

**Title:** Including LGBT groups in the process of transitional justice in Colombia: on the scopes of influence of national LGBT specialized human rights NGOs

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### **Abstract**

This paper analyses a decade (2006-2016) of main scopes of influence of national LGBT specialized human rights NGOs (actors which are partners and part of the transnational advocacy network for the advancement of LGBT human rights worldwide), in order to include LGBT populations in the process of transitional justice in Colombia. Primary sources for this research include semi structured interviews with diverse groups of actors in Bogotá, Cali and Barranquilla conducted in 2016, as well as formal and informal documents. The data was processed through content, document and network analysis. I find that, like the transnational advocacy network, the Colombian LGBT specialized human rights NGOs helped position LGBT populations in the human rights agenda. Besides, they contributed to rethink discourses on vulnerability and victimhood, assisted in affecting institutional procedures to include LGBT people in all victims' roundtables, and advised LGBT related policy in the Sub commission on gender during the Habana negotiations. Further, they sought to influence voters' behaviour by campaigning for validating the peace agreement between FARC-EP and the Colombian government.

**Keywords:** LGBT human rights, Colombia, NGOs, transnational activism, transitional justice.

## Introduction

In Colombia, the LGBT movement is the product of a peace process.<sup>1</sup>  
Wilson Castañeda, director of *Caribe Afirmativo*.

All of our fights have taken place at the same time as the armed conflict [...]  
The conflict pains us due to the victims (who pain us so and who are also our victims).  
But it also does so due to the harmful effects it has had on our democracy.  
Violence destroys everything it touches, exacerbating fears, revenges, and prejudices.<sup>2</sup>  
Mauricio Albarracín, director of *Colombia Diversa*.

Transnational advocacy networks (TANs) are similar to social movements and other political agglomerations in so far as they seek to push for certain issues and exercise influence. However, because of their reduced direct/hard power, they 'must make use of the power derived from their information, their ideas, and their strategies to transform this information and the value-driven contexts within which states define their behaviour.'<sup>3</sup> Hence, the main strategies for actors in TANs to exert pressure involve soft power tactics, 'what Baumgartner and Jones call [...] "looking for legal ways", which is based upon "the dual strategy to present an image and find the most receptive political and legal way"' to advance an issue.<sup>4</sup>

Within this overall strategy, Keck and Sikkink distinguish among five scopes of influence: 1) constructing the issue and setting the agenda, 2) influencing discourse, 3) affecting institutional procedures, 4) inducing policy, and 5) prompting behavioural changes of relevant actors.<sup>5</sup> They also put forward four key sets of tactics for networks to exercise their influence: information politics (generating quick and reliable information, apt to be politically used), symbolic politics (using symbols, actions or events to appeal to an often distant audience), leverage politics (using others' resources, position and

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<sup>1</sup> Personal interview, Castañeda 2016.

<sup>2</sup> Albarracín 2015.

<sup>3</sup> Keck and Sikkink 2000, 36.

<sup>4</sup> Ibid, 39.

<sup>5</sup> Ibid, 48.

capabilities to advance issues), and accountability politics (keeping elected officials accountable to their pledges).

The concept of TAN, introduced by Margaret Keck and Kathryn Sikkink in their book, *Activists beyond borders: Advocacy Networks in International Politics*, is especially suited to make sense of the inclusion of LGBT populations in the most recent process of transitional justice in Colombia. In fact, the authors explain that the concept enables us to account for how a wide variety of actors (local, state, international, intergovernmental, among others) can influence the terms and nature of the debate on a given issue.<sup>6</sup> Further, it is especially suited to deal with human rights issues because these tend to be topics 'characterized by a high level of value content and uncertain information.'<sup>7</sup>

Using the concept of TAN to analyse the current case is also congruent with empirical conditions. Their authors expound that it is more likely that TANs appear when: 1) the channels of communication between governments and their citizens are blocked or inefficient, 2) activists or political actors believe that working within a network will contribute to their missions and campaigns, and 3) there are international conferences and spaces where networks can be established and developed.<sup>8</sup> The half a century long internal armed conflict makes it safe to argue that the channels of communication between the Colombian government and local social movements have been either ineffective or inefficient. On the other hand, the recent peace negotiations between *Fuerzas Armadas Revolucionarias Colombianas – Ejército del Pueblo* (FARC-EP) and the government are signs of the opening of channels of communication with the state, holding the promise of better prospects for upholding human rights, including those of LGBT peoples.

