



*Global LGBTI Human
Rights Partnership*

THE LGBTI MOVEMENT'S
SPIRAL TRAJECTORY:
FROM PEACE PROCESSES
TO LEGAL AND JURIDICAL
GAINS AND BACK AGAIN



Astraea LESBIAN FOUNDATION FOR JUSTICE

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KEY FINDINGS

- ▶ **Spiral Trajectory.** Peace processes have brought the diverse LGBTI population together now on two occasions. During the peace process initiated by President Andrés Pastrana in 1999-2001 with the Revolutionary Armed Forces of Colombia (FARC), the lesbian, gay, bisexual, trans, and intersex (LGBTI) movement established national recognition as a populational sector. With the most recent peace process initiated in 2012 by President Manuel Santos, the movement returned to the strategy of articulating its demands in relation to peacebuilding.
- ▶ **Movement Gains.** The trajectory of movement gains since 2000 evidences stellar growth in judicial, political, and sociocultural arenas including national jurisprudence, use of international legal spaces such as the Interamerican Court of Human Rights, the development of LGBTI public policy, LGBTI political participation, communication campaigns, artistic and cultural based social interventions, and knowledge production.
- ▶ **Key Strategies.** There are several key strategies that LGBTI activists have used over the last decades.
 - ▶ Strategic litigation focuses on legal cases that can further the rights of LGBTI people through the judiciary system.
 - ▶ Legislative activism focuses on increasing political representation of LGBTI people and supporting political candidates that back LGBTI rights.
 - ▶ LGBTI activists have also made gains through technocratic advocacy, acting as experts in the development, oversight, and evaluation of programs and policies directed to the LGBTI population.
 - ▶ Sociocultural interventions, such as public education campaigns, aim to shift cultural reference points and challenge stereotypes.

- ▶ **Peace Process.** The current peace process has set global precedent with the inclusion of the LGBTI population. LGBTI activists are making inroads into technocratic spaces of the peace process to guarantee representation and follow through on inclusive policies and programs. A broad LGBTI agenda for peace unifies diverse LGBTI groups.
- ▶ **Current Political Context.** The current political dynamic can be characterized as a political closure and a closing of the political opportunities to recognize and defend LGBTI rights. Under the current political climate of right wing attacks on LGBTI human rights defenders and laws recognizing LGBTI rights, LGBTI human rights defenders continue to push for implementation of laws and public policies that attend to the needs of the LGBTI population.
- ▶ **Movement Priorities.** Given the vast diversity within the LGBTI movement, priorities are grouped into six categories including:
 - ▶ Priorities with a regional and territorial focus
 - ▶ Priorities with regard to coalition building
 - ▶ Priorities for engaging the state
 - ▶ Priorities for engaging civil society
 - ▶ Priorities with regard to internally displaced and refugee populations
 - ▶ Priorities that respond to the challenges of the conservative political climate

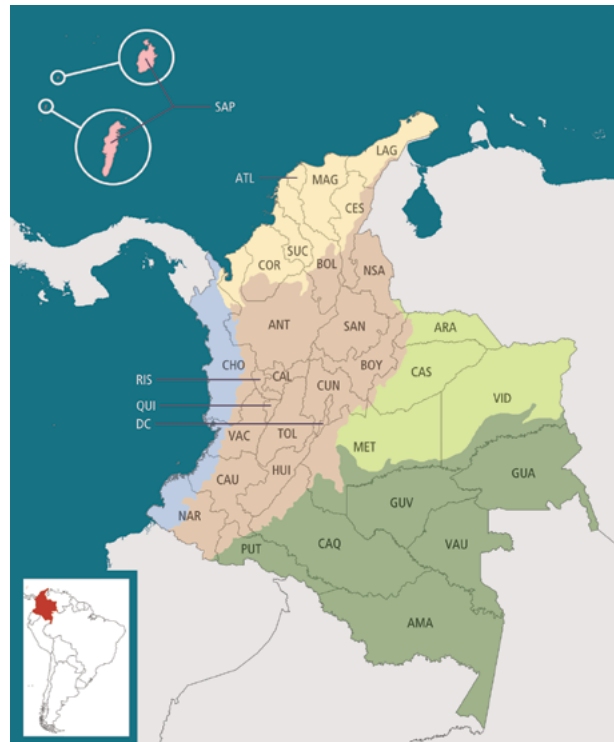


INTRODUCTION

■ This report offers an in-depth case study analysis of the lesbian, gay, bisexual, trans, and intersex (LGBTI) organizations, movements, and groups in Colombia. An overview of the major legal and political gains of the last two decades contextualizes movement dynamics and strategies. For example, presently Colombia has the greatest number of LGBTI people elected to office in all of Latin America and the Caribbean. Massive advances in LGBTI political representation and rights culminated in the 2014-2016 period and precipitated a conservative religious and political backlash that has been gaining traction since 2016.¹ The threatening political climate can be characterized by a decrease in opportunities for political participation and targeted violence against human rights defenders, including LGBTI activists.² Movement strategies are quickly shifting to address this changing political context, as detailed in the section entitled “Dynamics of Political Closure.”

The current political climate demonstrates an elite-driven reaction to all the historically excluded populations that have made strides in their struggles for access to full citizenship. Indigenous and Afro-descendent groups comprise 15 percent of the Colombian population. A quarter of the population lives in rural areas. 16.4 percent of the Colombian population lives under the extreme poverty line and 45.5 percent of the population is poor.³ This overlapping rural, poor, and racial/ethnic minority population has made significant gains in rights. As 84.2 percent of the population is mestizo and 80 percent of the population lives in urban centers,⁴ this current political crisis brings historic issues of exclusion to the forefront of Colombian society and challenges the status quo.

Colombia’s economy depends on primary resource exports such as oil, coal, coffee, sugar, palm oil, and flowers. The prioritization of mining and oil energy exports clashes directly with territorial community rights and land claims, and this issue underlies Colombia’s historic conflicts and massive displaced population.



- INSULAR REGION
- ANDEAN REGION
- PACIFIC REGION
- ORINOCO REGION
- CARIBBEAN REGION
- AMAZONIAN REGION

Colombia has five regions and contains thirty-two administrative departments. The five regions include the Pacific, Andean, Amazonian, Orinoco, and the Caribbean. In addition to references to regions and departments, this report also mentions territories. Territories are legal entities governed by public law that include departments, districts, municipalities, regions, provinces and Indigenous territories. Territories have autonomy in the management of their interests.⁵

Land ownership in Colombia is the most disproportionate in all of South America. The historic accumulation of wealth by colonial landowning elites extends into the present with the current concentration of land ownership in the hands of a few.⁶ Therefore, one of the most critical and contested points of the current peace accord is land reform. LGBTI groups in Colombia are addressing this issue through an intersectional framework of Economic, Social and Cultural Rights (ESCR) to highlight the demands

of Indigenous and Afro-descendent LGBTI people. In 1966 the International Covenant on Economic, Social and Cultural Rights (ICESCR) established this legal framework to recognize the basic conditions needed to live a dignified life, including education, housing, food, water, health, work, culture, and a healthy environment.⁷

LGBTI groups are spearheading critically important research to document and address the major gaps in access to citizenship rights in Colombia, including ethnic groups' right to access their traditional territories according to the Constitutional Court Sentence T-652 of 1998. In a groundbreaking report published in 2019 entitled “¡Es Ahora! Investigación de Derechos Económicos, Sociales y Culturales de personas afrodescendientes e indígenas LGBT, en cinco municipios de Colombia,” the two leading LGBTI groups, Colombia Diversa and Caribe Afirmativo, present findings regarding the level of “access and satisfaction of LGBT Indigenous and Afro-descendent people to exercise their rights to education, health care, labor, family and culture.”⁸ As an LGBTI activist asserts, “Colombia is a centralized country that has concentrated its state presence in the capital, forgetting the territorial realities and leaving power vacuums, which were filled by illegal armed actors. The state’s solution can’t only be the deployment of police, the state must rethink new forms of engagement in rural areas.”⁹ One of the top priorities for the LGBTI movement is to place more attention on regional and territorial struggles.

Despite Colombia being one of the oldest democracies in the region, it has also suffered the longest armed conflict. A trajectory of constant constitutional and administrative changes in Colombia since its founding in 1810 manifested in political divisions and violence. The Revolutionary Armed Forces of Colombia (FARC) formed over fifty years ago, making it the oldest armed leftist guerrilla group. Other armed groups include the National Liberation Front (ELN) and the United Self-Defense Forces of Colombia (AUC) paramilitary group.

The most common human rights violation over the decades has been displacement, with 7,358,248 victims according to the National Victims Registry. 17 percent of Colombia’s population has been displaced.¹⁰ According to the World Bank, Colombia had a population of 49,648,685 in 2018.¹¹ LGBTI people are over-represented in this displaced population due to violence and the threat of violence based on prejudice. The survival and wellbeing of this displaced LGBTI population is an important priority for the LGBTI movement. The current peace process is the first in the world to include and address the impact of the internal armed conflict on the LGBTI population. Therefore, the current peace process has opened the potential for more political inclusion through the construction of a new social pact.¹²



TIMELINE

This timeline¹³ offers an overview of key events, cultural production, people, organizations, laws, legal rulings, and political changes that mark the trajectory of the LGBTI movement. As explained in the methodology section, references to Barranquilla and Pasto expand beyond the focus on the capital city of Bogotá.

- 1976** [León Zuleta and Manuel Velandia found the Movement for Sexual Liberation.
- 1977** [León Zuleta starts the newspaper "El Otro."
- 1978** [Students at the University of Antioquia and the University of Medellín create a gay study group, "GRECO," and build alliances with feminist movement groups.
- 1980** [Homosexuality is decriminalized.
- 1982** [First Pride march in Bogotá.
- 1984** [First gay Carnival parade in Barranquilla (Guacherna gay).
- 1985** [The first group to work on AIDS/HIV is founded, The Group for Help and Information about AIDS/HIV (GAI).
- 1991** [The new Colombian Constitution includes recognition and protection of minority rights, liberties, and opportunities.
- 1992** [Jennifer Alexes of Villavicencio is the first trans woman to run for local election.
- 1993** [The Constitutional Court decides to honor the name change of Pamela Montaña from Carlos Montaña.
[Gay leader León Zuleta is assassinated.
- 1995** [The Group for Support and Study of the Diversity of Sexual Orientation of the National University, GAEDS-UN, is established.
- 1996** [The first lesbian group, Black Triangle, is established.

