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# **From militants to mothers?**

A feminist inquiry into the implications of gender-aware disarmament, demobilization and reintegration programmes in the case of female FARC combatants in Colombia

**Author: Isabella Wüstner**

Supervisor: Dr. Katharine Fortin

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## Abstract

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This study is a feminist critical inquiry of international gender-specific disarmament, demobilization and reintegration standards that focuses on the example of female FARC fighters in Colombia. In the light of discrepancies between the application of those international standards and the challenges faced by female FARC members in the transition to civilian life, the study relies on post-modern feminist approaches to discuss the issue of ‘normalization’ and its impact on female combatants. Methods of deconstruction are used to identify underlying gender relations. An inter-disciplinary methodology combines legal, political and ethnographic research in order to analyse the match between the Colombian DDR framework under the 2016 Peace Agreement and standards enshrined in international hard and soft law, on the one hand, and evidence collected by means of qualitative interviews in the field, on the other. The Colombian programme is generally considered an example of best practice due to its differential approach for female combatants, its compliance with international standards and its success in addressing many challenges voiced by the combatants. Nevertheless, the research also identifies some shortcomings in international standards in terms of gendered contexts of normality and subconscious roles that ultimately inhibit transformation. By laying bare these unspoken gendered assumptions, the study aims to contribute to their disruption and to the advancement of more durable and inclusive solutions.

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KEYWORDS: female combatants; DDR; Colombia; FARC; reintegration; feminist theory; peace-building

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## Table of Acronyms

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|           |   |
|-----------|---|
| ACR       | Agencia Colombiana para la Reintegración (Colombian Reintegration Agency)   |
| ACRSE     | Alta Consejería para la Reintegración Social y Económica (High Commissioner for Social and Economic Reintegration)                          |
| ARN       | Agencia para la Reintegración y Normalización (Reintegration and Normalization Agency)  |
| AUC       | Autodefensas Unidas de Colombia (Colombian United Self-defense Units)   |
| BACRIM    | Bandas Criminales (Criminal Gangs)  |
| CEDAW     | Convention on the Elimination of all Forms of Discrimination against Women  |
| CSIVI     | Comisión de Seguimiento, Impulso y Verificación a la Implementación (Commission for Monitoring, Promoting and Verifying the Implementation) |
| DDR       | Disarmament, Demobilization and Reintegration   |
| DPKO      | Department of Peacekeeping Operations   |
| ELN       | Ejército de Liberación Nacional (National Liberation Army; guerrilla group)   |
| FARC(-EP) | Fuerzas Armadas Revolucionarias de Colombia (- Ejército del Pueblo) (Colombian Revolutionary Armed Forces; guerrilla group)                 |
| GBV       | Gender-based violence   |
| ICC       | International Criminal Court  |
| ICRC      | International Committee of the Red Cross  |
| IDDRS     | Integrated Disarmament, Demobilization and Reintegration Standards  |
| IHL       | International Humanitarian Law  |
| JEP       | Jurisdicción Especial para la Paz (Special Jurisdiction for Peace)  |
| LGBTI     | Lesbian, Gay, Bisexual, Transgender, and Intersex   |
| M19       | Movimiento 19 de Abril (19 <sup>th</sup> April Movement; guerrilla group)   |
| MMV       | Mechanismo de Monitoreo y Verificación (Monitoring and Verification Mechanism)  |
| NGO       | Non-governmental organization   |
| NSAG      | Non-state armed group   |
| OACP      | Oficina del Alto Comisionado para la Paz (Office of the High Commissioner of Peace)   |
| SSR       | Security Sector Reform  |
| UN        | United Nations  |
| UNDDA     | United Nations Department for Disarmament Affairs   |
| UNSC      | United Nations Security Council   |
| UNSCR     | United Nations Security Council Resolution  |
| UP        | Unión Patriótica (Patriotic Union; communist party that emerged as result of demobilization attempts of the FARC in the 1980s)              |
| ZVTN      | Zona Veredal de Transición y Normalización (Transition and Normalization Zone)  |

## TABLE OF CONTENT

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|            |   |           |
|------------|---|-----------|
| <b>1</b>   | <b>INTRODUCTION</b>   | <b>1</b>  |
| <b>2</b>   | <b>RESEARCH OBJECTIVES &amp; METHODOLOGY</b>  | <b>5</b>  |
| <b>2.1</b> | <b>Research objective and significance</b>  | <b>5</b>  |
| 2.1.1      | Significance  | 6         |
| <b>2.2</b> | <b>Methodology</b>  | <b>8</b>  |
| 2.2.1      | Case selection: Colombia and the FARC   | 8         |
| 2.2.2      | Qualitative interviews  | 8         |
| 2.2.3      | Framework selection   | 11        |
| 2.2.4      | Method  | 11        |
| <b>3</b>   | <b>BACKGROUND: THE COLOMBIAN CONFLICT, TRANSITIONS AND WOMEN</b>                                | <b>13</b> |
| <b>3.1</b> | <b>The Colombian internal armed conflict and the FARC</b>                                       | <b>13</b> |
| 3.1.1      | Women in the FARC   | 15        |
| <b>3.2</b> | <b>Contemporary Conflict and Transitions</b>  | <b>16</b> |
| 3.2.1      | Introduction to asymmetric conflicts and peace-building   | 17        |
| 3.2.2      | Disarmament, Demobilization and Reintegration (DDR)   | 17        |
| 3.2.2.1    | Limitations of DDR  | 19        |
| 3.2.3      | An inclusive approach   | 20        |
| <b>3.3</b> | <b>Conflict and Women</b>   | <b>22</b> |
| 3.3.1      | Women as victims and peacemakers  | 23        |
| 3.3.2      | Women as combatants   | 24        |
| <b>3.4</b> | <b>Conclusion: the Colombian conflict, transitions and women</b>                                | <b>26</b> |
| <b>4</b>   | <b>THEORETICAL FRAMEWORKS: TWO DIFFERING APPROACHES</b>   | <b>28</b> |
| <b>4.1</b> | <b>Theoretical Framework I: International gender-specific DDR standards</b>                     | <b>28</b> |
| 4.1.1      | General obligations in transitions: international law and soft-law standards for peace-building | 28        |
| 4.1.2      | Gender-specific DDR standards   | 30        |
| 4.1.2.1    | The need for gender-specific standards: challenges of female combatants in DDR                  | 30        |
| 4.1.2.2    | International gender-specific DDR obligations   | 32        |
| 4.1.2.3    | Soft law: IDDRS on women  | 35        |
| 4.1.3      | Conclusion: international gender-specific DDR standards   | 36        |
| <b>4.2</b> | <b>Theoretical Framework II: feminist perspectives on law and politics</b>                      | <b>37</b> |
| 4.2.1      | Feminism in international law and human rights  | 37        |
| 4.2.2      | Feminist perspectives on post-conflict transitions  | 38        |

|            |  |           |
|------------|--|-----------|
| <b>5</b>   | <b>EVALUATION OF COLOMBIAN DDR PROGRAMME ON THE BASIS OF THE GENDER-SPECIFIC INTERNATIONAL STANDARDS</b>   | <b>42</b> |
| <b>5.1</b> | <b>Introduction to the Colombian DDR Process</b>   | <b>42</b> |
| 5.1.1      | DDR Processes  | 42        |
| 5.1.2      | 2016 Peace Agreement   | 43        |
| 5.1.3      | The Gender Approach  | 44        |
| <b>5.2</b> | <b>Analysis of Item 3 of the Agreement ('Fin del conflicto')</b>   | <b>45</b> |
| 5.2.1      | Introduction to Item 3   | 45        |
| 5.2.2      | Analysis of Item 3 with from the perspective of gender-specific standards  | 46        |
| 5.2.2.1    | Ceasefire and Disarmament  | 47        |
| 5.2.2.2    | Reincorporation  | 48        |
| 5.2.2.3    | Security Guarantees  | 49        |
| <b>5.3</b> | <b>Conclusion</b>  | <b>50</b> |
| <b>6</b>   | <b>ANALYSIS OF CHALLENGES FACING FEMALE FARC COMBATANTS</b>  | <b>52</b> |
| <b>6.1</b> | <b>Findings from the field</b>   | <b>52</b> |
| 6.1.1      | Joining the FARC and role in the organization  | 53        |
| 6.1.2      | Transition, reincorporation and future plans   | 55        |
| 6.1.2.1    | Physical insecurity  | 56        |
| 6.1.2.2    | Economic insecurity  | 57        |
| 6.1.2.3    | Personal uncertainty   | 58        |
| 6.1.3      | Transitional Justice   | 59        |
| 6.1.4      | Conclusion: female-specific needs?   | 60        |
| <b>6.2</b> | <b>Does the Colombian DDR programme address the challenges faced by female FARC fighters?</b>  | <b>62</b> |
| <b>7</b>   | <b>DISCUSSION: THE VALUE OF GENDER-SPECIFIC INTERNATIONAL DDR STANDARDS</b>  | <b>64</b> |
| <b>7.1</b> | <b>Critical engagement with Colombian DDR based on the recurring theme of 'normalization'</b>  | <b>64</b> |
| <b>7.2</b> | <b>Critical engagement with gender-specific DDR standards in the light of theme of 'normalization'</b>   | <b>67</b> |
| <b>7.3</b> | <b>The value of international gender-specific DDR standards from a feminist perspective</b>  | <b>68</b> |
| <b>8</b>   | <b>CONCLUSION</b>  | <b>71</b> |
| <b>8.1</b> | <b>Summary: Criticizing gender-specific international DDR standards through the analysis of the Colombian DDR programme's correspondence to female FARC combatants' challenges</b> | <b>71</b> |
| <b>8.2</b> | <b>Implications for contemporary and future DDR processes</b>  | <b>74</b> |
| <b>9</b>   | <b>BIBLIOGRAPHY</b>  | <b>75</b> |





## 1 Introduction

Monday, 26 June 2017 was an historic day for Colombia. That day the United Nations confirmed that it had received all 7,132 weapons of the non-state armed group *Fuerzas Armadas Revolucionarias de Colombia* (the Revolutionary Armed Forces of Colombia, FARC)<sup>1</sup>. For 53 years, the Marxist guerrilla group had been engaged in an armed conflict with the Colombian government, making it one of the largest and oldest guerrilla groups in the world<sup>2</sup>. The laying down of arms that day was not only the official end of the last armed conflict in the Western hemisphere, it also marked the transition of the group from fighters to civilians<sup>3</sup>.

Even so, instead of pictures of FARC combatants handing in their weapons as if in surrender, we saw ceremonies with FARC members all dressed in white to celebrate their reinsertion into civil society. One of the former fighters receiving their new civil identity and pledging not to return to rebellion against the state was Carolina, who carried her 10-month-old daughter. Carolina was one of the FARC's many female combatants, having participated in the insurgency for seventeen years. Shortly before, she had explained how she was anxious about handing in her weapon because she felt it was a part of her and a source of security for her and her family<sup>4</sup>. The armed struggle was one of the founding paradigms of the group, and so this was a day of profound change since full disarmament meant that the guerrilla army was about to turn into a political party<sup>5</sup>.

Disarmament is considered to be an important step on the road to sustainable peace, the objective that the Colombian government and the guerrilla had agreed on in the Final Peace Agreement of 2016 after more than four years of negotiations<sup>6</sup>. The process of disarmament is inherently bound up with processes of demobilization, the dismantling the structures, and reintegration of fighters in the aftermath of armed conflicts. Disarmament, demobilization and reintegration – DDR – plays a particularly important role after and during

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<sup>1</sup> I will consistently refer to the FARC using the definite article in English due to its Spanish original name (*las* FARC/FARC-EP). The names FARC and FARC-EP (originating from the addition *Ejército del Pueblo* – People's Army) will be used interchangeably.

<sup>2</sup> Saskiewicz, 'The Revolutionary Armed Forces of Colombia', 2.

<sup>3</sup> Ávila, 'El último Conflicto Armado Del Hemisferio Occidental Llega a Su Fin'.

<sup>4</sup> Personal interview with Carolina.

<sup>5</sup> The FARC designates itself 'guerrilla' or 'insurgency' as a proper noun in a reference to their guerrilla tactics in the armed conflict and the armed conflict itself. I have followed this usage sometimes in this thesis.

<sup>6</sup> Mesa de Negociaciones, Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz estable y duradera, Preamble, p.4.

the transition from armed conflicts with armed non-state actors, serving to re-establish the state monopoly of force and focusing on increasing public security on the road to the normalization of society. With the end of armed confrontation, restoration of normality is deemed as important for combatants as for civilians. In doing so, there are international guidelines for DDR. The *Integrated Disarmament, Demobilization and Reintegration Standards* (IDDRS) set out technical guidance that includes all aspects of DDR.

The signing and adoption of the peace agreement – *Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera* (Final Agreement to End the Armed Conflict and build a stable and lasting Peace) – in November 2016 marked the official end of the armed conflict. However, in October, the Colombian people had rejected in a referendum the original agreement that the FARC and the government had concluded after 45 months of negotiation<sup>7</sup>. The surprising, albeit narrow, win of the ‘No’ campaign reminded the world of the wounds inflicted on Colombian society during 52 years of armed conflict with the guerrilla. As in many contemporary conflicts involving armed non-state actors, civil society had been involuntarily affected by the violent struggle, suffering decades of forced displacement, kidnappings and war. It was now up to the politics of reconciliation to reintegrate the members of the armed group who had been designated as a narco-terrorist organization with the de-humanization of the group as the almost inevitable consequence<sup>8</sup>.

As is usual with armed groups, the rhetoric projected a masculine image of the group. The image of a male fighter has predominated in the representation of armed non-state actors, reaffirming ‘violent masculinities’, a concept to describe the ‘masculine’ nature of conflict, excluding and silencing the women in these groups<sup>9</sup>. In addition, this male bias often persists in post-conflict environments involving disarmament, demobilization and reintegration. The failure to address the specific needs and challenges faced by female combatants like Carolina therefore seems inevitable. Nevertheless, ongoing feminist criticism of the exclusion and marginalization of women’s experiences in and after wars, and specifically the neglect of female fighters, have resulted in the development of gender-specific requirements for DDR in international standards.

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<sup>7</sup> ‘Colombia Referendum’.

<sup>8</sup> Schöb, ‘Disarming, Demobilising and Reintegrating Whom?’, 133.

<sup>9</sup> Cahn and Ní Aolain, ‘Gender, Masculinities and Transition in Conflicted Societies’, 109; Specht, ‘DDR and Violent Masculinities’, 66; Theidon, ‘Reconstructing Masculinities’, 5.

This thesis aims to explore *to what extent gender-specific international DDR standards can be criticized through an analysis of how the Colombian DDR process (Item 3 of the 2016 Peace Agreement) corresponds to the challenges faced by female FARC combatants during the transition process.*

The Colombian peace-making process has been adopted as the basis in this thesis to investigate whether the gender-specific DDR standards correspond to female fighters' needs and challenges and whether they can be criticized. The inquiry moves from an evaluation of the Colombian DDR framework on the basis of international standards and the needs of FARC combatants towards a normative critique of the concept of DDR and the associated standards. The study focuses on the notion of 'normalization' and draws on feminist critical theories relating to international law. The analysis takes place on three levels, incorporating an inter-disciplinary methodology: firstly, the Colombian DDR framework is analysed on the basis of international standards. Secondly, the Colombian DDR framework is analysed in the light of the findings from my qualitative study of female FARC combatants' views on the process of transition, as a second benchmark of evaluation. Thirdly, feminist critical theories are invoked to explain and elaborate normatively upon the discrepancy found within the Colombian DDR framework, and therefore international gender-specific DDR frameworks.

This study consists of eight chapters. After the introduction, Chapter 2 provides an explanation of the research objectives, Chapter 3 describes the background to the Colombian case, contemporary armed conflicts and transitions to peace, and the role of women in war. The different frameworks for analysis are then presented in Chapter 4: international gender-specific obligations relating to DDR and specifically UNSCR 1325 and the UN Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS). The same chapter also describes feminist theories of international law and post-conflict transitions that have also influenced and developed international standards. Chapter 5 assesses whether the Colombian DDR mechanism as agreed upon in the 2016 peace agreement includes a gender focus that complies with the international standards, answering the first sub-question. Chapter 6 analyses the outcomes of a field study in a transition zone in Colombia in May 2017 and compares them with the theoretical outcome of an analysis of the peace accords. The analysis of the qualitative interviews focuses on the challenges and issues voiced by female FARC combatants in the reintegration process and this chapter therefore aims to determine to what extent the Colombian DDR programme addresses the challenges faced by women fighters. Given the finding that the Colombian DDR programme does not address all the challenges facing female combatants, even though it is exemplary in terms of compliance with

international standards, this discrepancy needs further attention. The discussion in Chapter 7 includes a critical assessment of the value of gender-specific international DDR standards in a process of reintegration and concentrates on the issue of ‘normalization’ at the core of DDR. It draws on the framework of post-modern feminist theories of international law and discourses in gender studies in order to conceptualize the findings. Finally, the conclusion in Chapter 8 sets out the implications for contemporary and future processes of DDR and transitional justice.

The thesis concludes that, even though the Colombian DDR framework sets an example in complying with international gender-specific soft and hard laws, it still does not cover all of the challenges that female FARC combatants have voiced. Personal insecurities relating to issues of reintegration into Colombian male-chauvinist structures of society cannot be addressed through economic empowerment: the normalization that reintegration entails may lead to a return to structures of underlying gendered power relations. Consequently, international gender-specific DDR standards must be questioned critically. Even though they cover the economic and political needs of reintegration leading towards the empowerment of female combatants in transition, they fail to be transformative because they are promoting a return to ‘normality’. This normality is based on underlying and unequal gender relations. These findings therefore indicate that liberal adjustments to international standards are insufficient since they cannot result in the ultimate transformation of female ex-combatants’ lives. Critical engagement can identify and destabilize this underlying framework.

## 2 Research Objectives & Methodology

This chapter presents the research objectives and methodology of the present thesis. It will locate the research question in the field of the disarmament, demobilization and reintegration of female combatants and ex-combatants and introduce the different legal and political frameworks used for the analysis.

### 2.1 Research objective and significance

This thesis looks at the *extent to which gender-specific international disarmament, demobilization and reintegration standards can be criticized through an analysis of how the Colombian DDR framework (Item 3 of the 2016 Peace Agreement) corresponds to the challenges faced by female FARC combatants during the transition process*. This process is defined as a collective transition from a military organization to a political party and the individual transition from fighter to civilian<sup>10</sup>. Therefore, the thesis explores three sub-questions. Firstly, it analyses the extent to which the Colombian DDR process conforms to international gender-specific DDR standards. Secondly, it evaluates the extent to which the Colombian DDR programme corresponds to the needs and challenges faced by female FARC combatants during the transition process. Finally, the possible discrepancy between compliance with international standards and the mis-match with the challenges of female fighters is explored in detail on the basis of feminist perspectives. By exploring the Colombian case it aims to find out what impact DDR has on women fighters in practice. The Colombian case is therefore used as a basis for the evaluation of international standards.

The present study is an interdisciplinary examination of the Colombian DDR programme based on different legal and political frameworks of analysis. This includes an evaluation with reference to the framework of international law, as well as a qualitative study of the experiences of female FARC combatants in the transition process that provides a second benchmark for the appraisal of the Colombian DDR programme. The resulting findings are then used for a normative evaluation and discussion of the Colombian DDR programme and international standards from post-modern feminist perspectives in which there is a critical consideration of the purpose of ‘normalization’, which a central feature of DDR programmes. It therefore goes beyond a liberal criticism of DDR and uses feminist

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<sup>10</sup> Theidon, ‘Transitional Subjects’, 67.

theories to discover the underlying objectives and purposes of DDR as an intervention for ‘normalization’ after conflict.

The thesis is based on various assumptions that have been explored in existing research<sup>11</sup>. Above all, it presumes that women, and female combatants in particular, experience war and peace-making differently than their male counterparts<sup>12</sup>. It is therefore vital to include a gender perspective in peace-building processes, such as Disarmament, Demobilization and Reintegration mechanisms, which are believed to often contain a male bias<sup>13</sup>. A gender-sensitive approach to DDR may enhance the positive effects of a transition process for female members of non-state armed groups and civil society alike. In addition, the present study builds on the fact that, even though international law dealing with post-conflict processes includes gender-specific requirements, those requirements are very rarely put into practice<sup>14</sup>.

### 2.1.1 Significance

This study can be situated in a broader research effort looking at the complex roles of women during and after war and armed conflict. However, this field, has emphasized the need to address issues of sexual violence and other forms of violence against women during and after armed conflicts, as well as structural violence in transitions<sup>15</sup>. Research and legal-political developments have concentrated on this particular aspect of women’s experiences of conflict as victims of violence. In addition, there has been a focus on women’s positive impact as peacemakers in civil society, assigning a central role to women’s roles at the negotiation table as builders and preservers of peace

Even though literature has concentrated increasingly on female soldiers and fighters of armed opposition groups during transition processes, the area remains rather understudied<sup>16</sup>. The predominant focus on the experiences of male fighters has underplayed the role of female fighters, who sometimes account for up to 30%-40% of the forces<sup>17</sup>. Nevertheless, the topic

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<sup>11</sup> See Cohn, *Women and Wars*; Dietrich Ortega et al., ‘Transitional Justice and Female Ex-Combatants’; Lindsey, *Women Facing War*; Mazurana, ‘Women in Armed Opposition Groups’; Mazurana, ‘Women, Girls and NSAGs’; Shekhawat, *Female Combatants in Conflict and Peace*.

<sup>12</sup> Cohn, ‘Women and Wars: Conceptual Framework’, 1; Lindsey, *Women Facing War*, 23–32; Ní Aoláin, Haynes, and Cahn, *On the Frontlines*, 27; Shekhawat, *Female Combatants in Conflict and Peace*, 1.

