

FOURTH REPORT ON THE VERIFICATION OF THE IMPLEMENTATION OF THE COMMITMENTS ON THE GENDER-BASED APPROACH IN THE FINAL AGREEMENT BETWEEN THE NATIONAL GOVERNMENT AND FARC-EP

*All acronyms have been left in Spanish for the purposes of this report.

EXECUTIVE SUMMARY

The Technical Secretary of the International Verification Component -ST-, headed by CERAC and CINEP, in compliance with the provisions of the Final Peace Agreement -A.F.- (p.6.3) to "carry out the analysis of the **verified fulfilment** with what was agreed, identify the **controversies** and make proposals for improvement and/or solutions" completed Phase I of its work (from November 2017 to May 2019) and produced six general reports on the implementation of the 6 points of the Final Peace Agreement and three semestral reports on the implementation of the Gender-based Approach (available on CERAC and CINEP's websites).

In April 2020, the two institutions, as ST, began Phase II of its verification work to resume their mandate, again with funding from the UN Multi-Partner Trust Fund for Sustaining Peace in Colombia. Phase II will run from April 2020 to September 2021, time in which the following reports will be published: four reports on the implementation of the six points of the A.F., three reports on the gender-based approach and three reports on the ethnic-based approach, as a further contribution to the verification process.

With this 4th report on the implementation of the gender-based approach of the A.F., between the National Government and the former FARC-EP guerrillas, the ST begins a Phase II on the verification of the implementation of the Gender-based Approach. In this fourth report, the analysis covers the timespan from 1st June 2019 to 31 August 2020. The information presented comes from official sources, academic sources, previous research findings, interviews with non-governmental organizations and the ST's own analyses.

The document incorporates an intersectional gender perspective¹, which has highlighted the need to strengthen the visibility, by the State entities responsible for the implementation, of some social groups in conditions of greater vulnerability or affected by gender-based violence -VBG-. These groups include: (i) children and adolescents, (ii) people with non-normative sexual orientations and gender identities, (iii) male victims of sexual violence, (iv) the female and LGBTI population

¹ Approach to analyze gender considering its relationship with other social categories such as ethnicity, sexual orientation, age, etc.

belonging to ethnic groups² and (v) former combatants. Similarly, the ST highlights the importance of making progress in transforming warlike or militarized masculinities in the process of returning to civilian life.

In this report, the ST has focused on examining the progress and challenges in implementing the A.F.'s gender-based approach.

The first chapter about **Point 1: "Comprehensive Rural Reform" -RRI-**, highlights the advances made in the delivery of comprehensive subsidies, the formalization of land and the participation of women in workshops and local meetings organized to ensure that they know their rights. However, in the period under analysis, direct allocation of land has been insufficient, no operations have been carried out through the special credit line for land purchase, the Mass Titling Plan has not been created, nor have its affirmative measures, and no progress has been made on the strategy to incorporate women's and gender initiatives into the Unique Roadmaps -HRU- created for the implementation of the Development Programs with a Territorial Focus -PDET-. The latter is a bigger issue for LGBTI people, as neither the Framework Plan for Implementation -PMI- nor the relevant entities take LGBTI people into account in their indicators and statistics, neither have specific affirmative measures to ensure their access to the provisions of the RRI.

The second chapter deals with **Point 2: "Political Participation: A democratic opportunity to build peace."** The ST recognizes the progress made in the preliminary construction of the Strategic Plan for the incorporation of the gender-based approach into the Comprehensive Security System for the Exercise of Politics -SISEP-, the incorporation of the gender perspective into the Early Warning System -SAT- and the advocacy process of the women's organizations with which the adoption of the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders was achieved. However, it notes with concern that despite the SISEP potential to provide security guarantees for women, to date there has been no significant progress in its functioning; the gender focus of the Intersectoral Commission for the Rapid Response to Early Warnings -CIPRAT- needs to be strengthened and urgent measures are required to address the persistence of murders and threats against LGBTI people, women leaders and human rights defenders.

