bogotá 13 April 2023) <<https://www.humanas.org.co/wp-content/uploads/2023/04/COSECHANDO-SABERES-PARA-UNA-JUSTICIA-REPARADORA-RECOMENDACIONES-A-LA-JEP.pdf>> accessed 2 August 2025 (author’s translation).

Magistrate Lily Rueda acknowledged that there are still challenges, but the bridge that the women's organizations have created both with the JEP and with the victims offer trust and safety for an open dialogue.<sup>233</sup> The main critique remains as the machinery of the JEP cannot cater to all requests in a timely manner.

Thirdly, *the JEP has recognized gender violence as a tool present in internal conflict*. During the review of the initial seven cases, the topic of sexual and gender violence was constant. Also, women's movements and civil society had alerted that approaching this typification of violence under other cases could bring invisibility for the disproportionate impact of the armed conflict in women as subjects of special protection.<sup>234</sup> In 2022 the JEP opened discussions, where it was "identified that the armed actors sought control of the territory through control of, among other things, the lives and bodies of women"<sup>235</sup> and ordered to:

"(i) Carry out a complete consolidation of the Provisional Universe of Facts for Gender based violence incidents, such as sexual violence and reproductive violence; (ii) develop a proposal for macro crime patterns, (iii) and preliminary identification of the persons allegedly responsible."<sup>236</sup>

At the end of this process, the substitute magistrate Uldi Teresa Jiménez López, directly expressed that "It is regrettable that girls, adolescents and women continue to be weapons of war."<sup>237</sup> Thus, the recognition of gender violence as a tool in the conflict aims to acknowledge and revindicate the rights of women to enjoy a life free of violence, non-discrimination, respect for their reproductive rights and the right to access justice and participation.

With this recognition, the fourth good practice and lesson learned was born under *the creation of a special macro case to approach gender-based violations in the Transitional*

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<sup>233</sup> Alianza de Litigio de Género and Colectiva Justicia Mujer, *Cosechando saberes para una justicia reparadora: 32 recomendaciones a la JEP* (press release, Bogotá 17 April 2023) <[https://colectivajusticiamujer.org/product/boletin\\_alianza\\_litigio\\_hace\\_32\\_recomendaciones\\_a\\_jep/](https://colectivajusticiamujer.org/product/boletin_alianza_litigio_hace_32_recomendaciones_a_jep/)> accessed 2 August 2025 (author's translation).

<sup>234</sup> ObservaJEP (Corporación Excelencia en la Justicia), *Cápsula informativa – Apertura Caso 11* (ObservaJEP, June 2024) <<https://recursos.observajep.com/wp-content/uploads/2024/06/CAPSULA-INFORMATIVA-APERTURA-CASO-11-.pdf>> accessed 2 August 2025>, See also: Campaña No Es Hora De Callar, *Comunicado: La JEP y la apertura del Macrocaso 11* (2 October 2023) <[https://sismamujer.org/wp-content/uploads/2023/10/COMUNICADO-APERTURA-MACROCASO-VIOLENCIA-SEXUAL\\_JEP-1.pdf](https://sismamujer.org/wp-content/uploads/2023/10/COMUNICADO-APERTURA-MACROCASO-VIOLENCIA-SEXUAL_JEP-1.pdf)> accessed 2 August 2025 (author's translation).

<sup>235</sup> *ibid.*

<sup>236</sup> *ibid.*

<sup>237</sup> Procuraduría General de la Nación, 'Procuraduría destaca apertura del macrocaso 11 sobre violencia sexual y de género, y ofrece su capacidad institucional para apoyar investigaciones' (29 September 2023) <<https://www.procuraduria.gov.co/Pages/macrocaso-violencia-sexual-violencia-basada-genero-una-realidad-procuraduria.aspx>> accessed 2 August 2025 (author's translation).

*Justice jurisdiction.* This macro-case opens a scenery of hope for high standards,<sup>238</sup> as well as a complex challenge to reduce the historical impunity of gender violence in the country.<sup>239</sup> The macro-case 11 in the JEP aims to guarantee the rights of victims of gender violence, especially access to justice. It also aims to recognize the differentiated effect of the gender violence to the vulnerable population groups, such as indigenous peoples, Afro-descendants, palenqueras, Raizales, Rom, among others.<sup>240</sup> This case was a request from the women's movements since the start of the JEP, and although delayed, there was an institutional response and openness to the civil society, as the compiled reports of the women's movements were catalyst to bring the cases out of impunity.<sup>241</sup>

The opening of the macro-case follows the model of transitional justice of the JEP, and it's on itself a strategy that has slim to non-precedents in the transitional justice experience.<sup>242</sup> Although the macro case has a special focus on sexual violence as permeated by UNSCR 1325, it also expanded to an intersectional understanding of gender violence which as it develops to a more inclusive understanding of the concept. Also, it recognizes that in conflict, gender violence was reproduced and perpetrated by all actors. For that, the macro-case 11 opened three subcases, first where the perpetrator was a member of the FARC-EP, second where the perpetrator was a member of the public force, and third for cases of gender violence inside both organizations."<sup>243</sup>

Thus, in conflicts where gender violence has been a constant violation, it would be relevant to create a specific case with an investigation team with the aim of bringing justice, reconciliation and non-repetition for the victims. This effort can be supported by, but not necessarily has to put the toll on, civil society.

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<sup>238</sup> United Nations Population Fund (UNFPA), 'UNFPA saluda la decisión de la JEP de dar apertura al Macrocaso 11 para investigar violencias basadas en género durante el conflicto armado en Colombia' (4 October 2023) <<https://colombia.unfpa.org/es/news/unfpa-jep-macrocaso11>> accessed 7 August 2025 (author's translation).

<sup>239</sup> Universidad Externado de Colombia, 'Cinco claves sobre el enfoque de género en la JEP' (October 2024) <<https://derechoconstitucional.uexternado.edu.co/wp-content/uploads/sites/66/2024/10/CINCO-CLAVES--U-EXTERNADO-3.pdf>> accessed 4 August 2025 (author's translation).