- 1997** First publication of the magazine Acento, directed towards the LGBTI population.
- 1998** The Constitutional Court rules that the sexual orientation of students cannot be a reason to deny the right to education.
- 1999** The Constitutional Court rules in favor of the protection of the rights of LGBTI people in the armed forces.
The first trans group, Transer, is founded.
- 2000** The Constitutional Court rules in favor of the protection of the right to social security for same sex partners.
The first trans march in Bogotá.
- 2001** The LGBTI film festival, Ciclo Rosa, is established at the Javeriana University.
- 2005** The first LGBTI faction of a political party in Latin America is established, the Polo Rosa of the Polo Democrático Alternativo.
- 2006** The first LGBTI community center is founded in Latin America, located in Bogotá.
- 2007** The Constitutional Court rules in favor of the protection of patrimonial rights.
- 2008** The first openly lesbian mayor, Blanca Inés Durán of Chapinero, is elected in Bogotá.
- 2009** The National Police establish the Directive 006, its first institutional commitment against police violence towards the LGBTI population.
The first LGBTI public policy is established in Bogotá.
- 2011** The Victim and Land Restitution Law (1448) is the first law to recognize the LGBTI population in matters of conflict resolution and peacebuilding.
In Pasto, the first Carnival for the recognition of LGBTI rights is established.
- 2012** Peace dialogues between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) initiate in La Havana, Cuba.

2013

The Constitutional Court approves surgical procedures for corporal modification of trans persons.

2014

The first ruling of the Justice and Peace court in the Botalón case recognizes the LGBTI population as victims of armed groups.

The first gender sub-commission is established in the Colombian peace dialogues, which includes the LGBTI population for the first time globally.

The Interamerican Court of Human Rights rules in favor of patrimonial rights for same sex partners in the case of Duque vs. Colombia.

For the first time, two lesbians win seats in Congress: Claudia López and Angélica Lozano.

2015

The Decree 1227 permits trans persons to change their names and sex assignment on their identity cards.

The Constitutional Court recognizes the devastating impact of bullying in schools due to the case of Sergio Urrego, who committed suicide because of bullying. The Constitutional Court requires the Ministry of Education to create a public policy to prevent bullying.

The Constitutional Court approves adoption by same sex partners.

For the first time, five LGBTI people win seats in local elections: Carolina Giraldo, bisexual woman, Councillor of Pereira (Risaralda); Juliana Rojas, trans woman, Councillor in Chaparral (Tolima); Edison Bermudez, gay man, Councillor of Chaparral (Tolima); Angela María Castillo, lesbian woman, Councillor of Miranda Cauca; and Julián Bedoya, gay man, mayor of Toro (Valle).

2016

The Constitutional Court approves marriage equality.

The peace accord recognizes LGBTI victims.

The Civil Registry recognizes children with same sex parents on the birth certificate.

2017

The board of Barranquilla recognizes the Guacherna gay as cultural heritage of the city.

2018

Mauricio Toro becomes the first gay man elected to Congress.

2019

The LGBTI population is granted a space in the Black and White Carnival in Pasto.



MOVEMENT TRAJECTORY

■ The contemporary moment of 2020 marks a spiral trajectory, according to Wilson Castañeda, director of Caribe Afirmativo. During the peace process initiated by Andres Pastrana in 1999 with the FARC, the LGBTI movement established national recognition as a populational sector. LGBTI activists then mobilized to achieve incredible political and judicial gains over the last decades. Now, with the most recent peace process initiated in 2012 by President Manuel Santos, the movement returned to the strategy of articulating its demands in relation to peace. Peace processes have brought the diverse LGBTI population together now on two occasions, first under the civil society efforts to build a peace agenda in 1999-2001 during the peace talks of Pastrana, and now under the current peace process. A broad LGBTI agenda for peace unifies disperse movement articulations; as LGBTI activists from Cali assert, “all of us have been assaulted in the armed conflict.” Each group uses the framework of peace to forward their particular agenda in the most effective way that they can according to Marina Avendaño of the LGBTI Platform for Peace.

This report offers glimpses into multiple stories that contribute to the LGBTI movement trajectory, with the goal of diversifying voices and uplifting those that don't always get heard. The timeline starts in 1976 to honor the iconic role of movement “founders” León Zuleta and Manuel Velandia. Before the decriminalization of homosexuality in 1980, the incipient movement built upon informal networks and small gatherings. The 1980s and 1990s witnessed ever increasing movement participation, yet the movement remained unarticulated at a national level.

During the Colombian peace talks initiated by president Andres Pastrana in 1999, the FARC and the non-governmental organization Planeta Paz embarked upon the herculean effort of developing a popular agenda for peace. The traditional populational sectors with national recognition such as unions, Indigenous people, youth, peasants, women, and Afro-descendants, were quick to respond to the call. The director of Planeta Paz, sensitized to the struggle of the LGBTI

population due to having a lesbian sister, made an effort to invite LGBTI people to take part in the process. The resulting group of 63 activists from 11 cities was comprised of gay men, with a few lesbian and bisexual people, and one trans person.¹⁴ Over the several days of their encounter, the group named itself the LGBTI populational sector, marking the first time a self-identified LGBTI group asserted its presence at the national level. As scholar activist José Fernando Serrano identifies, “Peace-building can permit the emergence of social actors that formerly were not considered legitimate actors of social change.”¹⁵

Of course, it is critical to recognize the ways in which this first assertion of the LGBTI sector reflects the hierarchies of society, with a concentration of male, light skinned, urban, middle to upper class, and able-bodied people. In addition, the sector composition reflects the ongoing gap between trans people, and gay men and lesbian women that has to do with class status. Because of a series of misogynous and transphobic events that happened within the LGBTI sector at the Planeta Paz workshops, lesbian, bisexual, and trans women separated from the sector to form a network, Nosotras LBT. The group denounced the sexism of the sector enacted by the group of majority gay men.¹⁶

Those involved in establishing the LGBTI populational sector made the most of the political opportunities even though the movement was quite fragmented in terms of its national character. Most importantly, the emergence of the LGBTI populational sector directly links to the development of LGBTI public policy in Colombia over the last decade and a half.¹⁷ One of the most valuable tools gained through the Planeta Paz national peace agenda-setting process was working across different sectors. Each sector developed its priorities for a national peace agenda and then discussed their points with other sectoral groups. Therefore, the LGBTI sector exchanged ideas with activists from a cross-section of civil society that had never encountered such an opportunity to share a space. This was an enriching and educational experience for all involved and strengthened a coalitional approach to making change.

Overall, coalition building is the movement strengthening strategy that activists underscore. This strategy consists of creating connections with other movements, such as the women's and feminist movements, to define issues of common interest and then consolidate activist and advocacy efforts.

The trajectory of the LGBTI movement cannot be generalized into a singular process given the extremely different experiences in urban settings compared to rural settings. Because the armed conflict intensely impacted the rural areas and the LGBTI movement is more focused in urban centers, the concern with the armed conflict was marginal for much of the movement, according to LGBTI activists in rural areas. The urban based movement has made quick strides towards key wins, such as the right of same sex couples to adopt (2015) and marriage equality (2016).

Another reason the trajectory of the LGBTI movement cannot be generalized into a singular process is because of the previously mentioned differences in experiences, concerns, and demands of trans people, gay men, bisexual people, intersex people, and lesbian women. The trans population founded its first group, Transer, in 1999. Given the lack of available information regarding the trans movement, the research design for this report includes a survey of five autonomous and

The trajectory of movement gains since the 2000s evidences a stellar growth in the judicial, political, and sociocultural arenas, including national jurisprudence, use of international legal spaces such as the Interamerican Court of Human Rights, the development of LGBTI public policy, LGBTI political participation, communication campaigns, artistic and cultural based social interventions, and knowledge production.

community-based trans organizations in five different regions of Colombia. All the organizations note the lack of systematized documentation of the trans movement (see methodology section). The patchy information gathered by trans groups passes through informal conversation.

Many times, trans activists find themselves in direct conflict with the more dominant LGBTI movement given that their priorities around ending extreme poverty, violence, and discrimination and gaining legal recognition of their identity, as well as access to respectful medical attention, don't always coincide with the agenda of marriage equality, for example. To further illustrate this divide, the tensions around trans exclusion from the annual Pride March came to a breaking point in 2000 when trans people started their own trans march in the poor neighborhood of Santa Fe in the city of Bogotá in which many of them live. In recent years, trans groups in regional cities have also begun to celebrate the trans march.

Furthermore, the movement building experiences of LGBTI people in rural settings in particular have their own collective and place-based trajectories that are seldom documented, especially because local ways of naming and comprehending non-normative genders and sexualities do not always map onto the dominant LGBTI identity categories. For example, in Magdalena Medio, some of the terms that circulate include *travestis*, *marica*, *machorras*, and *boletosas*.¹⁸ Among Indigenous Wayú and Afro-descendent people, terms might include *machorrina*, *power*, and *marica*.¹⁹ A recent research project conducted by Colombia Diversa and Caribe Afirmativo illustrates the careful attention required to address the lives, histories, and demands of LGBTI people of color in rural areas. This research culminated in the 2019 book *¡Es Ahora! Investigación de Derechos Económicos, Sociales y Culturales de personas afrodescendientes e indígenas LGBT, en cinco municipios de Colombia*. The book suggests that such an approach must work with local conceptions of territory, cosmivision, collectivity, culture, gender, sexuality, and positive rights.



MOVEMENT STRATEGIES,
WINS, AND CHALLENGES

■ LGBTI movement gains over the last two decades have been spectacular in the legal and political fields. Yet, many activists claim that the gains on paper have not manifested in the lived reality of most LGBTI people. There are many challenges, including the full implementation of laws and policies and the transformation of the socio-cultural references that dominate society and the media.

There are several key strategies LGBTI activists have used over the last decades.

- ▶ **Strategic litigation** focuses on legal cases that can further the rights of LGBTI people through the judiciary system.
- ▶ **Legislative activism** focuses on increasing political representation of LGBTI people and supporting political candidates that back LGBTI rights.
- ▶ LGBTI activists have also made gains through **technocratic advocacy**, acting as experts in the development, oversight, and evaluation of programs and policies directed to the LGBTI population.
- ▶ **Sociocultural interventions**, such as public education campaigns, aim to shift cultural reference points and challenge stereotypes.

Within the various articulations of the LGBTI movement, there are multiple ongoing challenges, such as the need for intergenerational transmission of activist knowledge and the need to bridge the movement fault lines around social class, race, and geopolitics.