<sup>13</sup> Bouta, ‘Gender and DDR’, 10–13; Farr, ‘Gendering Demilitarization’, 18–33; Farr, ‘The Importance of Gender to DDR’, 25.

<sup>14</sup> Farr, ‘The Importance of Gender to DDR’, 30.

<sup>15</sup> Demers, ‘Women and War’, 98; see also Aguilar and Gómez Isa, *Rethinking Transitions*; DeLargy, ‘Sexual Violence and Women’s Health in War’.

<sup>16</sup> See Cohn, ‘Women and Wars: Conceptual Framework’; Ní Aoláin, Haynes, and Cahn, *On the Frontlines*; Shekhawat, *Female Combatants in Conflict and Peace*.

<sup>17</sup> Specht, ‘DDR and Violent Masculinities’, 67.

has been explored from a gender-studies perspective and a security studies approach, paying increasing attention to gender differences in war and armed conflict<sup>18</sup>. This perspective has included criticism of the DDR framework<sup>19</sup>.

Colombia provides a relevant case, even though it has been a focus of research on the demobilization of other armed groups in the past, but rarely from a gender perspective<sup>20</sup>. The contemporary case of the demobilization of the FARC-EP, one of the oldest guerrilla groups in the world, has hardly been studied yet, given the fact that the peace accords were concluded so recently. The percentage of female fighters and their equal standing within the FARC make the Colombian case an important subject to study the effects of demobilization on women. The thesis will draw on existing literature focusing on FARC women during the conflict<sup>21</sup>.

The ongoing process of transition makes this thesis urgently relevant. It presents a unique evaluation of the unfolding DDR programme with a focus on female combatants. The qualitative insights presented here provide a unique benchmark for the evaluation of programme alongside international standards. The interdisciplinary approach, which draws on legal, political and gender studies as well as qualitative interviewing, should provide a distinctive contribution to the field. In addition, this investigation should be seen as part of a wider research effort that draws on feminist perspectives relating to international law, transitional justice and DDR, and not simply as a more limited study of DDR and the effects on female combatants. It also must be seen as complementing research of peace-building in general.

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<sup>18</sup> For an approach from a gender-studies perspective *see* for example Theidon, 'Transitional Subjects'; Theidon, 'Reconstructing Masculinities'; For a security studies approach *see* inter alia Farr, 'The Importance of Gender to DDR'; Mazurana, 'Women, Girls and NSAGs'; Ní Aoláin, 'The Patriarchy of Transitional Justice'; Ní Aoláin, Haynes, and Cahn, *On the Frontlines*; Schöb, 'Disarming, Demobilising and Reintegrating Whom?'

<sup>19</sup> For an overview of literature on female combatants and DDR *see* Hauge, 'Gender Dimensions of Disarmament, Demobilization and Reintegration (DDR)'.

<sup>20</sup> Ortega researches on female ex-combatants in Colombia: Dietrich Ortega et al., 'Transitional Justice and Female Ex-Combatants'; Dietrich Ortega, 'Untapped Resources for Peace'; Theidon focuses on masculinities of ex-combatants from a gender-studies perspective Theidon, 'Transitional Subjects'; Theidon, 'Reconstructing Masculinities'.

<sup>21</sup> Amongst others Dietrich Ortega, 'Untapped Resources for Peace'; Gjelsvik, 'Women, War and Empowerment'; Saskiewicz, 'The Revolutionary Armed Forces of Colombia'; Sjölander, 'Qualitative Interview Study of Female Ex-Combatants'; Schwitalla and Dietrich, 'Demobilisation of Female Ex-Combatants in Colombia'.

## 2.2 Methodology

### 2.2.1 Case selection: Colombia and the FARC

The ongoing disarmament and reintegration process in Colombia following the peace accords signed and ratified in December 2016 provide are an interesting case.

During the armed conflicts in the country, Colombia has seen a wide range of peace agreements and demobilization processes in the past seventy years, including the demobilization of various non-state armed rebel groups and paramilitary entities. Since the 1960s, almost all administrations have been committed to different demobilization efforts and Colombia therefore provides extensive material for a study of this field. Most attention has been paid to the demobilization of smaller guerrilla groups and the demobilization of the paramilitary organization AUC in 2005. The collective ongoing demobilization of the FARC-EP is therefore politically significant and it has triggered considerable academic interest. Laws, documents and data are widely available in Spanish, even though developments are too recent to have allowed the publication of specific programme details.

Established in 1964, the FARC-EP is one of the oldest armed non-state groups in the world. There is extensive academic literature about the rebel group available and within it a consensus that the FARC complies with a number of objective criteria for an armed opposition group, including a clear hierarchal command and control system and a long and sustained mobilization and history<sup>22</sup>. Nevertheless, English-language literature about the group is sparse. Even though the role of women in the FARC has been studied in the past, the current process of transition, which involves members being grouped in transition and normalization zones, provide an exceptional opportunity to approach the group and study their views.

### 2.2.2 Qualitative interviews

In order to investigate directly the view of female FARC combatants on demobilization, I engaged in fieldwork at a transition zone in Colombia with the aim of questioning female FARC members about their experiences, expectations and fears. Qualitative interviews were conducted in a transition zone (*Zona Veredal de Transición y Normalización; ZVTN*) in Icononzo, Colombia. This ZVTN was selected from 26 zones for the fieldwork because an invitation was received from the FARC Commander for this zone. Permission was required

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<sup>22</sup> See amongst others Alarcón, *FARC and the Armed Forces in the Colombian Internal War*; Lozano and Machado, 'The Objective Qualification of Non-International Armed Conflicts: A Colombian Case Study'; Murphy, 'The IRA and the FARC in Colombia'; Post, 'Revolutionary Armed Forces of Colombia (FARC)'; Saskiewicz, 'The Revolutionary Armed Forces of Colombia'.



and obtained from the tri-partite Monitoring and Verification Mechanism (*Mechanismo de Monitoreo y Verificación; MMV*) and the Office of the High Commissioner for Peace (*Oficina del Alto Comisionado para la Paz; OACP*). Furthermore, this was one of the most accessible zones in Colombia and one of the biggest, encompassing three units from different fronts of the FARC, giving the opportunity to incorporate different experiences.

The target group consisted of female members of the FARC-EP from different units that are currently located in the ZVTN Icononzo, Tolima. Both *guerrilla* fighters and *militias*<sup>23</sup> of all ages were interviewed during a stay at the ZVTN for the purposes of the study. Most of the interviewees were approximately between 20 and 35 years old and all of them were female (Table 1). The twelve in-depth interviews were semi-structured and participation depended on the willingness of the women to engage. This increased with the time spent at the camp and trust gained by the women. The interviews were based on guiding questions and they involved an explorative research approach. The initial background literature review was used as basis for the checklist of questions. The aim of the interview was therefore to explore the views and attitudes of female FARC members with respect to the disarmament and reintegration process by reviewing their experiences, expectations, roles and challenges in the ongoing process. The questions were structured in line with the themes of joining the insurgency and the role played thereafter, views about the transition process, daily life in the transition zone, future plans and aspirations, views about reintegration and attitudes towards justice.

The interviews were complemented with observations during the four-day stay in the zone in Icononzo. In addition, a visit to a correction centre with FARC members allowed for two additional in-depth interviews with female members of the insurgency, as well as one short focus group, which, however, could not be recorded and has therefore not been included in the primary analysis. This opportunity generated secondary insights into the views and attitudes of interned FARC members relating to the transition and their personal aspirations.

Furthermore, ten expert interviews provided a more comprehensive understanding of the role and general attitudes of female combatants in the FARC and the transition process. The interviewees were representatives from civil society, international organizations and politics (Table 2). The aim of the interviews was to include as many voices as possible in

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<sup>23</sup>*Guerrilla* refers to a full-time member of the FARC in a combat position who was part of a unit and involved in front-line operations; *militia* refers to members of the FARC in civilian clothing who ran and maintained the organization in urban areas.

order to produce more nuanced picture of the transition process and establish a general overview of how the FARC is functioning in transition.

**Table 1**

| Name*     | Age | Years of Membership | Guerrilla/Militia |
|-----------|-----|---------------------|-------------------|
| Camila    | 28  | 15                  | Militia           |
| Valentina | -   | -                   | Guerrilla         |
| Alejandra | 34  | 17                  | Guerrilla         |
| Ivon      | 27  | 12                  | Guerrilla         |
| Yolima    | 27  | 13                  | Guerrilla         |
| Lorena    | 23  | 12                  | Guerrilla         |
| Carolina  | 34  | 17                  | Guerrilla         |
| Antonia   | 36  | 13                  | Militia           |
| Maricela  | 30  | 17                  | Guerrilla         |
| Daryi     | 23  | 12                  | Guerrilla         |
| Mileisy   | -   | -                   | Guerrilla         |
| Andrea    | 30  | 15                  | Guerrilla         |

\*It is not known whether the interviewees used their civil names or the *noms de guerre* they used in the guerrilla.

**Table 2**

| Name                 | Organization   | Position/Type         |
|----------------------|--|-----------------------|
| Diana Ojeda          | Universidad Javeriana  | Academia              |
| Olga Marín           | FARC/Monitoring Mechanism (MMV)                                  | Negotiator FARC       |
| Ariel Avila          | Fundación Paz y Reconciliación                                   | Think Tank; NGO       |
| Olga Amparo          | Casa de la Mujer   | Women's Rights NGO    |
| Ana Maria Escobar    | Universidad Javeriana  | Academia              |
| Gregory Morales      | FARC/Public Relations Officer ZVTN Icononzo                      | FARC                  |
| Bethzabeth Rodríguez | UN/Monitoring Mechanism (MMV)                                    | United Nations        |
| Rosa Salamanca       | Corporación de Investigación y Acción Social y Económica (CIASE) | Women's Rights NGO    |
| Angela María Robledo | Alianza Verde/Congress   | Politician            |
| Juanita Millán       | Office of the High Commissioner for Peace                        | Negotiator Government |

### 2.2.3 Framework selection

The study draws on two different frameworks to analyse how and why gender-specific international DDR standards can be criticized through an analysis of how the Colombian DDR programme corresponds to the needs of female FARC combatants. There, gender-specific is often equated with female-specific. This is reflected in the analysis.

Firstly, the study uses a doctrinal framework to include the norms and standards of international legal rules pertaining to women after armed conflict, and specifically all soft and hard legal rules relating to female combatants in DDR. This framework can be found in international law and policy, where they have constituted part of general DDR provisions. Specifically, legally binding UN documents are analysed, in particular UN Security Council resolution 1325. Finally, the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS), as well as their Operative Guidelines are used as guidelines and principles for the assessment of the demobilization process. These regulations are used to evaluate the programmes implemented in Colombia.

Secondly, the thesis uses feminist theories about international law, gender and critical security studies in order to engage in a more normative discussion about DDR. Feminism in international law originated in the early 1990s and was influenced by scholars such as Christine Chinkin and Hilary Charlesworth. Arguing that international law is based on a male bias and that it therefore inherently privileges men in terms of both structure and content, these feminist scholars argue that, “if women’s interests are acknowledged at all, they are marginalized”<sup>24</sup>. The present thesis adopts a critical legal-political framework, drawing on a constructivist perspective focusing on the construction and de-construction of language in international law, including international legal standards<sup>25</sup>. Moving away from a doctrinal reading of international standards, the study describes the connection between ‘reintegration’ and ‘normalization’ and potential underlying disadvantages for women during this process. Underlying structures of normality are questioned and deconstructed relating it to the goals of DDR<sup>26</sup>.

### 2.2.4 Method

As described above, the approach adopted in this thesis is both normative and evaluative. It contains an evaluation of Item 3 of the Peace Agreement on the basis of gender-specific

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<sup>24</sup>Charlesworth, Chinkin, and Wright, ‘Feminist Approaches to International Law’, 615.

<sup>25</sup> Charlesworth, ‘The Hidden Gender of International Law’; Charlesworth, Chinkin, and Wright, ‘Feminist Approaches to International Law’; Ní Aoláin, ‘The Patriarchy of Transitional Justice’; Ní Aoláin, ‘Feminist Analysis of Transitional Justice’; O’Rourke, *Gender Politics in Transitional Justice*.

<sup>26</sup> Skjelsboek and Smith, *Gender, Peace and Conflict*.

international DDR standards, as well as a qualitative analysis of interviews to assess the practical implications of those standards. In addition, there is a discussion of the normalizing tendency of the standards, given the divergence between theory and practice, on the basis of feminist critiques of international law. Hence, the Colombia DDR framework is evaluated from two different perspectives: in the light of both international standards and my own findings. The comparison of these analyses then bring about the normative debate, whereas the issue is projected from the specific Colombian case to the general standards of DDR and its effects on women combatants.

The involvement of a constructivist approach here adds another level to the analysis. This approach assumes that normative structures are shaping individual behaviour and vice versa. By deconstructing language, these underlying structures can be discovered<sup>27</sup>. The constructivist analysis and assessment of the Colombian DDR programme makes it possible to draw inferences for DDR standards in general. By moving away from a doctrinal evaluation, constructivist methods help to identify how reality is socially constructed, emphasizing the role of language, norms and rules<sup>28</sup>.

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<sup>27</sup> Reus-Smit, 'Constructivism', 220.

<sup>28</sup> Hopf, 'The Promise of Constructivism in International Relations Theory', 172.

### 3 Background: the Colombian conflict, Transitions and Women

To navigate in the realm of gender-specific DDR and to answer the research question – the extent to which gender-specific international DDR standards can be criticized on the basis of an analysis of how the Colombian DDR programme corresponds to the challenges of female FARC combatants – it is important to describe the background to the Colombian conflict, contemporary conflict transitions and peace-building, and the position of women during and after conflicts. The first part of this chapter consists of a concise historical overview of the Colombian conflict, the FARC and the ongoing peace process. The discussion then turns to the Colombian case of contemporary peace-building efforts and introduces the concepts of transitional justice and DDR, and their respective goals. Finally, the Colombian case is situated with respect to conventional views about women in armed conflicts.

#### 3.1 The Colombian internal armed conflict and the FARC

Colombia has been experiencing different degrees of internal violence since the 1950s, including the involvement of various non-state armed groups (NSAGs). The FARC has been in an armed struggle with the government since 1964, but is certainly not the only non-state party to the conflicts. In addition to state forces and other leftist guerrilla groups, such as the ELN (*Ejército de Liberación Nacional*) and M19 (*Movimiento 19 de Abril*), paramilitary groups have been active perpetrators of violence. Even though the guerrillas share Marxists-Leninist socialist goals, the groups are different in terms of ideology and levels of violence, and they have also been fighting each other. The paramilitary organization AUC (*Autodefensas Unidas de Colombia*), which sustained close ties with the military, developed out of civilian militias established to protect landowners who were under attack from guerrilla groups in the 1960s. The AUC was officially demobilized in 2005 but many of the atrocities for which they are responsible have not been investigated. In recent years, smaller and less structured *Bandas Criminales* (BACRIM; criminal gangs) have emerged consisting of members of former paramilitaries, and so these violent groups are often still referred to as paramilitaries in Colombian society. They have demonstrated that they can exercise control over urban neighbourhoods and therefore have become a major security concern in Colombia.

Finally, international actors, and the United States in particular, have been involved in the armed conflict<sup>29</sup>.

Despite the multitude of actors involved, the struggle between the government forces and the guerrilla groups has nevertheless still been seen as the dominant feature of the conflict due to the sheer length of the conflict and rebel group's ability to sustain itself. The struggle can be traced back to a period known as *La Violencia* following the assassination of liberal presidential candidate Jorge Gaitán in 1946<sup>30</sup>. The political instability also led to the emergence of small guerrilla groups and peasant movements who wanted economic, social and cultural change with a focus on a land reform. The FARC-EP was founded in 1964 at the same time as other guerrilla groups<sup>31</sup>. The FARC had a left-wing political ideology and it engaged in military action with the aim of overthrowing the government and establishing a socialist government on Marxist-Leninist lines<sup>32</sup>. At its height, it operated in about one-third of Colombia, controlling a considerable amount of land.

The FARC is widely recognized as an armed opposition group due to its structure and methods<sup>33</sup>. It adopted guerrilla tactics that were typical of Maoist protracted popular warfare<sup>34</sup>. This included fighting on different fronts simultaneously and the key elements of guerrilla operations were secrecy, high mobility and surprise: "besiege, attack, overwhelm and retreat"<sup>35</sup>. Financial resources were acquired through enforced 'revolutionary taxes' and involvement in criminal activities<sup>36</sup>. The FARC's involvement with the drug trade generate major funding in the 1980s during the rise of Colombia's drug cartels. The FARC increased from around 1,000 to 18,000 members in the years between 1982 and 2000<sup>37</sup>. The group had a hierarchical military structure in which decision-making was centralized in the *Estado Mayor Central*. Command authority and responsibility for training resided with this entity and the military chain of command was known to be highly organized and disciplined<sup>38</sup>. The organization arranged regular conferences to discuss tactics and ideology and set up participatory mechanisms for its members.

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<sup>29</sup> Chamberlin, 'Conflict in Colombia An Analytical Commentary', 2.

<sup>30</sup> Ibid.

<sup>31</sup> Sacipa-Rodriguez, 'Historical Data about Colombia', 17.

<sup>32</sup> Saskiewicz, 'The Revolutionary Armed Forces of Colombia', 2.

<sup>33</sup> Alarcón, *FARC and the Armed Forces in the Colombian Internal War*, 24; Lozano and Machado, 'The Objective Qualification of Non-International Armed Conflicts: A Colombian Case Study', 58–60.

<sup>34</sup> O'Neill, 'Insurgent Strategies', 34–41.

<sup>35</sup> Ferro Medina and Uribe Ramón, *Las FARC-EP entre la organización y la política*, 117.

<sup>36</sup> Post, 'Revolutionary Armed Forces of Colombia (FARC)', 239.

<sup>37</sup> Saskiewicz, 'The Revolutionary Armed Forces of Colombia', 2.

<sup>38</sup> Ibid., 3.

The FARC, like the other parties to the conflict, has been accused of committing war crimes, crimes against humanity and other atrocities. As well as being responsible for frequent extortions and kidnappings, the group also targeted the national infrastructure by destroying gas and oil pipelines in the 1990s<sup>39</sup>. The situation in Colombia has been under preliminary examination by the International Criminal Court (ICC) since June 2004. The focus in the case of the FARC has been on issues of forced displacement, and sexual and gender-based crime in conflict<sup>40</sup>. As of June 2017, the Union for Victims of the Conflict (*Unidad de las Víctimas*) had listed 8,115,153 victims of the armed conflict, of whom 4,028,936 were women and 1,934 LGBTI<sup>41</sup>. Women therefore represent about 50% of the victims, since they are disproportionately affected by forced displacement<sup>42</sup>.

### 3.1.1 Women in the FARC

Women have played a crucial role in the FARC, accounting for up to 40% of the guerrilla group<sup>43</sup>. Even though women were involved in the insurgency from its foundation, they mainly had support functions and numbers were low. However, in 1985, the organization amended its statutes to grant equality to female and male combatants and it began to actively recruit women as part of a Marxist ideology of equality<sup>44</sup>. The recruitment of women paid particular attention to women's grievances and gender-based violence, promoting gender equity and prohibiting sexual abuse in the organization and the communities under its control<sup>45</sup>. However, the FARC has also been accused of forcibly recruiting women, as well as children. Yet, precise data are unavailable<sup>46</sup>.

There have been extensive studies of women's reasons for joining the insurgency, and of their role in the FARC. The findings from those studies were corroborated by my own qualitative study, as discussed below. Most female combatants joined as girls or adolescents because of poverty, domestic violence or general insecurity. The socialist-communist ideology of the FARC also motivated women to join the group<sup>47</sup>. Women and men are theoretically equal in the FARC: they have the same rights and duties, as is often shown by the fact that had the same tasks and carried the same loads. Women have had a range of

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<sup>39</sup>Forero, 'Rights Group Lists Abuses by Guerrillas in Colombia'.

<sup>40</sup>The Office of the Prosecutor, 'Report on Preliminary Examination Activities 2016', paras 246–251.

<sup>41</sup>Red Nacional de Información, 'Registro Único de Víctimas'.

<sup>42</sup>Subcomité Técnico de Enfoque Diferencial, 'Mujeres Y Conflicto Armado', 15.

<sup>43</sup>Bouvier, *Gender and the Role of Women in Colombia's Peace Process*, 24.

<sup>44</sup>Mazurana, 'Women, Girls and NSAGs', 155.

<sup>45</sup>Ibid.

<sup>46</sup>Human Rights Watch and Brett, *You'll Learn Not to Cry*, 53; Tabak, 'False Dichotomies', 132.

<sup>47</sup>Sjölander, 'Qualitative Interview Study of Female Ex-Combatants', 32ff.

positions in the military (rank-and-file, explosion design, laying landmines, etc.) and political (propaganda, communications, etc.) branches<sup>48</sup>. Nevertheless, female members have not been represented in the FARC's senior command and have been underrepresented at the *comandante* level, equalling officer, indicating that women and men may not have equal opportunities after all<sup>49</sup>. Gender scholars have also frequently drawn attention to the masculinization of female FARC combatants<sup>50</sup>.

Despite the FARC's concern with gender equality and women's rights, the insurgency been criticized for forcing female members to take contraception and prohibiting pregnancies<sup>51</sup>. The rationale for these measures was that pregnancy and children involved risks not only for the mother but for the unit as a whole. Female members were therefore not only responsible for contraception they were also put under pressure to have an abortion if they did become pregnant<sup>52</sup>. This was corroborated by my own research. The FARC member Olga Marín recalled: "[...] When someone brings up the right of women to choose, then, well, we are not average women. So, we either stand with the organization, and then you have to be there 100%. You can't be half there with a child"<sup>53</sup>.