<sup>240</sup> ObservaJEP and Campaña No Es Hora De Callar (n. 234)

<sup>241</sup> Universidad Externado, 'Cinco claves sobre el enfoque de género', (n. 239)

<sup>242</sup> Pérez Salamanca (n. 229) p. 156

<sup>243</sup> ObservaJEP (n. 234)

### 3.2. Commission for the Clarification of Truth, Coexistence and Non-Repetition

In some cases, it is not necessary to have the legality to obtain justice, as justice can be understood as the acknowledgement of the truth.<sup>244</sup> Under international standards, when entering a process of transitional justice one of the mechanisms that can bring closure, recognition and ultimately peace are the truth commissions.<sup>245</sup> In the Colombian case, the fact that the CEV includes a gender perspective “is an opportunity to make the facts visible and to gather the voices of the victims from an intersectional and inclusive perspective.”<sup>246</sup>

Since its creation in 2016, and starting point in 2018, the CEV embodies point 8. a. of UNSCR 1325 as it applies gender perspective and considers the special needs of women for post-conflict reconstruction.<sup>247</sup> A crucial element of rebuilding society is ensuring the population's right to understand both what occurred during the conflict and the ways in which it unfolded. In this regard, the guarantee of the right to truth constitutes a binding obligation of the state.<sup>248</sup> Accordingly, the good practice highlighted in this subchapter is *the CEV's collaborative approach and openness in facilitating the investigation and acknowledgment of the truth under gender perspective.*

In the aim of restoring and repairing the communities, the CEV listened and delivered a broader report highlighting both recognized violences and overlooked ones. The followed method included “research, analysis and verification,”<sup>249</sup> along with acts of recognition for the dignity of women and LGBTI+ victims of sexual violences in the conflict, the elaboration of a guide for approaching sexual violence<sup>250</sup> and cooperative activities for multimedia reporting directly with women's movements.

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<sup>244</sup> Priscilla B Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (2nd edn, Routledge 2011) p. 20

<sup>245</sup> United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict, *Estándares internacionales para juzgar la violencia sexual en el marco de los conflictos armados* (UN, May 2021) p. 99 <[https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2021/05/report/estandares-internacionales-para-juzgar-la-violencia-sexual-en-el-marco-de-los-conflictos-armados/estandares\\_internacionales250521.pdf](https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2021/05/report/estandares-internacionales-para-juzgar-la-violencia-sexual-en-el-marco-de-los-conflictos-armados/estandares_internacionales250521.pdf)> accessed 4 August 2025.

<sup>246</sup> *ibid.*

<sup>247</sup> UNSCR 1325 (2000) UN Doc S/RES/1325 (n. 17)

<sup>248</sup> UN Team of Experts, *Estándares internacionales* (n. 245)

<sup>249</sup> Colombia, Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, *Hay futuro, si hay verdad: Informe final, hallazgos y recomendaciones* (Bogotá 2022) <<https://repositorio.iidh.ed.cr/handle/123456789/1928>> accessed 1 August 2025 (author's translation).

<sup>250</sup> *ibid.*

In the final report delivered on the 28<sup>th</sup> of June of 2022, which was declared open access in print as in the digital form<sup>251</sup> around 13,000 individuals provided testimony. With their voices, all chapters included a gender perspective and especially four of them had a specific focus on the nuanced experience of women, girls and LGBTI+ communities in the armed conflict. The chapter *Mi cuerpo es la Verdad* (My body is the truth) narrates the experiences of women and LGBTQI+ individuals in the armed conflict. Chapter *No es un mal menor* (It is not a lesser evil) explores the impacts of the conflict on girls, boys and adolescents. The chapter *Cuando los pájaros no cantaban* (When the birds didn't sang) is a compilation that aims to represent a polyphony of experiences across the country, ensuring territorial diversity and inclusion.<sup>252</sup> Also, an interactive tool was created to hear, learn and share in a lighter format diverse stories of gender violence that involve non-mainstream cases and incorporate an intersectional understanding of the conflict.<sup>253</sup>

The collaborative approach of the CEV with a gender perspective not only protects the human rights of the victims and participants in the Investigative Process for Justice, Reparation and Non-Repetition but aims to protect in interconnection by its findings the rights of all society. Specifically, it provides broader protection to the right to truth, equality and non-discrimination, to have a life free of violence and right to participation.

The primary criticism of this good practice has emanated from both the political and academic spheres within the country. From a political standpoint, right-wing parties have advanced the argument that the CEV is not impartial and that the existence of a total truth is unfeasible.<sup>254</sup> Furthermore, these parties have asserted that the findings exhibit bias against the state, manifesting in the disproportionate downplaying of the responsibility of

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<sup>251</sup> Colombia, Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, *Acuerdo 07 de 25 de agosto de 2022* (Bogotá 2022) declarando de dominio público el *Informe Final "Hay futuro, si hay verdad"* de la Comisión <<https://www.comisiondelaverdad.co/acuerdo-07-25-de-agosto-de-2022>> accessed 5 August 2025 (author's translation).

<sup>252</sup> Colombia, Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, *Cuando los pájaros no cantaban: Historias del conflicto armado en Colombia – Volumen testimonial del Informe Final* (Castillejo Cuéllar ed, Comisión de la Verdad 2022) <<https://www.comisiondelaverdad.co/sites/default/files/descargables/2022-06/Informe%20final%20cap%C3%ADtulo%20volumen%20testimonial%20cuando%20los%20p%C3%A1jaros%20no%20cantaban%20Castillejo.pdf>> accessed 5 August 2025 (author's translation).

<sup>253</sup> Colombia, Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, 'Mujeres y personas LGBTIQ+ en el conflicto armado colombiano' in Castillejo Cuéllar (ed), *Cuando los pájaros no cantaban: Historias del conflicto armado en Colombia – Volumen testimonial del Informe Final* (Bogotá 2022) <<https://www.comisiondelaverdad.co/mujeres-y-personas-lgbtqi>> accessed 4 August 2025 (author's translation).