The movement is also challenged by the ongoing tensions between differing approaches to making

change. More liberal agendas prioritize reforming policies and laws and usually reflect the interests of institutionalized components of the movement, such as larger non-governmental organizations with access to funding sources. The staff of these organizations are typically highly trained professionals and experts in the field of LGBTI rights. Most have honed advocacy skills and are in nearly constant contact with state functionaries regarding priority public policies, laws, and legal cases. This sector of the movement reflects a basic level of access to and defense of citizenship rights.

More radical agendas within the movement focus on addressing the daily struggle for survival and the disruption of hierarchies of power. Many of these activists come from lower social classes with less access to higher education and stable employment. Daily experiences of discrimination, violence, and exclusion from access to housing, education, medical services, and employment define an agenda grounded in a broad call for social justice and the end of poverty. Smaller autonomous groups and collectives typically champion these more radical agendas and do so with little to no external funding.

JUDICIAL

In less than three decades, Colombia has established a full scope of legal measures in the defense and guarantee of LGBTI rights, including laws, legal sentences, and Constitutional Court decisions. Colombia has a historically strong, assertive, independent, and progressive judiciary.²⁰

The two main activist strategies used in this area are strategic litigation and technocratic advocacy. Strategic litigation focuses on legal cases that can further the rights of LGBTI people through the judiciary system. LGBTI activists have energetically pursued strategic litigation on key issues such as marriage equality with positive results. Between 1993-2018 the Constitutional Court has emitted more than 155 sentences in favor of the inclusion of the LGBTI community.²¹

LGBTI activists have also made gains through technocratic advocacy as experts in the development, oversight, and evaluation of programs and policies directed to the LGBTI population. Besides an overview of major legal gains, this section summarizes the ongoing challenges of the LGBTI community, especially in the area of citizen coexistence and the role of the National Police, the Armed Forces, and the National Penitentiary and Correctional Institute. Citizen coexistence is based on the fundamental rights stipulated in the 1991 Colombian Constitution and refers to the norms of harmony, respect, and wellbeing that regulate Colombian society and its citizens. Technocratic advocacy has been an important tool to address the ongoing challenges in this area of citizen coexistence.

Early Legal Wins

Homosexuality was decriminalized in 1980, marking a watershed moment in the legal status of gays and lesbians. The Colombian Constitution of 1991 was another extremely important step towards recognition of LGBTI rights. Article 13 states, “All persons are born free and equal under the law, receiving the same protection and treatment by authorities and benefiting from the same rights, liberties and opportunities with no discrimination due to sex, race, national or familiar origin, language, religion, political opinion or philosophy.”²² While the multicultural and pluri-ethnic Constitution does not specifically include sexual orientation, gender identity and expression, and corporal diversity, its expansive framework contains the possibility for including the LGBTI population.²³

Strategic Litigation and the Constitutional Court

Colombian legal gains through the constitutional court are largely divided into two main stages, as the table below shows. Gay attorney Germán Humberto Rincón Perfetti explains that this first stage, between 1993-2007, is typified by legal gains for the rights of individual LGBTI persons.²⁴ In 1994 and 1996 the Constitutional Court specified the link in the 1991

Constitution between sexual orientation, human dignity, the free and full development of the human personality, and the entitlement of all LGBTI people to their fundamental rights as human beings.²⁵ These significant wins created the framework for the development of the movement and the following legal gains through the constitutional court.

The second stage, 2007-2016, is characterized by legal gains for LGBTI couples and also recognition of harms against LGBTI people in the context of armed conflict. In terms of the context of armed conflict, the 2011 Law of Victims and Land Restitution (1448) was the first to include the recognition and protection of LGBTI people and an analysis of the differential gender impact of the armed conflict.²⁶ Moreover, the Botalón case in 2014 was the first to recognize the LGBTI community as a victim of human rights violations perpetrated by paramilitary forces.²⁷



Sports festival in Soledad, Caribe Afirmativo, 2019.

KEY LEGAL VICTORIES

1st Stage of Legal Gains 1993-2007

- 1993** The Constitutional Court decision to honor the name change of Pamela Montaña from Carlos Montaña.
- 1998** The Constitutional Court rules that the sexual orientation of students cannot be a reason to deny the right to education.
- 1999** The Constitutional Court rules in favor of the protection of the rights of LGBTI people in the armed forces.
- 2000** The Constitutional Court rules in favor of the protection of the right to social security for same sex partners.

2nd Stage of Legal Gains 2007-2016

- 2007** The Constitutional Court rules in favor of the protection of patrimonial rights.
- 2015** The Constitutional Court recognizes the devastating impact of bullying in schools due to the case of Sergio Urrego, who committed suicide because of bullying. The Constitutional Court requires the Ministry of Education to create a public policy to prevent bullying.
- 2015** The Constitutional Court approves adoption by same sex partners.
- 2016** The Constitutional Court approves marriage equality.

EDUCATION—CHALLENGES WHEN LAWS ARE NOT IMPLEMENTED PROPERLY

While the legal wins extend across all aspects of society, their influence on the area of education is particularly important. In the mid 2010s, educational policy became the flash point for a major debate that shifted the political climate of Colombia. In 2013, Congress issued a law (1620) creating the National System of Academic Coexistence. This law mandated that educational institutions take purposeful steps to mitigate bullying and harassment. First, schools were required to create academic coexistence committees to promote human rights and sexual and reproductive rights. Second, schools were charged with creating a strategy to prevent harassment and violence, and follow up on cases of harassment and violence. This law specifically recognizes discrimination due to sexual orientation and gender identity as one of many factors related to harassment and violence in educational settings.

The poor implementation of this law came into high relief in 2015 with the case of Sergio Urrego, a 16 year old gay male

that committed suicide due to persistent discrimination by the administration of his school. Before the youth committed suicide, his mother had reported the situation to Secretary of Education, yet that state institution took no measures to address the issue. The Constitutional Court determined that Sergio Urrego had been discriminated against and that this discrimination was generalized across all Colombian educational institutions. Therefore, the Constitutional Court ordered the Ministry of Education to “conform a Committee of Academic Coexistence, create a uniform informational system of academic coexistence, establish protocols of integral attention for cases of harassment, and revise all the national coexistence manuals to insure the respect for student sexual orientation and gender identity.”²⁸ The outcome of this major shift within the agenda of the Ministry of Education became a national flashpoint in which the conservative political and religious right was able to position its agenda, as elaborated in this report, in the section “Dynamics of Political Closure”.

Academic coexistence for youth builds from the broader concept of citizen coexistence. Citizen coexistence is administered by the National Police, the Armed Forces, and in the case of those imprisoned, the National Penitentiary and Correctional Institute.

Citizen Coexistence and The National Police

LGBTI people in general have experienced historic, ongoing, systematic, and generalized abuse from the National Police. Even though the National Police have made efforts to address this issue and guarantee the wellbeing and security of LGBTI persons through the 013 Directive of 2019, police and LGBTI citizen relations are still very poor. For example, members of the organization Santamaría Fundación in Cali explain that the efforts to engage in technocratic advocacy and to construct a dialogue with the National Police

have not been productive. According to the 2016 National Police and Coexistence Code, sex work must be regulated and organized through a consultative process with the mayor, police, and representatives from relevant civil society groups. While Santamaría Fundación has pushed for this process to take place, this process has not moved forward in Cali.

Citizen Coexistence and Incarceration

The negative impact of the National Police on the citizen coexistence of LGBTI people is mirrored by the treatment of LGBTI people, deprived of their liberties by the National Penitentiary and Correctional Institute. The daily abuses of imprisoned LGBTI people is a cause of indignation and outrage, not to mention deep distrust of the state body mandated to oversee and guarantee citizen coexistence. LGBTI organizations

have taken on the fight to defend imprisoned LGBTI people's rights. For example, Colombia Diversa has recently won an important case in defense of the right of imprisoned lesbian Marta Álvarez to conjugal visits and the state offered a public apology, reparations, and reform of penitentiary regulations.

Attorney General's Office

In 2012 the Attorney General's office became the technical secretary to a newly created intergovernmental bureau to address urgent cases related to the LGBTI population. The mandate included attending to the LGBTI population, defending cases of human rights violations, and taking action to better quality of life, as well as protect and guarantee the rights and liberties of this population.²⁹ In 2014, the Attorney General's office established a Gender Differential team dedicated to creating guidelines for investigating cases of crimes motivated by sexual orientation and/or gender identity and expression. In 2015 the Attorney General's office named Mauricio Noguera as the LGBTI liaison.³⁰

Legal strategy in the current political context

Building upon the periodization of legal gains offered by gay attorney Germán Humberto Rincón Perfetti, the current stage since 2016 can be described as a period of both implementation of hard won rights as well as defense against the rise of the conservative political and religious agenda to do away with LGBTI rights. As activists and advocates across the LGBTI movement assert, while the laws may be on the books, advocacy must be prioritized to insure their implementation. Not only must LGBTI activists constantly defend hard won rights, they must also make the general LGBTI population aware of their rights and urge the population to exercise their rights.

Legal strategies for implementation include liability and protection claims and compliance and enforcement actions. In terms of implementation,

another important strategy is to create oversight mechanisms and watchdog groups that engage in technocratic advocacy. Santamaría Fundación members relate their experiences with assisting in the establishment of the municipal Security and Human Rights board in Cali. "This board is a result of political and juridical advocacy with the objective of facilitating collaborative work among distinct State agencies responsible for security and justice, local government and the Public Prosecutor's Office to identify, attend, and prevent human rights violations against the LGBTI sector." In addition, another legal strategy includes litigation in the Constitutional Court using Economic, Social and Cultural rights to defend trans people from crushing discrimination in the areas of health, education, and housing, especially due to the lack of implementation of LGBTI public policies.



Marcha del Sur in Bogotá, Mujeres al Borde, 2017.

In this current moment, two key priority areas for activists include the creation of a more expansive Gender Identity Law and a national system to document human rights abuses against the LGBTI population.

Gender identity Law

One priority issue is the need to establish a Gender Identity Law that goes beyond the right to change sex and gender designations on the national identity card, as established through decree 1227 in 2015. Currently, trans people in particular experience many barriers to real equality that span issues including health, military service, housing, education, and labor. For this reason, trans people and their allies advocate for a more expansive gender identification law that would include health protocols for sex reassignment surgeries and hormone treatments, quotas in the education system, and removal of the military passbook requirement for education and government employment, as well as forgiveness of the fines and penalties associated with evasion of military service for people who change their gender designation. On this last point, the general population of those assigned male at birth, as well as those that have legally changed their gender to male on their identity card, are required to provide military service and receive a military passbook.

