

# Gender quota adoption for commissions in post-conflict societies

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## Abstract

Peace agreements often establish political institutions designed to accommodate conflict parties. However, this approach can lead to the continuing marginalization of other groups, including women. This does not have to be the case. Peace agreements are opportunities to establish inclusive institutions. This article examines the adoption of gender quotas in independent commissions. Commissions are institutions that are not directly elected or directly managed by elected officials, but carry out a specific public policy role. They are frequently provided for in peace accords and gender quotas are sometimes included in the provisions establishing them. This article provides an in-depth analysis of the case of the Truth, Coexistence and Non-Recurrence Commission in Colombia as an initial assessment of whether women's political empowerment, external mediation, and United Nations Security Council Resolution 1325, factors found to contribute to other gender provisions in peace processes, contribute to the adoption of quotas.

## Keywords

Gender, Colombia, commission, quotas, peace process

## Introduction

Increasing women's participation in state decision-making bodies and tackling their historical exclusion from such spaces has been highlighted as a priority by many international and regional organizations for decades (see, for example, United Nations Assembly (UNA) RES/58/142; UNA RES/66/130). While the evidence is mixed, the importance of women's participation in state

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decision-making has been supported by research that has found potential links among descriptive and substantial representation (Lowande et al., 2019; Nwankwor, 2021), lower levels of corruption (Neudorfer, 2016), and that ensuring that decision-making bodies are more representative can increase perceptions of the legitimacy of the decisions taken (Schwindt-Bayer and Mishler, 2005). In the specific post-conflict context these effects play out in particular and salient ways. Guaranteeing the involvement of women in decision-making helps ensure that the differential impact of conflict and peacebuilding on people of different genders is considered. Furthermore, there is emerging evidence that the inclusion of women helps ensure conflicts end in peace agreements (Best et al., 2019) and that peace agreements endure (Krause et al., 2018).

Specifically related to commissions, research has found that when the inclusive composition of commissions is written into the agreement, they are effective in practice (O'Reilly et al., 2015). However, broader examinations of inclusion provisions do not find them to be associated with the non-recurrence of violence (Neudorfer and Walsh, forthcoming). Commissions are neither elected nor directly managed by elected officials and carry out a specific public policy role. They can be established in peace accords or later during the post-agreement period. We focus on those established as part of peace accords due to data availability (see below) captured in the dataset of the Independent Commissions in Post-conflict Societies (ICPCS). This dataset shows that over 580 such commissions were created between 1990 and 2016. Some were temporary, others were permanent, and they work in a diverse range of policy areas (for more information on the ICPCS and the commissions included, see Walsh and Neudorfer, 2024). The South African Truth and Reconciliation Commission is perhaps the most well-known example.

The inclusion of women in decision-making can occur without the use of specific provisions requiring this, such as gender quotas. However, there is clear evidence that where quotas are adopted, women achieve greater levels of descriptive representation (see, for example, Mari and Kang, 2008). Furthermore, the adoption of quota measures is a strong indicator of a commitment to the ongoing inclusion of women rather than their temporary inclusion due to the specific immediate post-conflict environment. This is particularly important given that research shows that women often access positions of power in times of challenge or crisis only to be excluded when such challenges pass and 'normal service' is seen to return (Jalalzai, 2008). As a result of the significance of including gender quotas in peace agreements, it is vital that research better understands why such measures are included in some agreements but not others. There is some research that has begun to address this need. However, it largely focuses on the use of quotas for the legislature (e.g. Bush, 2011). This is a pattern that is also seen in broader research on the adoption of quotas. Given the important role of legislatures in political systems, this is understandable but such a narrow focus provides only a partial picture.

This article directly fills a significant gap in our understanding by examining when quotas are used in independent commissions. Independent commissions (a) possess and exercise some grant of specialized public authority, separate from that of other institutions, but (b) are neither directly elected by the people, nor directly managed by elected officials (Thatcher and Sweet, 2002). The use of such institutions is widespread and is intended to increase the 'credibility and efficiency of policy-making by insulating it from short-term politics and by providing technical expertise' (Maggetti, 2007). In post-conflict settings, independent commissions fulfil a wide range of functions, particularly monitoring/verification and assisting in the implementation of either specific aspects of or the entire peace accord. The successful completion of such tasks is vital to peacemaking and peacebuilding. Furthermore, the use and composition of commissions have been found to directly impact the chance of a peace agreement surviving (Fontana et al., 2021). Yet, with some exceptions (see Paffenholz et al., 2016; Walsh, 2017, 2020), very few studies focus on these

institutions and their role in post-conflict environments and none focus specifically on when gender quotas are adopted.