The FARC stands out as an armed group not only because of their long history of more than 50 years, of guerrilla warfare and their ideological combat. The percentage and roles of women in the insurgency also attract attention because the women apparently received equal treatment. The discussion will now turn to the case of Colombia against a more general background of contemporary conflicts and transitions, followed by a presentation of the position of women in war.

### **3.2 Contemporary Conflict and Transitions**

Colombia provides an interesting example of the complexity of today's asymmetric wars, which frequently involve non-state armed groups (NSAGs). This factor has a particular impact on peace-building and reconciliation after peace has been negotiated. Issues relating to disarmament, demobilization and reintegration arise here, alongside the matter of the accountability of perpetrators of atrocities.

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<sup>48</sup>Gjelsvik, 'Women, War and Empowerment', 41.

<sup>49</sup>Mazurana, 'Women, Girls and NSAGs', 158.

<sup>50</sup>Ancil Avoine and Tillmann, 'Demobilized Women in Colombia', 224; Gjelsvik, 'Women, War and Empowerment', 42.

<sup>51</sup>Mann, 'Women in Combat', 31.

<sup>52</sup>Ancil Avoine and Tillmann, 'Demobilized Women in Colombia', 224.

<sup>53</sup>Marín, Personal Interview on 8 May 2017.



### **3.2.1 Introduction to asymmetric conflicts and peace-building**

Today's conflicts distinguish themselves from traditional forms of inter-state warfare between armies of similar strength. Contemporary wars involve a variety of alternative actors that can include rebel groups, private military companies, paramilitary entities, criminal gangs and other transnational criminal entities<sup>54</sup>. NSAGs that challenge and oppose the government structure operate often illegally from the perspective of domestic law. They cannot match the state's military strength in terms of size, resources and legitimacy and they usually resort to unconventional and often unlawful methods, moving the battlefield into the civilian realm. These methods include guerrilla and urban warfare tactics, hiding among civilians, failing to identify themselves through wearing uniform and terrorist acts. The involvement of NSAGs in asymmetric warfare has therefore transformed armed conflicts, changing the methods of warfare as well as patterns of violence, and generating particular challenges for the protection of civilians during hostilities<sup>55</sup>. Civil society can consequently suffer severely during conflicts since it is often a direct target.

This change also affects post-conflict transformations and peace-building efforts. The term 'peace-building' refers to the creation of structures that promote sustainable peace. These structures extend beyond the mere cessation of hostilities to address the root causes of violent conflict. The United Nations (UN) defined peace-building as involving "a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development"<sup>56</sup>. Insofar as peace-building is a forward-looking exercise, it also includes disarmament, demobilization and reintegration measures for armed groups, as well as mechanisms for holding past perpetrators of atrocities accountable under a framework of transitional justice.

### **3.2.2 Disarmament, Demobilization and Reintegration (DDR)**

Disarmament, Demobilization and Reintegration (DDR) is a component of contemporary peace-building that is particularly important in conflicts involving armed non-state actors. The focus is therefore on demobilizing NSAGs and integrating their fighters either into a state's armed forces or civilian life. DDR is consequently seen as a means of furthering security that consists of a cluster of activities that should at least "contain arms, dismantle armed groups

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<sup>54</sup>Kelley, 'Challenges to Compliance with IHL', 14; Wagner, 'Non-State Actors'.

<sup>55</sup>Thürer, *International Humanitarian Law: Theory, Practice, Context*, 90.

<sup>56</sup>'United Nations Peacebuilding Support Office'.

and prevent the recurrence of war”<sup>57</sup>. Likewise, DDR should be designed to “restore ‘stability’, ‘order’ and ‘peace’ in societies affected by war”<sup>58</sup>. This is intended to result in normalization and a return to the society in place before the conflict<sup>59</sup>. The return to original structures of living together is often considered a means of peacemaking.

DDR is situated between the conflict and the post-conflict transition period and it is therefore not restricted to post-conflict situations but can also be employed in pre-crisis and during-conflict situations. Traditionally, DDR consists of a series of phased activities in three interlocking and mutually reinforcing sectors in order to construct a stable environment<sup>60</sup>. *Disarmament* consists of the collection of arms, which is a necessary measure to promote security, even though often thought to be inadequate. Nevertheless, it remains the most tangible intervention and it can be measured and evaluated to provide visible evidence of success<sup>61</sup>. To be effective, disarmament needs to be complemented by parallel reconciliation initiatives and the promotion of the rule of law in order to resolve possible security dilemmas<sup>62</sup>. *Demobilization*, which is often sequenced after disarmament, involves disbanding armed groups and former combatants joining reformed security structures or returning to civilian life. It presents a variety of challenges when, for example, soldiers and rebels remain partially organized and retain the capacity to undermine the process. Demobilization usually involves two stages. The first stage includes bringing the groups together in cantonment sites in order to facilitate reinsertion into civil life and collect weapons. The second stage, which is referred to as *reinsertion*, encompasses the distribution of short-term support packages and financial and material assistance<sup>63</sup>. The *reintegration* of ex-combatants into civil society remains the most critical phase. It entails ex-combatants’ acquisition of civilian status and employment, and takes place in communities at the local level. The return of ex-combatants to civilian communities poses various risks and challenges for the ex-combatants and the community alike. Ex-combatants who fail to find jobs can relapse into old patterns of violence, posing a security risk for the community. On the other hand, a lack of trust in ex-combatants may prevent economic integration, and lead to social marginalization and poverty. This means that investment in livelihood alternatives and

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<sup>57</sup>Muggah, *Security and Post-Conflict Reconstruction*, 2.

<sup>58</sup>Ibid., xviii.

<sup>59</sup>International Council on Human Rights Policy, *Negotiating Justice?*, 76.

<sup>60</sup>Muggah, *Security and Post-Conflict Reconstruction*, 9.

<sup>61</sup>United Nations, ‘IDDRS: The UN Approach’, sec. 4.2.

<sup>62</sup>Muggah, *Security and Post-Conflict Reconstruction*.

<sup>63</sup>United Nations, ‘IDDRS: The UN Approach’, sec. 4.2.

development support for those communities are crucial<sup>64</sup>. In order to standardize the interventions and professionalize the activities, a United Nations Inter-Agency Working Group drew up the *Integrated Disarmament, Demobilization and Reintegration Standards* (IDDRS) in 2006. These standards include a variety of modules, procedures and protocols covering more than 25 aspects of DDR that were designed to provide policy guidance on the DDR processes and a comprehensive approach to the planning, implementation and execution of the programmes<sup>65</sup>.

### 3.2.2.1 *Limitations of DDR*

Even though DDR is thought to be of paramount importance for peace and security, it has been criticized for, among other things, the lack of evidence about the effectiveness of the programme<sup>66</sup>. Furthermore, reintegration has proven risky: financial incentives and livelihood support that have been commonly offered to fighters have frequently generated resentment in victim communities, especially when there are no reparation programmes in place. The focus on combatants has been often criticized for missing the mark on the grounds that it is better to use financial investment for inclusive community programmes that benefit society as a whole<sup>67</sup>. Critics have also looked at ways to improve existing practices, such as the DDR response to child soldiers and female combatants, as well as other ‘vulnerable’ groups<sup>68</sup>.

The standardization of DDR has been criticized for glossing over complex and volatile post-conflict situations and the potential failure to respond to individual localized issues. In addition, scholars have questioned the core assumptions of DDR, criticizing the top-down character of the programmes and their narrow focus on ‘conflict violence’, which ignores other forms of structural violence<sup>69</sup>. Normative criticisms argue that DDR is crucial to a neo-liberal approach to power involving a Weberian, top-down project to secure the monopoly of power and legitimate control of force. Additionally, the balance between the ‘local’ and the ‘international’ in terms of agency and authority provokes tensions<sup>70</sup>. UN-mandated and externally-driven post-conflict DDR is usually implemented in a top-down manner, excluding local ownership and agency<sup>71</sup>. Indeed, “the very notion of intervention is predicated on some notion of local failure, which may imply the need for something outside the local to set things

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<sup>64</sup>Muggah, ‘Dealing with Fighters in the Aftermath of War: Introduction’, 11.

<sup>65</sup>UN Working Group, ‘IDDRS’.

<sup>66</sup>Muggah and Krause, ‘Towards a Violence Reduction Agenda’, 137.

<sup>67</sup>Muggah and Baaré, ‘Dealing with Combatants during Peace Processes’, 240.

<sup>68</sup>Muggah, ‘Dealing with Fighters in the Aftermath of War: Introduction’, 6.

<sup>69</sup>Muggah and Krause, ‘Towards a Violence Reduction Agenda’, 140.

<sup>70</sup>Sharp, ‘Beyond the Post-Conflict Checklist’, 26–29.

<sup>71</sup>Muggah, ‘Dealing with Fighters in the Aftermath of War: Introduction’, 2.

right again”<sup>72</sup>. The external and top-down measures for establishing a liberal peace, including a Western-style liberal democracy and market-oriented economies, have been criticized as being today’s *mission civilisatrice*<sup>73</sup>. This is in line with Third World Approaches in International Law (TWAIL) and post-colonial criticism, which point to the inherent imposition of Western institutional preferences that reinforce neoliberal policies and reaffirm the status quo in power politics<sup>74</sup>. Another, related, criticism targets the assumption that DDR is a neutral, technocratic and apolitical intervention and argues that it deals with highly political issues of who is being demobilized for what reasons and reintegrated into what<sup>75</sup>. Normalization and reintegration focus on a return to older social structures, possibly disadvantaging groups that have experienced empowerment during the conflict.

### 3.2.3 An inclusive approach

In response to these criticisms, a more inclusive approach towards DDR should be explored. There is evidence that DDR can be improved by linking it to other post-conflict interventions such as transitional justice mechanisms. Transitional justice and DDR have traditionally been regarded as two distinct disciplines and interventions in the context of peace-building, both of which play a fundamental role after conflicts with NSAGs. Whereas transitional justice focuses on victims’ needs associated with past violations of human rights, DDR is believed to be a forward-looking exercise that is combatant-centric. Similarly, transitional justice aspires to a long-term goal of peace through justice, while DDR has often been a short-term activity designed to remove weapons from the arena and create stability, often by introducing amnesties. Attempts to bring perpetrators to justice can therefore undermine the goals of DDR.

Originally, transitional justice developed as a mechanism of accountability designed specifically to deal with the past after autocratic regimes and it entered the field of human rights in the late 1980s, even though the Nuremberg Trials are considered the first attempt to bring perpetrators of past atrocities to justice. Nowadays, it is understood to be crucial for sustainable peace-building and reconciliation. Early researchers primarily focused on the legal means (prosecutions, reparations, administrative justice), but contemporary scholarship sees it as a “set of practices, mechanisms and concerns that arise following a period of conflict, civil strife or repression, and that are aimed directly at confronting and dealing with past violations

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<sup>72</sup>Sharp, ‘Beyond the Post-Conflict Checklist’, 28.

<sup>73</sup> Ibid., 21.

<sup>74</sup>Mutua and Anghie, ‘What Is TWAIL?’, 31.

<sup>75</sup>Schöb, ‘Disarming, Demobilising and Reintegrating Whom?’, 119.

of human rights and humanitarian law”<sup>76</sup>. Transitional justice builds on a range of elements, including criminal prosecution, truth-seeking, victim reparation, historical memory, reconciliation and institutional reform<sup>77</sup>. Conceptions of justice have evolved from mere retributive justice to restorative and reparative, and finally to social and transformative notions<sup>78</sup>. The aim of *transformative justice* is to “transform the root causes of conflict”, underscoring broad concepts of security<sup>79</sup>. It therefore recognizes that conflict violence has a greater impact on more severely marginalized and vulnerable sectors due to structural conditions. It is intended to achieve a genuine social, economic and political transformation of society after armed conflicts towards more social justice and so that the social position of victims is improved in post-conflict societies. Given the ultimate goal of reconciliation and the prevention of future conflicts, transitional justice must be linked to tackling structural causes of violence, drawing on notions of distributive justice that can be transformative for societies<sup>80</sup>.

The focus on the common goals and overlapping objectives of reconciliation, human security and peace through transformation requires an inclusive approach of the two disciplines<sup>81</sup>. The implementation of measures for transitional justice can help to achieve the aims of DDR, especially in the area of the reintegration of former combatants<sup>82</sup>. Truth commissions provide a platform for former combatants and civilians alike to tell their stories, including possible victimization, and to apologize, and therefore to facilitate reintegration and reconciliation. The fears of both the receiving communities and ex-combatants with respect to each other can be reduced. Furthermore, the prosecution of atrocities can enhance trust between former combatants and civil society<sup>83</sup>. In addition, reparations may prevent resentment from victims about financial reintegration assistance for former combatants. In short, it may be possible to reduce the reprisals, stigmatization and discrimination suffered by

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<sup>76</sup>Roth-Arriaza, ‘The New Landscape of Transitional Justice’, 2; Teitel, ‘Transitional Justice Genealogy’, 69.

<sup>77</sup>‘The EU’s Policy Framework on Support to Transitional Justice’, sec. 1; UN Security Council, ‘The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies Report of the Secretary-General [S/2004/616]’, para. 3; see also Bloomfield et al., *Reconciliation after Violent Conflict*; Hayner, *Unspeakable Truths*.

<sup>78</sup>For an overview of the development of understandings of transitional justice see Aguilar and Gómez Isa, *Rethinking Transitions*; Arthur, ‘How “Transitions” Reshaped Human Rights’; Greedy and Robins, ‘From Transitional to Transformative Justice’; Fineman and Zinsstag, *Feminist Perspectives on Transitional Justice*; Teitel, ‘Transitional Justice Genealogy’.

<sup>79</sup>Aguilar and Gómez Isa, *Rethinking Transitions*, 2.

<sup>80</sup>*Ibid.*, v.

<sup>81</sup>Cutter Patel, ‘Transitional Justice, DDR, and Security Sector Reform’, 265–274; Cutter Patel, ‘Transitional Justice and DDR’, 260–264; Sharp, ‘Beyond the Post-Conflict Checklist’, 35–37; Waldorf, ‘Linking DDR and Transitional Justice’, 22–25.

<sup>82</sup>Cutter Patel, ‘Transitional Justice, DDR, and Security Sector Reform’, 265.

<sup>83</sup>*Ibid.*, 267–269.

former combatants and therefore to further the demobilization and reintegration components of DDR. At the same time, the security component of DDR plays an important role in the enactment of transitional justice<sup>84</sup>.

In the context of peace-building after an asymmetric conflict with non-state actors, the Colombian peace process can be understood as an example of contemporary efforts to achieve sustainable peace and reconciliation. DDR is a security-promoting mechanism for restoring stability, order and peace by disarming, demobilizing and reintegrating fighters in a process leading to normalization. Reintegration in particular generates challenges and DDR has been subject to a range of criticisms. Some of those criticisms can be addressed by the adoption of a more inclusive approach focusing on the reintegration of ex-combatants. The discussion will now turn to a description of how women experience conflict in order to situate the role of, and the challenges faced by, female FARC combatants.

### 3.3 Conflict and Women

As referred to above, it is widely accepted that women's experience of armed conflicts is different from that of men<sup>85</sup>. These experiences are complex, and involve an increase in gender-related social and economic vulnerabilities caused by forced displacement, threats to life and sexual violence, but also economic and social empowerment as women fill the gaps in the labour market, the military and society that men usually occupy. Even so, international attention usually emphasizes women's role as victims, which is an important, but inadequate, picture.

The Colombian conflict provides examples of women's diverse experiences in armed conflicts. On the one hand, as mentioned above, civilian women have been disproportionately affected by conflict<sup>86</sup>. On the other hand, women have been active participants in the various armed groups<sup>87</sup>. Finally, women's organizations play a crucial role in Colombia's active civil society and they contribute to national and local reconciliation efforts. The discussion here will therefore now turn to an exploration of the different experiences and views of women in conflicts, and more specifically to the three different foci of women as victims, peacemakers and combatants under international law.

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<sup>84</sup>Waldorf, 'Linking DDR and Transitional Justice', 24.

<sup>85</sup>Lindsey, *Women Facing War*, 23–32; Ní Aoláin, Haynes, and Cahn, *On the Frontlines*, 27; Shekhawat, *Female Combatants in Conflict and Peace*, 1.

<sup>86</sup>Red Nacional de Información, 'Registro Único de Víctimas'.

<sup>87</sup>Mazurana, 'Women, Girls and NSAGs', 155–158.

### 3.3.1 Women as victims and peacemakers

Gender-specific issues in war started to come to international attention only pursuant to the systematic use of rape in the conflicts of the 1990s. During the ethnic conflicts in Bosnia and in Rwanda, raping civilian women was used as a weapon of war. In response, the International Committee of the Red Cross urged strongly for “measures [to] be taken to provide women with the protection and assistance to which they are entitled under national and international law”<sup>88</sup>. The risk of rape and sexual abuse is one of the main vulnerabilities affecting women during conflict. Rape has been particularly damaging since it affects not only the individual women but also society as a whole: women have a vital role to play in maintaining community structures and men’s pride is bound up with the status of women in patriarchal societies. Furthermore, women are particularly prone to be victims of forced displacement, economic hardship and poverty. Nevertheless, sexual violence continues to be the focus of international provisions for the protection of women.

Measures for the protection of women in armed conflicts are enshrined in the basic principles of International Humanitarian Law (IHL). The specific protection of women “against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault” is included in the Geneva Convention<sup>89</sup>. However, this provision is open to criticism because of the emphasis on ‘women’s honour’ and therefore on “the men who were harmed by the attack on this honour”<sup>90</sup>. Furthermore, the Additional Protocols of 1977 remained weak in the area of protection specifically for women<sup>91</sup>. After the emergence into the public eye of the systematic use of sexual violence, the statutes of the criminal tribunals for Yugoslavia (1993) and Rwanda (1994) finally included rape and enforced prostitution in the lists of crimes.

In 1995, the outcome document of the Beijing Platform for Action focused on the negative consequences of the violation of IHL on the civilian population, especially with regards to women: “Although entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and

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<sup>88</sup>Lindsey, *Women Facing War*, 14.

<sup>89</sup>ICRC, Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949, 27.

<sup>90</sup>Engle, ‘International Human Rights and Feminisms’, 52.

<sup>91</sup> Additional Protocol I excluded a reference to honour but stated “[w]omen shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault”, (ICRC, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 76); Additional Protocol II refers to rape under “outrages upon personal dignity”, (ICRC, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 4(2)(e)).

their sex”<sup>92</sup>. A whole chapter devoted to women and armed conflict shed light on the gender-specific vulnerabilities and risks that women face, proposing comprehensive action to protect and empower women<sup>93</sup>. In 2000, the landmark UN Security Council resolution (UNSCR) 1325 concentrated on women’s long exclusion from armed conflicts, and especially their victimization. As a result, the Rome Statute of the ICC includes “rape, sexual slavery, enforced prostitution, forced pregnancy [...] enforced sterilization, or any other form of sexual violence” as grave violations of IHL<sup>94</sup>.

While these developments in international law brought victimization to the fore, feminists fought for increased attention for women’s agency, often in the context of their active role in peace and community organs<sup>95</sup>. Women are frequently engaged in reconciliation efforts at the local community level. Nevertheless, they have been persistently excluded from peace negotiations and decision-making processes<sup>96</sup>. This view of women as ‘nurturers of life’ and ‘positive social actors’ is also reflected in the above-mentioned Beijing report<sup>97</sup>. The document drew attention to their potential as peacemakers and called for better inclusion at the decision-making levels of conflict resolution. One of the agreed objectives regarding women and armed conflicts in the Beijing Platform reads: “Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflict or under foreign occupation”<sup>98</sup>. Further attention was given to “women’s contribution to fostering a culture of peace”<sup>99</sup>. The document therefore prescribes an inherently peaceful role for women.

### 3.3.2 *Women as combatants*

International attention has focused mainly on the roles of women as victims and peacemakers, reducing the complexity of women’s complex experiences and glossing over their role as participants in armed groups and militaries<sup>100</sup>. This omission of academic scholars and international policymakers fails to recognize the reality of the increasing participation of women in armed combat. Non-state armed opposition groups in particular have relied on

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<sup>92</sup>‘Beijing Platform for Action’, para. 135.

<sup>93</sup>Ibid., paras 131–149.

<sup>94</sup>UN General Assembly, Rome Statute of the International Criminal Court, 8(2)(b)(xxii) & (8)(2)(e)(vi).

<sup>95</sup>Chinkin and Charlesworth, ‘Building Women into Peace’, 938–940.

<sup>96</sup>Lindsey, *Women Facing War*, 28.

<sup>97</sup>Dietrich Ortega et al., ‘Transitional Justice and Female Ex-Combatants’, 160.

<sup>98</sup>‘Beijing Platform for Action’, para. 141.

<sup>99</sup>Ibid., para. 145.

<sup>100</sup>Ní Aoláin, ‘The Patriarchy of Transitional Justice’, 1056.



female combatants in the past decades. As in the FARC, women account for between 10% and 40% of the members of non-state armed groups<sup>101</sup>.

Women's reasons for joining violent movements vary widely from social and biographical reasons such as poverty and social injustice, often related to urbanization, to revenge for events in their own lives, insecurity, a feminist or egalitarian ideology, but also persuasion and coercion<sup>102</sup>. In addition, women join armed groups because of the failure of the state to provide security and to protect them or family members from murder, torture or sexual abuse<sup>103</sup>.