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<sup>6</sup> Keck and Sikkink 1998

<sup>7</sup> Keck and Sikkink 2000, 18.

<sup>8</sup> Ibid, 31.

The increasing visibility of Colombian non-governmental organizations that work on promoting LGBT human rights, such as *Caribe Afirmativo*, *Colombia Diversa*, and *Santa María Fundación*, provide salient examples of transnational LGBT human rights advocacy during the 2006-2016 decade in Colombia. According to interviews with representatives from these organizations that promote LGBT human rights, their work follows the priorities of the organization, which can be noticed in the number and kind of departments they have: communications and social media, peace and conflict, strategic litigation, community linkage, penal litigation, research, constitutional litigation, among others. They have conducted projects and programs to serve LGBTI populations individually and have had joint ventures funded by specialized UN agencies such as the UNDP<sup>9</sup>, international donor agencies from the European Union as well as USAID, CIDA, among others. Their legal, advocacy, social, community, education and political work has national, local, regional (within Colombia), and even subcontinental scopes (Caribbean).<sup>10</sup> Their networks are global, complex and multiple, which is why they are partners and participate of the transnational advocacy network for the advancement of LGBTI human rights worldwide. Therefore, they will be the main actors that I refer to in this article.

These national actors have interacted with a variety of agents, including international and intergovernmental organizations, political parties, human rights groups, academic and professional gatherings, grassroots movements, etc. In the case under study, national actors have used multiple formal and informal national and international spaces to exchange information, create networks, and strengthen them in order to advance LGBT causes. Part of the work of actors in TANs consists of locating (and even creating) the most appropriate venue to advance their causes. These have included, for instance, UN formal bodies and activities associated with the organization, as well as

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<sup>9</sup> Personal interview, Grand 2016.

<sup>10</sup> Personal interviews, Hamilton 2016; Grand 2016.

regional bodies of human rights, such as the Inter American System of Human Rights. In the national arena, these organizations hold regular meetings amongst each other, with other human rights NGO organizations, political parties, government representatives and educational institutions.

During the considered decade (2006-2016), Colombia experienced an incipient political, social and legal framework of transitional justice. This occurred due to the 975 Justice and Peace Law which was passed at the end of 2005, as well as the 1448 Victims and Land Restitution Law of 2011. On the one hand, the 2005 law, approved during ex-president Uribe's second term in office, 'regulates the investigation, prosecution, and punishment of people who decide to demobilize and awards them certain legal benefits on the condition that they adhere to the measurements geared towards national reconciliation such as truth-seeking, reparations for victims, and adequate re-socialization.'<sup>11</sup> On the other hand, the 2011 law, championed in President Santos first term in office, 'sets out a series of measures for the comprehensive reparations of victims. It includes a definition of the beneficiary population, assistance measures, economic compensation (taking up the process established through Decree 1290), among others.'<sup>12</sup> In addition, during Santos' presidency, the Colombian government held a peace process with FARC-EP from 2012 to 2016.

Processes of transitional justice have as their foremost objective to rectify massive human rights abuses in a variety of ways. They have taken place since the establishment of the Nuremberg trials at the end of World War II. These refer to the 'set of judicial and non-judicial measures [...] to redress legacies of massive human rights abuses, [...including] criminal prosecutions, truth commissions, reparation programs, and various kinds of institutional reforms.'<sup>13</sup> The legitimacy of contemporary transitional justice (which

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<sup>11</sup> ICTJ 2017.

<sup>12</sup> Ibid.

<sup>13</sup> ICTJ 2011.

has also been termed Phase III)<sup>14</sup> rests upon the participation of local and transnational actors, where a multiplicity of political aims are at play. Thus, for an appropriate analysis to take place, the theoretical and methodological framework needs to take into consideration dissimilar, formal and informal actors. In fact, various current research programs and subfields in international relations ponder that

it has become a truism to argue that the external and the internal, the global and the local, the state and non-state actors are inextricably linked. The theoretical challenge- for scholars in general and scholars of civil war in particular- is to explain the interactions across these various levels.<sup>15</sup>

Within these processes, Latin American countries have played a significant role in developing novel manners to tackle human rights abuses that have occurred in the region, from the dictatorships in the Southern Cone to the internal armed conflicts in Central America.