Both scholars and practitioners interested in understanding when and how the participation of women in formal political institutions can be increased need to clarify the conditions under which the typical gender norms, in which men dominate, can be interrupted and when institutions are most likely to be open to their demands. This article addresses this need, ascertaining when gender quotas for important political institutions in post-conflict contexts are adopted. It provides an in-depth analysis of the case of the Truth, Coexistence and Non-Recurrence Commission in Colombia as an original assessment of whether women's political empowerment, external mediation, and United Nations Security Council Resolution 1325 (UNSCR1325), factors found to contribute to other gender provisions in peace processes, contribute to the adoption of quotas. The next section examines existing research to identify how specific factors (women's political empowerment, UNSCR1325, and external mediator) may affect the adoption of the quotas for individual commissions. The research design and methodology used for analyzing the in-depth case study are then presented. Next we present the findings from this case study. They offer initial support to the idea that these factors are indeed relevant in adopting gender quotas in commissions. Finally, the conclusion provides a further discussion of these findings, including both policy implications and avenues for future research.

## **Factors facilitating the adoption of gender quotas for commissions**

Drawing on existing literature on women and politics, the adoption of quotas in other environments, feminist institutionalism, and women, peace, and security (WPS) research, and using an in-depth case study, this article examines why gender quotas are incorporated into the creation of some independent commissions but not others. Examining conditions necessary for women's substantive representation in peace processes, Ellerby (2016) finds that (a) a women's agenda, (b) access to the process, and (c) advocacy within the process are all important. Below we outline how three key factors may contribute to the creation of these conditions.

### ***Women's political empowerment***

Existing research on both gender-focused provisions in peace agreements and on the adoption of gender quotas in non-conflict contexts highlights the important relationship between the presence of women in positions of power and women's political mobilization, and the adoption of such measures. Alexander et al. (2016) notes the role of women as (i) elite actors, (ii) civil society actors, and (iii) citizens. Examining the inclusion of women in peace processes, True and Riveros-Morales (2019) find that three types of women's participation – political representation in parliaments, participation in elite peace processes, and women's civil society mobilization – are major conditions for the adoption of gender provisions in a peace agreement. This underlines the need to consider different types of political empowerment when examining the relationship between women's political empowerment and quota adoption for commissions.

Women in parliament may not necessarily press for or even support the adoption of quota measures. However, True and Riveros-Morales' (2019) findings regarding the relationship between levels of women's representation in parliament and the inclusion of gender-focused measures in peace agreements suggest that as the numbers of women in parliament increase, the need for such measures may be better articulated and their adoption increases. Furthermore, the ability of well-placed women to influence the adoption of quota measures is evident in non-conflict contexts too; Caul (2002) finds that the presence of women in high-ranking positions within a political party is key to

determining whether that political party adopts a party-level quota. This shows the importance of women's access to elite decision-making contexts in securing quota adoption.

Moreover, the inclusion of women (even in small numbers) in peace negotiations gives them a direct channel by which to influence the content of the peace agreement, allowing actors supportive of measures such as gender quotas (typically although not always women) to press for their inclusion in the text. The presence of women at the negotiation table is no guarantee of influence on the content of a peace accord, and specific circumstances and strategies are necessary to ensure this presence can be converted to influence (Ellerby, 2016; Waylen, 2014). However, the broad impact of having women present in the peace talks on the inclusion of gender provisions in peace accords is supported by True and Riveros-Morales' (2019) findings. In addition, Anderson and Swiss (2014) find that an inclusive negotiation process contributes the adoption of a range gender provisions in peace agreements and that this in turn is associated with adoption of gender quotas for parliament in the years that follow.

Furthermore, the mobilization of women in support of quotas is found to be a very important factor in their adoption. This can happen outside of the party system through the mobilization of existing grass-roots or non-governmental women's organizations, or the creation of new alliances of those supporting the introduction of quotas (Krook, 2007). Recently, Anderson and Valade (2023) highlighted the importance of women's networks built during peace negotiations in securing post-agreement access to the political system. This shows the importance of having a women's agenda. Women's groups explicitly organize for the adoption of pro-women policies such as quotas, making it more likely they will be advanced. While there is ample evidence that women's political empowerment, in its different forms, supports quota adoption, the context in which women, or others, lobby for the adoption of such measures will also matter so we next discuss two key contextual factors: the adoption of UNSCR1325 and the presence of external mediators in peace negotiations.

### *United Nations Security Council Resolution 1325*

In 2000, the United Nations (UN) Security Council unanimously passed UNSCR1325 on WPS, calling for women's increased participation in conflict prevention and resolution initiatives, as well as their protection during conflict. The resolution's adoption is considered by many to be a historic milestone since it marked the first time that the UN Security Council dealt specifically with gender issues and women's experiences in 'conflict' and 'post-conflict' situations and their contribution to conflict resolution and prevention (Cohn, 2008). UNSCR1325 and follow-up resolutions are the result of over 20 years of sustained advocacy on the part of local and transnational feminist peace networks, which had already brought about other key agreements, including the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the 1995 Beijing Platform for Action (Byrne and McCulloch, 2012). Of particular relevance to this article is the resolution's first operative paragraph, which: 'Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict' (Resolution 1325, UN Doc S/RES/1325, para 1, United Nations, 2000).