<sup>254</sup> Andrés Bermúdez Liévano, 'Political Tussle over Truth and Memory in Colombia' (JusticeInfo, 19 March 2020) <<https://www.justiceinfo.net/en/44027-political-tussle-over-truth-and-memory-in-colombia.html>> accessed 6 August 2025. See also, El Punto, 'La omisión de la verdad: una mirada desde la derecha política colombiana' (*El Punto*, 6 July 2022) <<https://elpunto.co/la-omision-de-la-verdaduna-mirada-desde-la-derecha-politica-colombiana/>> accessed 6 August 2025 (author's translation).

the FARC-EP.<sup>255</sup> From an academic perspective, the qualitative research methods employed are subject to critical scrutiny. Thus, recommending alternative approaches, such as empirical and quantitative analysis, be considered.<sup>256</sup> The utilization of these methods is advocated on the basis that it could enhance the research's legitimacy. However, it is crucial to recognize that the past is one entity, yet the narratives that emerge from it are numerous, a consequence of the subjective interpretation and experience of the events in question, and similarly real is the pain of the multiple victims of the armed conflict. It is therefore relevant to identify the constant dichotomy of the truth in this type of commission, as it is almost impossible to make everyone agree with its findings.

In subsequent initiatives, it will be imperative to emphasize, in the words of the president of the CEV, Francisco de Roux, that the conclusions “do not support the notion of a horizontal truth of cause and effect ... a truth commission is intricate in nature, serving to facilitate comprehension of events that deeply affected a society and the identification of measures to prevent their repetition.”<sup>257</sup>

### 3.3. National Action Plan of Colombia (NAP 1325)

The 30<sup>th</sup> of November of 2024, under the presidency of Gustavo Petro and Vice President Francia Marquez, the first National Action Plan was presented.<sup>258</sup> since the first presidential statement of the United Nations Security Council encouraging the implementation of UNSCR 1325 through National Action Plans, was a “historic debt”<sup>259</sup> for the women's movements in the country that had continuously requested the past governments to develop this tool on the legal framework.<sup>260</sup>

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<sup>255</sup> Álvaro Uribe Vélez, “‘Irresponsable Comisión de la Verdad’, el ataque de Uribe por audiencia de falsos positivos en Soacha” (*El Colombiano*, 10 May 2022) <<https://www.elcolombiano.com/colombia/alvaro-uribe-critica-a-la-comision-de-la-verdad-por-conclusiones-sobre-los-falsos-positivos-en-soacha-BF17473255>> accessed 6 August 2025 (author's translation).

<sup>256</sup> Julián Ríos Monroy, ‘Comisión de la Verdad: qué dicen el informe final... y las recomendaciones’ (*El Tiempo*, 2 July 2022) <<https://www.eltiempo.com/justicia/paz-y-derechos-humanos/comision-de-la-verdad-que-dicen-el-informe-final-y-las-recomendaciones-684455>> accessed 6 August 2025 (author's translation).

<sup>257</sup> Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, ‘En la búsqueda de la verdad, la Comisión se reunió con el expresidente Álvaro Uribe Vélez’ (Comisión de la Verdad, 18 August 2021) <<https://web.comision-delaverdad.co/actualidad/noticias/en-la-busqueda-de-la-verdad-la-comision-se-reunio-con-el-expresidente-alvaro-uribe-velez>> accessed 6 August 2025 (author's translation).

<sup>258</sup> El Tiempo, ‘Gobierno presentó el PAN1325, hoja de ruta para saldar la deuda histórica con las mujeres que han cargado el peso del conflicto armado’ (*El Tiempo*, 1 December 2024) <<https://www.eltiempo.com/politica/proceso-de-paz/gobierno-presento-el-pan1325-hoja-de-ruta-para-saldar-la-deuda-historica-con-las-mujeres-que-han-cargado-el-peso-del-conflicto-armado-3404769>> accessed 6 August 2025 (author's translation).

<sup>259</sup> GPAZ, *V Informe de género* (2025) (n. 90) p.09

<sup>260</sup> LIMPAL Colombia (Liga Internacional de Mujeres por la Paz y la Libertad, sección Colombia), *Primer plan de acción de la Resolución 1325 en Colombia* (October 2022) p.2 <[https://www.limpalcolombia.org/images/Incidencia/Primer\\_plan\\_de\\_accion\\_de\\_la\\_R1325\\_en\\_Colombia.pdf](https://www.limpalcolombia.org/images/Incidencia/Primer_plan_de_accion_de_la_R1325_en_Colombia.pdf)> accessed 7 August 2025 (author's translation).

In an interview with former Vice Minister of Foreign Affairs of Colombia, Laura Gil explained that “the 1325 is a norm of soft law that had a real impact on the life of the people.”<sup>261</sup> Thus, in the process to institutionalize the WPS agenda further, comply with international commitments was the bottom line, but the creation with a real participative, useful and sustainable policy was the goal.<sup>262</sup>

This subchapter argues that the method used in the Colombian creation of NAP 1325, can be considered as a good practice due to the *clear hand-by-hand work with the women’s movements*. This resulted in a tailor-made plan that goes beyond the initial pillars of UNSCR 1325, understanding women in their intersectionality and gender as a broader concept. Thus, expanding the aim for the protection of human rights to an extensive part of the population.