Women have played vital roles in armed groups. According to Mazurana, who studied female members of armed opposition groups, women have been military and political strategists, intelligence officers, leaders of battalions and fighting units, communications and medical officers, front-line fighters, and suicide bombers; they have provided supportive labour, such as cooking and sexual services, acted as negotiators and spokespersons, and occupied positions as high-ranking members of the political organization<sup>104</sup>. As combatants, women also face additional specific challenges since masculine constructs of conflict and personal sacrifice have a negative impact on women in particular. Furthermore, women have stated that they have to cope with defective feminine hygiene and forced contraception, forced abortions or having to leave their children behind. In addition, sexual assault has been raised as an issue by female combatants<sup>105</sup>.

Even though female combatants have reached the attention of academics and journalists in recent years, the discourse has often remained male-centred, with female violence being described as particularly cruel and vindictive, and opposed to feminine, passive and peace-loving 'normality'. Thus, women are being portrayed as having transgressed the "acceptable social norm"<sup>106</sup>. Gender scholars have found that the term 'combatant' is associated with males<sup>107</sup>. Consequently, "the adjective 'female' [has] to be used as a qualifier every time women in combat [are] meant"<sup>108</sup>. Indeed, war militarizes masculinity and reaffirms stereotypes linking masculinity to power and the use of violence<sup>109</sup>.

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<sup>101</sup>Specht, 'DDR and Violent Masculinities', 67.

<sup>102</sup>Mazurana, 'Women in Armed Opposition Groups', 25–32.

<sup>103</sup>Mazurana, 'Women, Girls and NSAGs', 148 – 151.

<sup>104</sup>Mazurana, 'Women in Armed Opposition Groups', 32–34.

<sup>105</sup>*Ibid.*, 43.

<sup>106</sup>Mann, 'Women in Combat'; Shekhawat and Saxena, 'Victims or Victimizers', 117.

<sup>107</sup>Cohn, 'Women and Wars: Conceptual Framework', 1.

<sup>108</sup>Shekhawat and Saxena, 'Victims or Victimizers', 129.

<sup>109</sup>Cohn, 'Women and Wars: Conceptual Framework', 1.

As a result, female combatants are often also expected to be ‘male’, and to adopt masculine attitudes and reject femininity.

Due to this stigma, female combatants face greater risks to their future than their male counterparts. Reintegration into society represents a greater challenge because of the transgression of gendered norms<sup>110</sup>. This is often reinforced by the exclusion of women from peace negotiations and DDR programmes. Furthermore, the lack of understanding about women’s roles in armed non-state groups has traditionally disadvantaged them when it comes to DDR<sup>111</sup>. International documents, standards and frameworks that specifically address female combatants will be discussed in further detail below.

In the Colombian case, women have manifold experiences of war: they have been victims, active peace-makers, and also combatants. The understanding of women’s positions in armed conflict has developed slowly, and it continues to focus on victimization or women’s innate peacefulness<sup>112</sup>. Critical scholars have argued that these discourses endorse the prevalent view of gender and armed conflict. The perception of women as victims is reaffirmed as they tend to be classified in the single category of ‘women and children’, disregarding their agency. A discourse of protection reaffirms gender stereotypes: the battlefield continues to be seen as a male stronghold while women are seen as either passive victims grouped together with children or, if their agency is recognized, as inherent pacifists who play a crucial role in peace-building; “men make war and women make peace; men wear combat dress and hold weapons, while women mourn the dead and suffer victimization”<sup>113</sup>. This representation glosses over the complex motivations and experiences of female combatants and members of guerrilla groups: women, even when combatants, often experience war in multiple ways as both victims and victimizers. This issue will be discussed in more detailed discussion below.

### **3.4 Conclusion: the Colombian conflict, transitions and women**

Colombia was engaged in an internal armed conflict with the FARC, a leftist guerrilla organization, for 53 years. This period of the country’s history came to an end with the 2016 peace agreement, which included a DDR framework. The Colombian conflict is an example

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<sup>110</sup>Mann, ‘Women in Combat’, 33.

<sup>111</sup>Farr, ‘Gendering Demilitarization’, 7.

<sup>112</sup>Dietrich Ortega et al., ‘Transitional Justice and Female Ex-Combatants’, 160.

<sup>113</sup>Shekhawat, *Female Combatants in Conflict and Peace*, 2.

of contemporary asymmetric conflicts with NSAGs, after which peace-building is challenging, requiring disarmament, demobilization and reintegration to be approached inclusively, and in coherence with other measures such as transitional justice in order to achieve transformation and be effective. It is important to remember that 30-40% of FARC members were women, which highlights the complex and varying experiences and roles of women in war. Colombian women have been victims and perpetrators, but they also have played a crucial part in civil society organizations as peacemakers. Nevertheless, international attention has focused on the vulnerabilities of women as victims of war or their potential as peacemakers, neglecting their roles as combatants and perpetrators of violence.

This background sets the stage for an exploration of the extent to which gender-specific international DDR standards can be criticized by analysing how the Colombian DDR framework addresses the challenges faced by female FARC combatants. This thesis will now continue with an introduction to the different theoretical frameworks in the next chapter. The international gender-specific DDR standards are presented first, followed by an introduction to feminist perspectives on international law and peace-building.

## 4 Theoretical Frameworks: two differing approaches

This thesis incorporates two different theoretical frameworks. On the one hand, it draws on an international framework of law and UN policies and, on the other hand, on a framework of different critical feminist perspectives with respect to international law. Interestingly, some of these critical feminist views have focused on a more gender-inclusive law and policy, while other feminist theories have gone further in their structural criticisms. This section gives an introduction to, and an overview of, the differing theoretical frameworks, starting with the legal framework and policy standards before moving on to a discussion of feminist criticisms of international law.

### 4.1 Theoretical Framework I: International gender-specific DDR standards

As a basis for the analysis of the Colombian demobilization programme, this chapter describes international disarmament, demobilization and reintegration standards. International standards are in place to guide post-conflict processes, including transitional justice and DDR processes. These standards are binding to a varying extent: some are enshrined in binding international conventions of public international law, human rights law and international humanitarian law, and also Security Council resolutions; others are articulated as non-binding guidance<sup>114</sup>. Nevertheless, UN documents with policy advice enjoy considerable respect and states usually bear them in mind when devising policies<sup>115</sup>. This chapter provides an overview of both legally binding and non-binding international legal standards relating to DDR, first in general terms and then specifically in relation to female combatants.

#### 4.1.1 *General obligations in transitions: international law and soft-law standards for peace-building*

Public international law includes only a few obligations with respect to peace-building and DDR. The UN Charter, regulating relations and conflicts between states prohibits the use of force<sup>116</sup> and confirms the maintenance or restoration of peace and security<sup>117</sup>, but does not set

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<sup>114</sup>United Nations, Charter of the United Nations, 25; United Nations, Statute of the International Court of Justice, 38.

<sup>115</sup>Muggah, 'Dealing with Fighters in the Aftermath of War: Introduction', 13; for an overview of DDR processes see Muggah, *Security and Post-Conflict Reconstruction*.

<sup>116</sup>United Nations, Charter of the United Nations, 2(4).

<sup>117</sup>*Ibid.*, 2(3), art. 23, further 11, 47.

out laws relating specifically to peace-building. Nevertheless, the Charter is often regarded as a cornerstone of *jus post bellum*, and therefore transitional justice and DDR.

Regarding the engagement with non-state armed groups, Additional Protocol II to the Geneva Conventions provides an obligation for amnesties for crimes such as rebellion and membership of illegal armed groups<sup>118</sup>. However, there is no reference to any other duty to disarm, demobilize or reintegrate armed groups. The obligation to apply the broadest possible amnesty is also enshrined in customary IHL, while reaffirming the prohibition of amnesties for atrocities<sup>119</sup>. Since the right to truth, justice and reparation is enshrined in international human rights law, blanket amnesties are not permitted for the purposes of reaching a peace agreement if they foreclose prosecutions for international crimes<sup>120</sup>. This tension has been a prominent feature of debates about ‘peace versus justice’<sup>121</sup>.

Security Council resolutions (UNSCR) have provided a legal basis for post-conflict transitions that involve disarmament, demobilization and reintegration and encouraged the application of lawful amnesties<sup>122</sup>. Early disarmament efforts were mandated in the context of country-specific international peace operations through the UN<sup>123</sup>. The first UNSCR sanctioning a DDR operation was launched in Namibia in 1989 with the aim of dismantling various non-state armed groups<sup>124</sup>. The concept of DDR then spread swiftly in development and security discourses, becoming embedded in a growing number of UNSC resolutions and peacekeeping missions<sup>125</sup>. However, it was only in 2014 that UNSCR 2151 was enacted as the first stand-alone resolution on DDR and security sector reform (SSR)<sup>126</sup>. Nevertheless, the

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<sup>118</sup> Additional Protocol II states in article 6(5) the obligation that “at the end of hostilities, the authorities in power shall endeavour to grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict [...]”; ICRC, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 6(5).

<sup>119</sup> Henckaerts et al., *Customary International Humanitarian Law*, rule 158; *ibid.*, rule 159; *ibid.*, 612.

<sup>120</sup> United Nations, ‘IDDRS: DDR and Transitional Justice’, 5; UN General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, para. 15; UN Security Council, ‘The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies Report of the Secretary-General [S/2004/616]’, para. 64(c); Orentlicher, ‘Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity’, principle 1–5; See also International Council on Human Rights Policy, *Negotiating Justice?*, 81; Hayner, *Unspeakable Truths*, 23ff.

<sup>121</sup> Hayner, *Unspeakable Truths*, 14; Nagy, ‘Transitional Justice as Global Project’, 276; International Council on Human Rights Policy, *Negotiating Justice?*, 13; Teitel, ‘Transitional Justice Genealogy’, 81.

<sup>122</sup> Henckaerts et al., *Customary International Humanitarian Law*, 612.

<sup>123</sup> Muggah, ‘Emerging from the Shadow of War’, 194.

<sup>124</sup> UN Security Council, Resolution 435 (1978) [Namibia]; Muggah, ‘Dealing with Fighters in the Aftermath of War: Introduction’, 5.

<sup>125</sup> Muggah, ‘Dealing with Fighters in the Aftermath of War: Introduction’, 5.

<sup>126</sup> UN Security Council, Resolution 2151 (2014) [on security sector reform].

resolution focuses on SSR and does no more than recognise the linkages to DDR; it does not define the concept, or any corresponding obligations, in specific terms.

International law therefore sketches rules for peace-building but fails to specifically cover important areas of DDR. Rather, it focuses on providing basic legal minimum standards, including the prohibition of the use of force and the restoration of peace and security, and on regulating amnesties as legal guarantees for members of armed groups after the cessation of hostilities.

Even though DDR is not specifically covered by international law, the area is addressed by international soft law, guidelines and principles. Most famously, the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) provides a soft law framework and policy guidance for DDR. It states that “[the] DDR of ex-combatants is a complex process, with political, military, security, humanitarian and socio-economic dimensions”<sup>127</sup>. The standards are based on UNSC resolutions mandating country-specific DDR programs, as well as reports of the Secretary General<sup>128</sup>, and they present four core principles<sup>129</sup>. These include the provisions that DDR programmes (1) must not harm ex-combatants or civil society at any point; (2) should include a sensible approach to strike a balance between short- and long-term objectives; (3) ought to respect international human rights law; and (4) be in accordance with IHL<sup>130</sup>. In addition, DDR is required to be people-centred, flexible, accountable and transparent, nationally owned, integrated, and well-planned<sup>131</sup>. Furthermore, the IDDRS provides detailed guidance and a collection of best practices for different levels of DDR, including concepts, structures, operations and linkages with other processes. The 23 modules cover issues from programme design and financing to food aid programmes in DDR, in close relation to transitional justice measures targeting long-term peace-building through reintegration.

#### **4.1.2 Gender-specific DDR standards**

##### *4.1.2.1 The need for gender-specific standards: challenges of female combatants in DDR*

As pointed out above, female ex-combatants face a variety of challenges associated with the prevailing general assumption that combatants are men. Women in armed groups are regarded

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<sup>127</sup>UN Working Group, ‘IDDRS’, sec. 1.10.

<sup>128</sup>UN General Assembly, ‘Disarmament, Demobilization and Reintegration: Report of the Secretary-General [A/60/705]’; UN Security Council, ‘The Role of United Nations Peacekeeping in Disarmament, Demobilization and Reintegration: Report of the Secretary-General [S/2000/101]’.

<sup>129</sup>Annan, ‘IDDRS’, p.ii.

<sup>130</sup>United Nations, ‘IDDRS: DDR and Transitional Justice’.

<sup>131</sup>United Nations, ‘IDDRS: The UN Approach’, para. 5.

as a minority, even though they represent up to 30% to 40% of some NSAGs<sup>132</sup>. The focus on women as peacemakers and/or victims overlooks the diverse experiences of female combatants and their role in DDR and transitional justice<sup>133</sup>. DDR frequently fails to consider women's needs and capacities. When studying priority issues for women combatants, Mazurana found that economic security, political and legal justice, as well as psychosocial healing, are the matters that are most pressing for female combatants<sup>134</sup>. Furthermore, female fighters fail to take full advantage of DDR programmes and benefit less because the processes are usually designed on gender-blind lines<sup>135</sup>.

Consequently, obstacles to female participation in DDR programmes have included lack of access: some DDR programmes require the possession of a weapon as an eligibility criteria and women have often only had supporting roles in NSAGs. DDR programmes have often inadequately addressed female combatant's interests and needs, and fed into traditional gender stereotypes through women-specific training, such as cooking or tailoring, that do not take into account the roles they assumed during conflict<sup>136</sup>. This results in the revocation of possible empowerment during wartime by furthering facilitating the return to the private sphere.

In addition, the dismantling of the collective armed groups usually has a disproportionate impact on women fighters and female combatants frequently experience stigmatization because they will have transgressed stereotypical gender roles, and they are perceived as being particularly cruel and abnormal<sup>137</sup>. This represents an additional obstacle to their reintegration into society<sup>138</sup>. Mann notes that "female civilian murderers, prison guards or guerrilla fighters are always perceived as being more cruel and vindictive"<sup>139</sup>. This double stigma – of being associated with an armed group and of breaking with social norms of behaviour – may even lead to their womanhood being questioned. This was the case in Liberia, where many women tried to hide the fact that they had been fighters due to the stigma

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<sup>132</sup>Anctil Avoine and Tillmann, 'Demobilized Women in Colombia', 218; Bouta, 'Gender and DDR', 5; Dietrich Ortega et al., 'Transitional Justice and Female Ex-Combatants', 160; Lindsey, *Women Facing War*, 23.

<sup>133</sup>Farr, 'The Importance of Gender to DDR', 26.

<sup>134</sup>Mazurana, 'Women in Armed Opposition Groups', 66–68.

<sup>135</sup>Farr, 'Gendering Demilitarization', 8; Farr, 'The Importance of Gender to DDR', 28.

<sup>136</sup>dlinShekhawat and Pathak, 'Female Combatants, Peace Process and the Exclusion', 58; For more on how a lack of understanding of women's roles in armed groups and the disadvantage in DDR see Bouta, 'Gender and DDR'; Farr, 'The Importance of Gender to DDR'; Mazurana and Carlson, *From Combat to Community*; McKay, 'Gender Justice and Reconciliation'.

<sup>137</sup>Dietrich Ortega, 'Untapped Resources for Peace', 232.

<sup>138</sup>Schwitalla and Dietrich, 'Demobilisation of Female Ex-Combatants in Colombia', 58; Giraldo, 'Demobilized Women Combatants', 7.

<sup>139</sup>Mann, 'Women in Combat', 28.

attached<sup>140</sup>. Finally, fear for their physical security plays another crucial role in women's decision to self-demobilize rather than to participate in a programme<sup>141</sup>.

The marginalization of female ex-combatants actually starts with the exclusion of women fighters from the negotiation process<sup>142</sup>. Due to women's absence from the peace tables women-specific issues are most likely disregarded. Even when DDR programmes specifically include women fighters, they often refer to 'females associated with armed forces', 'female dependents' or 'camp followers' instead of calling them 'combatants'<sup>143</sup>. When they are given a status other than that of a soldier, their importance is reduced and they are potentially eliminated from relevant policy discourses, rendering them invisible as agents of violence with important functions in armed groups, and reinforcing the stereotype of women as inherently peaceful<sup>144</sup>. Finally, the focus in DDR on 'returning to normal', pose a challenge to female combatants. This includes the emphasis on the return to the private sphere and stripping women fighters of the positions of authority that they have held during the time of fighting all<sup>145</sup>. Restoring normality involves a re-situating of female combatants in traditional gendered roles of society<sup>146</sup>.

Given these challenges, it can be argued that DDR should be approached gender sensitively, that particular attention should be paid to women, and that programmes should be developed accordingly. In addition, some researchers have called for a break with perpetrator-victim dichotomies since many female combatants perceive conflicts in multifaceted ways<sup>147</sup>.

#### *4.1.2.2 International gender-specific DDR obligations*

The expansion of gender-specific protection in international law relating to armed conflicts has also affected the framework of DDR. Here, gender-specific is often equated with women-specific. The awareness that female combatants face specific challenges during transitions has affected the development towards the inclusion of a gender-specific emphasis in international standards. In response to liberal feminist critics, who wanted equal outcomes for women and men alike, different international legal documents called for special consideration for female combatants and a gender-sensitive approach to DDR.

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<sup>140</sup>Specht, 'DDR and Violent Masculinities', 80.

<sup>141</sup>Dietrich Ortega et al., 'Transitional Justice and Female Ex-Combatants', 164; Council of Europe, Resolution 1385 (2004): Conflict prevention and resolution: the role of women, para. 2.

<sup>142</sup>Mazurana, 'Women in Armed Opposition Groups', 54.

<sup>143</sup>Farr, 'Gendering Demilitarization', 7.

<sup>144</sup>Ibid., 6.

<sup>145</sup>Dietrich Ortega et al., 'Transitional Justice and Female Ex-Combatants', 165.

<sup>146</sup>Shekhawat and Pathak, 'Female Combatants, Peace Process and the Exclusion', 53.

<sup>147</sup>Tabak, 'False Dichotomies', 125.



Whereas the adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979 was a first milestone in the inclusion of women-specific issues in the human rights agenda, CEDAW focused on discrimination against women without specifically addressing women- and gender-specific issues in armed conflicts. However, the convention should be also implemented in the area of disarmament, demobilization and reintegration, even though there is no specific reference to conflict or post-conflict environments. Nevertheless, the convention does focus on equal political and legal rights, as well as equality in the field of education, employment, health care, and other areas of economic and social life. The provisions of the convention are therefore relevant for the implementation of DDR policies.

The Beijing Platform for Action (1995) focused for the first time on women's specific rights during and after armed conflicts. Even though it is not legally binding, the declaration created benchmarks for women empowerment that were agreed by 189 countries. The declaration states specifically that women must have "equal access and full participation [...] in power structures and [...] full involvement in all efforts for the prevention and resolution of conflicts"<sup>148</sup>. Furthermore, it elaborates on the specific vulnerabilities and traumatic consequences that women experience during armed conflicts, calling for better protection for women's rights in wartime. The report includes strategic objectives such as an increase in the participation of women in conflict resolution at the highest level, and the promotion of women's contribution to advancing a culture of peace<sup>149</sup>.

UN Security Council Resolution 1325 (2000) – "On Women, Peace and Security" – has been celebrated as legal landmark document resulting from the efforts in Beijing. The quasi-legally binding resolution incorporates obligations for increasing representation, special protections and gender-specific consideration in the planning of DDR. Specifically, Article 8 calls on:

"[...] all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

- (a) The special needs of women and girls during repatriation and resettlement for rehabilitation, reintegration and post-conflict reconstruction;
- (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements [...]"<sup>150</sup>.

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<sup>148</sup>Beijing Platform for Action', para. 134.

<sup>149</sup>Ibid., strategic objective E.1, E4.

<sup>150</sup>UN Security Council, Resolution 1325 (2000) [on Women, Peace and Security], 8.

Furthermore, 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 dependants”*<sup>151</sup>.

This binding document therefore emphasizes the need to include and reflect gender issues in agreements. It acknowledges that peace processes and negotiations are not isolated events and that they provide a unique opportunity to be transformative for society. It also addresses the issue of the reintegration of both civilian women and female soldiers and their special needs in reintegration<sup>152</sup>. Article 13 elaborates on the need to include the differential needs of male and female ex-combatants in DDR, referring to women who are in combat positions or otherwise involved in armed groups<sup>153</sup>. Even though the resolution clearly calls for the inclusion of a gender perspective, this is not elaborated upon specifically and so it remains a broad and unclear concept.

The resolutions following on from UNSCR 1325 (2000) dealing with women, peace and security focus mainly on gender-based violence, violence against women and sexual violence in conflict. Nevertheless, the need to develop and implement gender-sensitive DDR programmes is also mentioned in UNSCR 1820 (2008) and UNSCR 1889 (2009). UNSCR 1889 (2009) calls for the needs of “women and girls associated with armed forces” to be taken into account, without granting them fighter status<sup>154</sup>. UNSCR 2106 (2013) specifically refers to female combatants of armed groups. In article 16(a) it requests the relevant UN entities to assist with the participation of women in

*“(a) disarmament, demobilization and reintegration processes, including, inter alia, by establishing protection mechanisms for women and children in cantonment sites, [...] and by offering trauma and reintegration support to women and children associated with armed groups, as well as ex-combatants”*<sup>155</sup>.

In addition, various studies and reports of the UN Secretary General on Women, Peace and Security have stressed the need to include specific actions for the inclusion of women in DDR

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<sup>151</sup>Ibid., 13.

<sup>152</sup>UNIFEM, ‘SC Resolution 1325 Annotated’, 8.

<sup>153</sup>Ibid., 12.