Given the under-representation of women across decision-making bodies, it is understandable that the UN would advocate for their increased inclusion. However, O'Rourke (2014) highlighted that the provisions within the WPS resolutions that support the use of descriptive representation do not outline how the included women are to be selected or how they could be held accountable to the broader constituency of women. She further noted that UNSCR1325 has frequently been criticized for having an essentialized view of women and women's interests in peace and security,

making it ‘even more difficult for women to gain traction in the overtly political business of peace and security that falls outside these perceived “women’s interests”’ (O’Rourke, 2014: 10). In addition, Pratt and Richter-Devroe (2011) argued that consideration ‘of the intersections between gender and other social categories and structures along which oppression, marginalization and violence occur (including nationality, class, ethnicity, religion, sexuality and age) is completely absent and even actively prevented’ (Pratt and Richter-Devroe, 2011: 494). Furthermore, Ertürk’s (2020) comparative analysis shows that post-UNSCR1325 cases lag behind our expectations, noting that international peace instruments are being undermined by the current neo-liberal environment.

However, despite these reservations, research that has examined the inclusion of gender provisions in peace agreements has found that the number of such provisions has increased after the adoption of UNSCR1325. Prior to this resolution, 12% of all agreements included references to women, compared with 30% after this date (Bell and McNicholl, 2019). The mechanism by which UNSCR1325 may be contributing to this increase needs to be considered. As Bell and O’Rourke (2010) pointed out, ‘it is possible that the same transnational mobilization that produced Resolution 1325 would have produced an increase in references to women in peace agreements in any case’. However, they further argued that ‘it is highly likely that Resolution 1325 has played some role. . . whether directly by influencing those involved in negotiation, or indirectly by enabling women to mobilize and influence peace negotiations’ (Bell and O’Rourke 2010: 969). These general findings are supported by research focused on case studies; for example, Ertürk (2020) argues that UNSCR1325 was an impetus for women’s mobilization and in relation to Colombia, while Céspedes-Báez and Jaramillo Ruiz (2018) found that domestic women’s groups used arguments based on such international obligations to press for the inclusion of women in peace negotiations. UNSCR1325 can be utilized to support women’s access to peace negotiations and to argue for the inclusion of a specific women’s agenda.

### *External mediator*

Given the commitment to increasing women’s participation in peacebuilding and post-conflict decision-making represented by UNSCR1325, one would expect that where the UN is involved in peace processes it would encourage the adoption of measures such as gender quotas for commissions. Furthermore, given that a similar public commitment to increasing women’s role in decision-making bodies, both generally and in post-conflict contexts, is shared by many other international and regional organizations and states, one may also expect that the involvement of external actors in peace processes would increase the adoption of quota measures.<sup>1</sup> Research focused on the initial inclusion of women in peace negotiations supports the idea that external actors may facilitate the inclusion of women. Paffenholz et al. (2016) highlighted that inclusion-friendly mediators are a major factor enabling women to have an impactful role in peace processes.

In addition, research that looks directly at the role of external mediators and the adoption of gender provisions within peace agreements also finds that there is a relationship. UN involvement in particular is associated with both an increase in the inclusion of provisions aimed at women generally and specifically in an increase in the adoption of quotas (Bell and McNicholl, 2019). This impact of UN involvement also increases after the adoption of UNSCR1325, suggesting that the UN is pressing for the inclusion of such provisions due to commitments in the resolution (Bell and McNicholl, 2019; Bell and O’Rourke, 2010). This highlights the interconnected nature of the factors that encourage (or discourage) the adoption of such measures. Similarly, Anderson and Valade (2023) find that Burundian women used the support of international actors to enter formal politics and pass pro-women legislation. Finally, other research examining the inclusion of women in post-

conflict commissions finds an important role of external actors in facilitating and providing material support to enable this (Lorentzen, forthcoming).

## **Research design and methodology**

Peace accords often create new commissions. These commissions are not directly elected but are mandated to fulfil vital peacebuilding roles. For instance, such commissions facilitated police reforms in the Philippines and Northern Ireland and were instrumental in administering post-agreement elections in Liberia and Sudan (Walsh and Neudorfer, 2024). The ICPCS dataset captures all commissions created by peace agreements between 1990 and 2016. It shows the range of policy areas they work in, their powers and mandates, their decision-making rules, and which actors are included in the commission (for more information on commissions, see Walsh and Neudorfer, 2024, which introduces this dataset).