Since the beginning of the government, the compromise to develop a NAP 1325 was made: “Even though we were the first peace agreement with a transversal approach of the gender perspective, we had never had a plan 1325.”<sup>263</sup> Thus, for Vice Minister Gil, who guided the first effort for the NAP 1325, the aim was “a real participative plan framed in the exterior feminist policy: participative, intersectional and pacifist.”<sup>264</sup>

The institutions of the government worked together to co-create a participative model that allowed a multiplicity of voices and sectors to bring their ideas and requests.<sup>265</sup> From the stakeholders it is relevant to recognize the value of Vice President Francia Marquez, the Presidential Counselor for Women Clemencia Carabali, the Ministry of Foreign Affairs and the Ministry of Defense, as they worked together to develop the route of action for participation. This shows that for an initiative of this magnitude to be achieved, the internal machinery of the state requires it to be aligned towards a goal. Also, a breaking point for the participative model to work was international support, as an active actor for the technical, economical and discursive development of the NAP 1325.<sup>266</sup>

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<sup>261</sup> Interview with Laura Gil, former Vice Minister of Foreign Affairs of Colombia, interview by author (Online, August 2025) (author’s translation).

<sup>262</sup> *ibid.*

<sup>263</sup> *ibid.*

<sup>264</sup> *ibid.*

<sup>265</sup> *ibid.*

<sup>266</sup> ABColombia, *International Women’s Day 2024: update on the implementation of UNSCR 1325 and the NAP (AB-Colombia, 8 February 2024)* <<https://www.abcolombia.org.uk/international-womens-day-2024-update-on-the-implementation-of-unscr-1325-and-the-nap/>> accessed 7 August 2025. See also Netherlands Institute for Multiparty Democracy (NIMD), *Breaking New Ground: Colombia’s Inclusive Journey to a National Action Plan* (10 December 2024) <<https://nimd.org/breaking-new-ground-colombias-inclusive-journey-to-a-national-action-plan/>> accessed 8 August 2025.

In order to open participation, the *Comite de Impulso* (Impulse Committee) was created. This committee was formed by 27 women's movements that had advocated for the UNSCR 1325 and had already connections in the territories. Thus, they could be the focal points for civil society's participation. As well, the committee was tasked to oversee the NAP 1325's development.<sup>267</sup> The participative model encompassed six regional forums, seven topic-oriented forums, seven territorial assemblies and one national meeting, more than 1.500 diverse women participated on the definition of lines of action, activities and goals for the plan.<sup>268</sup> Former Vice Minister Gil explained that "the first meetings and months of the process were so special, the illusion was so big, and the participants had so much enthusiasm to work on it."<sup>269</sup>

This NAP 1325 goes beyond the requests of UNSCR 1325, as the concept of intersectionality is not directly mentioned, and it has been developed case-by-case scenario, depending on both the political will and openness of the society for the narrow or broader understanding of women and gender. For Colombia, the NAP 1325 opened the participation for other civil society organizations that are involved in the advocacy to dignify women on all its forms and understandings.<sup>270</sup>

Regarding the protection of human rights, for the next ten years the NAP 1325 aims to "generate conditions that benefit Colombia and transforms the life of women"<sup>271</sup> under following points:

- (I.) "Recognition of its leadership as constructors and guardians of peace;
- (II.) Guarantee the right to health and recognition of ancestral practices;
- (III.) Right to live a life free of violences;
- (IV.) Access to Justice;
- (V.) Protection of the habited and constructed territory;
- (VI.) Development and enjoyment of economic autonomy;
- (VII.) Integral approach of women mobility."<sup>272</sup>

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<sup>267</sup> ABColombia, *International Women's Day 2024* (n. 266)

<sup>268</sup> Vicepresidencia de la República de Colombia, 'El Plan de Acción Nacional de la Resolución 1325 partirá del reconocimiento de los saberes de las mujeres en la construcción de paz' (Bogotá D.C., 22 March 2023) <<https://www.vicepresidencia.gov.co/prensa/Paginas/El-Plan-de-Accion-Nacional-de-la-Resolucion-1325-partira-del-recon>> Accessed 7 August 2025 (author's translation).

<sup>269</sup> Gil, interview (n. 261)

<sup>270</sup> *ibid.*

<sup>271</sup> Ministerio de la Igualdad, *Primer plan de acción nacional Mujeres, Paz y Seguridad* (2024) (n. 3) p.5

<sup>272</sup> *ibid.*

The women's movements had recognized this milestone and good practice of participation in the latest GPAZ report regarding the gender perspective application, especially regarding that the contributions were made from women "in all their diversity, at the national and territorial levels."<sup>273</sup> Nonetheless, they also remind the government that even if the NAP 1325 "was announced and publicly presented in November 2024 ... it had not been formally adopted by decree."<sup>274</sup> At the moment this research was concluded (15<sup>th</sup> of July, 2025) the decree was not yet signed, and the critique from the women's movements remain. Subchapter 4.1. address the current situation with NAP 1325, as the prevalent frustration of translating legal into actions, and even more, from a draft into the legal framework is latent.

#### 4. What the Future Entails

As Colombia moves further into the post-conflict period, even with wins, good practices and the adoption of progressive measures for gender protection, the challenge remains for a *de facto* implementation.<sup>275</sup> After the signature of the FPA, the approval of the NAP 1325 in November 2024 represented a landmark achievement, aligning Colombia with global standards on women, peace, and security. Yet, as history has shown, the existence of a legal or policy instrument does not automatically translate into meaningful change on the ground.<sup>276</sup> There is still a mile to walk to create sustainable practices, measure improvements and transpose the legal documents into the societal culture, particularly in the territories and regions affected by the conflict.<sup>277</sup>

This last chapter addresses two main concerns for the future of human rights protection in the country. First, subchapter 4.1. will discuss the implementation gap of translating ambitious legal frameworks into tangible policies, programs, and outcomes. Specifically, the risks of a delay in granting the NAP 1325 a legal binding status into the Colombian framework that could undermine the efforts made both from the civil society and the

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<sup>273</sup> GPAZ, *V Informe de género* (2025) (n. 90) p.9

<sup>274</sup> *ibid.*

<sup>275</sup> Josefina Echavarría Álvarez and others, *Siete años de implementación del Acuerdo Final: perspectivas para fortalecer la construcción de paz a mitad de camino* (Peace Accords Matrix, Kroc Institute for International Peace Studies / Escuela Keough de Asuntos Globales 2024) <[https://curate.nd.edu/articles/report/Siete\\_años\\_de\\_implementación\\_del\\_Acuerdo\\_Final\\_perspectivas\\_para\\_fortalecer\\_la\\_construcción\\_de\\_paz\\_a\\_mitad\\_de\\_camino/25651275](https://curate.nd.edu/articles/report/Siete_años_de_implementación_del_Acuerdo_Final_perspectivas_para_fortalecer_la_construcción_de_paz_a_mitad_de_camino/25651275)> accessed 9 August 2025.