The Colombian case is pioneering due to unique characteristics: (i) its internal armed conflict has lasted for approximately half a century (though this figure is up for debate); (ii) thus, it has complex roots and factors, as though researchers may agree on some initial causes for it (issues of political representation, social justice, unequal land distribution, among others), its length and ever changing situation has added new dimensions, such as drug trafficking; and (iii) it involves many actors, including state forces, paramilitaries, criminal bands (also known as *Bacrim*) and guerrilla groups such as FARC-EP and National Liberation Army (*ELN*). What's more, during other previous processes of transitional justice (in the region and outside of it), LGBT people have not been either adequately recognized as direct victims of armed conflicts nor guaranteed representation in public policy making concerning peace processes.

So, amidst this complex social setting, it is telling that civil society organizations and groups that have been traditionally most vulnerable to violence (rural populations, women, LGBT, Afro Colombian and indigenous populations) have taken part in the 2012-

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<sup>14</sup> Teitel 2005.

<sup>15</sup> Checkel 2014, 3-4.

2016 Havana dialogues between the government and FARC-EP. For instance, Wilson Castañeda, director of the NGO *Corporación Caribe Afirmativo*, took part in the negotiations representing LGBT victims of the internal armed conflict on 11 February, 2015. Likewise, on 6 March, 2015, Maurico Albarracín, director of *Colombia Diversa*, did as well at the Sub commission on Gender. Their participation likely bore fruit as the FARC-EP and the Colombian government reached an agreement on the issue of victims, including the establishment of a truth commission that would investigate human rights abuses against members of LGBT populations (particularly targeted due to their sexual orientation and/or gender identity).

The participation of these groups in the peace negotiations could be considered part of the influence of the TAN for the advancement of LGBT human rights in Colombia, through mechanisms comparable to the 'boomerang effect':

A state blocks initiatives by the local organizations located within its borders; these organizations activate the network, whose members exercise pressure on their respective states, (and if need be) contact a third organization, which in turn exercises pressure over said state.<sup>16</sup>

The boomerang pattern of influence presupposes the existence of, and coordination between, national/local and international organizations/actors/agents. Emphasis is placed on political activists with the wherewithal and know how on organizing national and international campaigns, who consider it relevant to work within a network in order to advance their missions.

Hence, the overall aim of this article is to analyse the scopes where national LGBT specialized human rights NGOs have had an impact on the process of transitional justice to include LGBT populations from 2006 (right after the approval of the 2005 Justice and Peace Law, *Ley de Justicia y Paz*) until late 2016 (when the peace agreement between the government and FARC-EP was signed). In order to collect and analyse data, I conducted semi structured interviews with state representatives, experts and

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<sup>16</sup> Keck and Sikkink 2000, 31.

representatives of civil society (both at the local and international levels) in Bogotá, Cali and Barranquilla, making use of confidentiality and consent forms. These interviews facilitated obtaining official information from written sources (formal state documents, laws, and recommendations) and unofficial information (published reports, documents, agendas, minutes from meetings, etc.). Based on this data, as well as the interviews themselves, I executed content and network analysis to show main scopes where Colombian NGOs for the advancement of LGBT human rights have influenced the process of transitional justice between 2006 and 2016 to bear in mind LGBT people.

This paper begins by briefly presenting the theoretical and methodological framework. It then provides a brief description of the consolidation of national LGBT movements in Colombia as a vital and parallel condition to set the LGBT human rights agenda and create issues, one of the scopes of influence of national LGBT specialized human rights NGOs. The paper then analyses the following scopes: influencing discourse, affecting procedures, inducing policy and behavioural changes, in order to include LGBT populations in the process of transitional justice. Finally, conclusions are presented.



## **Scopes of influence of national LGBT specialized human rights NGOs to include LGBT populations in the process of transitional justice**

*Setting LGBT human rights in the national human rights agenda and constructing relevant issues for LGBT populations while bolstering Colombian LGBT movements*

Colombian LGBT movements had their beginnings at the turn of the millennium, during the peace process promoted by Colombian President Andrés Pastrana (1998-2002). Certainly, there were local individual positions of leadership before the process, such as those of Manuel Velandia and León Zuleta, but no national incidence on issues regarding LGBT populations and the internal armed conflict.<sup>17</sup> So, according to national LGBT activists, international cooperation agencies, especially the Swiss one proposed to contribute in the mentioned peace process, as long as civil society be part of it. 'The Swiss cooperation agency also mentioned that LGBT people should be included in the participation of civil society'<sup>18</sup>, the government accepted this offer, and *Planeta Paz* debuted as an 'organization of social movements that wished to take advantage of that moment to present proposals to the negotiations table.'<sup>19</sup>

Initially, *Planeta Paz* was a conglomeration of civil society organizations where leaders from social sectors met in order to develop and communicate proposals regarding the peace process in San José de Narito. It organized yearly national forums for women, youth, workers, among other sectors from 1998 to 2002. When the time came so that LGBT sectors participate on a forum in the small town of Santandercito,

the government as well as civil society watched incredulous as more than 100 people made their way to Santandercito from all over the country, This is the foundational moment of the LGBT movement in Colombia, which qualifies us to assert that the LGBT movement is the product of a peace process<sup>20</sup>.