Human Right Abuses

Another key issue underscored by activists is the need for a nationally consolidated system to register human rights abuses against the LGBTI population, including homicides, assaults, threats, and discrimination. In Colombia the life expectancy of a trans woman is 35 years.³¹ LGBTI groups have been advocating for a centralized state registry of violence against the LGBTI population given the extreme levels of daily violence against them and their associated impunity. As such, a national registry doesn't exist. Civil society groups must monitor and keep record as best as they can. For example, the Cali-based group Santamaría Fundación maintains a trans citizen observatory in which they document cases of violence against trans people. Bogotá-based Colombia Diversa also maintains a database of human rights violations against the LGBTI population.³² In addition, the Trans Community Network in Bogotá is preparing a report on the egregious levels of violence and discrimination that trans people experience at the hands of the National Police.

POLITICAL REPRESENTATION

The Colombian LGBTI movement has enjoyed major triumphs in its struggle to gain ground in the political sphere over the last several years. Legislative activism focuses on increasing political representation of LGBTI people and supporting political candidates that back LGBTI rights. The goal is that these candidates will gain political seats and craft laws that favor LGBTI rights. At every level of governance, the LGBTI population is making inroads in decision-making spaces as gender liaisons, mayors, municipal council members, candidates for vice president, and in the national Congress. These advances are accompanied by historic challenges to accessing full citizenship rights for LGBTI people throughout the country.

The first signs of the emergence of LGBTI political activism started in the final years of the 1970s and the beginning of the 1980s³³ during the struggle for and after the legal passage of the decriminalization of homosexuality. With this grand advance in the recognition of rights, leaders including León Zuleta in Medellín and Manuel Velandia in Bogotá began left-leaning socio-political mobilization efforts. While the first efforts were by gay men, during the 1980s lesbian women got involved. The first cases of AIDS were detected in the mid 1980s, and in the 1990s the AIDS/HIV crisis took hold and organizing shifted to address the epidemic.

In the 2000s, the struggles could be characterized as two-fold. On the one hand, the peace movement and peace talks under the Andrés Pastrana government with the FARC gave rise to significant civil society efforts towards peace, including the work of the non-governmental organization Planeta Paz to develop a society-wide peace agenda. Within this initiative and for the first time, cisgender gay men and a few lesbians, bisexual, and transgender people came together on the national level and formed the LGBTI population sector. On the other hand, the 2000s were also defined by the struggle for marriage equality and same-sex couples' rights to adoption and patrimony.

The year of 2014 marks a turning point for LGBTI political electoral participation in Colombia. Two openly lesbian women were voted into Congress, Claudia López was voted into the Senate, and Angélica Lozano into the House of Representatives. This gave way to the boom of LGBTI political participation. In the 2015 elections, 73 openly LGBTI people put their names in for candidacy in races across the country and 4 were elected – one mayor and three municipal councillors.³⁴ These officials held their seats until October of 2019. In the national elections of 2018, Caribe Afirmativo³⁵ identified 14 LGBTI candidates of whom two were elected – Mauricio Toro to the House of Representatives and Angélica Lozano to the Senate.

The spectacular growth in LGBTI political participation builds upon the interest that political parties have demonstrated in working with LGBTI political agendas. First, at the end of the 1990s, the Liberal Party, a traditional political party in Colombia, included an LGBTI agenda and created a sexual diversity committee. Second, in 2002 the left-leaning Polo Democrático Alternativo party created the first LGBTI section in any political party of Latin America, el Polo de Rosa. Third, in 2014 the Alianza Verde party was the first to have two openly lesbian candidates win positions in Congress, Angélica Lozano and Claudia López. Lastly, the new political party of the former armed group (FARC), the Common Alternative Revolutionary Force, which was born out of the most recent peace accord of 2017, states in their political charter that it promotes the inclusion and participation of sexually diverse people³⁶ and supports the candidacy of LGBTI people for election to political positions.³⁷

International and National Public Policy

2019 marks the 10 year anniversary of the first LGBTI public policy in Colombia, established in Bogotá. During the last decade, there has been a proliferation of LGBTI public policies throughout cities in Colombia. The Gathering of LGBTI Political Leadership in May of 2019 in Bogotá did an analysis of the advances and challenges in this area

with the participation of representatives from 12 departments.³⁸ These representatives determined that their priority was to establish district and departmental LGBTI public policies.

At the international level, according to the Interamerican Commission on Human Rights (CIDH),³⁹ one of the advances achieved during the Manuel Santos administration in relation to LGBTI public policy included extensive inter-sectoral dialogues to formulate, implement, and follow-up on these policies. Under the Duque administration, this plan was shelved. The 2018 Universal Periodic Examination exhorts that Colombia create and implement a national LGBTI public policy.

120.23 Take further steps and effectively implement the existing measures aimed at protecting lesbian, gay, bisexual, transgender and intersex persons from discrimination and violence

120.25 Establish mechanisms to obtain disaggregated data on ethnicity, disability, gender, sexual orientation and gender identity, making it possible to design effective public policies that are non-discriminatory and meet the needs of marginalized population groups⁴⁰

The creation and implementation of a national LGBTI public policy is a major goal of the LGBTI movement and a key point of contention with the Duque administration.

SOCIOCULTURAL

LGBTI communities are taking up more public space thanks to language and communication strategies, artistic and cultural production, and the creation of self-affirming collective knowledge. All those

interviewed for this study affirmed the gap between the existing laws and the reality of daily discrimination and violence against LGBTI people. Educational campaigns, community-based programming, mass actions, and public visibility are the priority strategies to address this gap. Sociocultural interventions aim to shift cultural reference points and challenge stereotypes.

Language

To make a change in the sociocultural arena, working with language is the most basic tool. The Spanish language is characterized by its two genders, male and female. Yet, the male gender is considered neutral. History shows how this male centered language has made women invisible and the feminist movement has identified this problem and continues to address it, since what is not named does not exist. Given this problem, *Mujeres al Borde*⁴¹ and other collectives and groups have opted to utilize an alternative, gender-inclusive variant as a repetitive and ongoing political act of recognizing all people. By using an X or E instead of A or O, the male/female gendered language becomes uniform and thereby fully inclusive. The Royal Spanish Academy has criticized this adaptation of the Spanish language.

Communication Strategies

While negotiating inclusive language is critical, how communication takes place is equally important. Civil society organizations typically utilize a combination of virtual, social media-based strategies and face-to-face or in-person strategies. Colombia Diversa, an LGBTI organization in Colombia, boasts of its incredible success with virtual and social media based communication strategies, with 40,000 followers on Facebook and more than 40,000 followers on Twitter. Daniel Franco, the communications specialist at Colombia Diversa, underscores the importance of social media to reach more people and advocate through digital campaigns. Digital communication strategies prove to be highly effective at the urban and transnational levels.

In contrast, other organizations highlight the importance of face-to-face strategies that work directly with the target audience. While digital strategies work effectively to target urban audiences, these same strategies are not as successful in more rural contexts throughout the country where internet access can be patchy. In the rural context, communication strategies depend more upon building relationships, as well as radio programming and collective interventions in public spaces such as popular theater and other types of artistic and/or cultural events.

The LGBTI Platform for Peace offers a great example of combining both digital- and place-based communication strategies. While they are very active on social media, and manage a thriving national WhatsApp list that reaches over 200 LGBTI activist organizations and groups nationwide, they also have conducted a series of regionally-based gatherings and periodic national gatherings.



Sentiido, 2019.

Caribe Afirmativo's rich experience of valuing the local LGBTI communities, working with them, and centering their social events is key to making meaning outside of expert and urban educated circles. Participation in Carnaval, in beauty pageants and in the sancocho bailable, a public street party with collective meals and lots of dancing, are historic examples of locally based activities of the LGBTI population.

Carnaval

In terms of sociocultural context, the LGBTI movement has had a growing presence in regional and yearly Carnaval festivities. While pride marches have become popularized in Colombia, they are largely a foreign import. In contrast, Carnaval festivities are critically important and historic public events in which LGBTI populations have made inroads towards self-representation and community-wide recognition and acceptance.

The process of LGBTI populations making claims to public space cannot be separated from the iconic role of Carnaval in Colombia. The first gay participation in Carnaval was in 1984 in Barranquilla. The performance troupe "Las Tapas," referring to the song of the same name that was a top hit that year, participated in Carnaval. 1997 marked the foundation of the Autonomous Corporation of the Gay Carnaval of Barranquilla and the Atlantic and it is currently one of the nine organizations that constitute the infrastructure of the Carnaval in Barranquilla.⁴²

In Pasto, the Corpocarnaval historically has not allowed the LGBTI population to participate in the extremely important Carnaval de Negros y Blancos. In 2011, the LGBTI population created its own march and carnival for the full recognition of LGBTI citizenship, which is now included in the programming. In 2019, LGBTI presence was permitted in the Carnaval de Negros y Blancos.⁴³

Beauty Pageants

Beauty Pageants are also a key space of social recognition for the LGBTI population, and of trans women and gay men in specific. The Beauty Pageant of the Río Tuluñí in Chaparral, in the department of Tolima, was the focus of an in-depth study of the National Center for Historical Memory. The resulting book, *Un Carnaval de Resistencia: Memorias del Reinado Trans del Río Tuluñí*, highlights the powerful socio-cultural shifts that took place over the 15 years in which this public event took place (2000-2015). The participants created a space to show with pride their feminine bodies, demanding their community's recognition and respect.⁴⁴ The LGBTI Association of Chaparral Diversa has been very active in defending the rights of LGBTI people, including the right to conduct the beauty pageant and its recognition as cultural heritage.

Opening Public Space

Besides itinerant activities such as beauty pageants and carnivals, other key spaces for LGBTI people in Colombia include gay clubs and discos, such as the historic BACO in Barranquilla which served as the base for “Las Tapas” in 1984 and their participation in the Carnaval. Since the 1980s, other spaces have emerged, such as the first LGBTI community center in Latin America, established in Bogotá in 2006. Claiming a physical and visible place in the public sphere offers a sense of belonging and fellowship. Caribe Afirmativo established four peace houses in the Caribbean region in which LGBTI community members can partake in programming focused on a broad understanding of peace as access to a dignified life, wellbeing, justice, and access to services.⁴⁵ Yet, these places are not always safe, as their visibility has unfortunately been the target of hate crimes. Lastly, Mujeres al Borde have also placed a priority in establishing a place, la casa colibrí, or the hummingbird house, in which they host human rights defenders and activists in need of refuge and restoration, workshops and meetings, and spiritually

oriented and plant-based collective healing work. On the outskirts of Bogotá in a rural environment, the hummingbird house has the objective of creating the space necessary to nourish the movement, according to co-founder Clau Corredor.