The third chapter on **Point 3: "End of the Conflict"** addresses the process of political, social, and economic reincorporation of former female FARC-EP

² Regarding this matter, it is important to point out that most reports on the implementation of the gender approach do not disaggregate the information from women and LGBTI people into peasants, indigenous and Afro-descendants.

combatants. The main achievements are found in the actions carried out by the Gender Technical Board of the National Reincorporation Council -CNR-; the territorial work of former women combatants in the Former Territorial Spaces for Training and Reincorporation -AETCR- and in the New Areas of Reincorporation -NAR-; the political advocacy and the work executed by the women senators of the FARC party in the Congress of the Republic of Colombia, and the construction of the Differential Analysis Instrument of the Early Warning System -SAT. Moreover, difficulties continue to be related to delays in the implementation of specific services and benefits for women, as well as to the persistence of gender-based violence -VBG-, which along with the COVID-19 pandemic, have deepened the challenges in guaranteeing women's rights. Regarding security guarantees, although it is mainly former male combatants who have been killed, the ST highlights the importance of recognizing the gender differences which shape the types of suffering experienced by women undergoing reincorporation, specifically relating to the transition from their past as guerrilla members and their return to traditional gender roles in society.

In regards of the implementation of **Point 4 on "Solution to the Illicit Drugs Problem"**, this report takes into account the recognition given by the National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes -PNIS- of the role of women and the LGBTI population. The A.F. recognizes and makes explicit that the problem of illicit drugs and illegal economies has a differentiated effect on women and therefore the PMI stipulates, for this point, 13 indicators with a gender perspective. In the period of observation of this report, the ST identified that there are more gaps and limitations than progress in the implementation of the gender-based commitments. To date, the main advance is the construction of the Protocol for the incorporation of the gender-based approach in the PNIS, the impact of which will depend on moving from the recognition of the approach, to its effective materialization with affirmative and concrete actions that have real effects on the reduction of gender gaps for women peasants and to guarantee the participation of LGBTI people and women belonging to ethnic communities.

In the chapter on the implementation of **Point 5: "Victims in the Comprehensive System for Truth, Justice, Reparations and Non-Repetition -SIVJRNR-"**, the ST highlights the advances made by the System in recognizing, clarifying and repairing the differential harm faced by women and the LGBTI population, and the publication of documents to incorporate the gender-based approach into its institutions. On the other hand, it considers essential that, first, the Truth, Coexistence, and Non-Recurrence Commission -CEV- work harder in making visible, from a gender perspective, the sexual violence against men and that which

occurs against people of all genders within armed groups. Second, that the Special Unit for the Search for Persons Deemed as Missing in the Context of and Due to the Armed Conflict -UBPD- highlights the differentiated characteristics of the forced disappearances of women and LGBTI people and the particular adversities faced by seeker women of missing people. Third, that the Special Jurisdiction for Peace – JEP- advances in the investigation of cases of sexual violence against children in the context of forced recruitment and that it opens a specific macro case on sexual violence. And lastly that the entities in charge of reparation disaggregate in their accountability reports the information by sex, sexual orientation, gender identity, age and ethno-racial affiliation and make known what measures are being taken to address sexual violence in the territories with each social group affected.

In **Point 6: "Implementation and verification mechanisms"**, the ST reviews the advances in the implementation and monitoring of the mainstreaming of the gender-based approach by two key actors. On the one hand, the High-Level Government Gender Body, which to date reports that of the 51 indicators in the PMI's gender chapter 7 have been met, 43 are being implemented and 1 has made no progress. And, on the other hand, the Special High-Level body for the Implementation of the Gender Perspective, created in the A.F., which has already completed three years of work since its installation and is about to elect its new members. Finally, regarding the budget for the implementation, the ST draws attention to the difficulties of not including the gender-based approach in the peace budget tracker included in the National Development Plan.