We used the ICPCS dataset to carry out an initial examination of whether the factors outlined above can help explain why gender quotas are adopted for some commissions but not others. Of the 580 commissions established in over 600 peace agreements, only 22 included a stipulation related to considering gender balance or including women in the commission's membership. The small number of gender quotas found in the dataset means that a full quantitative analysis of whether the factors discussed below are associated with the adoption of quotas is not possible. However, descriptive statistics showed that there were no cases where quotas were adopted in the absence of an external mediator. They also reveal that the adoption of quotas increased from 0.4% of commissions having quotas before the adoption of UNSCR1325 to 6.1% after its adoption. Finally, incorporating Varieties of Democracy (V-Dem) data on women's political empowerment into the ICPCS dataset, we see that the mean levels of women's political empowerment are higher in contexts where quotas are adopted for commissions. This offers initial support for the idea that the factors discussed above may be significant in facilitating quota adoption for post-conflict commissions.

The dataset also revealed clear geographic clustering of commissions with quotas. Colombia, Sudan, and South Sudan account for 22.7%, 13.6%, and 13.6% respectively of the commissions with quota provisions. This strongly suggests that the environment in which these conflict and peace processes occurred was in some way more supportive of the adoption of gender quotas for commissions. The dataset also revealed clustering in terms of the policy areas in which commissions with quota rules operate. The ICPCS dataset also shows that transitional justice is by far the most common policy area in which commissions with gender quotas operate (the top five are as follows: transitional justice 16.9%, elections 5.1%, political 4.3%, social 4%, security 2.6%). This suggests that women's inclusion or gender is seen as important in this policy area and choosing a commission working in this area allows us to explore if and how perceptions of the policy area contributed to the adoption of a gender quota. Many transitional justice mechanisms focus on women as victims of conflict, both generally and in relation to gender-based violence. The inclusion of quotas to help ensure that there are women as commission members may be the result of feelings that women are best placed to give a voice to these women victims. It may also be due to ideas that women are best placed to console all victims due to traditional views of women as caring. This clustering of women into roles in policy areas that are congruent with traditional views of women's dispositions or skills is also evident in studies of cabinet position allocation. Wider research on cabinet portfolio allocation has historically found that women are allocated to portfolios associated with 'caring' policy areas, such as social welfare, health, and education, as well as ministries related to women and children (Galligan and Buckley, 2010; Reynolds, 1999).



Given that the descriptive statistics suggest that there are relationships between the political empowerment of women, the presence of an external mediator, and the passage of UNSCR1325, and quota adoption, we chose a case that facilitated the exploration of the potential causal mechanisms underpinning these relationships. Furthermore, given the geographic and policy clustering revealed by the dataset, case selection also aimed to pick a case from one of the countries where we saw the largest number of gender quotas adopted and that focused on transitional justice issues.

Colombia is unique in its adoption of gender quotas and in its preceding women's participation during the peace negotiations; a recent UN secretary general report notes that women's participation in peace processes is often closer to being an aspiration or an afterthought than a reality (UN Security Council, 2023). Of 18 peace agreements in 2022, for example, only one included a women's organization as a signatory or witness (UN Security Council, 2023: 3). The selection of this case, then, allows us to explore whether there were any context-specific factors not yet considered and any potential connections between transitional justice and gender quotas. Considering these elements, *The Commission for the Clarification of Truth, Coexistence and Non-Repetition* (hereafter Truth Commission) provided for in the 2016 Colombian peace agreement was selected for in-depth analysis.

After initial case study selection, we conducted process tracing to understand how the gender quota for the Truth Commission was adopted and to test the relevance of the three factors identified above in quota adoption. The process tracing and analysis is based on a combination of archival analysis and original interview data. We analyzed over 100 documents, including Truth Commission reports, methodological guidelines, and internal operational documents from transitional justice mechanisms and institutions collaborating with these mechanisms. These documents included, for example, the methodological guidelines from the Colombian Truth Commission on 'listening, recognising, and understanding in order to transform', final reports from previous truth-seeking initiatives, such as *Ruta Pacifica de las Mujeres*, 'The Women's Truth: Victims of the Armed Conflict in Colombia' report, and reports monitoring progress of UNSCR1325 implementation from coalitions such as *Red Nacional de Mujeres* (National Women's Network). These documents offered insights into internal processes for considering gender and external points of comparison of progress on gender-related issues. We also conducted interviews in Bogota and Medellin with officials working in or with the Colombian transitional justice mechanisms, including a former member of the gender working group for the Truth Commission (Alejandra Coll Agudelo) and representatives from gender-related civil society organizations (including members of *Ruta Pacifica de las Mujeres* and *Mujeres por la Paz*). In total, we conducted 14 interviews and one focus group discussion with a total of 25 participants; seven of these interviews were completed on Zoom and eight were conducted in person in Bogota or Medellin. All interviews were conducted from April to May 2022 and ranged from 50 to 130 minutes in length. Thirteen of the interviews were conducted in Spanish and the remaining two were conducted in English. Interviews transcripts and all archival documents were qualitatively coded using a combination of deductive and inductive coding to capture both topics related to the factors identified above as well as emergent themes; these codes were then used to link events and understand the ways in which elements shifted and/or became salient throughout the process leading up to quota adoption. The analysis below reflects the results of trends and themes within the data.