<sup>276</sup> Inclusive Security, *'A Guide to National Action Plans on Women, Peace, and Security'* (2017) p.3 <[https://www.inclusivesecurity.org/wp-content/uploads/2018/09/InclusiveSecurity\\_NAP-Guide\\_ME\\_2017.pdf](https://www.inclusivesecurity.org/wp-content/uploads/2018/09/InclusiveSecurity_NAP-Guide_ME_2017.pdf)> accessed 8 August 2025.

<sup>277</sup> Tatiana Moreno Quintero, *Después de 24 años, Colombia presenta el Plan de Acción Nacional de Mujeres, Paz y Seguridad* El Espectador (1 July 2024) [https://www.elespectador.com/responsabilidad-social/impacto-mujer/despues-de-24-anos-colombia-presenta-el-plan-de-accion-nacional-de-mujeres-paz-y-seguridad/?utm\\_](https://www.elespectador.com/responsabilidad-social/impacto-mujer/despues-de-24-anos-colombia-presenta-el-plan-de-accion-nacional-de-mujeres-paz-y-seguridad/?utm_) Accessed 8 August 2025.

government. It will highlight the relevance of funding, continuing with the participatory model at every stage as well as the relativism issues of implementation at a territorial level. The second challenge concerns the political risk of overpromising. While the first left-wing government was committed to gender equality and developed high hopes for compliance, the proximity of an electoral year raises concerns about the continuity of priorities, policies and the durability of initiatives in the next administration. Each section will briefly outline the opportunities and vulnerabilities that could shape Colombia's commitment to WPS and gender agenda in the years ahead.

#### **4.1. Translating Legal to Actions**

In Colombia, the slow implementation has been a general critic when referring to the FPA compromises, especially in the rural regions where the gap between *de jure* and *de facto* is large. Now, with the presentation of the NAP 1325, the question remains as the project of decree is ready, but the signature is still pending. The major worry for women's movements is that NAP 1325 might end up as an aspirational policy, not being enforceable if not transposed into the legal framework.

Human rights protection being named into the legal framework brings a special value to the normative, but it is only effective when implemented. When legalized, the challenges with implementation involve political will, structure and economic support.<sup>278</sup> Thus, it becomes a bigger challenge when the initiative does not have a legal status granted.

The main risks of delaying granting of NAP 1325 have three spheres. Legally, it cannot be enforced. Politically, it undermines the efforts made by the government and civil society. Socially, it loses the momentum of interest both locally and internationally. To step forward onto these challenges, it is relevant to advocate for the legal transposition of NAP 1325, continue the participatory model with the civil society to prepare the implementation and finally dedicate both economic and technical funding hand by hand with international support. The government seems aware of these challenges, and as explained by former Vice Minister Gil:

“We aimed at the beginning that the efforts also had a monetary value, that each of the institutions involved from the government could define from their budgets

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<sup>278</sup> ABColombia, *International Women's Day 2024* (n. 266)

a part for the NAP 1325, in particular. We did not want that the plan needed as a collection of good intentions.”<sup>279</sup>

For the Secretary General of the UN, Antonio Guterres, the pending signature is acknowledged, nonetheless recognized the efforts for preparedness being made by the interinstitutional table such as the approval of the internal regulations, work and strategic plan for the development of the NAP 1325 when legalized.<sup>280</sup>

If the NAP 1325 decree is signed, one of the best practices to accomplish implementation is to reinforce the partnership between the government and the civil society for monitoring and jointly developing the actions, as well as continued international support. An example of this can be found in the Dutch National Action Plan as the “polder model”,<sup>281</sup> ABColombia explains this practice “ensures that funding for implementation is delivered to the grassroots as well as to more structural top-down projects. Both are needed if there is to be peace and security for women in local, rural and regional areas.”<sup>282</sup> This will also allow for the designed strategies to directly resonate with the local communities.<sup>283</sup>

Another good practice suggested is to apply a “stronger focus on cross-sector collaboration.”<sup>284</sup> This would mean to interconnect the efforts of the WPS and gender agenda in the country with “education, healthcare, and economic development (as it) can create a more supportive environment that amplifies their impact.”<sup>285</sup> Finally, these efforts need to be followed both by civil society as well as institutions to ensure the application. Thus, “enhancing monitoring and evaluation systems to track progress and adapt strategies in real time is essential for ensuring that gender policies are continuously refined and effectively implemented.”<sup>286</sup> In the case of Colombia, these practices could ensure that the NAP 1325 not only survives changes in legislation but also delivers tangible results in all regions.

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<sup>279</sup> Gil, interview (n. 261)

<sup>280</sup> United Nations Mission in Colombia, ‘El acuerdo sigue siendo una hoja de ruta vigente para consolidar la paz en Colombia’ (UN Colombia, 2 July 2025) <<https://colombia.unmissions.org/el-acuerdo-sigue-siendo-una-hoja-de-ruta-vigente-para-consolidar-la-paz-en-colombia#:~:text=En%20referencia%20al%20Plan%20de,las%20Naciones%20Unidas%20en%20Colombia>> accessed 8 August 2025 (author’s translation).

<sup>281</sup> ABColombia, *International Women’s Day 2024* (n. 266)

<sup>282</sup> *ibid.*

<sup>283</sup> Mariana González Mejía, *Women, Peace and Security: An Assessment of UN Security Council Resolution 1325 Implementation Policies in Different Peacebuilding Contexts* (2024) p. 93

<sup>284</sup> *ibid.*

<sup>285</sup> *ibid.*

<sup>286</sup> *ibid.*

Ultimately, whether or not NAP 1325 achieves legal transposition, its very existence already represents an important advocacy tool. As former Vice Minister Gil observes, even in the absence of enforceability now, the document “marks a new stand for the future government, whatever the color of it”<sup>287</sup> by providing women’s movements with a tangible reference point from which to demand accountability.