Artivism

Mujeres Al Borde, among many other groups and collectives in Colombia, places primary emphasis on artistic and cultural expression as a tool for social transformation and the recognition of sexual diversity. This arts based activism, or artivism, defines the work of Mujeres al Borde. For almost twenty years, Mujeres al Borde has been doing artivism through audio/visual and popular theater work, as well as workshops in Colombia and regionally throughout Latin America. Similarly, the Fondo Lunaria offers a concrete example of a campaign called “Paint Sexual Diversity” in which they distribute artistic tools to create images of sexual diversity in the public sphere.



Fondo Lunaria's “Paint Sexual Diversity” campaign.

Knowledge Production

The Latin American Feminist Study, Formation and Action Group (GLEFAS) promotes critical reflection on ways of enacting feminist politics and reaffirms the radical project of liberty, justice, and autonomy by focusing on the interrelations between

the regimes of compulsory heterosexuality, gender, race, and class.⁴⁶ Their workshops in Colombia and across Latin America and the Caribbean work through the transformational power of music, art, dance, movement, and storytelling to transmit intergenerational knowledge, bring about self-awareness and social consciousness, and foment radical transformation. These expressive and creative activities based on voice and the body are critical for creating and communicating collective and place-based knowledge that offers alternative visions for the future.

Film

As many activists and artists argue, artistic and cultural production can create new narratives, representations, and possibilities that counteract damaging stereotypes.

To this end, GLEFAS has hosted a Global Film Festival in Bogotá for the last eight years to screen films that offer critical viewpoints on social issues, portray LGBTI, Indigenous, and Afro-descendent people in their own light, and foster public dialogue. Members of the Trans Community Network also challenge damaging stereotypes by putting alternative narratives out in mass media. For example, various members were included in a documentary called “Family” by a major news source. While dominant news sources typically represent trans people in a spectacular and scandalous light, this documentary demonstrates the realities of a loving trans family negotiating a heteronormative social context.⁴⁷



Bogotá pride march. Colombia Diversa, 2019.



PEACE PROCESS

■ The current peace process has set global precedent with the inclusion of the LGBTI population. LGBTI activists are making inroads into technocratic spaces of the peace process to guarantee representation and follow through on inclusive policies and programs.

Peace Talks

Colombia entered its most recent round of peace talks with the FARC in 2012 and ended the 52 year armed conflict in 2016 by signing the Final Agreement to Terminate the Conflict and Construct a Stable and

Durable Peace. LGBTI activists and advocates have been working hard throughout the peace process to ensure inclusion. During the peace dialogues, LGBTI activists generally supported the peace agenda and participated in many civil society-based initiatives, including the campaign for the national referendum YES vote on the peace agreement in 2016. One particularly innovative strategy of the campaign “LGBTI votes YES” was to create kites for peace and fly them during events. The kites sported the rainbow flag design with a big “SI” written across it.

2011 Victim and Land Restitution Law (1448)

The Victim and Land Restitution Law was the first Colombian legislation related to victims of armed conflict to include the LGBTI population, setting the political context for the peace process to also include this population. The 1448 law mandated the National Center for Historical Memory (CNMH) and the Unit for Attention and Integral Attention to Victims (Victim Unit) to include and address human rights violations against the LGBTI population. This created the political opening for the LGBTI population to include demands for equality and full citizenship rights within the peace process. Some LGBTI activists and advocates have found employment as state functionaries within these units and endeavor to make change from within the institutional spaces.

Victim Unit

The state mandated the Victim Unit to quantify the impact of the conflict on the LGBTI population and extend individual and collective reparations. The Victim Unit has registered more than 2,000 LGBTI people as victims of the armed conflict, including forced displacement.⁴⁸ The Unit has constructed local, municipal, and national LGBTI Victims bureaus and offered collective reparations to a group of LGBTI people in Medellín, the Comuna 8. Several challenges have presented themselves in the process of implementation.

First, many of the public officials that receive victim’s claims are generally unprepared or unwilling to make the victim aware of the gender-focused attention available if they identify as an LGBTI person. Another related challenge has to do with the generalized stereotypes and prejudices held by public officials that impede their ability to provide integral attention to LGBTI victims and respect their confidentiality.⁴⁹ Unfortunately, since 2016, the gender measures of the Victims Unit reparations program have had little advancement due to its weakening as a government entity.⁵⁰

National Center for Historical Memory

The National Center for Historical Memory (CNMH) included the LGBTI population in its research agenda and has published three in-depth studies that document the experiences of LGBTI people in the context of armed conflict.⁵¹ LGBTI activist networks across Colombia made the research and writing of these reports possible. Yet, in 2019 the Duque administration replaced the CNMH director and deactivated the gender unit. According to Truth Commissioner Alejandra Miller, this takeover of the CNMH is one of various efforts of the Duque administration to counter-balance the anticipated narrative of the Truth Commission’s final report. Under the new direction, the CNMH will more likely publish reports that favor the administration’s political position.

The broad agenda of the peace agreement was to achieve reconciliation, increase political and social democracy, and implement rights. Women's and LGBTI groups participated in the peace talks and strongly advocated for a gender analysis that includes the impact of the conflict on the LGBTI population. Consequently, this peace agreement is the first in the world to recognize LGBTI rights and the victimization of this population during the conflict, in line with the 2011 Victim and Land Restitution Law (1448).

Peace Accord

The five focus areas of the peace accord – rural land reform, political participation, illicit drugs, victims, and the end of the conflict – include 122 gender sensitive measures.⁵² Every single measure was hard fought by LGBTI and women's rights activists and advocates. To ensure the implementation, The Special Body to Guarantee the Implementation of the Gender Perspective of the Final Peace Agreement was formed to monitor the process by which these measures reach implementation. As LGBTI activists assert, the peace agreement has opened doors for the LGBTI population to take part in various participatory spaces including the National Council for Participation, the National Council for Peace, Reconciliation and Coexistence, and the Committee for the Evaluation of Risk and Recommendation of Measures (CERREM). “We are in many spaces where we know we must bring the voice of the LGBT population,” one LGBTI activist confirms. For example, the Council for Peace, Reconciliation and Coexistence has a named LGBTI movement representative and many territorial counselors are part of the LGBTI population.⁵³

The peace accord included the creation of an overarching state body that oversees the transitional justice process. The goals of transitional justice are to redress abuses and dispense justice, facilitate truth and reconciliation, and restore the rule of law and democracy for countries that have suffered political violence and massive human rights violations under

armed conflict and/or authoritarian regimes. In Colombia, the transitional justice process is organized under The Integral System of Truth, Justice, Reparations, Reconciliation and the Guarantee of no Repetition. This Integral System is comprised of three state entities including the Commission for the Clarification of Truth, Coexistence and Non-repetition (Truth Commission), the Special Jurisdiction for Peace (JEP), and the Missing Persons Unit.

There is incredible potential for documenting the impact of the internal armed conflict on LGBTI people, which includes a transversal axis of gender analysis in the Truth Commission, the Special Jurisdiction for Peace (JEP), and the Missing Persons Unit. A number of the staff in these state entities have a trajectory of activism and advocacy for women's and LGBTI rights.



Pride March. Caribe Afirmativo, 2019.

Truth Commission

The Truth Commission has included a gender perspective since its inception on November 29, 2018.⁵⁴ According to staff member Liza Garcia, the Gender Unit of the Truth Commission carefully designed an inclusive conceptual and political framework and created an interview question guide that documents sex assignment, gender, and sexual orientation of the

subject. On June 26, 2019, the Truth Commission conducted its first public recognition event in Cartagena. Because their mandate is to address the most silenced impacts of the armed conflict, the Truth Commission made the theme of the public recognition “My body speaks the truth,” focusing on the topic of sexual violence against women and LGBTI people.⁵⁵

The Special Jurisdiction for Peace

Similar to the Truth Commission and its path-breaking work, the Special Jurisdiction for Peace (JEP) is the first transitional justice tribunal to solicit and receive civil society reports of persecution and systematic violence due to prejudice against LGBTI populations in the context of armed conflict. Caribe Afirmativo and Colombia Diversa are the two leading LGBTI organizations preparing these legal documents that the JEP has solicited. The JEP is currently investigating two cases of patterned and systematic violence against LGBTI populations through the imposition of an exclusionary social order to maintain territorial control,⁵⁶ case 002 in Tumaco⁵⁷ and case 004 in Antioquia.⁵⁸

Missing Persons Search Unit

The Missing Persons Search Unit is mandated to receive information from family members about persons disappeared in the context of the armed conflict, recuperate their remains, and offer closure to the families. In comparison to the Truth Commission and the JEP, this state entity has the least developed framework to attend to LGBTI people. Because the only requests honored come from blood relations, there are few requests to search for disappeared LGBTI people. Due to discrimination and prejudice, many families do not or are not willing to identify their disappeared family member as LGBTI. Activists and advocates are spearheading discussions and advocacy regarding the need to recognize and honor the requests from “social families,” or chosen families,

as equally legitimate since LGBTI people have high rates of familial rejection and must construct family and networks of survival with people that are not blood relations.

The LGBTI Platform for Peace

The LGBTI Platform for Peace⁵⁹ evolved out of the campaign “LGBTI votes YES,” and has coordinated its strategies to coincide with the national peace agenda and transitional justice process. This is a national network of over 250 organizations and groupings from across the country. Given that in 2019, the three main state bodies of the Integral System of Truth, Justice, Reparations, Reconciliation and the Guarantee of no Repetition were in the stage of implementing their regional outreach, The LGBTI Platform for Peace organized three regional gatherings that brought together regional LGBTI activists with representatives from these state entities, including the Truth Commission, the JEP, and the Missing Persons Unit. The main goal was to increase the access of the LGBTI population to these state entities so that their voices are included, those disappeared are searched for, and the human rights violations suffered come to justice. The LGBTI Platform for Peace also responds to the plight of LGBTI Venezuelan refugees, especially those with AIDS/HIV. The services this population requires for survival falls upon community-based providers and the influx of people fleeing the humanitarian crisis in Venezuela have created a need for additional resources and support.