<sup>154</sup>UN Security Council, Resolution 1889 (2009) [on women and peace and security], 13.

<sup>155</sup>UN Security Council, Resolution 2106 (2013) [on sexual violence in armed conflict], 16(a).

planning, as well as to consider gender-specific needs in the process<sup>156</sup>. They have also called for full access for women to the resources and benefits of DDR and reintegration programmes.

CEDAW did not include a specific reference to women during and after conflict. The Committee on the Elimination of Discrimination against Women remedied this omission with general recommendation no. 30. Elaborating upon women fighters' challenges in DDR, the committee made the following recommendations:

“[...]”

(d) Ensure women's equal participation in all stages of disarmament, demobilization and reintegration [...];

(e) Ensure that disarmament, demobilization and reintegration programmes specifically target female combatants and women and girls associated with armed groups as beneficiaries and that barriers to their equitable participation are addressed; and ensure that psychosocial and other support services are provided to them;

(f) Ensure that disarmament, demobilization and reintegration processes specifically address women's distinct needs in order to provide age and gender-specific disarmament, demobilization and reintegration support [...]<sup>157</sup>”

Even though there are various international binding documents that provide a framework for including women in DDR programming, such inclusion is seen little in practice<sup>158</sup>. Nevertheless, the documents have played an important part in raising awareness about including gender awareness at least. The IDDRS (2006) referred to above includes a whole chapter on “Women, Gender and DDR”. The document provides policy guidance in the form of interventions that are both gender-aware and female-specific with the aim of addressing the complex roles and challenges of female combatants in DDR. Nevertheless, there are still criticisms relating to the lack of practical application but also to normative fallacies. The following section explores these soft law standards in brief.

#### 4.1.2.3 *Soft law: IDDRS on women*

By contrast with the broad and non-specific legally binding requirements on states to include a gender perspective in DDR, ‘soft law’ guidelines have proven to be more detailed and precise. Nevertheless, the first *Disarmament, Demobilization and Reintegration Guidelines*

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<sup>156</sup>UN Security Council, ‘Report of the Secretary-General on Women, Peace and Security [S/2002/1154]’, paras 61–65; UN Security Council, ‘Women and Peace and Security: Report of the Secretary General [S/2004/814]’, paras 66–72.

<sup>157</sup>Committee on the Elimination of Discrimination against Women, General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, para. 69.

<sup>158</sup>Farr, ‘Gender-Aware Disarmament, Demobilization and Reintegration (DDR)’, 2.

released by DPKO in 2000 mentioned specific considerations relating to women and girls only briefly, focusing on reintegration, and concentrating mostly on ‘engendering’ the document by referring to both men and women<sup>159</sup>. However, this ‘add women and stir’ approach did not address practical challenges<sup>160</sup>. This changed with the *Briefing Notes: Gender Perspectives on Disarmament, Demobilization and Reintegration* by the United Nations Department for Disarmament Affairs (UNDDA), which recognized the lack of equal access for women to DDR programmes. Design and implementation should therefore be gender-attentive<sup>161</sup>. UNDDA reiterated the need to include a gender perspective rather than ‘women’s issues’ in its 2003 *Gender Mainstreaming Action Plan*.

The IDDRS included a section on “Women, Gender and DDR” and set out general guiding principles for DDR that cover non-discrimination, gender equality and women’s participation, as well as respect for human rights. The section is based on the international mandate provided by UNSCR 1325 (2000), the Beijing Declaration and other UN Security Council documents<sup>162</sup>. DDR programmes should be designed to be gender-responsive in all ten phases identified by the UN: negotiation, assessment, demobilization, transitional support, assembly, cantonment, disarmament, resettlement, social reintegration and economic reintegration. It is only by mainstreaming gender into all segments of DDR that the programmes can be made sustainable and equitable. This document sheds light on the different choices and functions of female combatants and supporters, emphasizing the consideration of these multiple experiences when drafting DDR programmes. The IDDRS’s Operational Guide and How-to Guide on Gender-responsive DDR complement the document, giving clear and detailed policy guidelines, especially regarding gender-responsiveness during the peace process, in the design and the implementation of the programmes<sup>163</sup>.

#### **4.1.3 Conclusion: international gender-specific DDR standards**

This section explored international standards for DDR and found a range of legal obligations relating to post-conflict transition. Increasingly, documents have included the obligation to include gender-responsiveness in programmes. Even though general obligations under international law provide the basis for transitions and peace-building, they do not specifically

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<sup>159</sup> UN Department of Peacekeeping Operations, ‘Designing Transitions from Civil War: Demobilization, Democratization, and Commitments to Peace’, para. 207.

<sup>160</sup> Farr, ‘Gendering Demilitarization’, 22.

<sup>161</sup> UN Department for Disarmament Affairs, ‘Briefing Notes: Gender Perspectives on Disarmament, Demobilization and Reintegration’, 3.

<sup>162</sup> United Nations, ‘IDDRS: Women, Gender and DDR’, para. 5.

<sup>163</sup> UN Inter-Agency Working Group on DDR (IAWG), ‘How-To Guide’, sec. 2 and 3; United Nations, ‘Operational Guide’, sec. 5.10.

address the issue of DDR. Nevertheless, the IDDRS provides detailed soft law guidance for DDR programmes. The growing awareness of the role of female combatants and their specific needs has brought the marginalization of female fighters in demobilization processes to the fore and gender-specific international DDR standards have been developed accordingly. These standards are enshrined in legally binding documents such as CEDAW and UNSCR 1325, as well as in the IDDRS, which contains a section on gender-responsiveness. As a result, the international DDR standards have acquired a gender focus that states are required to implement in their programmes so that the needs of female combatants are met adequately. Nevertheless, gender-specific standards and UNSCR 1325 have been the target of consistent criticism. Some of these feminist perspectives on post-conflict transitions are explored in the next section.

## **4.2 Theoretical Framework II: feminist perspectives on law and politics**

Feminist perspectives may help us to deconstruct DDR standards and understand them at a more profound level. In adopting Derrida's approach to deconstruction, the process can demonstrate that a system is ultimately arbitrary since it is based on a construct that is dependent on discourse where agent and structure are mutually constituted<sup>164</sup>. As is the case with any theory, feminist thinking is not static: it influences and is influenced by international events, politics and laws. As a result, feminist theories are closely interrelated with findings from gender studies. The goal of feminist thinkers is to determine the underlying causes of women's positions and roles in all aspects of society by deconstructing those positions and roles to determine how they operate and are structured at a more profound level. In our case, they seek to explore the gendered content of law, which posits itself as neutral.

This framework focuses on normative critique, rather than practical challenges. Nevertheless, it aims to connect to the development of gender-specific standards as a result from liberal feminist critiques.

### **4.2.1 *Feminism in international law and human rights***

Feminist criticisms of international law originate from feminist approaches in international relations and are rooted in the studies of academics such as Christine Chirkin and Hillary Charlesworth. Feminist scholars of international law criticize international law from a feminist perspective, arguing against the idea that international law is neutral, objective and

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<sup>164</sup> Reus-Smit, 'Constructivism', 221.

impartial<sup>165</sup>. They argue that international law privileges men in terms of structure and content while marginalizing women. These critical perspectives can be broken down into *liberal*, *cultural* and *post-modern* feminist approaches. *Liberal feminists* usually accept the overall structures of international law and politics and strive after the equal treatment of men and women in public areas. In this perspective, representation and participation, as well as economic structures, employment and education, need to be equally accessible. By asking “*Where are the women in international law?*” liberal feminists may support affirmative action and other temporary measures in order to achieve formal equality<sup>166</sup>. This approach is frequently summarized as ‘add women and stir’ and it dominated feminist discourse until the mid-1990s<sup>167</sup>. Theories of *cultural feminism* go further when trying to answer the question “*What types of values are woven into the fabric of international law?*”<sup>168</sup>. When there is a structure of male domination, the law may privilege a male point of view, both in the language and in the hierarchical structure. The idea that the law is ‘rational’, ‘objective’ and ‘abstract’ contrasts with the idea of ‘female’ emotional, subjective and contextualized thinking<sup>169</sup>. Cultural feminists may argue in favour of the idea that women are more peaceful and humane and that “women judges bring a ‘new humanity’ to the decision-making process”<sup>170</sup>. Finally, *post-modern feminists*, including third-world feminists, question how binary language affects international law and the gendered coding of legal dichotomies. Further, it rejects one single explanation for the oppression of women, opening the discourse for contextualized knowledge and experiences<sup>171</sup>. Post-modern feminists deconstruct law through language, critically examining the dichotomies sustained by the law of perpetrators/victims, but also public/private, conflict/post-conflict and masculine/feminine<sup>172</sup>. Supporters of this theory argue that the very categorization of subject matter in international law reflects male priorities.

#### **4.2.2 Feminist perspectives on post-conflict transitions**

Feminist perspectives in international law emphasize that “international law [...] has a gender, and that that gender is male”, as illustrated by the unequal treatment of men and women, the lack of women represented in legal structures, the ‘male’ attributes that law

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<sup>165</sup>Charlesworth, Chinkin, and Wright, ‘Feminist Approaches to International Law’, 621–634.

<sup>166</sup>Charlesworth, ‘The Hidden Gender of International Law’, 94.

<sup>167</sup>Engle, ‘International Human Rights and Feminisms’, 53.

<sup>168</sup>Charlesworth, ‘The Hidden Gender of International Law’, 95.

<sup>169</sup>Charlesworth, Chinkin, and Wright, ‘Feminist Approaches to International Law’, 627.

<sup>170</sup>Charlesworth, ‘The Hidden Gender of International Law’, 96.

<sup>171</sup>*Ibid.*

<sup>172</sup>*Ibid.*, 97; Engle, ‘International Human Rights and Feminisms’, 53.

brings, and even the approach to categorization. Moving on from the original concern with international law instruments to regulate the world order and relations between states, theories have emerged that relate specifically to transitional justice.

This line of research originated with Bell and O'Rourke's questions about "where are the women, where is gender and where is feminism in transitional justice?"<sup>173</sup>. While examining the goals of transitional justice and assessing where these interventions are transitioning 'from' and where 'to', feminists soon discovered critical multi-levelled perspectives of transitions.

The *liberal feminist* view of international law points to the absence of women from either peace negotiations or from the design and nature of transitional justice mechanisms. This means not only that waging war is seen as a male affair but that negotiating peace is as well<sup>174</sup>. This critique, one can argue, has led to a response in the form of the emerging legal frameworks and policy documents on women and peace-building that are discussed in detail below. Legal frameworks and policy standards have been adapted with the aim of ensuring that women are treated equally with men in post-conflict processes and of tackling the lack of female participation in peace negotiations by adding women.

Feminist theorists have also emphasized the conceptual exclusion of women from accountability mechanisms, which they describe as inherently male-centric, that address public harms<sup>175</sup>. In response to this critique, efforts have been made to 'add gender' to the legal treatment of gender-based and sexual-conflict-related violence in transitional justice accountability<sup>176</sup>. As elaborated upon above, the evolution of the definition of harms in international law, including rape, into grave breaches of the Geneva Conventions, crimes against humanity and genocide has reformed accountability mechanisms. Furthermore, feminists have brought attention to the inclusion of alternative forms of justice in post-conflict environments.

When 'digging deeper', feminist scholars have found that the hierarchy of abuses in mechanisms of transitional justice favour a 'public' understanding of political violence as opposed to 'private' injuries, including socio-economic issues. A narrow focus on violence ignores structural elements of victimization<sup>177</sup>. This critical perspective may also refer to the

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<sup>173</sup>Bell and O'Rourke, 'Does Feminism Need a Theory of Transitional Justice?', 23.

<sup>174</sup>Ibid., 25.

<sup>175</sup>O'Rourke, *Gender Politics in Transitional Justice*, 19.

<sup>176</sup>Bell and O'Rourke, 'Does Feminism Need a Theory of Transitional Justice?', 26.

<sup>177</sup>Ní Aoláin, 'The Patriarchy of Transitional Justice', 1064.

emphasis in international criminal law on sexual violence, “reinforcing perceptions that sexual violence is women’s exclusive experience of conflict”<sup>178</sup>.

Feminists criticize UNSCR 1325 for having furthered the perception and classification of women as vulnerable entities and victims only, thereby reaffirming a stereotype that denies their role as powerful, active agents. Furthermore, women are often placed in the same category as children, reaffirming their perceived limited agency and inherent innocence and peaceful attitude<sup>179</sup>. This presentation discounts the complex motivations and experiences of female combatants and members of guerrilla groups, that often experience war multifacetedly, as victims and victimizers. As a consequence, women’s multiple subjectivities as well as men’s victimhood are denied by strengthening the dichotomy of peaceful women and violent men. Furthermore, the emphasis of rape as a harm experienced by women may pose a threat by privileging women’s sexual ‘purity’, infantilizing and sexualizing them, and denying their active agency<sup>180</sup>. As a result, reform has been questioned as a way of delivering feminist transformation and feminists have pointed out the tendency of reform to produce new obstacles for women<sup>181</sup>.

Turning to DDR, feminist theorists have drawn attention to international notions of security that prioritize ‘public security’, encompassing violence perpetrated through weapons and disregarding any other threats to human security such as the domestic and gender-based violence that transitioning countries often experience<sup>182</sup>. Disarmament is therefore perceived as being male-biased and reinforcing a male hierarchy of security. At the same time, the goal of disarmament – collecting arms from unauthorized armed actors and re-establishing the state monopoly of violence – reinforces the patriarchal hierarchy of the international system. Furthermore, by reaffirming the legitimacy of state violence as the only legitimate violence, structural violence is often accepted as being favourable to armed conflict or violence perpetrated by non-state actors<sup>183</sup>.

Likewise, Cockburn and Zarkov argued that the post-conflict environment, just like conflict, is “vividly about male power systems, struggles and identity formation”<sup>184</sup>. In this perspective, international organizations are seen as patriarchs reinforcing the existing system

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<sup>178</sup>O’Rourke, ‘International Law and Gender Justice’, 17.

<sup>179</sup>Dietrich Ortega et al., ‘Transitional Justice and Female Ex-Combatants’, 160.

<sup>180</sup>O’Rourke, ‘International Law and Gender Justice’, 17.

<sup>181</sup>Bell and O’Rourke, ‘Does Feminism Need a Theory of Transitional Justice?’, 33.

<sup>182</sup>Ní Aoláin, ‘The Patriarchy of Transitional Justice’, 1066.

<sup>183</sup>Muggah and Krause, ‘Towards a Violence Reduction Agenda’, 140.

<sup>184</sup>As cited in Handrahan, ‘Gender and Post-Conflict Reconstruction’, 433.



when aiming to contribute to peace building<sup>185</sup>. Furthermore, the post-conflict process excludes women and reinforces existing power structures.

When questioning the underlying meaning of ‘reintegration’ with gendered lenses, it is found that reintegration involves the return to the normal<sup>186</sup>. It aims to restore the natural structure of society, assuming the a peaceful nature of women<sup>187</sup>. Women fighters are affected particularly strongly by this return to societal norms. Instead of being transformed, the traditional system is reinforced, and this can often even lead to an increase in stereotyping and gender-specific roles by comparison with the situation before the armed conflict in an attempt to re-establish peace and security<sup>188</sup>.

In the context of the inherent dichotomous structure, the clearest example is the focus on perpetrators in contrast to civil society. The process therefore excludes multiple experiences during conflict due to its technical nature.. Even the UN standards and international law guiding the processes aiming for a better inclusion of female combatants remain in the patriarchal structure that feminists have discovered, as indicated by its technocratic, rational and objective nature. This criticism cannot be resolved entirely. However, it is another argument for linking DDR to feminist views about post-conflict transitions and approaching it more broadly, addressing structural harms and including transformative elements for society.

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<sup>185</sup>Ní Aoláin, ‘The Patriarchy of Transitional Justice’, 1062.

<sup>186</sup> Mann, ‘Women in Combat’, 32.

<sup>187</sup> Shekhawat and Pathak, ‘Female Combatants, Peace Process and the Exclusion’, 62.

<sup>188</sup> Bouta, ‘Gender and DDR’, 11.

## 5 Evaluation of Colombian DDR Programme on the basis of the gender-specific international standards

This chapter evaluates the Colombian DDR programme on the basis of the gender-specific standards of international law sketched out above in order to determine whether the programme adheres to those standards. Colombia is a state party to Additional Protocol II to the Geneva Conventions and CEDAW, having ratified the women's rights convention as early as 1982<sup>189</sup>. As a member state of the UN it is also bound by other standards of international law such as security council resolutions. This chapter first introduces the Colombian DDR programme as agreed in the framework of the 2016 Peace Agreement between the FARC-EP and the Colombian government under Item 3. It then analyses the DDR programme by reference to the international standards before concluding that this DDR programme complies extensively with gender-specific international DDR standards, including gender-responsiveness in all segments of the programme.

### 5.1 Introduction to the Colombian DDR Process

#### 5.1.1 DDR Processes

The Colombian case presents an interesting example of a 'fragmented transition' in the sense that it is not a singular and complete process from conflict to peace<sup>190</sup>. Consequently, "almost all administrations since *La Violencia* had concluded a peace agreement with one armed group", making Colombia experienced in demobilization efforts<sup>191</sup>. Between 1989 and 1994 alone, the state signed separate peace agreements with nine guerrilla groups. In 2003, the Uribe administration arrived at an agreement on the demobilization of the paramilitary organization AUC. As a result, in 2009, the Colombian state was still facing the challenge of reintegrating more than 43,000 members of armed non-state actors that had demobilized<sup>192</sup>. In general, DDR efforts have been the responsibility of the High Commissioner for Social and Economic Reintegration (ACRSE) and the Reintegration and Normalization Agency (ARN).

There are various collective and individual DDR programmes in place simultaneously, all of them in the context of a continuing armed struggle with other groups. On the one hand,

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<sup>189</sup>United Nations Treaty Collection'.

<sup>190</sup>Jaramillo, Giha, and Torres, 'Transitional Justice and DDR', 7.

<sup>191</sup>Pizarro Leongómez, 'Cambiar el Futuro'.

<sup>192</sup>Jaramillo, Giha, and Torres, 'Transitional Justice and DDR', 4.

individual demobilization has been a continuous process since 2002 as part of the government's counter-insurgency strategy, during which financial benefits, education and employment prospects for combatants have proven to be an effective tool for dismantling armed groups<sup>193</sup>. Ex-combatants who are being investigated for international crimes are excluded from this process and those who are eligible have to complete a number of specific workshops. On the other hand, collective demobilizations after peace agreements usually include political recognition, but also different reinsertion measures with regards to monthly allowances, loans to execute productive projects, education and access to health care<sup>194</sup>.

Nevertheless, the nature of the different armed groups has challenged the different DDR programmes<sup>195</sup>. As armed actors negotiate separate agreements individually, principles of justice, truth and reparation are not recognized across agreements. In particular, the AUC's demobilization has been the target of particular criticism on the grounds of the state's broad failure to investigate international crimes. It has been argued that compliance with these basic principles is vital for the achievement of reconciliation and reintegration since demobilization must go hand-in-hand with effective transitional justice measures<sup>196</sup>. The 2016 Peace Agreement aimed for compliance with those principles.

### **5.1.2 2016 Peace Agreement**

As early as 1982, the Colombian government engaged for the first time in peace negotiations with what was then the FARC. The aim of the talks was to demobilize the *guerrilla* group and re-establish the state monopoly of force. Even though the collective demobilization failed, it led to the foundation of the political party *Únion Patriótica* (Patriotic Union, UP), into which FARC members individually demobilized. Shockingly, the government did not ensure the physical security of the demobilized fighters and members of the communist party, resulting in the murder of up to 3000 UP members between 1986 and 1990 by paramilitary groups and drug lords. That led to the extermination of the party and is referred to as a 'political genocide'<sup>197</sup>. Subsequently, a second round of negotiations began in 1999 under the Pastrana administration. As a result, the two parties agreed on a demilitarized zone south of Bogotá covering 42,000 square kilometres. However, instead of demobilizing, the FARC used the concession to re-group and re-organize before continuing the armed struggle. In the aftermath,

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<sup>193</sup>Ibid., 14.

<sup>194</sup>Ibid., 18–21.

<sup>195</sup> Ibid., 10.

<sup>196</sup>Ibid., 8.

<sup>197</sup>Sacipa-Rodriguez, 'Historical Data about Colombia', 17.

the political and military tensions reached a climax, with the FARC being labelled a terrorist organization and being attacked in concerted state military action<sup>198</sup>.

In 2016, after public negotiations in Havana lasting more than four years, the FARC and the government reached a final peace agreement with the objective of terminating the conflict and establish a stable and sustainable peace. After the original agreement was rejected by a narrow margin in a national referendum, an amended version was adopted by congress in November 2016<sup>199</sup>. The agreement, which was praised by the international community for being remarkably advanced, includes six core items: (1) comprehensive rural reform, (2) the rules regulating political participation by the FARC, (3) the end of the conflict, including a ceasefire, the laying down of arms, and reintegration, (4) the termination of illicit drug trafficking, (5) an agreement on victims and (6) the implementation and verification mechanisms. By comparison with previous peace agreements with guerrilla groups and demobilization efforts, the comprehensive agreement includes transitional justice measures and aims at a political and social transformation of the Colombian state and society. After continuous pressure from women's rights NGOs lamenting the absence of women from the negotiation tables and the need to include gender-specific needs, a gender sub-commission consisting of members from both parties was created in 2014 in the midst of the negotiations. Their mandate included several goals: (1) to guarantee the inclusion of a gender perspective in the agreements, (2) to present proposals for amendments to the items already agreed at the negotiation tables, and (3) to enable a dialogue with women's organizations and LGBTI communities in order to recognize their contribution to the agreements<sup>200</sup>.