This underscores two key realities: first, that formal recognition, still imperfect, creates political space for sustained mobilization; and second, that civil society’s capacity to monitor, pressure, and co-develop policy remains indispensable. The challenge ahead lies not only in securing the decree’s signature, but in ensuring that women’s grassroots leadership continues to shape both the letter and the practice of Colombia’s WPS agenda. Just in this way, both the UNSCR 1325 and its NAP can become more than an aspirational document. This transformation would serve to bridge the current gap between legal promises and the protection of human rights in practice.

#### 4.2. The Risk of Overpromising

In the political sphere, the government of President Gustavo Petro has made significant commitments to the women’s movement in Colombia.<sup>288</sup> Since his campaign, gender equality and women’s rights have been placed prominently on the national agenda. However, three years into his mandate, women’s movements continue to demand the fulfillment of promises made, especially as the country approaches an electoral year that could introduce political instability affecting the legislation and implementation of both the Final Peace Agreement and NAP 1325.

Women’s movements had continuously reminded the government that the support both in campaign and at the office responds to the core beliefs that align between them. Nonetheless, there is constant worry that it might fall under the political dynamic of overpromising and underdelivering.<sup>289</sup> This means creating ambitious commitments yet having difficulties in translating them into tangible and sustainable policies. This can be

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<sup>287</sup> Gil, interview (n. 261)

<sup>288</sup> Manuela Murcia Ovalle and Nicolle Sierra, ‘El feminismo en la campaña de Gustavo Petro: ¿Un factor determinante en su elección presidencial?’ (*Sin Corbata*, Universidad de los Andes, 4 April 2025) <<https://cienciassociales.unian-des.edu.co/ciencia-politica-estudios-globales/sin-corbata/el-feminismo-en-la-campana-de-gustavo-petro-un-factor-determinante-en-su-eleccion-presidencial/>> accessed 9 August 2025 (author’s translation).

<sup>289</sup> Beth A Simmons, *Mobilizing for Human Rights: International Law in Domestic Politics* (Cambridge University Press 2009).

traced to both institutional constraints as well as bureaucratic disconnect between the ought and the means.

For Colombia, the gender agenda has been elevated rhetorically but remains vulnerable to shifting political will, resource limitations, and institutional capacity gaps. Thus, women's movements remain skeptical.<sup>290</sup> Even with a sustained discourse of political will, the ineffectiveness of policy application, and recurrent scandals involving gender violence within government institutions severely challenge the protection, respect, and equality of women in practice.<sup>291</sup> Without concrete follow-through, promises risk becoming aspirational rhetoric rather than catalysts for real change.

Regarding NAP 1325, a central concern is continuity as an institutional priority. As discussed previously in subchapter 4.1., if not signed and integrated into the legal framework, the ten year application plan would stay on paper. With electoral cycles bringing uncertainty at the national level, a possible practice to maintain the institutional priorities is to introduce UNSCR 1325 to the local development plans. There are existing efforts being made already in the country, an example of this is the Cauca region where the women's movements with international support advocated to include WPS agenda in the Departmental Development Plan, as well as in "nineteen out of forty-two Local Development Plans include concrete actions designed to build a gender-equal peace."<sup>292</sup>

The appropriation of the WPS and gender agenda in the regions into the legal framework in this case "constituted an important step toward translating the global norms of gender equality."<sup>293</sup> These initiatives could serve as testing grounds for evaluation and later replicate for wider implementation. Thus, using the NAP 1325 as a guiding framework, successful regional pilots could provide a scalable model, maintaining momentum and political commitment despite broader volatility.

Hence, political realities could affect the application of the legal frameworks. Being aware of overpromising can lead to the rapid creation of not just legal but also institutional safeguards to ensure that promises translate into durable policies. In the Colombian case,

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<sup>290</sup> Cerón Lasprilla, interview. (n.34)

<sup>291</sup> Mariana Guerrero, *El cambio no ha sido con las mujeres: Petro se distancia del feminismo* (Vorágine, 17 de febrero de 2025) <<https://voragine.co/historias/analisis/el-cambio-no-ha-sido-con-las-mujeres-petro-se-distancia-del-feminismo/>> accessed 8 August, 2025

<sup>292</sup> Agnieszka Fal-Dutra Santos, Francy Jaramillo and Johana Bahamón, 'Taking Peace into Our Own Hands: Colombian Feminists Use Local Action Plans to Advance UNSCR 1325' (2024) 5(1) *International Studies Association Global South Quarterly* <<https://academic.oup.com/isagsq/article/5/1/ksaf001/8011344>> accessed 9 August 2025.

<sup>293</sup> Fal-Dutra Santos, Jaramillo and Bahamón, 'Taking Peace into Our Own Hands' (n. 292)

the political discourse soothes the need for advocacy regarding the thematic interest of the WPS and gender agenda as it is included in the objectives of the current government. Nonetheless, at the risk of underdelivering, due to the slow implementation rate, the advocacy for a real application of the policies that might benefit all women across the regions, are still at peak.

## **Conclusion**

This research aimed to examine the extent to which the soft law instrument UNSCR 1325, has influenced the Colombian legal framework for human rights protection in the post-conflict period. Though a comparative qualitative analysis, it was possible to demonstrate that while UNSCR 1325 lacks binding legal force, its normative influence is evident in the legal and institutional mechanisms adopted in Colombia. The integration of a gender perspective became a crucial element for the post-conflict period, as the government has increasingly recognized its importance for the pursuit of peace and human rights protection.