The Truth Commission starts its analysis of the Colombian conflict from 1958, although it acknowledges the relevance of colonial dynamics in understanding the root causes of the conflict and the harm that occurred during the conflict (Comisión de la Verdad, n.d.b). The year 1958 marked the transition from civil war (known in Colombia as 'La Violencia', or 'The Violence') to internal armed conflict. Throughout the over 40 years of conflict from the start of this armed conflict to its official conclusion in 2016, a multitude of actors took part in armed struggle. The main

group at the center of the conflict and the subsequent agreement, however, was the FARC-EP (*Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo*, or Revolutionary Armed Forces of Colombia-People's Army). The leftist FARC-EP were a Marxist guerrilla group focused on class struggle and agrarian reform; during the conflict, they ultimately employed tactics such as narco trafficking and kidnapping to fund their operations. The conflict also involved numerous paramilitary groups, government forces, and other guerrilla groups and affected populations across all of Colombia's territorial departments. The conflict resulted in over nine million victims, including over 450,000 deaths, over 120,000 forced disappearances, more than 50,000 kidnappings, and over 750,000 victims of forced displacement (Comisión de la Verdad, n.d.a).

After several decades of violence, the Colombian conflict with the FARC-EP guerrillas came to an official conclusion with the passage of the 2016 Final Agreement. Among other provisions, the agreement laid out the plans for a transitional justice program formerly known as the Integral System of Truth, Justice, Reparation, and Non-Repetition and now called the Comprehensive System for Peace (SIP, for its Spanish title). The SIP consists of three main mechanisms: the Special Jurisdiction for Peace, the Unit for the Search for Persons Presumed Disappeared, and the Commission for the Clarification of Truth, Coexistence and Non-Repetition. The Truth Commission, which was tasked with clarifying the patterns and causes of the armed conflict through testimonial collection, concluded its official work and released its final report in July 2022. The Commission's work is now continued by the Committee for Follow-up and Monitoring (CSM), which has a seven-year period of operation. Part of the Commission's role was to set up a 'broad, pluralistic, and balanced participation process in which different voices and visions will be heard' (Presidencia, 2017). In working towards this goal, the Commission operated under a board of 11 commissioners. While the Commission had the shortest mandate of any of the mechanisms within the SIP, it heard over 28,000 voices during its period of operation (Comisión de la Verdad, 2022: 93).

In approaching gender inclusivity, the Final Agreement specifies that the Truth Commission must adopt a gender-based approach in carrying out its work. Adopting this gender-based approach entailed creating a 'gender-based task force' and liaising with women's and lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations ('Final Agreement,' 2016: 146). While the Final Agreement did not set out a specific gender quota, it did require that criteria 'such as equal participation between men and women' be taken into account when selecting commissioners. Originally, the commissioner board comprised five women and six men; the composition of the Commission later shifted to four women and seven men after the death of Angela Salazar and her replacement by Leyner Palacios.

## Analysis

The Colombian peace process with the FARC-EP resulted in a highly comprehensive peace agreement with gender as a consistent focus throughout the document. This gender focus is unsurprising given the strong presence and mobilization of gender-focused civil society groups in Colombia as well as the ideological foundations of the FARC-EP in egalitarian principles (Gutiérrez and Murphy, 2023). In addition, Colombia already had a history of gendered inclusion, as evidenced by Law 581 of 2000; this law states that women must hold 30% of positions (including 30% of the highest-level decision-making positions) in government branches and bodies of power (Congreso de Colombia, 2000). As part of the Havana negotiations, which began in late 2012, the FARC-EP negotiation team included commander Victoria Sandino from April 2013, and pressure from women's civil society organizations ultimately led to the creation of a gender sub-commission in September 2014. The resulting agreement has been called the 'most inclusive peace agreement in history' (Salvesen and Nylander, 2017: 1) in terms of its gender inclusion. Given this attention to



the Colombian case as a potential model for gender inclusion, understanding the process of gender quota adoption in Colombia is critical to deepening our understanding of how and why gender quotas are adopted globally. Examining a core transitional justice commission set up by this agreement allows us to explore the dynamics identified above in action.