The discernible participation of LGBT groups in *Planeta Paz* makes it obvious for the state that LGBT populations have been affected in the internal armed conflict due to their

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<sup>17</sup> Personal interview, Castañeda 2016.

<sup>18</sup> Personal interview, Donoso 2016.

<sup>19</sup> Personal interview, Grand 2016.

<sup>20</sup> Personal interview, Castañeda 2016.

particular conditions involving their sexual orientation and gender identity. This fact is later on corroborated in the 2011 Victims and Land Restitution Law which created the National Center for Historical Memory and the Victims Unit. The combination of pushing for human rights, while in the midst of an incipient process of transitional justice consolidates LGBT movements in Colombia. This is why currently, it is thorny to isolate their broader advocacy goals and campaigns from the day to day, palpable context of an internal armed conflict, which even while seemingly arriving to a long awaited conclusion, is yet to be resolved through the ongoing and upcoming transitional justice mechanisms.

At last, *Planeta Paz* helped consolidate and initiate various national LGBT specialized human rights NGOs working on topics regarding the internal armed conflict, such as *Corporación Opción*, *Caribe Afirmativo*, *Santa María Fundación*, *Colombia Diversa*, etc. 'Planeta Paz served to articulate, organize and provide a more permanent space. It ended as part of a peace process but the LGBTI movement continues articulating new debates like marriage, public policy, among others.'<sup>21</sup>

Later on, in 2006 the LGBT movement initiated processes of political participation. Due to an electoral reform, some political parties were going to be extinct as they did not reach the minimum number of seats in recent elections; so, the *Polo Democrático Independiente* party joins other political movements to create the *Polo Democrático Alternativo* party. This political party established a quota to support the political participation of LGBT people, called *Polo de Rosa*.<sup>22</sup>In fact, its statute has an entire Chapter (XII) regarding the political partition of people of LGBT sectors, indicating on Article 21 that 'the *Polo* will guarantee people of LGBTI sectors, their effective participation in the party [...recognizing] a National LGBTI Organization of the *Polo Democrático Alternativo*, in accordance to the statute.'<sup>23</sup> Sebastián Romero was part of

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<sup>21</sup> Personal interview, Donoso 2016.

<sup>22</sup> Personal interview, Obrador 2016.

<sup>23</sup> III Congreso Polo Democrático Alternativo 2012, 88.

it; he was the first openly gay member to gain a seat in the Bogotá council representing the notoriously gay friendly *Chapinero* neighbourhood in October 2007.

Then, on 28 December, 2007, Luis Eduardo Garzón, Mayor of Bogotá and member of *Polo Democrático Independiente* and then of *Polo Democrático Alternativo*, signed the 603 decree, providing guidelines on the norms on Public Policy to Fully Guarantee the Human Rights of LGBT people in the city of Bogotá. This law was pushed for national LGBT specialized human rights NGOs and supported by some Council members, in order to construct the issues and set the agenda regarding LGBT participation on spaces of public policy making. Openly LGBT state representatives were hired to serve as links with other organizations, as well as to position the District Secretariat as a trailblazing institution regarding upholding LGBT human rights.<sup>24</sup>

It is rather difficult to pinpoint all of the actors that are part of national LGBT movements, as they respond to several goals/campaigns and are diverse. Additionally, the nature of a social movement implies that the participation of members is not altogether formal, but rather can fluctuate. However, through interviewing diverse actors and making use of the snow ball methodology, I managed to identify some important personalities (besides the organizations I have already mentioned): Gina Parody (openly lesbian Minister), Cecilia Alvarez (openly lesbian Minister and Parody's spouse), Angélica Lozano (openly lesbian Representative to the Bogota Chamber), Claudia López (openly lesbian Senator, former member of *Colombia Diversa* Director's board, and Lozano's partner), Virgilio Barco (openly gay president of *Colombia Diversa* and son of ex-President Virgilio Barco), Brigitte Baptiste (openly transgender Director of the Alexander Von Humboldt institute and prominent academic), among others. The movement also comprises various local and national NGOs who work on human rights

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<sup>24</sup> Personal interview, Obrador 2016.

related issues. Besides, writers, opinion leaders, among other actors with high political capital tend to provide their support, regardless of whether they themselves are LGBT.