One of the central findings is the critical role played by women's movements in translating the pillars of UNSCR 1325 into concrete legal and policy frameworks. As they were not only instrumental during the peace negotiations but have continued to act as key actors in post-conflict reconstruction and human rights advocacy. Their persistent efforts, supported by international cooperation, were essential for the gender perspective to be embedded into the legal framework of the Peace Process, Peace Agreement and Post Conflict Efforts, some of them became points of reference for human rights protection.

This research identifies six of those good practices:

1. Inclusion of parity representation at the magistrate level of the Especial Jurisdiction for Peace;
2. Continuous integration of the gender perspective in the transitional jurisdiction;
3. Recognition of gender violence as a tool in internal conflict;
4. Creation of a dedicated macro-case to address gender-based violence;
5. A collaborative approach by the Truth Commission that prioritizes gender perspective as a tool for justice and reconciliation;
6. Participatory creation of National Action Plan of Colombia hand by hand with women's movements.

Through these good practices, the research confirms that the inclusion of a gender perspective contributes to the creation of more inclusive and sustainable outcomes in peacebuilding and human rights protection as it takes into account the differentiated effect of the conflict in the population.

However, the research also identifies persistent challenges that hinder the full implementation of UNSCR 1325's pillars. Despite legal advancements, a considerable gap remains between formal commitments and practical outcomes. Key obstacles include the lack of sustained political will, insufficient budgetary support, rooted patriarchal beliefs, the re-ignition of the internal conflict in certain regions and weak institutional mechanisms to ensure participation and accountability. It is recommended that the government formally acknowledges the existing challenges and reinforces its work alongside civil society to develop a pragmatic implementation strategy to ensure the effective protection of human rights.

Future research could benefit from comparative analysis of good practices found in other peace processes to further assess the impact of the gender perspective application for human rights protection. Moreover, a deeper exploration of the *Farianas* participation in the peace process and final peace agreement would provide valuable insights into the topic of inclusive peace building.

In conclusion, while challenges to full implementation remain, UNSCR 1325 has had a meaningful and transformative effect on Colombia's legal framework and human rights protection in the post-conflict context. Its impact has been particularly significant when supported by women's movements advocacy and the government's willingness to engage with civil society. Ensuring the continued relevance and effectiveness of UNSCR 1325 in Colombia will require political commitment, resource allocation, and the sustained leadership of women as central actors in peacebuilding and human rights protection.

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## Abstract

This thesis examines the extent to which the non-binding instrument, UNSCR 1325 has influenced Colombia's legal framework for human rights protection in the post-conflict period. A comparative qualitative analysis demonstrates that, despite its soft law nature, UNSCR 1325 has exerted normative influence, particularly establishing gender perspective as a transversal lens in peacebuilding efforts. The thesis follows the evolution of the Women, Peace and Security agenda within the Colombian context, focusing on the successful case of women's movements advocacy in the peace process between the government and the FARC-EP. It highlights the essential role of civil society participation for translating soft law into legal provisions to safeguard human rights. This thesis also acknowledges that there exists a gap between the law in books and the law in action that hinders real human rights protection. Key barriers include limited political will, inadequate budgetary resources, rooted patriarchal norms, renewed violence in certain regions, and weak institutional mechanisms for participation and accountability. This thesis postulates that notwithstanding the existence of challenges, there are six good practices in the post-conflict period: (1) parity representation at the magistrate level of the Special Jurisdiction for Peace; (2) continuous integration of gender perspective in the transitional jurisdiction; (3) recognition of gender-based violence as a weapon of war; (4) establishment of a dedicated macro-case on gender-based violence; (5) a collaborative, gender-focused approach by the Truth Commission; and (6) participatory drafting of Colombia's National Action Plan on UNSCR 1325 alongside women's movements. The findings underline that UNSCR 1325 has had a transformative effect in Colombia, with its success sustained by political commitment and the leadership of women as central agents for peace. Finally, to obtain a practical implementation of human rights protection in the Colombian context, this thesis recognizes the need for government-led pragmatic, well-funded efforts with participatory strategies.

## Abstrakt

Die vorliegende Arbeit untersucht, inwieweit das nicht-bindende Instrument UNSCR 1325 den rechtlichen Rahmen Kolumbiens für den Schutz der Menschenrechte in der Zeit nach dem bewaffneten Konflikt beeinflusst hat. Eine vergleichende qualitative Analyse zeigt, dass die UNSCR 1325 trotz ihres Soft-Law-Charakters einen normativen Einfluss ausgeübt hat, insbesondere durch die Etablierung einer Gender-Perspektive in den Friedensbemühungen. Die Arbeit verfolgt die Entwicklung der Agenda „Frauen, Frieden und Sicherheit“ im kolumbianischen Kontext und konzentriert sich dabei auf den erfolgreichen Fall der Frauenbewegungen, die sich im Friedensprozess zwischen der Regierung und der FARC-EP engagiert haben. Sie hebt die wesentliche Rolle der Beteiligung der Zivilgesellschaft hervor, um Soft Law in gesetzliche Bestimmungen zum Schutz der Menschenrechte umzusetzen. Sie erkennt zudem an, dass es eine Kluft zwischen dem geschriebenen Gesetz in den Büchern und der Praxis gibt, die einen echten Schutz der Menschenrechte behindert. Zu den wichtigsten Hindernissen zählen begrenzter politischer Wille, unzureichende Haushaltsmittel, tief verwurzelte patriarchalische Normen, erneute Gewalt in bestimmten Regionen und schwache institutionelle Mechanismen für Beteiligung und Rechenschaftspflicht. Diese Arbeit unterstreicht, dass es trotz bestehender Herausforderungen sechs bewährte Praktiken in der Nachkriegszeit gibt: (1) paritätische Vertretung auf Richtererebene der Sondergerichtsbarkeit für den Frieden; (2) kontinuierliche Einbeziehung der Geschlechterperspektive in die Übergangsgerichtsbarkeit; (3) Anerkennung geschlechtsspezifischer Gewalt als Kriegswaffe; (4) Einrichtung eines speziellen Makro-Verfahrens zu geschlechtsspezifischer Gewalt; (5) ein kooperativer, geschlechterorientierter Ansatz der Wahrheitskommission; und (6) partizipative Ausarbeitung des nationalen Aktionsplans Kolumbiens zur UNSCR 1325 in Zusammenarbeit mit Frauenbewegungen. Die Ergebnisse sind, dass die Resolution 1325 des UN-Sicherheitsrats in Kolumbien einen transformativen Effekt hatte, dessen Erfolg durch politisches Engagement und die Führungsrolle von Frauen als zentrale Akteure für den Frieden zustande kam. Um eine praktische Umsetzung des Menschenrechtsschutzes im kolumbianischen Kontext zu erreichen, erkennt diese Arbeit schließlich die Notwendigkeit pragmatischer, gut finanzierter Bemühungen der Regierung mit partizipativen Strategien an.