This case illustrates the complex interplay of the factors we identified above in the context of gender quota adoption: the agreement was signed after UNSCR1325 and international mediators were part of the negotiations, but the strength of Colombian civil society plays the most significant role in understanding quota adoption and implementation. Gender-focused civil society mobilization in Colombia certainly predated the advent of UNSCR1325, and the provisions set out in the peace accord and in the implementation of the transitional justice institutions represent a much more progressive and holistic approach to gender than the measures suggested in UNSCR1325; in addition, the creation of the gender sub-commission as a result of domestic pressure from civil society organizations illustrates the critical role these groups play in shaping peace accord provisions. Given the strength and comprehensiveness of gender-centered movements in Colombia, our results illustrate the ways in which international mandates such as UNSCR1325 and the presence of international mediators can *support* (but not create) momentum towards gendered inclusion, including the use and implementation of gender quotas. These support mechanisms can be useful particularly when, as was the case in Colombia, segments of society push back against progressive gender ideologies; while the final version of the 2016 Agreement included some concessions to right-wing demands (namely in the form of changing some mentions of ‘gender’ to ‘women’), the agreement still includes 130 actions related to gender (Kroc Institute, 2018: 5). This pushback from conservative segments of society indicates, however, that even in cases where all three factors contributing to quota adoption are positioned favorably to work towards this adoption, introducing and implementing gender provisions is not always straightforward.

Understanding the adoption of a gender focus within the Truth Commission’s composition requires attention to the dynamics underpinning the peace negotiations that led to the signing of the final agreement. Studies on inclusion of gender and lesbian, bisexual, and transgender (LBT) provisions in the negotiations have detailed the importance of both UNSCR1325 and the WPS agenda in bringing gendered issues to the fore in Colombia. While early stages of the negotiations ‘failed to acknowledge the table’s responsibilities under UNSCR 1325’ (Corredor, 2022: 237), women’s civil society groups leveraged international support to foreground gender issues, ultimately resulting in the creation of a gender sub-commission within the negotiations (Corredor, 2022; Mendes, 2022). In addition, the WPS architecture created opportunities for LBT activists to ‘define their needs on their own terms’ (Hagen, 2017: 127). These efforts were led by local women’s organizations, but the example of the peace negotiations illustrates the utility these organizations found in appealing to doctrines like UNSCR1325 to achieve their aims. These initial dynamics were critical to the treatment of gender in the Truth Commission more specifically; the following sections trace the continuation of these trends from the peace agreement negotiations to the adoption of a gender-balanced selection of truth commissioners.

## **Women’s political empowerment: civil society mobilization in Colombia**

In the case of the Truth Commission, we can observe that the adoption of gender quotas and the subsequent attention to gender within the work of an independent commission relates to the participation of women in civil society. As the evidence from the negotiations illustrates, gender was not an initial priority for the final agreement itself, but pressure from women’s civil society groups led to the creation of the gender sub-commission and the centering of gender in the agreement.

Similarly, women's groups were key in shaping the Truth Commission structure. Women's groups in Colombia, including groups such as *Ruta Pacífica de las Mujeres* (Pacific Route of Women), pushed for the inclusion of a high number of women commissioners and helped prepare candidates for the interview process (interview with Alejandra Coll Agudelo, former member of the gender working group for the Truth Commission, May 2022). Throughout the selection process for the commissioners, moreover, the Cinco Claves (Five Keys) Alliance, which is an alliance of organizations focused on gender-based issues and feminist mobilization, were in dialogue with the committee in charge of selecting the commissioners; the Alliance also lobbied for the inclusion of women as commissioners (Hagen, 2017). The process of allowing for civil society participation in selecting the commissioners increased legitimacy for the Commission's work; civil society organizations now continue to support the Commission's legacy and share the results of its work through events, meetings, and pedagogy.

The composition of the Truth Commissioners included women from various backgrounds: Alejandra Miller, a leader in the feminist movement and a regional coordinator for *Ruta Pacífica* in Cauca; Ángela Salazar,<sup>2</sup> an Afro-Colombian activist and victim of the conflict who campaigned to increase the visibility of narratives from Afro-Colombian, Raizal, Palenquero, and Black communities in Colombia; Marta Ruiz, a journalist whose work covered the conflict and rural development issues; Lucía González, an architect and the former director of the *Museo Casa de la Memoria* (House of Memory Museum, a museum memorializing the conflict) in Medellín; and Patricia Tobón Yagari, a member of the Emberá indigenous community and a specialist in constitutional law. María Paula Prada Ramírez, former advisor to the presidency of the Truth Commission and coordinator in the office of cooperation and alliances, noted a lack of resistance to implementing the gender balance in the Commission's composition initially (conversation with the authors, May 2024). This pattern is in line with general trends in the Truth Commission's adoption of a gender perspective; in contrast to the struggles faced by activists who advocated for the inclusion of anti-racist approaches in the Commission's work, the Commission's gender approach was 'promoted and financially supported' by international organizations, including UN Women (Villamizar, 2024: 841). After the death of Ángela Salazar, discussions around selecting her replacement and the role of gender in creating a balanced and representative plenum of commissioners became complicated; Salazar's unique intersectional identity made finding a replacement difficult. The Commission ultimately selected Leyner Palacios, an Afro-Colombian social leader and victim of the conflict, to complement the areas of experience and expertise held by other commissioners (conversation between María Paula Prada Ramírez and the authors, May 2024). While implementing the gender quota was not a challenge, then, the Commission worked towards intersectional balance rather than focusing on gender alone (Villamizar, 2024). Existing scholarship has documented this embrace of intersectionality in the Commission's broader work (Murphy, 2023), noting that while the Commission did not include intersectionality in its official methodology, its working groups used an intersectional lens to analyze the experiences of 'the overlapping groups of women, children, LGBTI people and ethnic communities in the armed conflict' (Villamizar, 2024: 837).