As has been evidenced, consolidating the birth of major LGBT movements in Colombia, setting common agendas and creating issues required all of the politics of influence. Information politics involved collecting and producing information demonstrating that LGBT populations are a marginalized and vulnerable sector that required city attention. Symbolic politics can be noted when referring to the number of LGBT attendants to the town of Santandercito: its surprisingly high number denoted importance, thus it aided LGBT specialized NGOs' demands to be part of the peace agenda, establishing topics of relevance to LGBT populations

Leverage and accountability politics go hand in hand as well in this scope of influence, since national LGBT specialized human rights NGOs were capable to exercise pressure on Bogotá's Mayor, cognizant that he was a relevant decision-maker who was also preparing his presidential candidacy, and thus was likely to respond positively to citizen's demands. These politics can also be gathered regarding the Swiss request to the Colombian government to include LGBT populations in the 1998-2002 peace accords, since it demonstrates the weight of an international donor in shaping internal public policies, in this case those pertaining the national agenda and issues in the process of transitional justice.

All of these politics are similarly used by *Polo Democrático Alternativo* by promoting LGBTI participation within its political organization (information politics) and (symbolic politics) making this information explicit in its 2012 *Ideario de Unidad, Estatutos, Código de Ética* (Unity Vision, States, Ethical Code) (which implies leverage and accountability politics, the first ones are based on the very nature of a political party being an important actor, while the second ones are delineated in the document itself).

One may as well argue that the Santandercito anecdote involves all politics because the number of attendants was visually stunning (symbolic politics), which provided them with leverage vis-à-vis the government officials (leverage politics), who were to be held accountable to respond adequately to citizen's demands (accountability politics). Information politics are apparent considering the goals of the forums, where participants shared strategic data, common grievances, as well as best practices.

As can be observed, there are cases where some politics of influence may be useful for various scopes of influence. On the other hand, neatly dividing information, symbolic, leverage, and accountability politics so that each tactic fit well within one of the five scopes of influence previously mentioned in the introduction is challenging. Hence, overlap does occur regarding politics that can be used in many scopes of influence; however, for analytical and presentation purposes, I intend to place and discuss tactics of influence within the most relevant scope of influence.

*Influencing discourses on victimhood in order to be part of the process of transitional justice and strengthening communication departments*

The 2011 Victims and Land Restitution Law or 1448 Law, recognizes that 'LGBTI people are subjects of special constitutional protection based on a differentiated approach, as their condition of victims is reinforced by their condition.'<sup>25</sup> This normative and legal development provided LGBT populations the social and legal legitimacy to be part of the process of transitional justice and be recognized by the state as victims of the internal armed conflict with a differentiated approach. Yet, this advance did not take place out of a context and without participation of national LGBT specialized human rights NGOs.

The District Secretary of Planning at the City of Bogota came up with the *Lineamientos generales de la política pública para la garantía plena de los derechos de las personas LGBT y sobre identidades de género y orientaciones sexuales en el distrito*

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<sup>25</sup> Caribe Afirmativo 2016.

*capital* (General Guidelines of public policy to fully guarantee the rights of LGBT people and on gender identities and sexual orientations in the capital district) in 2008, which includes the aforesaid 603 decree and a mention of the newly launched Yogyakarta Principles. These are 'intended as a coherent and comprehensive identification of the obligation of States to respect, protect and fulfil the human rights of all persons regardless of their sexual orientation or gender identity.'<sup>26</sup> The principles were drafted on November 2006, when 29 human rights specialists met in the city of Yogyakarta,

'to provide a fair assessment of the current state of human rights law as applied to sexual minorities, in particular [...] (LGBT) people. At the core of the YPs are the human rights norms of universality and non-discrimination. That no human being or group of human beings are considered outside of the clear and straightforward language of the international treaties that are the foundation of international human rights law. That LGBT people are no exception to this basic understanding of the application of human rights law.'<sup>27</sup>

The 106 page long document, General Guidelines of public policy to fully guarantee the rights of LGBT people and on gender identities and sexual orientations in the capital district, mentions the internal armed conflict three times. In it, it is said that

violating the right to life and security of LGBT sectors seem to increase in areas affected by the internal armed conflict in Colombia, in which violence due to gender identity or sexual orientation is part of the practices of power and control [...] (Payne, 2007).<sup>28</sup>

Thus, this document argued that there is a correlation between the areas where the internal armed conflict takes place and human rights violations against LGBT populations. The document also explains that *Colombia Diversa* has informed about this situation through its reports. It also mentions *Colectivo Lésbico* as another national LGBT specialized human rights organization that has

typified human rights violations of people due to their gender identity and sexual orientation, noticing various kinds of violence, abuses committed by public forces, abuses in the context of the internal armed conflict, lack of protection when these people are incarcerated, among other forms of human rights violations.<sup>29</sup>

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<sup>26</sup> O'Flaherty and Fisher 2008, 207.