## Annexes

The following annexes reflect the selection of interviewees and the questions of the semi structured interviews conducted for the development of this research.

### 1. Selection of Interviewees

Within the timeframe of this thesis, it was possible to conduct two experts from the women's movements in Colombia and one official actor.

*Angela Yasmith Cerón Lasprilla* is the director of Alianza Iniciativa de Mujeres Colombianas por la Paz IMP. She studied occupational therapy and has been an activist first as a syndicalist, later part of the women's movements in Colombia advocating for peace in the past two decades. Her expertise comes from participating in all the approximations of dialogue between the government and armed groups since the nineties. She has also accompanied multiplicity of victim's cases to bring their demands to the justice system.

*Sandra Mazo* is the Director of Católicas por el Derecho a Decidir. A leader with extensive experience in advocacy for women's rights, she is a linguist and writer from the University of Antioquia and has a master's degree in political and international studies from the National University. Her expertise comes from being part of the Alianza de Mujeres por la resolución 1325, 13 organizations for the construction of peace and political incidence, accompanying the recent development of NAP 1325.

*Laura Gil* is an Internationalist committed to the defense of Human Rights and a Gender-transformative approach in Foreign Policy, with national and international experience in peacekeeping, peacebuilding, and democracy promotion, dedicated to the internationalization of Colombia through public service, private consultancy, and collaboration with both traditional and alternative media. In 2022-2023, she served as Vice minister of Multilateral Affairs, from 2023-2025 she was appointed Ambassador in Viena. In 2025 she got elected as Deputy Secretary General of the OEAS. Her expertise comes from a nuance combination of being part of the civil society as journalist and part of the women's movement, later on serving as an official to the Colombian government, specially starting the process to create the NAP 1325.

## 2. Interview Questions for Civil Society Actors

- Could you tell me who [name of interviewee] is within the women's movement in Colombia, and how your involvement in the movement began?
- From your perspective, what does United Nations Security Council Resolution 1325 (UNSCR 1325) refer to, and why do you consider it significant?
- How did the idea of adopting UNSCR 1325 as a guiding framework for the women's movement within the peace process emerge?
- What actions did you and your group undertake, and which institutions or actors did you engage with, to promote the inclusion of gender as a cross-cutting theme in the peace negotiations?
- Who would you identify as key figures or groups that played a critical role in this process?
- In what ways did the principles of UNSCR 1325 influence the final text of the Colombian Peace Accord?
- Do you believe that the guiding framework of UNSCR 1325 has contributed to the protection of human rights in Colombia?
- How do you think the post-conflict phase in Colombia was shaped by having UNSCR 1325 as a soft law reference?
- The Special Jurisdiction for Peace (JEP) is one of the main mechanisms within the transitional justice system. Do you consider that UNSCR 1325 and the women's movement had an influence on the legal framework that established it?
- What have been the main challenges in implementing the gender perspective within the peace process?
- What has been the political and societal response to the implementation of new regulatory frameworks with a gender perspective? (Peace Process, JEP, Action Plan, laws for the protection of women in general)
- What challenges do you foresee for Colombia in the near future in terms of gender and peacebuilding?
- What practices would you highlight as successful or noteworthy in relation to the principles of UNSCR 1325 during both the peace negotiations and post-conflict implementation?

- Do you believe the JEP, particularly its handling of the gender-based violence macro-case, can be considered a good practice aligned with the principles of UNSCR 1325?
- In November 2024, President Petro's government launched the National Action Plan (NAP) for UNSCR 1325. Could you describe how the development process of this plan took place?
- Given that women's organizations actively participated in this process, what moments do you consider to have been most significant or exemplary? What aspects could have been improved?
- What are your expectations for the future impact of this NAP? What good practices do you hope will emerge from its implementation?
- Are you aware of any other legal or policy instruments in Colombia, aside from the NAP, that have incorporated the principles of UNSCR 1325?
- From the perspective of civil society, are there any initiatives or projects that could serve as examples of how social movements have embraced the principles of UNSCR 1325?
- The NAP is still awaiting formal inclusion in Colombia's legal framework through an official resolution. In your view, what is the most important next step to translate this framework into concrete actions?
- While the NAP proposes a comprehensive approach involving the entire institutional system, what fears or concerns do you believe are most present among women regarding its practical implementation?
- If you had the opportunity to send a message to the decision-makers responsible for implementing the legal framework derived from UNSCR 1325 in Colombia, what would that message be?

### **3. Interview Questions for Official Actors**

- How did you first become familiar with United Nations Security Council Resolution 1325 (UNSCR 1325)? Could you briefly describe your involvement in the women's movement during the peace process and the signing of the Final Agreement?
- Nine years after the signing of the Peace Agreement, and considering the low level of implementation of the gender-related commitments, what do you believe should be the position of both the government and civil society?
- During your tenure as Vice Minister, what motivated you to champion the creation of Colombia's National Action Plan for UNSCR 1325?
- In your view, what were the most essential elements that the National Action Plan needed to include?
- How do you think a National Action Plan could contribute to the protection of human rights in Colombia?
- What do you consider to be the greatest challenges Colombia currently faces regarding gender equality, women's rights, and human rights?