Challenges for LGBTI Activists

The main challenges for LGBTI activists that are focusing their efforts on the peace process include the weak outreach efforts on the part of the state entities, the increase in violence in rural areas causing fear and distrust,⁶⁰ and a decrease in the political will to follow through with a long term and sustainable state policy towards durable and sustainable peace. The three main state entities within the integral system are not well

articulated and each is working on its own timeframe and specific goals. In addition, the spaces for local citizen participation — in specific the meetings of the development program with territorial focus and the mayor’s and governor’s peace councils — do not make a sufficient effort to convene the population in convenient locations on dates and times in which many can participate. As an LGBTI peace activist

asserts, they are not truly committed to addressing the community’s needs and the consequence is a peace made for and by elites. The members of GLEFAS are also concerned with the potential for an elite-based outcome, as it will not transform the systems of oppression or challenge structural racism and the appropriation of bodies through sexual violence.



Mujeres al Borde, 2018.



DYNAMICS OF POLITICAL CLOSURE

■ This section explains recent political dynamics and their implications for movement strategies. The current political dynamics can be characterized as a political closure, which is a closing of the political opportunities to expand upon the recognition and defense of LGBTI rights. Under the current political climate of right wing attacks on LGBTI human rights defenders and laws recognizing LGBTI rights, LGBTI human rights defenders continue to push for implementation of laws and public policies that attend to the needs of the LGBTI population.

Global Context

As this report highlights, over the last couple of decades, Colombia has made impressive strides in

recognizing and defending LGBTI rights. LGBTI activists agree that the current religious and political attacks on LGBTI rights and the attempts to debilitate or rollback these gains is a reaction that reverberates at a global level. This current political and religious struggle has its roots in the 1990s UN conferences, specifically the 1994 conference on Population and Development in Cairo and the 1995 conference on Women in Beijing. At both conferences, the Vatican rejected the concept of gender and opposed the women's rights agenda. In 1995, the Vatican published "The Truth and Significance of Human Sexuality: A Guide for Family Education," and the Colombian Cardinal Alfonso López Trujillo signed in support of it, thereby sanctioning the teachings within the Catholic institution of Colombia.⁶¹

In 2016-2017, this religious and political agenda reactivated in Colombia in defense of the traditional family and moral order. Two national events offered the political context for this reactivation.

First, as mentioned earlier in this report, the case of Sergio Urrego's suicide due to harassment and bullying in school lead the Constitutional Court to order the Ministry of Education to revise the academic coexistence manuals with the objective of creating an academic environment free of discrimination based on gender identity or sexual orientation. Conservative sectors mobilized across the country in opposition to this revision, arguing that the schools would convert their children into homosexuals and deny parents the right to educate their children. In the case of the revision of the academic coexistence manuals, they succeeded in making the Education Minister, an openly lesbian women, resign from her position and shelf the manual revision.⁶²

The second political event that created the context for the reactivation of the socially conservative agenda was the progressive nature of the peace talks between the Colombian government and the FARC.⁶³ Religious and political conservatives argued that including a gender perspective in the peace accords was an imposition of a "gender ideology" that threatened the traditional family and the churches. They succeeded in removing much of the language and emphasis on gender and the LGBTI population.

High on these victories, the religious and political conservative sectors looked to consolidate their power through the presidential and legislative elections of 2018. Their agenda prioritized maintaining the heterosexual definition and procreative objective of the family, supporting abstinence as the only viable birth control, and ending the practice of abortion. The set of strategies employed by these religious and political actors was, and continues to be, quite impressive, including political advocacy, legislative lobbying, strategic litigation, mass mobilizations,

private social media campaigns to influence public opinion, seminars, and religious worship. These efforts begin to blur the lines between church and state and threaten the principle of a secular state. These strategies are also realized at the international level at the Organization of American States, for example. Additionally, on a regional level, the presidencies of Donald Trump in the United States and Jair Bolsonaro in Brazil strengthen the influence of this political position hemispherically.

EXAMPLES OF POLITICAL CLOSURE

The National Development Plan

Activists all bemoan the fact that religious and political conservatives recently managed to remove mention of the LGBTI population from the national development plan. In the preparation of the National Development plan for 2014-2018, the Interior Ministry prepared the formulation, implementation, and follow through of a, “Public Policy for the Guaranteed Exercise of LGBTI Rights’ including participatory consultation which delivered a significant volume of commentaries and observations from universities, social organizations and national institutions.”⁶⁴ Under the Duque administration, these important policies were not assigned a budget. In Wilson Castañeda’s words, “The [national LGBTI] public policy has not started, the board of urgent cases [in the Attorney General’s office] is closed, and the Interior Ministry does not grieve this situation. Every time we ask, we get this response, ‘yes, we are preparing the action plan’ and they haven’t done anything after a year. To develop the National Development plan they called us and asked us 80,000 questions and it all ended up in nothing.”

Trans Health Policy

The current administration is postponing and delaying the inclusion of LGBTI issues in institutional spaces. This political stance is directly related to the political pressure of fundamentalist groups. Santamaría Fundación offers a clear example: for the last two years under the Santos administration, the public health system has included and activated protocols, manuals, and directives for the treatment of trans people developed by the Health Ministry. Currently under the Duque administration, those protocols, manuals, and directives have been shelved, thereby rolling back trans people’s access to health and wellbeing. Related ongoing political struggles for trans health include the recognition of corporal transformations for trans people as necessary and not merely cosmetic in nature and the legal recognition of pathologization as torture and abuse.⁶⁵

SOCIAL IMPACT OF POLITICAL CLOSURE

Attacks on LGBTI Rights Defenders

This conservative reactivation has resulted in a heightened sense of permissibility on the part of politicians and mass media to attack LGBTI rights defenders and activists among other human rights defenders including peasants, Indigenous people, unions, Afro-descendants, and women. The constant attacks, personal threats against, and delegitimation of activists and human rights defenders has fostered a climate of fear and a decline in activism. Estimates say as high as 800 human rights defenders and activists from Afro-descendent and Indigenous communities have been assassinated since 2016.⁶⁶ GLEFAS members assert that while Colombia is actively pursuing a peace process, the war is reactivating in the form of growing waves of violence, threats of violence, verbal insults, and hacking in regional and territorial contexts. Movement actors prioritize the need to respond to these attacks and protect LGBTI activists and advocates, especially in rural and territorial settings.

Impact on Coalition Building

Under the political pressures of this constant terrorization, movement coalitions and alliances can easily fray. For example, under these pressures, some of the women's and feminist movements' groups have taken a position against the inclusion of LGBTI issues to bolster and defend their own inclusion in the peace process. Simultaneously, depending on the movement dynamics and historic relations between groups, the political pressures have also cemented alliances and commitments to work together and close ranks to survive the attacks from a common enemy. Movement actors place a priority on coalition building for survival in this threatening political climate.

MOVEMENT RESPONSES TO THE IMPACTS OF POLITICAL CLOSURE

Strategic Adaptations

All movement actors are adapting to the new political climate, and two differing strategic emphases have emerged. First, some movement actors have decided to directly counter the religious and political conservative movements through a reactive strategy. For example, in 2016, the conservative campaign #conmishijosnotemetas had a strong presence in Colombia with mass mobilizations. Women's, feminist, and LGBTI groups and organizations launched counter campaigns. Women's funds also coordinated efforts alongside civil society organizations. Second, other movement actors have decided to maintain their focus on the LGBTI agenda and not place their energies in reactionary strategies. These movement actors continue pressing for the implementation of laws and public policies. This strategy prioritizes increasing the supportive spaces for activists to continue the proactive agenda and not fall into a defensive and reactive posture. Their goal is to resist the backlash agenda, their polarizing rhetoric, and the affective climate of vulnerability and fear. This group of movement actors place their energies in collectively imagining transformative discourses.



PRIORITIES



PRIORITIES WITH A REGIONAL AND TERRITORIAL FOCUS

- ▶ Movement actors prioritize LGBTI agendas that link up with peasant struggles and follow through of LGBTI agendas in rural areas. They call for a break with the power dynamics that value urban over rural ways of knowing, especially when people from urban centers come to work in rural contexts. In order to address the needs of LGBTI people in rural or territorial contexts, movement actors focus on Economic, Social, and Cultural Rights as the most valid framework, as explained in the Introduction.
- ▶ Given the heightened attacks on activists as explained in the Dynamics of Political Closure section, movement actors prioritize reinforcing support networks and security protocols for human rights and land defenders in rural areas.
- ▶ Movement actors emphasize the need to continue the construction of collective and historic memory of LGBTI people in regions and territories. As the survey conducted for this report evidences, there are no systematized and historicized local records of movement experiences, especially in rural areas. Therefore, movement actors call for the creation of spaces in which LGBTI people can collectively recall and tell their stories and document them.

PRIORITIES WITH REGARD TO COALITION BUILDING

- ▶ Movement actors recognize the need to create spaces to develop comprehension of and accountability to the structural and historic divides between gays, lesbians, and trans people associated with social class, race, ethnicity, and geographical location. This intersectional approach values, honors, and makes space for difference. Moreover, an intersectional approach facilitates the possibility of working with Indigenous, peasant, and Afro-descendent movements.
- ▶ Given the dynamics of political closure, many emphasize the need to continue reinforcing alliances with women's and feminist movement groups, as well as build alliances with progressive religious sectors such as the Methodist, Lutheran, and Mennonite churches.
- ▶ Lastly, movement actors emphasize the need to recognize collective objectives and support intergenerational exchanges, knowledge sharing, mentoring, and movement renewal.

PRIORITIES FOR ENGAGING THE STATE

- ▶ In the current political climate, movement actors emphasize the need to defend the legal and judicial gains and develop pedagogical actions that contribute to this effort. This priority goes hand in hand with the implementation of the legal and judicial gains.
- ▶ Many movement actors identify the need to advocate for a more integrated gender identity law that goes beyond name and gender change on the identity card to include health protocols for sex reassignment and hormone treatments, quotas in the education system, and removal of the military passbook requirement for education and government employment.
- ▶ Another top priority is documenting and countering police repression. All movement sectors support a reactivation of the national LGBTI public policy with implementation in all 32 departments.
- ▶ In terms of political participation, movement groups identify the need to increase support to LGBTI candidates and coordinate a multiparty LGBTI political agenda.
- ▶ Lastly, many movement actors prioritize the maintenance of an LGBTI presence in the participatory spaces of the peace process.