<sup>27</sup> Ettelbrick and Trabucco 2010, 4.

<sup>28</sup> Alcaldía Mayor de Bogotá D.C. 2008, 16.

<sup>29</sup> Ibid, 54.

This step is crucial to continue framing LGBT populations as victims of the internal armed conflict since counting with this discursive association, it is more likely that tangible situations be seen under that framework. Indeed, on 23 December, 2013, the Ministry of Interior learned of an *embera* transgender woman, Cintia Osorio Conquista, who communicates that guerrilla members had entered her community in Bajo Baudó, Chocó. They had threatened the governor and the indigenous council, letting them know that two gay men and she had to evacuate the area immediately.<sup>30</sup> According to the state representative Diana Navarro, as soon as she received the call, she

got in touch with the *Fondo de Acción Urgente para América Latina* (Urgent Fund for Latin America) to coordinate along with the Interior Ministry how to get Cintia out of danger, then we led her to the *Unidad Nacional de Protección* (National Unit of Protection) to guarantee her human rights.<sup>31</sup>

Likewise, the Superior Tribunal of Bogotá found *Autodefensas Campesinas del Puerto Boyacá* (Boyacá Port Self-Defense Peasants) former Commander Arturo Triana Mahecha, a.k. 'Botalón', guilty of crimes against LGBT populations in the Magdalena Medio area. In this case, human rights organizations pushed for recognizing that 'those people be officially named victims due to their sexual orientation and gender identity' during the hearings of the judicial case. At the end, the law did recognize and identify these LGBT populations as collective victims in a geographically determined area, instructing the Fiscal to

strengthen documentation and research processes of similar cases [... requesting the] National Center for Historical Memory and the Victim's Unit to repair lesbians, gays, bisexuals, transsexuals and transgender victims of the internal armed conflict individually and collectively.<sup>32</sup>

The current structures of political opportunity regarding the process of transitional justice has demanded from national LGBT specialized human rights NGOs to strengthen their communication departments as part of their scope to influence discourse (although, clearly, to man and produce strategic information is also of use in many other scopes of

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<sup>30</sup> Personal interview, Obrador 2016.

<sup>31</sup> Personal interview, Navarro 2016.

<sup>32</sup> Flórez 2014.

influence, such as the previous one). In fact, a representative from one of these organizations commented that 'the current topic under discussion, the peace process after the plebiscite, requires us to be active participants as we believe that our strategy is not only legal, but also [involves] influencing state and social civil organizations.'<sup>33</sup> Key tactics to accomplish these goals involve developing communicational strategies, where producing content to maintain a frequent use of social media is primordial.

Thus, in this scope of influence, information, leverage and accountability politics are used. Information politics are evident through the frequent publication of reports by national LGBT specialized human rights NGOs. Similarly, information politics are central to grasp the mediatizing of Cintia Osorio Conquista's case as well as Botalón's. As we have seen in this section, the aforementioned actors effectively reshaped frameworks and discourses on victimhood through the strategic use of information in their reports. On the other hand, leverage politics are visible considering the intervention of the Urgent Fund for Latin America. Finally, national LGBT specialized human rights NGOs made use of accountability politics when linking their demands to state institutions such as the District Secretary of Planning at the City of Bogotá, the Superior Tribunal of Bogotá, and the Ministry of Interior.