### 5.1.3 The Gender Approach

As a result of the gender sub-commission's participation, the Colombian peace agreement uniquely includes a cross-cutting gender approach. Gender-specific issues and challenges are recognized and addressed in a differential manner. Due to the recognition that the conflict has had a differential impact on men and women, these issues have been included in the agreement and the resulting policies. In addition, after the agreement was rejected in the referendum, most of the 'gender'-specific language was replaced by language using 'women' after evangelical churches mobilized civil society to reject the agreement due to the gender focus<sup>201</sup>. The differential approach (*enfoque diferencial*), a concept introduced by the

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<sup>198</sup>Saskiewicz, 'The Revolutionary Armed Forces of Colombia', 48.

<sup>199</sup>Casey, 'Colombia's Congress Approves Peace Accord With FARC'.

<sup>200</sup>FARC-EP, 'Gender Subcommission'.

<sup>201</sup>Koopman, 'Peace as Plural'; Millán, Personal Interview on 15 May 2017.

Colombian Reintegration Agency (ACR) in 2010, nevertheless remained<sup>202</sup>. This methodology assumes that equity does not mean equality and that vulnerable groups need to be addressed differently<sup>203</sup>. It therefore recognized the specific vulnerabilities of women, members of the LGBTI community, indigenous peoples, children and other minority groups during the armed conflict<sup>204</sup>. The inclusion of a differential approach also acknowledges the male bias that war and peace agreements seem to sustain<sup>205</sup>. Nevertheless, in the Colombian context gender-specific is usually interpreted as women-specific. Furthermore, Schöb has criticized the ACR's approach for still focusing on male combatants and reinforcing the silence surrounding female combatants<sup>206</sup>.

The next section analyses Item (3) of the Final Peace Agreement of November 2016 from the perspective of the gender-specific, international standards of DDR.

## **5.2 Analysis of Item 3 of the Agreement ('Fin del conflicto')**

### **5.2.1 Introduction to Item 3**

It was on 22 June 2016 that a joint communiqué announced that agreement had been reached on a definitive and bilateral ceasefire and the end of hostilities. This was long-awaited among civil society and politics alike, representing the most visible step to peace<sup>207</sup>. Item 3 of the accords – 'Fin del Conflicto' – is most relevant for this study of DDR as it includes, first, the agreement on the ceasefire and laying down of arms, second, the agreement on reincorporation of the FARC into civilian life, third, obligations incumbent on ex-guerrilla commanders entering political life and, fourth, the agreement on security guarantees. Item 3 is located between the Comprehensive Rural Reform and the agreement on Political Participation on the one hand and the Solution of the Illicit Drugs Problem, the agreement on a Comprehensive System for Truth, Justice, Reparations and Non-Reoccurrence, and implementation mechanisms on the other. This position at the heart of the peace agreement is a clear indication of its importance.

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<sup>202</sup>Millán, Personal Interview on 15 May 2017.

<sup>203</sup>Koopman, 'Peace as Plural'.

<sup>204</sup>Bouvier, *Gender and the Role of Women in Colombia's Peace Process*, 12–16.

<sup>205</sup>Anctil Avoine and Tillmann, 'Demobilized Women in Colombia', 219.

<sup>206</sup>Schöb, 'Disarming, Demobilising and Reintegrating Whom?', 141.

<sup>207</sup>Oficina del Alto Comisionado para la Paz, 'Comunicado Conjunto No 75'.

### 5.2.2 Analysis of Item 3 with from the perspective of gender-specific standards

As stated in the preamble to the Peace Agreement, Item 3 also “places special emphasis on the fundamental rights of women” and other groups<sup>208</sup>. In addition to the gender-sensitive language referring to “members (men and women)”<sup>209</sup>, the agreement also refers specifically to “an equity-based approach, with a particular emphasis on women’s rights” to reintegration<sup>210</sup>. Furthermore, it includes a gender-based approach in the provisions relating to security guarantees<sup>211</sup>.

The process includes the concentration of FARC members in temporary zones in order to facilitate disarmament and civil re-identification and registration, as well as reinsertion measures in the form of economic allowances, food, clothes, medical services, training and education that are included in the UN definition of demobilization<sup>212</sup>. However, the FARC refuses to call the process ‘demobilization’, preferring the terms *transición* (transition) or *reincorporación*, which translate as reintegration, reinstatement or reintroduction and entails both short-term and long-term policies. Reincorporation stresses the different focus and emphasizes the long-term process<sup>213</sup>. The emphasis is on the laying down of arms and the reintegration of FARC fighters in civilian life. As FARC member and member of the tripartite monitoring mechanism Olga Marín explains: “It is not a demobilization process. We are not demobilizing because we will not disintegrate as an organization. Rather, it is a mobilization towards a civilian life”<sup>214</sup>. It is fair to say that that the FARC sees this as a D(D)R process, a process that does not demobilize the FARC’s structures but turns the fighters into civilians<sup>215</sup>. This emphasis on non-demobilization may help to explain the plan of transforming the transition zones into *pueblitos de paz* (Peace Villages) where the infrastructure remains to facilitate political, economic and social reintegration as soon as the judicial structure and

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<sup>208</sup>Mesa de Negociaciones, Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz estable y duradera, 3.

<sup>209</sup>Ibid., 63.

<sup>210</sup>Ibid., 69.

<sup>211</sup>Ibid., 79.

<sup>212</sup>United Nations, ‘IDDRS: The UN Approach’, 4–5.

<sup>213</sup> As the official translation of the Colombian Peace Accords uses the term ‘reincorporation’ I will use this term even though it may sound awkward in English. Reincorporation will also be used interchangeably with the term ‘reintegration’ and can be read as such.

<sup>214</sup>Marín, Personal Interview on 8 May 2017.

<sup>215</sup> Even though the process may not include the word ‘demobilization’ or ‘reintegration’, for reasons of simplicity I will continue to refer to the term ‘DDR process’ in Colombia because all phases of DDR as defined by the UN (disarmament, cantonment, civil registration, economic and social reinsertion and reintegration) are also covered under the program

disarmament arrangements disappear. Many FARC members are planning to stay instead of building up a new life in other communities<sup>216</sup>.

### 5.2.2.1 Ceasefire and Disarmament

Part one of Item 3 focuses on the technical components of the bilateral ceasefire and cessation of hostilities. The technical nature of this part of the document makes a gender focus difficult to include. Nonetheless, the protocols for the ceasefire agreements include gender-specific language to describe male or female combatants or delegates in all of the texts<sup>217</sup>.

Furthermore, the agreements require special training for the members of the monitoring and verification mechanism (MMV) with respect to violence against women or LGBTI individuals, and sexual violence in particular<sup>218</sup>. This includes a prevention directive and tools to gender-based violence (GBV). Members of all of the branches at the local, regional and national levels have to be trained in the field of GBV, and monthly reports include a section on the issue. In addition, the code of conduct of the MMV includes language to prevent discrimination and the prohibition of sexual violence<sup>219</sup>.

Additionally, and most importantly, in the rules governing the ceasefire and the laying down of arms, both parties pledge under rule seven not to engage in any violence that could threaten the civilian population, “especially acts that are gender-based”<sup>220</sup>. Gender-based violence (GBV) constitutes a breach of the ceasefire and therefore represents a vital point of the agreements. This advance not only fulfils international standards as stated in both the UNSCRs and in the IDDRS, but also shows what can be achieved when there is a gender sub-commission and when women are present at the peace tables, where the gender sub-commission pushed for this inclusion<sup>221</sup>.

Finally, the representation of women in the tripartite MMV exceeds all international statistics, with women holding 18% (186) of the positions. Even though efforts were made to ensure that *at least* 20% of the positions of the MMV were given to women, this has not been translated into law. Nevertheless, both parties agreed to include as many women as possible in

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<sup>216</sup>Amparo Sanchez, Personal Interview on 9 May 2017; Ávila, Personal Interview on 9 May 2017; Marín, Personal Interview on 8 May 2017.

<sup>217</sup>Mesa de Negociaciones, Protocols and Annexes to the Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities and Laying Down of Arms, para. 2(2)(a); Mesa de Negociaciones, Protocol for the section on Rules that Govern the Bilateral and Definitive Ceasefire and Cessation of Hostilities (BDCCH) and the Laying Down of Arms (LA), p.237.

<sup>218</sup>Mesa de Negociaciones, Protocols and Annexes to the Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities and Laying Down of Arms, 245.

<sup>219</sup>Millán, Personal Interview on 15 May 2017.

<sup>220</sup>Mesa de Negociaciones, Protocol for the section on Rules that Govern the Bilateral and Definitive Ceasefire and Cessation of Hostilities (BDCCH) and the Laying Down of Arms (LA), 236.

<sup>221</sup>Millán, Personal Interview on 15 May 2017.

the MMV, resulting in women holding 38% of the positions held by FARC members<sup>222</sup>. Furthermore, the Observation and Verification Commission on the Implementation of the Peace Agreement (*Comision de Seguimiento, Impulso y verificación a la implementación, CSIVI*) includes a special entity to guarantee a gender focus that consists of 18 women from different sectors of civil society<sup>223</sup>. Monitoring and reporting are therefore gender-responsive, as required under 5.8 of the IDDRS.

Given the examples here relating to disarmament, it is reasonable to conclude that the Colombian accords fulfil international gender-specific DDR standards. Indeed, they appear not only to comply with article 13 of UNSCR 1325, as female combatants' needs are taken into consideration, but also the guidelines for gender-responsive disarmament under IDDRS regarding peace negotiations (5.1), planning and design (5.3) and disarmament (5.4)<sup>224</sup>. Nevertheless, many provisions in international hard and soft law standards proved ineffective given logistical realities. The structures and transition process of the FARC rendered irrelevant specific interventions regarding self-demobilization and weapon ownership, as well as separate cantonment and facilities<sup>225</sup>.

#### 5.2.2.2 Reincorporation<sup>226</sup>

Reincorporation issues are covered in part two of Item 3. As well as referring specifically to individual rights and freedoms relating to the reintegration of FARC members, the peace agreement states that “every component of the reincorporation process shall have an equity-based approach, with a particular emphasis on women’s rights”<sup>227</sup>. Reincorporation covers political issues associated with the FARC’s transformation into a legal political movement, as well as economic and social matters affecting individual fighters. It can be broken down into reinsertion, short-term measures to provide temporary financial and material assistance, and reintegration, long-term processes targeting the return of combatants to civilian life<sup>228</sup>. The peace agreement includes the creation of various institutions and organizations consisting of members of FARC and the government to aid the reincorporation process. It also includes the obligation to conduct a census in order to identify the specific needs of the combatants in order to plan and develop productive projects and programmes. Even though a gender-

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<sup>222</sup>Ibid.

<sup>223</sup>Oficina del Alto Comisionado para la Paz, ‘Comunicado Conjunto No 18’.

<sup>224</sup>United Nations, ‘Operational Guide’, secs 5.10.1, 5.10.3, 5.10.4.

<sup>225</sup>Millán, Personal Interview on 15 May 2017.

<sup>226</sup>The term reincorporation includes reinsertion and reintegration. *see* footnote 213

<sup>227</sup>Mesa de Negociaciones, Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz estable y duradera, para. 3.2.

<sup>228</sup>Jaramillo, Giha, and Torres, ‘Transitional Justice and DDR’, 21.



sensitive approach is not as emphatically present in this part of the peace agreement, Colombia's Reintegration Agency (ACR), which has been recently renamed to the Reincorporation and Normalization Agency (*Agencia para la Reincorporación y Normalización*, ARN), is well-known for a differential gender- and equity-based approach<sup>229</sup>. It aims to tackle gender-specific obstacles to DDR that feminists have criticized and that international standards aim to overcome<sup>230</sup>. The approach depends specifically on an understanding of female empowerment and therefore takes into account a possible simultaneous victimization in NSAGs. The approach recognizes a "militarised hegemonic masculinity as foundation of patriarchal culture and female sub-domination"<sup>231</sup>. The strategy aims to address the individual needs of ex-combatants and includes training for public officials of the agency on gender issues involved in DDR and sexual violence. Here, gender and female-specific interventions fulfil standards enshrined in IDDRS regarding demobilization (5.5) and reintegration (5.6), such as providing psychosocial rehabilitation, preventing the marginalization of women, and ensuring that education and training are accessible and adequate for women<sup>232</sup>. In addition, a gender approach is adopted within assessment, fulfilling the standards (5.2)<sup>233</sup>. Even though the National Reintegration Council, which is responsible for implementing this specific FARC reincorporation process, has not published the detailed reintegration programme yet, it can be expected that it will include a gender perspective.

### 5.2.2.3 Security Guarantees

The last part of Item 3 deals with security guarantees and the fight against criminal organizations, particularly by addressing the phenomenon of paramilitarism. A gender-based approach is included in the guiding principles: "special emphasis will be placed on the protection of women, children and adolescents, who have been affected by the criminal organizations that are the subject of this agreement"<sup>234</sup>. Furthermore, this part of the agreement is guided by an equity-based approach that refers to different threats and

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<sup>229</sup>Eder, Salazar, and Diaz Kraus, 'Perspectiva de Género En Reintegración'; Schöb, 'Disarming, Demobilising and Reintegrating Whom?', 142.

<sup>230</sup>See amongst others Bouta, 'Gender and DDR'; Farr, 'Gendering Demilitarization'; Farr, 'The Importance of Gender to DDR'; Hauge, 'Disarmament, Demobilization and Reintegration Process (DDR)'; United Nations, 'IDDRS: Women, Gender and DDR'.

<sup>231</sup>Schöb, 'Disarming, Demobilising and Reintegrating Whom?', 142.

<sup>232</sup>United Nations, 'Operational Guide', secs 5.10.5, 5.10.6.

<sup>233</sup>Ibid., 5.10.2.

<sup>234</sup>Mesa de Negociaciones, Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz estable y duradera, para. 3.4.1.

experiences undergone by different people<sup>235</sup>. Furthermore, the Special Investigation Unit established to dismantle criminal organizations will be expected to produce dedicated investigation methodological plans regarding serious acts of victimization against women, children and the LGBTI community<sup>236</sup>. In summary, gender-specific needs are also included in these legal norms and approaches.

### 5.3 Conclusion

The analysis of the DDR programmes implemented in the 2016 Peace Agreement under the international DDR standards shows that it can be concluded that they largely comply with international gender-specific standards.

Firstly, the peace negotiation included women on both sides of the table as plenipotentiaries, working towards the Beijing Declaration's requirement of "equal [...] participation"<sup>237</sup>. Nevertheless, even though women were involved in the peace negotiations they were still vastly under-represented and men dominated the talks, especially in the beginning. It was only due to public pressure from women's rights organizations that both parties started to include more and more women<sup>238</sup>. A gender sub-commission was created whose work led to the inclusion of a cross-cutting differential gender approach. This means that a gender perspective as called for by UNSCR 1325 (2000) was implemented<sup>239</sup>.

Secondly, the different needs of female and male ex-combatants were addressed by the accords. Item 3 in particular includes a gender perspective in the sub-agreements about ceasefire and disarmament, reintegration and security guarantees, implementing the provisions in UNSCR 1325 and 2106, which encourage the consideration of these differential needs<sup>240</sup>. The binding documents focusing on the specific vulnerabilities of women in post-conflict environments were also applied in the rules governing the cessation of hostilities, where gender-based violence constitutes a breach of the ceasefire. Regarding reintegration, the specific needs of women are recognized and provided for with the aim of targeting and including female combatants specifically by providing education and training opportunities that are tailored to their needs as determined in the census.

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<sup>235</sup>Ibid.

<sup>236</sup>Ibid., 89.

<sup>237</sup>'Beijing Platform for Action', para. 134.

<sup>238</sup>Bouvier, *Gender and the Role of Women in Colombia's Peace Process*, 17.

<sup>239</sup>UN Security Council, Resolution 1325 (2000) [on Women, Peace and Security], 8.

<sup>240</sup>Ibid., 13; UN Security Council, Resolution 2106 (2013) [on sexual violence in armed conflict], 16(a).

Finally, the specific programmes could not yet be evaluated under the gender-specific IDDRS guidelines, since they have not been made public yet. Nevertheless, Colombia's long-standing experience with DDR has led to an awareness and inclusion of a gender- and female-specific approach in the programmes. Consequently, many of the challenges stated by critical feminist DDR scholars seem to be covered by the Colombian DDR programmes: there are no obstacles preventing the admission of women to the programmes, no marginalization in the process due to a gender-blind design and no imbalanced focus on economic reintegration rather than psychosocial healing<sup>241</sup>. Other areas that have been widely criticized, such as inadequate or stereotypical training programmes or the lack of access to DDR programmes for female combatants, do not apply due to the structure of the collective demobilization process. It can therefore be concluded that the Colombian DDR programme under Item 3 of the Peace Agreement adheres to and fulfils international gender-specific DDR standards. This chapter has found that the answer to the first sub-question – Does the Colombian DDR programme correspond to international gender-specific standards? – is affirmative. The Colombian DDR framework is highly advanced in that it includes women-specific issues to address the needs of female combatants. This is also the case in Item 3, which can be regarded as best practice for the incorporation of gender-specific hard and soft laws regarding transition.

The next chapter evaluates the Colombian DDR programme in the light of challenges faced by female FARC combatants.

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<sup>241</sup>Ní Aoláin, Haynes, and Cahn, 'Disarmament, Demobilisation and Reintegration (DDR) Programs', 140.

## 6 Analysis of challenges facing female FARC combatants

In order to analyse the specific challenges facing female FARC combatants, this chapter evaluates twelve qualitative interviews and observations from the field study I conducted in the transition and normalization zone (*Zona Veredal de Transición y Normalización, ZVTN*) in Icononzo in May 2017. The aim of the interviews was to establish a picture of the future plans, experiences and challenges faced by FARC women in the disarmament and reintegration programme. I also explored topics such as joining the FARC and the role of women in the organization, as well as the women's views on transitional justice. As international standards are constantly being scrutinized and adapted, it is important to know whether they actually correspond to the challenges facing female fighters. The discussion here will therefore turn to whether the Colombian DDR programme, while complying with international gender-specific standards, also addresses those challenges.

This chapter first provides a chronological overview of recurring themes from the interviews: First, joining the FARC and life in the organization, subsequently transition and future plans, and finally views on justice. After a discussion of whether the female interviewees stated any gender-specific challenges, the chapter moves on to evaluate how the Colombian DDR programme addresses those challenges. As will be seen, there is a divergence between the challenges stated by the FARC combatants and those that Item 3 aims to address and so the discussion moves on to discuss this tension and its implications for those gender-specific international DDR standards that Item III implements.

### 6.1 Findings from the field

A number of recurring themes emerged from the interviews with the female FARC members. As well as talking about their reasons for joining the guerrilla and the time they spent in the insurgency, the women talked about their role in the FARC, their views on reincorporation, their future plans, and their ideas about justice. Fears and challenges came to the fore about reintegration in particular. The analysis of the findings concentrates on those themes but there is also a brief description of the women's reasons for joining the armed group, and a comparison with the existing literature.

### 6.1.1 *Joining the FARC and role in the organization*

In order to better understand the possible challenges associated with reintegration, and to learn more about the target group, it is important to have a clear picture of why women joined the guerrilla. Most of the interviewees stated that they joined the FARC between the ages of 11 and 17. Their decision was often influenced by the involvement of family members or boyfriends in the organization. Maricela states:

*“Well, I decided to join the FARC because, well the situation of my family is of a poor [economic] class. And the situation, well it obliges you to take these paths. And my family, they are communists, well I had a brother, and well, I followed this brother.*

*- The brother was a member [of the FARC]?*

*- [...] Yes, he joined five years before me.”*

Others mentioned family problems, such as domestic violence, gender inequality or poverty as reasons. Still others seemed to be motivated by fear for their own security or revenge after a family member had been killed by the military or paramilitary. Socialist ideology and community feeling also played a major role.

Lorena, who joined at the age of 11, explained:

*“Well, I always have been from a ‘zona guerrillera’<sup>242</sup> and I always interacted with them, and well, I liked the weapons and so on, but to be honest, honestly, truth to be told, what made me join the guerrilla and made me take a definitive decision, was the death of my brother.*

*- And how was he killed?*

*- By the military.”*

This confirms existing research on female FARC combatants, which found that most female FARC fighters joined for socio-economic reasons, ideology or the ability to escape pre-determined lives and gender roles<sup>243</sup>. In addition, the interviews confirmed overall research suggesting that female fighters join because of family ties and for economic survival, but also in order to protect themselves from other actors or to fight for egalitarian gender relations<sup>244</sup>.

The interviewees’ descriptions of their role as female combatants also concurred with the literature<sup>245</sup>. The themes of gender equality within the insurgency movement and ‘capacity’

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<sup>242</sup> ‘Zona guerrillera’ refers to the areas in which the FARC had been in control.

<sup>243</sup> Gjelsvik, ‘Women, War and Empowerment’, 36; Sjölander, ‘Qualitative Interview Study of Female Ex-Combatants’, 38.

<sup>244</sup> Mann, ‘Women in Combat’, 26; Bouta, ‘Gender and DDR’, 6; Mazurana, ‘Women in Armed Opposition Groups’, 25.

<sup>245</sup> Mazurana, ‘Women in Armed Opposition Groups’, 32–35; Mazurana, ‘Women, Girls and NSAGs’, 150.

were most prominent. Equality for male and female fighters was mostly explained with reference to equal duties, but also equal rights.