In its operations, the Truth Commission took inspiration for its design and execution from a previous women's truth commission created by *Ruta Pacífica*. The Commission noted in one of its annual reports that *Ruta Pacífica*'s experience of creating the Women's Truth Commission 'served as a precedent and a guide for the Truth Commission' (Comisión de la Verdad, 2020: 86). This highlights how impactful women's civil society can be in commission design as well as in influencing the initial structure and composition of commissioners. In addition to this specific push for Truth Commission representation, recent scholarship has documented how the Colombian women's movement tracks and conducts advocacy around gender representation in monitoring commissions (Koopman, 2020). This highlights the role that women's participation in civil society plays,

not just in ensuring commitments to increased descriptive representation are realized but also that representation occurs across a range of commissions. In addition, the strength of women's civil society groups contributed not only to the push for descriptive representation in the form of representation of women within the commissioners, but also in ensuring that gender was a core focus of the Commission's work; due to their existing local and regional networks, organizations like *Ruta Pacifica* collected hundreds of testimonies of women's experiences of conflict, taking into account the importance of sharing the unique narratives of indigenous women, Afro-Colombians, and women in different regions of Colombia (interview with members of *Ruta Pacifica de las Mujeres*, April 2022). These testimonies formed part of the Truth Commission's evidence base. Women's civil society groups also continue to carry out the work of the Truth Commission even after the official end of its mandate; the 'allies' of the Truth Commission, as the organizations working with the Truth Commission are called, continue to conduct events to share the results of and raise awareness about the Truth Commission's report on gender, for example.

### **United Nations Security Council Resolution 1325: a framing tool for prioritizing women's inclusion**

The Colombian case supports the argument that UNSCR1325 can help support the adoption of gender quotas. Local and regional organizations such as *Red Nacional de Mujeres* (National Women's Network), *Iniciativa de Mujeres por la Paz* (Women's Initiative for Peace), *Liga de Mujeres por la Paz y la Libertad* (LIMPAL; Women's League for Peace and Liberty), and Humanas Corporation have all conducted reviews and produced reports on Colombia's progress on implementing UNSCR1325 specifically. Appealing to the resolution played a role from the early stages of negotiating the peace agreement; recent scholarship found that a joint statement from over 2000 women 'expressly cited the Security Council's Resolution 1325 and formulated specific recommendations to the negotiating team' (Céspedes-Báez and Jaramillo Ruiz, 2018: 96). Pressure from these women and other groups contributed to the eventual creation of a sub-commission on gender in the peace negotiations and the subsequent gender-sensitive nature of the final agreement (Phelan and True, 2022), as discussed above. While the existing strength of gender-focused civil society groups in Colombia led to the push for women's inclusion in the negotiations and the commissions resulting from the peace agreement, UNSCR1325 served as a tool for exerting pressure on leadership to encourage this inclusion. This is evident in the reports of organizations such as LIMPAL, which urged municipal authorities in the department of Bolívar to 'implement the UN's resolution 1325 [. . . to recognize] women's role as active subjects in the construction of peace' (LIMPAL Colombia, 2012: 36). Women involved in the process of advocating for inclusive gender provisions also noted that Resolution 1325 'provided us with a robust basis to mobilize the international community in Colombia' (Humanas Colombia, 2017: 27). By appealing to UNSCR1325, women's organizations exerted pressure on the state to comply with international regulations on women's participation (Guarracino, 2022: 133).