PRIORITIES FOR ENGAGING CIVIL SOCIETY

- ▶ Given that many of the political and juridical movement priorities have been met, movement actors emphasize the need to strategically utilize the social cultural realm for consciousness raising, empowerment, and community building. To achieve this, movement actors highlight the need to utilize a more simplified language to reach the general population and circulate information that challenges myths and stereotypes. Various movement actors underscore the need to support an integrated understanding of peace based on social relations that accounts for classism, racism, and cisheteronormativity. This vision dovetails with the need to break with extreme poverty, discrimination, exclusion, and structural violence.

PRIORITIES WITH REGARD TO INTERNALLY DISPLACED AND REFUGEE POPULATIONS

- ▶ Movement actors prioritize a response to the needs of LGBTI internally displaced people, especially those that are trapped in transit and are unable to re-establish themselves. Given the recent increase in Venezuelan refugees entering Colombia, movement actors in receiving areas prioritize attending to the needs of LGBTI refugees with a focus on those that are living with AIDS/HIV.

PRIORITIES THAT RESPOND TO THE CHALLENGES OF THE CONSERVATIVE POLITICAL CLIMATE

- ▶ All movement actors are adapting to the new political climate, and two differing strategic emphases have emerged. First, some movement actors have decided to directly counter the religious and political conservative movement through a reactive strategy. Second, other movement actors have decided to maintain the focus on the LGBTI agenda and not place their energies in reactions. These movement actors continue pressing for the implementation of laws and public policies, while increasing the supportive spaces for activists to continue the proactive, rather than reactive, agenda and not fall into a defensive posture. Their goal is to resist the backlash agenda, their framing of the issues, their polarizing rhetoric, and the affective climate of vulnerability and fear. Instead, this group of movement actors place their energies in collectively imagining transformative discourses.



RECOMMENDATIONS

The recommendations listed here for funders and researchers offer a synthesis of the Colombian LGBTI activists' and advocates' answers to the following question: What recommendations do you wish to communicate to funders and researchers? While most of these recommendations follow from the materials presented in this report, several recommendations offer suggestions that pertain to the negotiation of global power dynamics, as well as methodological issues and research agendas.

FOR FUNDERS

- Increase support for historically discriminated against populations and popular organizations that have little access to resources.
- Prioritize sustainable financing that goes beyond one project to support the growth and continuity of smaller organizations.
- Promote ongoing and long-term work between the main LGBTI organizations and smaller local organizations to support administrative and organizational strengthening and capacity building, sustainability, and research.
- Support leadership building schools and trainings, especially around technology, information, and communication so activists and advocates can develop the most effective communication strategies and campaigns given both digital and analog tools.
- Commit to long-term and direct financing of trans groups.
- Respect the grantee organization's focus areas and do not set an agenda that conditions their support to an external criteria.
- Conduct in-depth analysis of the contexts and needs in each region based on long-term relationship building with the communities and their leaders.
- Prioritize funding the development of intersectional strategies and alliance building among movements, especially LGBTI, Afro-descendent, and Indigenous movements.
- Support spaces of exchange and alliance building across regions and territories.
- Support communication strategies that span the digital and analog divide. Do not demand extremely specific strategic goals that lock grantees to an action plan that cannot respond to changes in the local, regional, or national context.

- ▶ Support the oversight and watchdog role of LGBTI advocates to guarantee implementation of judicial and legal wins.
- ▶ Reframe international cooperation as historic reparation. The cooperation discourse ignores and erases the history of expropriation and exploitation.
- ▶ Support organizations to work with youth and student groups with the goal of training the younger generation in their rights and inclusion of LGBTI issues in academic research and youth and student movements.

CRISIS RESPONSE RECOMMENDATIONS FOR FUNDERS

- ▶ Support the building and strengthening of urgent action networks to respond to crisis situations.
- ▶ Create and make available more rapid request funds to respond to the heightened security needs of activists, especially in rural contexts.
- ▶ Fund psychosocial support for activists and human rights defenders to maintain their individual and collective focus and sanity while under attack.
- ▶ Attend to the Venezuelan LGBTI refugee population, especially the needs of those that are HIV positive or living with AIDS.

FOR RESEARCHERS

- ▶ Practice responsible use of the data gathered by recognizing and respecting LGBTI social actors' and groups' praxes and the need to be associates in the construction of knowledge.
- ▶ Only engage with a group or community if the researcher is willing to share findings and receive feedback.
- ▶ Recognize the subjects as knowledge producers, not just data sources. Make space for subjects to reclaim the autonomy of their voices and struggles.
- ▶ If engaging in participatory research, work from the reality of the people, for the people, with the people, and maintain the focus on the perspective of the people.
- ▶ Before requesting interviews, surveys, and other data gathering, do prior preparation to avoid reproducing discriminatory acts and working from stereotypes.
- ▶ Utilize an intersectional analytical lens to comprehend the multiple and overlapping systems of oppression, especially when working with LGBTI Afro-descendent and Indigenous populations.
- ▶ Create the methodologies necessary to analyze communication strategies in WhatsApp and other private social media platforms.
- ▶ Design research projects that assist in comprehending the current political context and best strategies to counter the religious and political conservative attacks.
- ▶ Develop research agendas on the LGBTI displaced population and LGBTI Venezuelan refugees that are trapped in transit, unable to re-establish themselves.
- ▶ Pursue research that supports the reconstruction of the plurality of LGBTI historical memory.



METHODOLOGY

■ The methodological design of this investigation includes a desk review of documents, a survey, and virtual interviews, as well as field research in Colombia including interviews with LGBTI experts and organizations, participation in a key LGBTI national gathering, consultation with key scholar-activists and Truth Commission staff, and a focus group. The principal investigator (PI) and research assistant (RA) conducted intensive research in Colombia between April and July of 2019. Primary and secondary documents produced by Colombian scholars, activists, and advocates comprise the majority of textual sources cited. Two limitations of this report include the lack of information on the trans and intersex movements and the focus on the capital city of Bogotá.

The interviews and materials were collected from the following Astraea grantee organizations: GLEFAS, Mujeres al Borde, Colombia Diversa, Santa María Fundación, and Caribe Afirmativo. In addition, interviews and materials were also collected from La Plataforma LGBTI por la Paz, Viva la Ciudadanía, Planeta Paz, Red GPAZ, Fondo Lunaria, Urgent Action Fund Latin America, and Red Comunitaria Trans.

To address the first limitation regarding the lack of information on the trans movement and its history, the PI designed a survey of regional autonomous groups that include a focus on trans people, struggles, and issues. The goal of this survey was to garner information about the various articulations of the trans movement across Colombia. This survey was necessary since trans people have less representation in formalized activist and advocacy spaces. The five groups surveyed include Grupo de Acción y Apoyo a Personas Trans, Armario Abierto, Raras y no tan Raras, Red de Mujeres Trans del Eje Cafetero, and Asociación Jóvenes Benkos Ku Suto.

To address the second limitation regarding the focus on the capital of Bogotá and the fact that the majority of information and sources come from the capital,

the report places attention on Barranquilla to offer an additional regional reference point. This is anchored in the extensive work of Caribe Afirmativo in the Colombian Atlantic region. Furthermore, a focus group was held in Caribe Afirmativo's Casa de Paz in La Soledad.

In addition, to place the interviews and materials in a broader national context, the RA attended the national gathering of LGBTI political leadership on May 16, 2019 in Bogotá. The one day national gathering took place within the programming of the larger conference of LGBTI Political Leadership in Latin America and the Caribbean, el Encuentro de Liderazgos Políticos de América Latina y el Caribe. LGBTI activists and advocates from 12 different departments of Colombia participated and presented their issues and political agenda priorities.



Santamaría Fundación, 2018.