*Prompting institutional policy changes regarding LGBT victims' participation in designated victims' fora, national, regional and local tables*

*Caribe Afirmativo* and *Corporación Opción* participated in the first transitional table to formulate the protocol of participation. There, it was established that LGBT populations must have one or two representatives in all regional, municipal and national tables. While this policy may seem sufficient to ensure the participation of LGBT populations, Diana Navarro comments that

we are a population that contemplates nine sectors: lesbians, gays, bisexual men and women, transgender men and women, intersex people, and among transgender

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<sup>33</sup> Personal interview, Hamilton 2016.



persons we are drag queens, transvestites and transsexuals. Not all our needs are the same, which is why I propose implementing a *diferenciado* specialized treatment.<sup>34</sup>

As in all scopes of influence, prompting policies does not always fulfil all actors' expectations. A lawyer and LGBT activist in one of the mentioned NGOs explains that 'The Victim's Unit includes LGBT people in the registry; thus, it has a rough count of the number of LGBT victims of the internal armed conflict, without it having too trustworthy or reliable information.'<sup>35</sup>

Leverage, accountability and information politics are also relevant in this scope of influence. Information politics were vital so that *Caribe Afirmativo* and *Corporación Opción* participated in the first transitional table to formulate the protocol of participation. Likewise, they are necessary, in terms of ensuring the compilation of relevant data on LGBT victimhood due to the internal armed conflict. Finally, still as part of the same example, framing the public policy to include one or two representatives of LGBT organizations in all tables as a welcomed development but far from enough, contributes to push for more spaces of participation for LGBT populations in diverse areas of the transitional justice process.

Accountability politics are important in this scope of influence because in the example, as it corresponds in processes of transitional justice, state institutions are placed as responsible for fulfilling their mandates, including taking in LGBT populations in the making of public policy vis-à-vis the internal armed conflict. Leverage politics, in this case, must thus contemplate state institutions as well, linking demands to their mandates and missions, as well as seeking to attain positions in the mentioned tables to affect policy concerning the inclusion of LGBT populations in the process of transitional justice.

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<sup>34</sup> Personal interview, Navarro 2016.

<sup>35</sup> Personal interview, Hamilton 2016.

*Affecting procedures regarding the 2012-2016 peace talks between FARC-EP and the Colombian government and prompting behaviour in the campaigns LGBTI vota sí (LGBTI votes yes), Paz es diversidad (Peace is diversity) and the Peace Pedagogy project*

Women organizations in the country were instrumental to achieve the creation of the Gender Sub commission in the Havana peace negotiations between FARC-EP and the Colombian government. This sub commission was in charge of 'transversalizing' a gender perspective to the published agreements, 'and so it held many meetings with organizations that could be part of this topic, and in one of those occasions, two national LGBT specialized human rights organizations attended Havana: *Caribe Afirmativo* and *Colombia Diversa*.<sup>36</sup>

*Colombia Diversa* presented proposals regarding including LGBT populations in the areas that had been preliminarily agreed upon: an integral rural reform, political participation and solving the issue of drug trafficking. *Caribe Afirmativo* behaved similarly. Both organizations achieved a notable feat by being the only national LGBT specialized human rights NGOs to have taken part of the peace negotiations as part of the process of transitional justice.

National LGBT specialised human rights NGOs have also been involved in the process of transitional justice in political and pedagogical capacities. This is why, the *LGBTI vota sí* committee was constituted with various objectives in mind: convincing LGBT peoples to vote yes on the plebiscite and showing members of society at large that LGBT populations were active participants in the issues affecting the country, specifically in the process of transitional justice. Further, while this scope involves prompting procedures and behaviours, the public image and discourses society at large may hold about LGBT populations may be affected as well, picturing them now under a new light, not only as victims of the internal armed conflict, but also as active political members of society who wish to be involved in national decision making processes.

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<sup>36</sup> Personal interview, Grand 2016.

National LGBT specialized human rights NGOs get funding from a variety of (mostly international) sources. For instance, *Colombia Diversa* is not part of the *LGBTI vota sí* campaign. However, it managed to obtain funding from a UNDP project on peace pedagogy. The project contemplates many activities: the main one is teaching LGBT populations where their demands can be found in the peace agreements and how the process of implementation is to take place. Additionally, the NGO is leading another campaign called peace is diversity as a joint venture with local LGBT organizations in Bucaramanga and Pereira.

This is a peace campaign, and peace does not belong to one or another organization, so we have managed to coordinate this project including other organizations with their own names [...] recognizing local leaderships and already established networks in the territories.<sup>37</sup>

The case of the *Paz es diversidad* campaign in this scope, influencing procedures and behaviours, highlights the importance of leverage politics. Indeed, a member of *Colombia Diversa* stated that the personalities I have cited in the section on bolstering LGBT movements were vital in terms of increasing media exposure for the campaign. 'By tweeting the hashtag #pazesdiversidad on the debut of the campaign, they created much more echo than what we would have gotten by ourselves on social media only.'<sup>38</sup>

Of course, the national LGBT specialized human rights NGOs are strategic regarding the actors with whom they associate according to their specific goals. For instance, I was told that for the *paz es diversidad* campaign, politicians' speeches and declarations were welcomed and shared widely. Nonetheless, for other campaigns, it is deemed preferable to try staying away from political parties as the campaign may appear as politically tainted/motivated. In these situations, circulating and echoing statements made by academic or other seemingly more objective actors is preferred.