*“[...] Here within the FARC, we have this right, a right is for everyone. So we all carry two arrobas<sup>246</sup>, whether man or woman, we carry the two arrobas. If a man goes to combat, a woman can as well.” (Maricela)*

Antonia explained the change in gender roles that occurred upon the FARC, an issue that recurred in many interviews:

*“[...] what one really finds is the, the transformation and modification of these traditional roles, so here it is not because of being a woman that you have to fulfil these roles of washing, cooking, staying in the house, [...], no, here the roles are shared and equal, equally men and women wash, take care of the children now that there are children, and are doing these tasks”*

Lorena was even motivated to demonstrate that she was as strong as the men and, as others confirmed, the tasks were always distributed in line with ability.

*“If a man has to transport rations and he has to carry four arrobas I will have to do the same as well. [...] So if a man takes it upon himself [I ask myself:] Can I do that, too? How come wouldn't I be able to do it [...] - But what happened if you really, physically, could not? - Nothing, it was normal. [...] At least when I went and told them, no, I can't manage four arrobas, they told me, ok, take what you can and that's it, it doesn't matter. [...]”*

In addition to the material equality of male and female fighters in the FARC, many women described the initial difficulty of having a combat role and the transition towards the normality of being a fighter. Some referred specifically to their femininity. Even though they regarded themselves different from the average woman, they felt feminine and female.

*“[...] It doesn't mean that we women in the FARC, because we carry a weapon, stop being women. It's normal, we are always feminine, we have never stopped being feminine” (Alejandra)*

This finding confirms research looking at 'militarized masculinities' in which military life and weapons are closely associated with the perception of manhood<sup>247</sup>. Here, masculine identity is intrinsically intertwined with involvement in armed conflict<sup>248</sup>. Armed conflict is dominated by violent masculinities, and so female combatants often face a conflict with respect to gender identities<sup>249</sup>. In the example of the FARC, female combatants felt the need to express their

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<sup>246</sup> 'Arroba' is a weight unit used in the FARC; 25 imperial pounds (approx. 11,5 kg).

<sup>247</sup>Ni Aoláin, Haynes, and Cahn, 'Disarmament, Demobilisation and Reintegration (DDR) Programs', 135.

<sup>248</sup>Theidon, 'Reconstructing Masculinities', 78.

<sup>249</sup>Specht, 'DDR and Violent Masculinities', 67; Shekhawat and Saxena, 'Victims or Victimizers', 125.

feminine side through their looks. Alejandra also stressed that FARC women were known for having long, beautiful hair that they groomed carefully. Research suggests that female combatants become more masculine, adapting male patterns of behaviour and ‘becoming like men’<sup>250</sup>. Valentina disagreed:

*“[...] it was never that because I am carrying a weapon, I am Rambo. No, we always made sure we were women. Even though, some wanted to be like that, I did not.*

*- Like that they became a bit masculine?*

*- Yes, but they were very few to be honest.*

*[...] Anyway, the stereotype of a Rambo woman like Nikita<sup>251</sup>, well no, look, you will see, I always was surprised by the female comrades, they were always neatly combed, wore their uniform in a certain way, [...] well I myself was not like this, but they always fought for this.*

*- For the femininity?*

*- For this difference.”*

So even though female combatants were equal and equality between men and women in the insurgency is very important, they still did not want to be seen as men but as women. For them, gender equality in the guerrilla did not mean adapting to male behaviour and relinquishing their female gender identity. Furthermore, the issue of gender identity also played a fundamental role with respect to reincorporation and plans for the future.

### **6.1.2 Transition, reincorporation and future plans**

When asked about their plans for the future, the interviewees usually replied in a straightforward way and talked about either educational or career plans. Only a few discussed their future lifestyle. All the interviewees said that they want to maintain their links with the FARC as a political organization. Some wanted to continue living in the FARC community and others planned to become farmers or move to the city. They all mentioned university studies or formal education as part of their future plans, or mentioned the education they were currently receiving in the demobilization zones. Only a few talked about returning to or starting their own families.

When asked about reincorporation, almost all of the interviewees had concerns about the difficulty of the transition. They talked about physical insecurity, mainly in the context of paramilitary threats, political insecurity, about “having to fight with words”<sup>252</sup>, economic

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<sup>250</sup>Gjelsvik, ‘Women, War and Empowerment’, 44; Specht, ‘DDR and Violent Masculinities’, 68; Shekhawat and Saxena, ‘Victims or Victimizers’, 125; Anctil Avoine and Tillmann, ‘Demobilized Women in Colombia’, 224.

<sup>251</sup> ‘Rambo’ and ‘Nikita’ are references to the respective protagonists of action movies.

<sup>252</sup> Personal Interview with Antonia

concerns about employment prospects, and personal worries such as a fear of stigmatization, not knowing where to go, or having to start a new life. A common thread was the theme of tensions between staying in the FARC and starting a new life and returning to old roles or possibly returning to the family. The difficulty involved in this complete transformation is illustrated by Daryi's comments focusing on the need to change appearance and clothing.

*"[...] from now on, you can't wear green clothes because you are going back to civilian life. You need to put on jeans and normal clothes, a normal jumper. And you can't wear your boots anymore. [...] we have a lot of guerrilleros that feel weird because we will lay down the weapons"*

Laying down weapons and switching from combat uniform into civilian clothing therefore also represents an intangible change that is fraught with insecurities and uncertainties.

#### *6.1.2.1 Physical insecurity*

All the interviewees mentioned the paramilitaries as the biggest threat to their own and their families' security. Some said that victimization by paramilitary groups was why they joined the insurgency; others had already received threats from paramilitary or quasi-paramilitary entities during the transition. Even though the Colombian government is required to make arrangements to protect ex-combatants, there is considerable scepticism about this guarantee. Given Colombia's past, and particularly the 'political genocide' of the *Unión Patriótica*<sup>253</sup>, the female ex-combatants do not believe that the government will be able to provide adequate protection. They feel their lives are in danger, but that this is inevitable and a natural consequence of having participated in the conflict.

*"So for me, one of the biggest fears that I have, [...] so if they [the paramilitaries] threaten me and they tell me that they will kill me and that they will find me and, better said, that does not affect me because I have been in this for a long time already and in one moment it will have to happen, but that they get the family involved..."* (Lorena)

So, laying down arms and continuing the political struggle appears to be difficult. Daryi described how the prospect of facing the threat of paramilitaries without arms was affecting her deeply:

*"[...] well, let's say, you aren't armed with anything, with weapons you can defend yourself, but now it's different already. Now you have to defend yourself with politics, and for sure that's what scares you, because you're not used to civilian life. You always resorted to arms and now there is a lot of change, like the change that is happening at the moment, of course, like, it's also not that just anyone wants to kill you, no, what is*

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<sup>253</sup>Sacipa-Rodriguez, 'Historical Data about Colombia', 17.



*happening a lot, we have enemies [...] that's why the paramilitaries will kill you, because they know that that person is from the party [the FARC]"*

The fact that paramilitaries not only threaten the lives of the FARC members but also their families discourages ex-combatants from returning to their families and has a considerable impact on reintegration.

*"My mum wanted me to come home, but under these circumstances no, I have my three younger siblings and I, I am 27 years old, my other siblings are younger and have a future before them, my brother has a 2½-year-old daughter, and I can't do this. If I did, [and] something would happen to my sister who is pregnant, [or] something would happen to the family and then the responsibility would be mine and that would be very difficult for me [...] so at the moment I prefer to have them, like, at a distance [...]"*  
(Yolima)

#### 6.1.2.2 Economic insecurity

In addition to physical insecurity, economic insecurity was a recurring theme in all interviews. As Farr explains, economic reintegration needs to take women's rights and participation in the economic sphere into account. The ability to support oneself economically is one of the main challenges facing all ex-combatants, but particularly the women<sup>254</sup>. This concern was mirrored in my interviews. Referring to her *guerrillera* status, Yolima wondered:

*"We don't have work, we are guerrilleras by profession, right? And then, what am I going to do? Where am I going to live? How am I going to support myself so I can continue my studies?"*

*"[...] you are afraid that, that maybe for example, you go to ask for work and no one employs you because you have been a guerrillera, right?"* (Carolina)

Female FARC combatants also linked economic insecurity to their stigmatization in Colombian society. The interviewees expressed concern about the risk of unemployment in a new life. The structures of the FARC not only provided the women with physical protection and security, but also a daily routine, food and housing. The end of this familiar life and the loss of economic security generates insecurity and tension. The women are aware of these difficulties and they stress their need for education and vocational training. Their career expectations varied widely: from medicine, accounting, technical and IT systems, journalism or communications to farming<sup>255</sup>. Even so, uncertainty prevails. Carolina, the mother of the 10 month-old baby explained:

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<sup>254</sup>Farr, 'Gendering Demilitarization', 27.

<sup>255</sup> Personal interviews with Carolina, Lorena, Ivon, Daryi and Maricela

*“Oh sometimes maybe you want to study something and there is no opportunity because you are a guerrillera and so you’re a bad influence on the rest of the people, so the fear is this, it’s not about facing the life itself, but rather the opportunities that we have to get by, and even more with a family, right?” (Carolina)*

### 6.1.2.3 Personal uncertainty

Leaving the FARC, which has provided not only economic security but also a community, affects the women deeply. Research elsewhere has shown that women are particularly affected by the dissolution of the armed group’s community after demobilization<sup>256</sup>. This was also seen in the interviews. The women talked not only about material challenges such as economic security or physical safety, but also about how they will have face the difficulty of starting a completely new life, adapting to other norms and facing stigmatization and discrimination for having been in the FARC.

*“[...] as the incorporation begins, this transition that we are doing, we expect it to be tougher or rather I believe it will be tougher than when we lived in the bush. Why? Because here we will have to work, like we will have to see how we can support ourselves in order to have our own farms, like in order to really think like a civilian and that will be very difficult” (Maricela)*

Being a civilian poses a challenge: many women talked about “being different” or “not being normal”. They want to “open up” or are already “open” to a new life, but they still want to remain in the FARC<sup>257</sup>. This study identified internal tensions between returning to their families and remaining in the social community of the FARC. Many women contradicted themselves by saying they wanted return to their families, even after years of separation, and that they also wanted to stay in the FARC community.

*“We are part of a community and of a collective that is a historical and political subject. Or rather: in this respect we are not run-of-the-mill women” (Valentina)*

Having lived in a collective, female FARC members are now expected to integrate and adapt in a return to ‘normal’ society. This is reflected in the notion of the ‘outside’ represented by society and the ‘inside’ of the FARC community:

*“[...]entering this new dynamic of the outside society is a bit difficult because we have lived here like a collective: we faced a lot of difficulties, errors and contradictions, but we will overcome and we will build something up as a community. Here we have created*

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<sup>256</sup>Dietrich Ortega, ‘Untapped Resources for Peace’, 232.

<sup>257</sup>Interview with Maricela: „The biggest challenge for me personally would be to manage this process and hopefully that we can, how do you say it, open us”;

*a type of life, which is communal, it's in the community, outside it's completely the opposite [...]" (Antonia)*

*"We don't know how to live in today's society, this outside society [...]. And well, we have, how do you say it, a prejudice and they have one about us. So there is a contradiction and there are things that we have to take up and know how to understand them and how to handle them" (Maricela)*

On the other hand, the women hope that 'outside' society will be open and willing to reintegrate the women. The women want society to learn about the reasons for the fight and to stop seeing them as 'monsters'<sup>258</sup>. At the same time, they were afraid about being judged by the outside for not having complied with traditional gender roles, or about being expected to comply with those roles again.

*"[...] unlike other insurgent movements here in Colombia, well, when the women arrive after their reincorporation process, they stopped, they stayed, like stuck in time, they stay in the roles of the carers. I am one of the determined ones who will do everything to make sure this doesn't happen to my female comrades and me." (Valentina)*

### **6.1.3 Transitional Justice**

Finally, the interviews discussed views about justice. Initially, all the women understood 'justice' to mean 'the judicial system', the term being the same in Spanish. They believed that the state judicial system was unfair and unjust<sup>259</sup> and so had little confidence in it. However, when asked specifically about transitional justice, they equated the concept with truth-telling. This is interesting, since truth-telling is one of the negotiated conditions for receiving all DDR benefits and amnesties under the Special Jurisdiction for Peace (*Jurisdicción Especial para la Paz*, JEP)<sup>260</sup>. The interviewees said that truth was very important for reincorporation, reconciliation and trust-building. They agreed that there had been 'mistakes' during the war and that responsibility had to be assumed for them.

*"When you tell the truth, a lot of secrets are uncovered. So we don't have problems about telling the truth, because we as an organization recognize and have always recognized*

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<sup>258</sup> Interview with Yolima: „[...] that they understand and comprehend why we have pursued the fight like Farianos [members of the FARC], [...] if we achieve that they understand that we are not this monster.”; Interview with Carolina: “If the Colombian people realize what were really the intentions or who were the culprits why the FARC emerged [...] so then the image that they have of us will change and for that reason it's important to tell the truth.”

<sup>259</sup> Interview with Valentina: “Because the state justice is an injustice”; Interview with Maricela: “The judiciary makes a lot of errors, I believe.”; Interview with Antonia: “The judiciary as an instrument of the institutionality and the state is a completely corrupt, deviant apparatus that has affected of course the democracy, the rule of law.”

<sup>260</sup> Mesa de Negociaciones, Other Agreements and the Draft Law on Amnesty, Pardon and Special Criminal Treatment, 300.

*and we have always said that we made mistakes in the course of the conflict and we are human beings, and human beings commit errors.” (Carolina)*

At the same time, they believed that telling the truth would make civil society realize that other parties to the conflict had committed graver violations and that the FARC always tried to ensure that their actions had no civilian victims. The women equated truth-telling with the ability to “tell their side of the story”, something which had not been possible during the war<sup>261</sup>. Ivon argued:

*“The historic memory also plays a big role because there is where truth will be seen. Truly what were the main causes of the war [...] yes, there will be different positions to be seen but also at the same time if there is something very serious it will alter the history profoundly.”*

#### **6.1.4 Conclusion: female-specific needs?**

It emerges from the fieldwork that women saw joining the FARC as a quite ordinary event that was a natural result of their personal environment, socio-economic situation and feelings of insecurity or revenge. In this way, they distance themselves from the exceptionality prescribed for female combatants. Even though they are aware that they have broken with typical gender roles by taking up arms, this step did not apparently feel strange to them, even though their first combat experiences were crucial life events. In contrast to findings elsewhere in the literature, they do not feel that taking up arms has affected their femininity. They affirmed their feminine side by taking care of their appearance in a way that was felt to be typically feminine. At the same time, they felt that the equal treatment they experienced the FARC was empowering. Equality in terms of rights was often interpreted as equality in terms of duties due to the military-social structure of the FARC units that underpinned a communal life.

The analysis of female FARC combatant’s views on reincorporation and their future plans has shown that they see challenges relating to physical and economic security, but also to their personal role in life. Physical insecurity is mostly linked to paramilitary threats but not seen as gender-specific. Ariel Ávila, a Colombian expert on internal conflicts and security, confirms that both physical security and judicial security are concerns for male and female FARC members equally<sup>262</sup>. Statistics even show that more men than women have been victims of homicide and forced disappearances in Colombia<sup>263</sup>. Discussing economic security,

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<sup>261</sup> Interview with Ivon: “And now there is the possibility that we can just show ourselves like we are“

<sup>262</sup> Ávila, Personal Interview on 9 May 2017.

<sup>263</sup> Subcomité Técnico de Enfoque Diferencial, ‘Mujeres Y Conflicto Armado’, 16; Red Nacional de Información, ‘Registro Único de Víctimas’.

Ávila argues that women will reincorporate into civilian life with the disadvantages that society imposes on women, even though both genders face obstacles<sup>264</sup>. The disadvantages encountered are therefore not necessarily a result of the reintegration process, but structural disadvantages linked to women's position in a patriarchal society: the traditional position of women in the private realm and their subordination to male-dominated structures<sup>265</sup>. This can be seen as an issue that is linked to the recurring theme of women's personal uncertainty: because they do not comply with the norm of 'female', private behaviour, some fear that they will encounter discrimination and stigmatization. Having transgressed stereotypical gender roles, female FARC combatants said that they face complex challenges.

A variety of challenges came to the fore with respect to reintegration and plans for the future. However, contrary to the findings in current literature, the interviewees I met did not necessarily frame, express or understand those challenges as being gender-specific<sup>266</sup>. When asked directly whether they thought they faced specific challenges as women, many interviewees answered in the negative, referring to the fact that men and women were equal in the FARC and that reintegration was the same for men and women. Nevertheless, in day-to-day FARC life, the conduct I observed indicated that *machismo* is as prevalent as in the rest of Colombian society, as illustrated by chauvinist language and sexist acts by male guerrillas, confirming research on Colombia's armed groups from a gender perspective<sup>267</sup>. It should therefore be assumed that structural power relationships continue to apply in the guerrilla and that, at most, gender equality means that women have the same material rights and duties as men<sup>268</sup>.

Nevertheless, the FARC women did not state women-specific needs and referred more to their fear of being *seen* as abnormal in outside society, rather than *feeling* abnormal.

*“For me, taking up arms seemed normal, what was necessary, or well, because of the machismo maybe not, because a woman with a weapon, eww, they see you as weird, but it seemed the same, if a man can, a woman can also fight for her rights [...]”* (Ivon)

*“[...] We broke with a first scheme of stereotype of a woman that studies, gets married, has children and a house and lives peacefully in society. We accepted ourselves as political subjects and a revolutionary movement and in that way broke with a framework*

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<sup>264</sup>Ávila, Personal Interview on 9 May 2017.

<sup>265</sup>Cohn, 'Women and Wars: Conceptual Framework', 3–5; Schöb, 'Disarming, Demobilising and Reintegrating Whom?', 138.

<sup>266</sup>See Bouta, 'Gender and DDR'; Farr, 'Gendering Demilitarization'; Farr, 'The Importance of Gender to DDR'; Mazurana and Carlson, *From Combat to Community*; Ní Aoláin, Haynes, and Cahn, 'Disarmament, Demobilisation and Reintegration (DDR) Programs'.

<sup>267</sup>Ancil Avoine and Tillmann, 'Demobilized Women in Colombia', 223.

<sup>268</sup>*Ibid.*, 225; Esguerra Rezk, 'Transformaciones En Las Identidades de Género de Excombatientes', 150–151.

*that is predetermining for women. [...] In that sense, we are not run-of-the-mill women.”*  
(Valentina)

*“I think that a woman’s life in the guerrilla is different from a civilian. [...] And so we need to make sure that we say no, it does not mean that we have to live enslaved in the kitchen just because we are women.”* (Carolina)

This notion is further discussed below in the light of the Colombian DDR programme’s focus on the specific needs of female combatants.

## **6.2 Does the Colombian DDR programme address the challenges faced by female FARC fighters?**

The discussion now turns to a comparison of the Colombian DDR programme, as analysed above in chapter 5.2, with the challenges in the transition process voiced by female FARC combatants. As the Colombian programme implements international DDR standards as well as possible, it is fair to expect that the challenges faced by female fighters will be addressed. Nevertheless, it has been found here that this is not entirely the case.

On the one hand, the Colombian DDR programme focuses in particular on the economic concerns that were also voiced by female combatants involved in the transition process. By providing financial reintegration benefits, education and training that are accessible and adequate for female FARC members, they aim to resolve the challenge of finding employment. The agreements include a gender perspective and they aim to prevent marginalization so that former combatants do not drift into unemployment. In addition, the FARC is aiming to establish productive projects and even a bank that will support the economic reintegration of ex-combatants sustainably<sup>269</sup>. By stressing female economic empowerment in particular, the programmes aim to make women economically secure and to prevent their return into private domains in ways that have been identified frequently in gender-based analyses of DDR<sup>270</sup>. In short, the accords adequately address the need for professional training, and concerns about unemployment and stigmatization.

In addition, the agreement on security guarantees includes an equity-based approach that acknowledges different threats and experiences and provides specifically for the protection of women. It responds to concerns voiced about paramilitary death threats. Even though the security issues about paramilitary risks are not seen as gender-related in the

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<sup>269</sup>Mesa de Negociaciones, Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz estable y duradera, sec. 3.2.2.6.

<sup>270</sup>Farr, ‘The Importance of Gender to DDR’, 33; United Nations, ‘IDDRS: Women, Gender and DDR’, 21.

women's accounts or described as specific to women in the agreements, the physical security measures in place seem, at least on paper, to address the needs of female combatants. In practice, however, Colombia remains a dangerous country for those who are perceived as threats or enemies to paramilitary-like organizations. Since January 2017, more than thirty local community leaders and human rights activists have been killed by the same entities that threaten FARC members publicly. This indicates that the Colombian state is not able to protect their citizens from unlawful killings, bringing physical security to the fore of the challenges involved in reintegration.

However, this study has identified discrepancies relating to personal uncertainties and insecurities. The technical DDR procedures and policy recommendations would not seem to respond to more intangible challenges. Even though Colombia's reintegration programme includes the prevention of marginalization and psychosocial rehabilitation, the challenges of stigmatization, starting a new life, having to return to conventional gender roles and 'normalizing' seem to have been neglected. Breaking with gender stereotypes meant that the combatants experienced a release from prescribed roles in society and empowerment. Reintegration may therefore imply returning to these original positions, despite the promise of some economic empowerment. These areas have been glossed over by focusing on the return to normality with enhanced opportunities for economic and political participation and this perspective implies that the combatants have been abnormal and different, something which the women, who do not fulfil the stereotype of 'normal' women, seem to confirm. This issue will be discussed in further detail below.

## 7 Discussion: The value of gender-specific international DDR standards

The analysis of the Colombian DDR programme on the basis of international gender-specific standards and their evaluation in the light of the needs and challenges voiced by female FARC combatants identified an omission: even though Colombia is setting an example by implementing international gender-specific DDR standards, Item 3 covers only economic and physical insecurities, and not enough attention has been paid to individual and intangible challenges relating to gender identity. The focus is on normalizing society and therefore a return to the *status quo* for women. This chapter discusses the value of gender-specific international DDR standards given these findings and draws on post-modern feminist critiques of international law and transitional justice as outlined in theoretical framework II.