ENDNOTES

- 1 Oettler, Anika. (2019) “The Struggle for Gendered Peace and LGBT Rights in Colombia” Violence, Security and Peace Working Papers. No. 2. The Europe and Latin America Violence, Security and Peace Network.
- 2 Retrieved from: “Colombia: Human Rights Defenders in Danger” <https://www.amnesty.org/en/latest/campaigns/2018/05/colombia-human-rights-defenders-need-protection/> and “Colombia 2017-2018” <https://www.amnesty.org/en/countries/americas/colombia/report-colombia/>
- 3 World Fact Book, Colombia Retrieved from: <https://www.cia.gov/library/publications/the-world-factbook/geos/co.html>
- 4 Ibid.
- 5 Departamento Nacional de Planeación. Elementos básicos sobre el Estado colombiano. Bogotá D. C., Colombia. February 2010. 58.
- 6 Demir, Jarrod. (2018) “Understanding the Causes of the Colombia Conflict” Colombia Reports Retrieved from: <https://colombiareports.com/understanding-the-causes-of-colombias-conflict-land-ownership/>
- 7 See <https://www.escr-net.org/rights> accessed November 18, 2019.
- 8 Colombia Diversa and Caribe Afirmativo (2019) “¡Es Ahora! Investigación de Derechos Económicos, Sociales y Culturales de personas afrodescendientes e indígenas LGBT, en cinco municipios de Colombia” (5).
- 9 Interview with Wilson Castañeda, director of Caribe Afirmativo.
- 10 Alsema, Adriaan. (April 2018) “Colombia’s War Victims: The Numbers” Colombia Report. Retrieved from: <https://colombiareports.com/colombias-war-victims-the-numbers/>
- 11 Retrieved from: <https://data.worldbank.org/country/colombia>
- 12 Arbeláez Jaramillo, Natalia. (June 2019) ‘La ideología de género solo es parte de una gran contra- movilización’ La Silla Académica Retrieved from: https://lasillavacia.com/silla-academica/universidad-los-andes-facultad-ciencias-sociales/ideologia-genero-solo-parte-gran?fbclid=IwAR1OQn5jImdenLWDcoNAoIxqHGzL_RM391K3Qf7PSyxwZfDBWth5L8uVM
- 13 References include:
Corporación Caribe Afirmativo. 2015. Una Mirada a la Participación Política de las personas LGBT en Movimientos y Partidos Políticos en Colombia 2014.
Colombia Diversa, “Situación de derechos humanos de las personas LGBT en Colombia, 201-2015” informe alterno para el séptimo examen del Estado colombiano ante el Comité de Derechos Humanos de la Organización de las Naciones Unidas.
Ángela Rojas Vargas. “Comunidad LGBTI: dos décadas de lucha” El Espectador 11 junio 2012.
50 hitos que nos llenan de orgullo, Colombia Diversa, documento interno.
Sánchez Barrera, Esther Lucía. “El movimiento LGBT(I) en Colombia: la voz de la diversidad de género. Logros, retos y desafíos” Reflexión Política, vol. 19, núm. 38, enero-junio, 2017, pp. 116-131.
Jorge Mejía Turizo and Maury Almanza Iglesia, “Comunidad Lgbt: Historia y reconocimientos jurídicos” Revista Justicia, No. 17–pp. 78-110–Junio 2010.
Maza Rodríguez, Luis Gerardo. Movimiento LGBTI en Colombia: Un Acercamiento al Contexto Histórico-político desde los Acontecimientos de Mayo del 68 y las Revueltas de Stonewall Inn que Dieron Origen al Surgimiento del Movimiento LGBTI en Colombia. Tesis de grado. 2017
- 14 Serrano Amaya, José Fernando. (2013) “Agenciamiento e (in)visibilidad de la diversidad sexual y de género en la construcción de paz” in Serrano Amaya, José Fernando and Adam Baird eds. Paz, paso a pazo: Una mirada a los conflictos colombianos desde los estudios de paz Bogotá: Pontificia Universidad Javeriana (61)
- 15 Ibid. (54)
- 16 Bello Ramírez, Jeisson Alanis and Esguerra Muelle, Camilla (2014) “Interseccionalidad y políticas públicas LGBTI en Colombia: usos y desplazamientos de una noción crítica” Revista de Estudios Sociales No. 49 (22)
- 17 Serrano Amaya, José Fernando. (2013) “Agenciamiento e (in)visibilidad de la diversidad sexual y de género en la construcción de paz” in Serrano Amaya, José Fernando and ADam Baird eds. Paz, paso a paso: Una mirada a los conflictos colombianos desde los estudios de paz Bogotá: Pontificia Universidad Javeriana (62)
- 18 Centro Nacional de Memoria Histórica. 2019. Ser Marica en Medio del Conflicto Armado: Memorias de sectores LGBT en Magdalena Medio (14)
- 19 Caribe Afirmativo, Colombia Diversa and Organización Internacional para las Migraciones. 2019. “¡Es Ahora! Investigación de Derechos Económicos, Sociales y Culturales de personas afrodescendientes e indígenas LGBT, en cinco municipios de Colombia.” (12)
- 20 Corrales, Javier. (2014) LGBT Rights and Representation in Latin America and the Caribbean: The Influence of Structure, Movements, Institutions and Culture. LGBT Representation and Rights Initiative at the University of North Carolina at Chapel Hill. (19)
- 21 Interview with Marcela Sánchez of Colombia Diversa.
- 22 ARTÍCULO 13. “Todas las personas nacen libres e iguales ante la ley, recibirán la misma protección y trato de las autoridades y gozarán de los mismos derechos, libertades y oportunidades sin ninguna discriminación por razones de sexo, raza, origen nacional o familiar, lengua, religión, opinión política o filosófica.”
- 23 Astraea, 2015. Colombia LGBTI Landscape Analysis of Political, Economic, and Social Conditions. (5)
- 24 Rojas Vargas, Ángela. (2012) “Comunidad LGBTI: dos décadas de lucha”, El Espectador Retrieved from: <https://www.elespectador.com/noticias/judicial/comunidad-lgbti-dos-decadas-de-lucha-articulo-352524>
- 25 See Constitutional Court sentences T-539/94 and C-098/96
- 26 Corporación Caribe Afirmativo. (2015) DES-ARMAR SEXUALIDADES Personas LGBTI y aplicación de la Ley de Víctimas en el Caribe colombiano (19)
- 27 Flórez, María (Dec 2014) “‘Botalón’ persiguió a comunidad LGBTI” El Espectador Retrieved from: <https://www.elespectador.com/noticias/judicial/botalon-persiguió-comunidad-lgbti-articulo-534985>

- 28 Comisión Interamericana de Derechos Humanos. (2019) Reconocimiento de Derechos de Personas LGBTI (79-80)
- 29 Ibid. (102-103)
- 30 “El fiscal LGTBI” (2015) Semana Retrieved from: <https://www.semana.com/enfoque/articulo/mauricio-noguera-el-fiscal-igtbi/432823-3>
- 31 Murad Rodríguez, Salua. (October 2018) “La expectativa de vida de un trans es de 35 años” El Espectador Retrieved from: <https://www.elespectador.com/noticias/bogota/la-expectativa-de-vida-de-un-trans-es-de-35-anos-articulo-818106>
- 32 Retrieved from: <https://colombiadiversa.org/base-datos/nacional/>
- 33 Caribe Afirmativo, Gay and Lesbian Victory Institute y el Observatorio de Participación Política de las personas LGBTI en Colombia (2014) Una Mirada a la Participación Política de las personas LGBTI en Colombia (5).
- 34 Observatorio de Participación política de personas LGBTI en Colombia (2016) Rutas para la inclusión de personas LGBTI en los partidos y movimientos políticos de Colombia.
- 35 Retrieved from: <http://participacionpolitica.caribeafirmativo.lgbt/candidaturas-lgbt/>
- 36 “Estatutos del Partido Fuerza Alternativa Revolucionaria del Común” Retrieved from: <http://www.partidofarc.com.co/sites/default/files/ESTATUTOS%20DEL%20PARTIDO.pdf>
- 37 Herrera Durán, Natalia. (Dec 2017) “Lulú, ya no será la candidata trans de la Farc” El Espectador Retrieved from: <https://www.elespectador.com/colombia2020/politica/lulu-ya-no-sera-la-candidata-trans-de-la-farc-articulo-856135>
- 38 Cesar, Putumayo, Bogotá DC, Magdalena, Bolívar, Valle del Cauca, Quindío, Nariño, Santander, Guaviare, Cauca, Atlántico.
- 39 Comisión Interamericana de Derechos Humanos. (2019) Reconocimiento de Derechos de Personas LGBTI
- 40 2018 Universal Periodic Report of Colombia, 3rd cycle, 30th session. Thematic List of Recommendations (5-6). Retrieved December 9, 2019: <https://www.ohchr.org/EN/HRBodies/UPR/Pages/COIndex.aspx>
- 41 Women on the Verge
- 42 Retrieved from: <https://carnavalgaydebarraquillayelatlantico.org/quienes-somos/>
- 43 Representatives from Pasto at the Encuentro de Liderazgos Políticos LGBTI de América Latina y el Caribe. June 2019.
- 44 Centro Nacional de Memoria Histórica (2018) Un Carnaval de Resistencia: Memorias del Reinado trans del Río Tuluní Bogotá: CNMH. (234)
- 45 Caribe Afirmativo. (2017) Arcoiris en Blanco y Negro: Reflexiones en torno a derechos, condiciones de vida, y construcción de paz de personas LGBTI en el Caribe colombiano.
- 46 Retrieved from: <http://glefas.org/nosotras/>
- 47 Documental “familia” señal colombia.com
- 48 Comisión Interamericana de Derechos Humanos. (2019) Reconocimiento de Derechos de Personas LGBTI (54-55)
- 49 Caribe Afirmativo. 2015. Des-Armar Sexualidades: Personas LGBTI y aplicación de la Ley de Víctimas en el Caribe colombiano.
- 50 Género en la Paz - GPaz (Oct 2018) La paz avanza con las mujeres: Observaciones sobre la incorporación del enfoque de género en el Acuerdo de Paz (16)
- 51 Aniquilar la Diferencia: Lesbianas, Gays, Bisexuales, y Transgeneristas en el Marco del Conflicto Armado Colombiano (2015), Una Carnaval de Resistencia: Memorias del Reinado Trans del Río Tuluní (2018) and Ser Marica en Medio del Conflicto Armado: Memorias de sectores LGBT en Magdalena Medio (2019).
- 52 Ibid. (7)
- 53 Ibid. (22)
- 54 National Security Archive (Nov 2018) “Colombia Truth Commission Opens Doors, But Faces Significant Barriers to Access” Retrieved from: <https://nsarchive.gwu.edu/briefing-book/colombia/2018-11-29/colombia-truth-commission-opens-doors-faces-significant-barriers-access>
- 55 Retrieved from: <https://comisiondelaverdad.co/encuentro-por-la-verdad-mi-cuerpo-dice-la-verdad>
- 56 Ávila Cortés, Carolina. (Mar 2019) “JEP recibe primer informe sobre persecución a población LGBT en el conflicto armado” El Espectador Retrieved from: <https://www.elespectador.com/colombia2020/jep/jep-recibe-primer-informe-sobre-persecucion-poblacion-lgbt-en-el-conflicto-armado-articulo-857813>
- 57 Moreno Barreto, Juan David. (Jul 2018) “Caso 002 en la JEP: por la verdad de lo ocurrido en Tumaco, Barbacoas y Ricaurte” El Espectador Retrieved from: <https://www.elespectador.com/colombia2020/jep/caso-002-en-la-jep-por-la-verdad-de-lo-ocurrido-en-tumaco-barbacoas-y-ricaurte-articulo-856929>
- 58 Justicia para la Paz (Sept 2018) “El caso 004 de la JEP le pondrá la lupa al Urabá” El Espectador Retrieved from: <https://www.elespectador.com/colombia2020/jep/el-caso-004-de-la-jep-le-pondra-la-lupa-al-uraba-articulo-857181>
- 59 Retrieved from: <https://lgbtiporlapaz.wixsite.com/lgbtiporlapaz/documentos-de-interes>
- 60 Caribe Afirmativo and Colombia Diversa. (2017) La Discriminación, Una guerra que no termina.
- 61 Diana Granados Soler, Marcela Amador Ospina 2018 “Antiderechos e ideología de género en Colombia: ¿Cómo romper el cerco?” Fondo Lunaria (20)
- 62 Comisión Interamericana de Derechos Humanos. (2019) Reconocimiento de Derechos de Personas LGBTI (129)
- 63 Ibid.
- 64 Comisión Interamericana de Derechos Humanos. (2019) Reconocimiento de Derechos de Personas LGBTI (67)
- 65 Colombia Diversa, Informe Alternativo par el Séptimo Examen del Estado Colombiano ante el Comité Derechos Humanos de la Organización de las Naciones Unidas 2010-2015
- 66 PC, Zoe. (July 2019) “Protests Planned Across Colombia in Defense of Social Leaders” News Click Retrieved from: <https://www.newsclick.in/index.php/protests-planned-across-colombia-defense-social-leaders>

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