As has been noticed, information politics have once again been key in these scopes of influence. For *Caribe Afirmativo* and *Colombia Diversa* to be part of the peace

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<sup>37</sup> Personal interview, Grand 2016.

<sup>38</sup> Personal interview, Grand 2016.

negotiations, these organizations had to establish their national reputation throughout many years, by conducting numerous campaigns, producing frequent information through reports, and being present constantly in national debates on LGBT issues, not only pertaining to the internal armed conflict. Information politics are also relevant for *Colombia Diversa* as their established expertise allowed it to apply and successfully be awarded UNDP funds for developing their own campaigns regarding peace pedagogy.

Leverage politics are also apparent in these scopes because the support of women organizations has been identified as fundamental so that LGBT populations be included in the Sub commission on Gender. Similarly, as was mentioned in the previous paragraphs, the capacities of national LGBT specialized human rights NGOs to acquire funds from a variety of (mostly international) partners speak well of their networking practices. At last, accountability politics can be noticed while considering the responsibility of the Colombian government to advance the process of transitional justice, ensuring that it incorporates the demands and goals of a multiplicity of actors.

## Conclusions

The concept of TANs contemplates that channels of communication between the state and social movements are ineffective. Thus, using this concept to analyse the advances of LGBT human rights within a transitional justice framework would seem adequate as the concept considers that state institutions have had their share of challenges vis-à-vis responding efficiently to citizens' demands. However, as was indicated in the introduction, the process of transitional justice signifies the hope that channels of communication become more stable and efficient. These are magnificent news as the conflict appears to be winding down. Nevertheless, the analytical repercussions of better channels of communication present a challenge because the concept of TAN itself deals with scopes of influence as well as politics of influence under the premise that formal, regular, and organized dialogue with the state is ineffective. Hence, while using the politics and scopes of influence of the concept of TAN has been beneficial to better comprehend the advances of LGBT people to be part of the process of transitional justice, this case study (which is intrinsically a process where channels of communication are supposed to continue improving gradually so that demands are processed formally) requires to be open to identifying new scopes of influence.

According to the authors of the TAN concept, the main strategy for actors in TAN to advance their causes involves searching for legal ways. Yet, the current case study demonstrates that national LGBT specialized human rights NGOs are not only focused on an all-encompassing legal strategy but also seek to influence other areas of social reality besides legal aspects. Likewise, while the concept of TAN highlights the importance of strategic partners (leverage politics), this study shows that not every important actor is useful or convenient for all instances. This can be understood, for instance regarding the UNDP sponsored campaign *paz es diversidad*, where a lawyer from a national LGBT specialized human rights NGO explained that the organization

tend to try to stay away from showing too much partnership with political actors as these can be polarizing.

It appears that all of the politics of influence: information, symbolic, leverage, and accountability, can be used in the various scopes of influence. Still, it seems as if symbolic politics have not been so prevalent regarding helping LGBT populations be part of the process of transitional justice. On the other hand, information politics are essential in almost all scopes of influence since national LGBT specialized human rights NGOs, as partners and part of the world wide TAN to advance LGBT human rights, share with TAN the centrality of using, producing and disseminating information strategically.

This paper has also identified that conceptually, the scopes and tactics of influence of TAN are not clear cut. Overlap does exist. There is a high degree of subjectivity when deciding, for instance, whether a tactic fits better as part of information, accountability, leverage, symbolic politics, or a combination of them. For example, proposing changes/considerations to preapproved text on the peace agreements involves informing the state institutions on the treatment which should be considered for LGBT victims. This action also involves accountability politics as the state is held accountable to process all proposals to modifying the agreements. Besides, one must consider the interconnectedness of scopes of influence and the nature of social processes. So, using the current example, symbolic politics could be an indirect tactic to be able to influence the mentioned texts, noticing (repeating a previous argument) the symbolism of many LGBT people attending the Santandercito event. Likewise, the scopes of influence of national LGBT specialized human rights NGOs involve creating issues; setting the agenda; influencing discourses, procedures, policies, and behaviours. Not one of these scopes is completely isolated from the other ones, as almost no tactic of influence has repercussions in only one scope of influence.

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