### 7.1 Critical engagement with Colombian DDR based on the recurring theme of ‘normalization’

As the above analysis of the current Colombian DDR process has shown, it does implement the gender-specific standards for DDR, at least theoretically, and with ‘gender-specific’ mostly interpreted as ‘women-specific’. Although it is too early to state conclusions about the practical outcomes of the transition process, or to analyse the gender-specific programmes in detail since they have not yet been made public, the current DDR process based on Item 3 would not seem to allow for gender-related criticism. It fulfils gender-specific demands, not only as broadly voiced in international law and IDDRS, but also as stated by various feminist scholars of transition and DDR<sup>271</sup>. Women have been represented at the negotiation table, albeit after some delay, and only after pressure was exerted effectively by civil society organizations<sup>272</sup>. Furthermore, both sides included one woman in the sub-committee brokering the end of the conflict, which included the ceasefire, the laying down of arms and reintegration. As a result, there is a gender-based approach in the accords in general, and specifically in Item 3. Furthermore, rather than an equality-based approach, a differential and equity-approach was adopted that, rather than providing everyone with the same treatment,

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<sup>271</sup>See Ni Aoláin, Haynes, and Cahn, ‘Disarmament, Demobilisation and Reintegration (DDR) Programs’; Bouta, ‘Gender and DDR’; Farr, ‘The Importance of Gender to DDR’; Farr, ‘Gendering Demilitarization’; UN Working Group, ‘IDDRS’.

<sup>272</sup>Amparo Sanchez, Personal Interview on 9 May 2017.



sets out the approach needed for everyone to achieve genuine equality. The accords, including Item 3, do not disregard female combatants and the language addresses them explicitly.

In addition, a common criticism does not apply in this case: the programme cannot be attacked for favouring the inclusion of men since it is a collective process. Nor do other shortcomings apply, such as the possession of a weapon as a requirement for inclusion in the DDR process, which has produced a lot of debate in other demobilization processes because of the variety of roles played by women in the insurgency. The Colombian case also treats women and men equally in terms of financial benefits. The transition as laid out in the accords focuses on the reintegration of the community, and not only on economic reintegration, and it is founded on a wider framework of rural reform. It even considers to a certain extent the presence of ‘militarized masculinities’ and an awareness of possible and diverse vulnerabilities of different ex-combatants. Finally, ex-combatants as well as personnel involved in the DDR, such as the monitoring mechanism (MMV), received gender-specific training and the follow-up commission (CSIVI) includes a gender commission that focuses on the gender-sensitive implementation of, and follow-up to, the accords<sup>273</sup>.

However, the comparison of the legal and policy provisions enshrined in the agreement with the challenges voiced by female FARC combatants shows that there is an issue relating to ‘normalization’. The women I interviewed are concerned about returning to ‘normality’, an intangible challenge that is not addressed by, or is actually in opposition to, the aims of the DDR process. The technical DDR approach aims to re-establish ‘normal’ society<sup>274</sup>. A more detailed analysis of the reintegration component of DDR is therefore required. What does reintegration mean? Who is reintegrated into what? And what does it mean specifically for female combatants?

As Cohn, Shekhawat and other scholars researching women’s engagement in war have argued, female combatants transgress gender stereotypes when they take up weapons and join an armed group<sup>275</sup>. Likewise, post-conflict transitions pose the risk of “contracting political and social spaces for women rather than expanding it”<sup>276</sup>. Even though the Colombian DDR process aims for the economic empowerment of female ex-combatants, paying particular attention to FARC women by providing them with education and vocational training, the aim

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<sup>273</sup>Oficina del Alto Comisionado para la Paz, ‘Comunicado Conjunto No 18’; Mesa de Negociaciones, Protocols and Annexes to the Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities and Laying Down of Arms, 245.

<sup>274</sup>International Council on Human Rights Policy, *Negotiating Justice?*, 76.

<sup>275</sup>Shekhawat, *Female Combatants in Conflict and Peace*, 6; Mann, ‘Women in Combat’, 28; Mazurana, ‘Women, Girls and NSAGs’, 166; Tabak, ‘False Dichotomies’, 139; Cohn, ‘Women and Wars: Conceptual Framework’, 23.

<sup>276</sup>Ní Aoláin, Haynes, and Cahn, *On the Frontlines*, 137.

of reintegration still seems to be a return to ‘normal’, traditional, gendered power structures, which are dominated by patriarchal structures of *machismo* where women are represented as inherently weaker, more peaceful and in general subordinate to men<sup>277</sup>. The aim of reinsertion and normalization can be found in the language of the agreement regarding transition: the transition is situated in transitional zones of *normalization* (*Zonas Veredales de Transición y Normalización*). The reintegration agency received a renewed focus on normalization, having undergone a change of name to Reintegration and *Normalization* Agency. This concept of ‘normality’ and the return to it that guides DDR, seems to respond to female FARC combatants’ own perception of ‘not being normal’, ‘being different’ and having to ‘learn what is normal’<sup>278</sup>. So what does ‘normality’ mean here?

Post-modern feminist perspectives provide us with a way of analysing the concept of normality, which can be interpreted here as gendered power relations<sup>279</sup>. Gendered power relations include a male-female hierarchy that is represented in social structures, institutions, and law and policies. As a masculinized society, Colombia is influenced by notions of *machismo*, referring to ‘the cult of virility’, and *marianismo*, its female counterpart, “the ideal of female sanctity”<sup>280</sup>. Female combatants do not comply with the requirements of *marianismo*, having adopted militarized masculinities. Reintegration and reinsertion in this framework could mean the re-fitting of militarized women into the normed framework of gendered relations, with women returning to their structural, weaker and more vulnerable, relations with men.

Even though the Colombian DDR programme as set out in the comprehensive agreement allows for economic and political female empowerment, this empowerment will always have to be fitted within existing relations and stereotypes.

Patriarchal society sees women as weak. Whereas male combatants are therefore regarded as enemies and securitized, female combatants are usually framed in a victim discourse emphasizing female vulnerabilities and female-specific needs, and they are therefore de-securitized<sup>281</sup>. Indeed, Colombian and international media have focused on

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<sup>277</sup>Mesa de Negociaciones, Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz estable y duradera, 69.

<sup>278</sup>Interview with Carolina: “I think a woman in the guerrilla is different from a civilian”; Interview with Valentina: “We are not the run-of-the-mill women of society”; Interview with Maricela: “We don’t know how to live in [...] the outside society. [...] And we have to learn how to live there”; Interview with Lorena: “One learns to think differently, to see the world differently”

<sup>279</sup>Cohn, ‘Women and Wars: Conceptual Framework’, 4.

<sup>280</sup>Mazurana, ‘Women, Girls and NSAGs’, 165; Schöb, ‘Disarming, Demobilising and Reintegrating Whom?’, 140.

<sup>281</sup>Schöb, ‘New Masculinities for Old Warriors?’, 16.

sexual violence in the guerrilla and the IDDRS have emphasized vulnerabilities and special needs. By contrast, female FARC combatants have had to distance and defend themselves regularly from this vulnerability-focused approach<sup>282</sup>. The interviewees dissociated themselves from victimhood or, in a few cases, discussed it as a phenomenon related to structural violence. In the reintegration process, motherhood was a focus of public attention, reaffirming the stereotypical role for women<sup>283</sup>. Ex-combatants comply with the expectations of society by having babies, the ‘peace babies’ as they have been called, with mothers being seen as inherently peaceful, and as ‘good women’, demonstrating the ‘social healing’ of the ‘abnormal’ female combatant<sup>284</sup>. Similarly, the tension found between the return to the family and staying in the FARC community can be interpreted in the context of this normalization. Returning to the family means having to re-adapt to gender stereotypes, not only economically but also socially, after having adopted perceived ‘masculine’ traits as a combatant or just transgressed prescribed roles and attitudes.

Given Schöb’s argument that the Colombian approach to reintegration “addresses and at the same reproduces the problematic through a ‘differential gender focus’, based on an understanding of female empowerment and simultaneous victimization in NSAGs and militarized hegemonic masculinities”, one finds that, even though there is economic empowerment for women, the legal language reaffirms stereotypes<sup>285</sup>. The aim is to cure ex-combatants with militarized identities, whether male or female, and “abnormal” female fighters need to be re-integrated into the known structures of society. Is reintegration in Colombia is therefore guided, as Mann suggests, by a “fear of female violence that, once unleashed, could lead to the end of patriarchal domination”?<sup>286</sup>

## **7.2 Critical engagement with gender-specific DDR standards in the light of theme of ‘normalization’**

The international standards for demobilization stress the specific needs of female ex-combatants. This is necessary due to the prevailing disadvantages that women face when leaving an armed group. The IDDRS made great progress by including a special section on women, raising awareness of their structural disadvantages when it comes to social, economical and political reintegration. There can be no doubt that the awareness of the

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<sup>282</sup>Salamanca, Personal Interview on 15 May 2017.

<sup>283</sup>Ojeda, Personal Interview on 8 May 2017.

<sup>284</sup>Schöb, ‘Disarming, Demobilising and Reintegrating Whom?’, 11; Ojeda, Personal Interview on 8 May 2017.

<sup>285</sup>Schöb, ‘New Masculinities for Old Warriors?’, 16.

<sup>286</sup>Mann, ‘Women in Combat’, 28.

presence of women in armed groups, their special needs and their possible victimhood are very important.

Nevertheless, if one looks at the language in these standards, they reaffirm the linkage between victimhood and women, reasserting the position that women almost always have special needs and that they are vulnerable. This pushes women into the accepted gender structures, where the female is equated with weakness and emotions. Transitions, even though they may result in economic transformation and the opening of new arenas of opportunity, can still not become truly transformational for society as long as these frames continue to be the goal of reintegration. The framework, even when allowing for increased economic development and therefore a possible change of structure, assumes that women have to regain their femininity on the basis of the assumption that femininity is synonymous with vulnerability and peacefulness and opposed to violence. There is no acceptance that women can be naturally violent in the same way as men. Women who break with these 'feminine' stereotypes have to return to them to be accepted in society and become normal or good women again<sup>287</sup>. The aim of reintegration is 'normalization', and the 'normalization' of female ex-combatants implies moving them from the sphere of the extra-ordinary to the ordinary in line with traditional understandings of femininity.

In following feminist scholars of international law by deconstructing international legal standards the underlying power relations that international law sustains are laid bare. International standards, which mostly include liberal approaches to quota representation, are open to criticism in a post-modern feminist approach, since they are necessary but insufficient. If we look past material factors, we can see that there is no genuine transformation.

### **7.3 The value of international gender-specific DDR standards from a feminist perspective**

The findings suggest that even though liberal feminist perspectives have led to the development of DDR standards that address the concerns and needs of female combatants better, DDR still has shortcomings when seen from a post-modern feminist perspective. Even though female combatants are targeted specifically to prevent them being disadvantaged economically, DDR fails to be transformative for ex-combatants and civil society at the point of reintegration.

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<sup>287</sup>Anteil Avoine and Tillmann, 'Demobilized Women in Colombia', 225.

The transformation is confined within the underlying stereotypical framework of power relations frequently identified by feminist theories that, in the case of Colombia, sustain and reaffirm male dominance in society. Women are expected to accept this when returning to ‘normal’ society. The Colombian DDR programme, with its *normalization* zones (*Zonas Veredales de Transición y Normalización*), therefore facilitates a return to the traditional structures of a macho society where women are seen as the weaker, peaceful sex who need the men to protect them from violence. The ‘abnormal’ combatants need to be re-integrated into existing society, which is assumed to be ‘normal’. Even though this applies to male and female combatants alike, the prejudice and negative image apply *a fortiori* to women, who are regarded as abnormal for having taken up arms in the first place given the prevailing idea that women are naturally peaceful.

DDR aims to simultaneously normalize and transform society. As this proves difficult, and the construct is based on male perspectives of public security, it can be argued that normalization is prioritized. The very notion of DDR remains male-centric and has a “tendency to buttress the status quo”<sup>288</sup>. The findings seem to confirm that it is questionable whether transitions can “deliver feminist transformation” and that they produce obstacles for female ex-combatants<sup>289</sup>. Even when issues relating to women’s empowerment are included, a deconstructional perspective indicates that there is a more structural problem with underlying power relations.

The very notion of ‘special needs’ is spreading from the discourse of civilian women to include combatants. Although this may be valid, men may also have ‘special needs’ in terms of individual necessities. As a result, treating ‘special needs’ as a women’s issue implies that men are the normal and general category<sup>290</sup>. It can also be argued that this perspective tends to slot female combatants into an existing framework of men and women, where women are weaker and need special attention. This re-establishes gendered power relations since female combatants are again seen in the accepted perspective as conflict victims. This also explains the interpretation of gender-specific as women-specific: it assumes that men’s experiences are the norm and therefore do not need specific attention.

A return to normality includes a return to more traditional roles for women<sup>291</sup>. Even though liberal critiques have managed to include the necessity of empowering women economically and politically, more structural legacies of male dominance subsist. After the

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<sup>288</sup>Campbell and Turner, ‘Utopia and the Doubters’, 378.

<sup>289</sup>Bell and O’Rourke, ‘Does Feminism Need a Theory of Transitional Justice?’, 33.

<sup>290</sup>Orford, *Reading Humanitarian Intervention*, 61.

<sup>291</sup>Ní Aoláin, Haynes, and Cahn, ‘Disarmament, Demobilisation and Reintegration (DDR) Programs’, 143.

break with the ideal of women as mothers, supporters or ‘keepers of the heart’, normalization assumes a return to women’s ‘natural’ roles.

Gender-specific DDR standards include shortcomings from a feminist point of view since they are components of DDR as a project of normalization and the re-establishment of the original structures of society, levering women combatants back into their gendered position. Even though liberal feminist advances within DDR merit respect, post-modern perspectives show us that international law and politics are still bound by a fundamentally traditional framework. Identifying this underlying framework the unspoken gendered assumptions are uncovered, which can result in destabilizing them. As Charlesworth argues, this may help to move towards more durable and wider-ranging solutions<sup>292</sup>.

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<sup>292</sup>Charlesworth, ‘The Hidden Gender of International Law’, 102.

## 8 Conclusion

The analysis here has shown that international gender-specific DDR standards must be viewed critically. Even though they tackle specific components of reintegration, such as economic empowerment and education, the analysis of the Colombian case has shown that they can fail to be transformative for female ex-combatants and society. Indeed, the return to ‘normal’ that is inherent in the concept of DDR results in a return to the underlying unequal gender relations of Colombian macho culture, where women are seen as weaker than men. The gender-specific DDR standards, which focus on vulnerabilities and general disadvantages, serve to reinforce this image and DDR might, even while it strives to empower them, actually produce difficulties for female ex-combatants.

### **8.1 Summary: Criticizing gender-specific international DDR standards through the analysis of the Colombian DDR programme’s correspondence to female FARC combatants’ challenges**

In answering the research question this study has applied a multi-layered methodology, analysing the Colombian DDR standards from two different perspectives: the international standards that apply, and female FARC combatants’ testimonies regarding transition. Given the discrepancy that was identified between these two perspectives, this conflict is explained by recourse to feminist theories, focusing on the issue of normalization that is central to DDR measures.

After an introduction to the topic of disarmament, demobilization and reintegration of female FARC combatants in Colombia pursuant to the 2016 Peace Agreement, the research objectives were defined in Chapter 2. The study used the Colombian example as a case for testing the national implementation of international gender-specific DDR standards, and to evaluate how those standards meet the needs of female combatants. The aim was to answer three sub-questions: Does the Colombian DDR programme comply with gender-specific international DDR standards? Does the Colombian programme correspond to the challenges faced by female FARC combatants? And how can the discrepancy between complying with international standards and the failure to address the women’s challenges be adequately explained by recourse to feminist theories? In order to provide the necessary background, Chapter 3 introduced three themes. Firstly, Colombia’s peace agreements and the DDR programme were described in the context of a brief historical outline of Colombia’s complex

conflict and the FARC. Women's roles in the FARC were also reviewed. Secondly, an introduction of the contemporary approach to peace-building was given in order to further the understanding of DDR prior to its critical discussion later. The origins, the broad concepts underlying the components of DDR and peace-building, and the limitations, were set out. Thirdly, women's differing roles in conflict were reviewed in order to describe the context in which female combatants operated. Reference was made here to the focus on women's roles as victims and peace-makers, which has led to the neglect of the non-stereotypical role of female combatants, who are often marginalized. Chapter 4 explained the theoretical frameworks used in the study. Firstly, it gave a doctrinal reading of the international standards for DDR in specific gender-related hard and soft laws that transitioning states are expected to take into account. The need to include gender-specific obligations has developed from research looking at female ex-combatants, who have often not been included in the programmes, and therefore encountered more obstacles to building up a new life. Feminist pressure has pushed international law into including these gender-specific DDR obligations. Most famously, UNSCR 1325 calls for female and male differential needs to be taken into account. Since 2006, the IDDRS has issued specific policy recommendations about how to execute gender-sensitive DDR. Chapter 4 then continued with an introduction to the normative critical framework of feminist theories to be used later in the thesis, describing different levels of feminist critique of international law, human rights and post-conflict transition, and focusing on post-modern approaches that aim to deconstruct concepts of law and policy. These voices have been critical about the representation of women during and after the war, pointing out that there has been an exclusive emphasis on victimhood and a focus on public security issues, which contrasts with individual issues that include gender-based violence. In addition, they have been critical of transition processes involving DDR because of the stated goal of normalization, which tends to reaffirm underlying gendered power relations.

After the tools of analysis were described, the Colombian DDR programme was scrutinized on the basis of the international standards in Chapter 5. This analysis made clear that there has been close compliance in Colombia with international gender-specific standards. A gender sub-commission was formed during the peace negotiations and the accords therefore include a differential gender approach, which is also reflected in the DDR framework set out in Item 3 of the 2016 Peace Agreement. In the sub-agreement on disarmament, the gender-specific provisions are mostly found in the ceasefire protocol, that describe gender-based violence as a breach of the armistice, a unique provision that has never



previously been included in a peace agreement. In addition, compliance with the standards is seen in the gender-specific language and the high level of female representation in the monitoring and verification mechanisms. Regarding social and economic reincorporation, the agreement includes a specific focus on female combatants' educational and economic empowerment, and recognizes the possibility of past simultaneous victimization, as well as future stigmatization in Colombia's male-dominated society. The reincorporation programmes, even though they are not yet publicly available, are expected to tackle these issues by providing special psychosocial care and measures to prevent marginalization. The security guarantees enshrined in Item 3 also include a gender- and equity-based approach.

In Chapter 6, the study moved on to an analysis of female FARC combatants' testimonies collected during a field visit to the ZVTN in Icononzo, Colombia. The transition process involved challenges to physical, economic and personal insecurity. Although the Colombian DDR framework addresses physical and economic insecurities, the response to the issue of personal insecurity remains imprecise. These challenges were also not addressed in gender-specific ways and so specifically female concerns were glossed over. The topic of stigmatization and otherness is recurring: reintegration involves a variety of personal challenges, as it assumes a return to the normal. For women, this means learning again how to live in 'outside society'. The female combatants felt that they had broken with norms for women in Colombian society by joining the insurgency, even though this did not feel intrinsically abnormal to them.

This discrepancy between the aims of the Colombian DDR programme, which fulfils international gender-specific standards, and the insecurities of female FARC combatants led to a broader discussion in Chapter 7 of DDR based on feminist perspectives. It emerged that female combatants are regarded as abnormal, especially in patriarchal and macho societies such as Colombia. The issue of normalization is a focus of DDR, which strives for the empowerment of female combatants but may still affect them adversely because it assumes a return to underlying 'normal' gendered structures, which are male-dominated. One indicator may be the attempt to situate female combatants in a realm of vulnerabilities and gender-specific needs, that are also enshrined in DDR standards. Consequently, female former fighters are re-fitted into the mould of social expectations.

The value of international gender-specific standards therefore merits critical appraisal. Even though liberal feminist efforts have led to advances such as the inclusion of female combatants' issues in DDR, DDR fails to fulfil its goal of transformation because, at its very

core, it fosters a return to normality, including the underlying gendered power relations and behavioural expectations.

## **8.2 Implications for contemporary and future DDR processes**

This conclusion has implications for contemporary and future DDR processes involving female combatants of non-state armed groups after asymmetric wars. On the one hand, the Colombian Peace Accords are praiseworthy in their exemplary compliance with international gender-specific standards. This gender approach is vital in efforts to achieve an inclusive, sustainable and transformative peace. The example shows how women at the peace tables can make a difference, taking into account women's diverse experiences as victims, combatants and peacemakers and enshrining these multiple experiences in the agreements to further economic and political empowerment. Even though the extent to which these agreements are implemented, and in what form, remains to be seen, the comprehensive inclusion of the perspective should be regarded as best practice.

Nevertheless, the analysis also shows that liberal adjustments are inadequate. Post-modern feminist analysis helps to lay bare the underlying structures of international law. In gender-specific DDR standards, these underlying structures are the return to 'normal' and the re-establishment of the original structures of patriarchal society, where women are given a gendered role. This is, even though education and economic opportunities are altered. Female combatants who have broken with this role struggle with the assumption that they should return to it. A critical feminist inquiry therefore finds that DDR is ultimately aiming at turning militants into mothers, which could restrict their agency. An emphasis on this issue could lead to the further development of DDR. Following Charlesworth's logic, identifying this underlying framework may lead to the destabilization of unspoken gendered assumptions and therefore help to produce more durable and wider-ranging solutions.

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Wüstner, Isabella

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