### **External mediators: supporters (but not shapers) of gender-inclusive agenda**

As one of the most high-profile peace agreements in recent history, the final agreement in Colombia involved a number of international mediators. Cuba, where the main negotiations were held, and Norway served as guarantor countries, while Chile and Venezuela served as observer countries. The existence of gender quotas in the agreement and in the Truth Commission composition specifically fits with expectations based on the presence of these external mediators. A Norwegian Agency

for Development Cooperation (Norad) report on Norway's involvement in the Colombian peace process notes 'women's participation and a gender perspective' as one of the three main focus areas for the negotiations (Norad, 2018: 6), suggesting that gender quotas and other forms of gender inclusivity were a priority for external mediators. While the presence of these external mediators played a key role in the negotiation of the peace agreement, the provisions for the Truth Commission's operations makes it clear that the institutions themselves should have a high level of domestic ownership. The final agreement notes, for example, that the Truth Commission may not have more than three foreign commissioners (out of a total of 11 commissioners). Ultimately, only one of the commissioners (Spanish doctor and psychologist Carlos Martín Beristain) was not Colombian. While external mediators played a role in establishing general gender quotas for commissions such as the Truth Commission, then, the implementation of this gender quota was more locally driven.

While the inclusion of a gender quota within a transitional justice-focused commission like the Truth Commission is in line with expectations based on the dataset and is consistent with overall norms in Colombian public institutions, a closer investigation into the process of working towards a gender balance in the commissioner composition suggests that pressure from a strong civil society sector, rather than top-down constructions of victim representation, can influence patterns of gender representation in commissions. The high level of women's empowerment in Colombian civil society, combined with significant increases in women's political participation rates (the most recent Colombian election saw a jump in the percentage of women representatives from 19% to 30%), contributes to an expected adoption of a quota in the case of the Truth Commission. While other commissions in Colombia, such as the National Commission for Security Guarantees, also had requirements for the effective participation of women, these other commissions included shallow or ineffective adoption of the gender focus (Echavarría Álvarez et al., 2023). This discrepancy between the work of the Truth Commission and other commissions in Colombia suggest that while quota adoption may not be difficult to attain once the norm is set, quota adoption alone does not guarantee a strong commitment to gender issues. In addition, the adoption of quotas across different types of commissions (including a security commission such as the National Commission for Security Guarantees) illustrates that the focus on gender inclusion, at least from a descriptive perspective, is consistent regardless of policy area; this trend highlights the importance of civil society influence in shaping gender norms in Colombia.

## **Conclusion**

This paper provides a first overview of the adoption of gender quotas in commissions in peace agreements. It builds on existing work on the adoption of quotas for parliaments and research on the inclusion of women in peace processes, bringing together two bodies of scholarship that are highly relevant to each other but are rarely integrated. The examination of the ICPCS dataset highlights that there are few cases in which quotas are adopted for commissions. We explore the dynamics of factors identified in the literature as potential influences on quota adoption using the case of the Colombian Truth Commission. As expected, factors such as civil society participation and UNSCR1325 play an important role in the Colombian case. The strength of the Colombian civil society sector, particularly in its gender-focused groups, contributed to the adoption of a strongly gender-sensitive agreement and commission design. In addition, the strength of this civil society presence also contributed to a strong focus on gender throughout the Commission's work (rather than a simple concentration on descriptive representation of women as commissioners as the end goal for gender inclusivity). UNSCR1325 functioned as a tool for existing civil society groups in Colombia to lobby for a gender focus in the peace process. This case also cautions us against

assuming the link between the presence of an external mediator and the adoption of gender quotas is causal. In this regard, the Colombian case may be somewhat unusual, given the high level of local ownership and the relatively low level of intervention that the states playing a mediation role adopted. While gender inclusivity was a priority for external mediators such as Norway, attributing causation to this external mediator would overlook the role that domestic groups played in lobbying for gender inclusion at all stages of the commission design process, from the early stages of the peace negotiations that created the Truth Commission through to its selection of commissioners and in its continued focus on gender during and after its period of operation.

Future research could examine whether factors such as the adoption of UNSCR1325 and the involvement of gender-friendly mediators can have an impact in contexts where domestic women's political participation is not as strong, particularly where women's civil society does not have such an impact in inclusion in the peace process. Furthermore, given that the adoption of gender quotas in this commission was part of process-wide efforts at gender inclusion it would be interesting to examine contexts where gender quotas are adopted in a single post-conflict institution and/or in the absence of the broader commit to gender inclusion to see how this comes about in a non-permissive environment. Finally, the experiences of women who act as commissioners, both as the result of quota adoption and without quotas being in place, should be explored to see what opportunities and challenges they face.

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## Notes

1. Yet regional and international organizations also operate under a gendered logic. Through an excellent analysis of the UN's treatment of Iraqi women advocates who addressed the organization after the 2003 invasion, Gibbins (2011) demonstrated that the UN prompted a particular idea of what it is to be a woman and appropriate feminine behavior, which can be utilized to exclude those women who act outside of these norms.
2. Ángela Salazar passed away during the work of the Commission; she was replaced by Leyner Palacios.

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